

<p>1 Monday, 12 July 2021 2 (10.00 am) 3 THE CHAIRMAN: Good morning, everybody. 4 Yes. 5 MR ANDREW WHITEWOOD (sworn) 6 Questions from MS MCNEILL 7 MS MCNEILL: Thank you, please sit down. 8 Sir, our first witness is Mr Whitewood. You have 9 a bundle for him, I hope his very short statement is 10 behind tab 1 of that bundle. 11 Mr Whitewood, do you have a bundle, also behind 12 tab 1, of the bundle in front of you? 13 That is it. 14 Can you please confirm your name is 15 Mr Andrew Whitewood? 16 A. It is, sir, yes. 17 Q. You were previously known as the cipher FE17; is that 18 correct? 19 A. I was, yes. 20 Q. You are now retired? 21 A. Yes. 22 Q. In 2017, were you a CTSFO in the unit SO19? 23 A. No, I wasn't, no. 24 Q. Did you have the rank of detective inspector? 25 A. Yes, I did.</p> <p style="text-align: center;">Page 1</p>	<p>1 Q. I have read my note wrong. Did you act as the ground 2 TFC for Operation Ankaa? 3 A. As one of two of them, sir, yes. 4 Q. As a ground TFC, do you undergo the full training course 5 as a TFC? 6 A. I did, sir, yes. 7 Q. You received the same training as Mr Williams that we 8 have heard about already? 9 A. Mr Williams did his training several years before me, 10 many years possibly, I don't know what training he 11 received, but certainly we went through the same TFC 12 course and finished with the same qualification, so yes. 13 Q. When did you undergo your training to act as a TFC? 14 A. I believe in 2012/2013. 15 Q. So as at December 2015, how frequently had you deployed 16 as a ground TFC in that time? 17 A. I would estimate, sir, both in terms of spontaneous 18 firearms incidents and authorised firearms operations, 19 I performed the role of TFC between 20 and 40 times, 20 something of that order. 21 THE CHAIRMAN: Yes. 22 MS MCNEILL: Can you please explain for us the role of the 23 ground TFC, and how, if at all, that differs from the 24 role of the overarching TFC? 25 A. So the ordinary role of a ground TFC, when there is no</p> <p style="text-align: center;">Page 2</p>
<p>1 overarching TFC, is with consideration to the working 2 strategy that has been set and authorised by the SFC, is 3 to command and control the assets available to him or 4 her to deliver the working strategy against the 5 operational objectives. It is very much a command and 6 control role, based on continual review of intelligence, 7 surveillance and other information coming in to you 8 within that role. 9 Q. The overarching strategy has already been set by the 10 overarching TFC, together with the tactical adviser and 11 the SFC? 12 A. Yes, correct. 13 Q. Your role on the ground is to effect that strategy, to 14 carry it out? 15 A. Yes. I have to say, it is quite unusual, certainly in 16 my experience, for there to be an overarching TFC. 17 Normally, in the role of ground TFC you would be out 18 there as it were in the hot seat on your own without the 19 first cover of an overarching TFC, but because of the 20 nature of Operation Ankaa, and the way it was foreseen 21 that it would run that day, Neil Williams had done some 22 superb planning, frankly, and decided that his role as 23 front-line TFC and overarching TFC with ground-assigned 24 TFC on both the prison van, which was myself, and 25 DI Smith on the mission vehicle, was the best tactical</p> <p style="text-align: center;">Page 3</p>	<p>1 way to approach the operation that day. And I fully 2 agreed with him. 3 Q. You say it was unusual. In your 20 to 40 deployments, 4 how often had you seen the use of a ground TFC and 5 an overarching TFC? 6 A. Only ever when I have been called out during the night 7 as duty TFC to deal with live kidnaps, crimes in action. 8 Q. Can you put a number or? 9 A. Once or twice. 10 Q. Once or twice, thank you. 11 As the ground TFC, are you responsible for making 12 operational decisions on the ground as things develop or 13 would you send it back to C3000 to ask Neil Williams 14 what he would like you to do in a developing situation? 15 A. So the protocol that had been agreed with Neil, in my 16 role on the van was that he was very much the front 17 line, and the first line of defence, as it were, in 18 terms of the TFC. And that my role as ground TFC was 19 very much a contingency role in that I would only be 20 there if something spontaneous, or I would only be 21 required to act if something spontaneous had developed 22 in front of me from an operational perspective, or they 23 had lost the -- lost control of the subjects or the 24 mission vehicle at any stage during the day. So I was 25 very much there as a contingency.</p> <p style="text-align: center;">Page 4</p>

<p>1 Q. If we move to talking about Operation Ankaa more 2 specifically. 3 Can you tell us, when did you become involved in 4 Operation Ankaa, at what stage in the planning? 5 A. I believe 11 December was a Friday, and I believe 6 I first became aware of Ankaa in general in any capacity 7 on either the Monday or Tuesday. 8 THE CHAIRMAN: That would be the 7th or the 8th? 9 A. Sorry, sir? 10 THE CHAIRMAN: That would be the 7th or the 8th? 11 A. Yes, I believe so. 12 MS MCNEILL: To help you, if we look at tab 5 of your 13 bundle. It is IPC1082, please, Mr Coates. On 14 7 December you received the FA2 form from Mr Williams 15 and are in copy of the email requesting some tactical 16 advice. Is this the first you became aware of Operation 17 Ankaa, or had you been told anything about it prior to 18 receiving the FA2 form? 19 A. Just to put a little bit of meat on the bones in terms 20 of what led to that email, I had walked into the office 21 where both my team were based and DI Smith's team were 22 paced at Putney, DI Smith had approached me and said 23 that Mr Williams was running a job that week, was 24 I available to TFC part of it. She said that she was, 25 asked me if I was available, I checked my diary, I was</p> <p style="text-align: center;">Page 5</p>	<p>1 available and we both communicated that availability to 2 Neil. And then, as it were, the ball of communication 3 started to roll. 4 THE CHAIRMAN: That is why he would say thank you very much 5 for your kind offer of help? 6 A. Yes, sir. 7 THE CHAIRMAN: Thank you. 8 MS MCNEILL: Do you know or can you help us with how or why 9 you were identified, is it a rota system or do people 10 just approach someone that they know and have worked 11 with before? 12 A. There a rota system, or there was a rota system. This 13 was -- it was just a verbal invitation by DI Smith. 14 Q. Just whilst we have this email on the screen, we don't 15 have any further emails with you in copy but did you 16 receive the tactical advice from S48 subsequently? 17 A. The FA5? 18 Q. Yes. 19 A. Yes. 20 Q. Did you receive the FA3 form? 21 A. I don't know. No, I don't know. 22 Q. You don't know. Would you expect to have received the 23 FA3 form? 24 A. I would and in any event the job would have been 25 authorised, otherwise we wouldn't have been out there,</p> <p style="text-align: center;">Page 6</p>
<p>1 so yes. 2 Q. We can also see that you received, if we look at tab 6 3 of your bundle, IPC1114, the same day you received 4 copies of intelligence profiles for Sinan Ozger, 5 Izzet Eren and Ozcan Eren. 6 Sir, we have looked at those profiles already with 7 other officers, I don't propose to bring them up. 8 A. Yes. 9 Q. Why would they be sent to you, what would you do with 10 those profiles? 11 A. Walking into a job cold, as it were, in the role of TFC, 12 the most important thing for me is an intelligence 13 picture, as to the background of the operation 14 investigation and why the job is being proposed and 15 clearly the profiles of the two Eren brothers and their 16 right-hand man or potentially their armourer were going 17 to be absolutely critical in the role that I was going 18 to perform. 19 Q. How would that be critical, how would it inform how you 20 carried out your duties on the day? 21 A. The role of the TFC involves continued reference and 22 review of the national decision making model, the first 23 node of which is gather information and intelligence. 24 Clearly as a TFC I cannot start to move that wheel 25 forward until I have gathered information and</p> <p style="text-align: center;">Page 7</p>	<p>1 intelligence, and without that I would be running blind. 2 So it is critical. 3 Q. Thank you. 4 Bearing in mind you were involved until -- sorry, 5 from the 7th and it is a short period of time, were you 6 receiving intelligence updates throughout the period 7 from 7 December until 11 December? 8 A. The only update -- clearly I had attended a briefing at 9 Scotland Yard on the 10th, the day before, and 10 I remember a phone conversation with Neil Williams on 11 the morning of the 11th, I think as I was making my way 12 to the briefing at Alperton, to say that the 13 intelligence was suggesting that the operation, the job 14 was still on for that day. 15 Q. We will look both at the New Scotland Yard briefing and 16 at the morning of the 11th in just a moment but other 17 than that, you were not receiving ongoing updates 18 throughout the week, were you? 19 A. No and nor would I expect to. 20 Q. Thank you. 21 We will look at it in a moment, there is no dispute 22 about it, you also received an updated FA2 form on 23 10 December from Mr Williams, is that right? 24 A. Yes, sir. 25 Q. When you received the FA2 form, did you have any views</p> <p style="text-align: center;">Page 8</p>

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<p>1 about the operational plan? Did you form your own 2 opinions about the planning, the risk assessments or the 3 like? 4 A. On reading through the job, I remember thinking then and 5 I think now that the job had been very well put 6 together, very well planned and a number of 7 contingencies had been catered for and taken into 8 account and I was really pleased to see that such 9 an operation was being conducted within SCO7, against 10 a criminal family of pedigree and history, that posed 11 significant threat to the people of London. 12 That is what we do, in SCD7, they are the sort of 13 jobs that we run and there is an element of risk in what 14 we do but we balance that risk and manage that risk and 15 that is why those operations go ahead. 16 Q. Compared to the operations you had been in before, was 17 this higher risk, lower risk, about what you would 18 expect as an operation? 19 A. About what I would expect. And with the degree of 20 control that the investigative team from Barking under 21 the SIO, Rob Murray, had managed to gain as the 22 investigation had gone forward, and that was evident to 23 me from reading the FA2, we were actually in a position 24 of luxury that morning as we deployed on the 11th, to 25 have -- I know it is no secret to the inquiry or those</p> <p style="text-align: center;">Page 9</p>	<p>1 watching, to have audio and technical control of 2 a mission vehicle in which a serious criminal conspiracy 3 was hopefully going to take place, almost unprecedented. 4 It is a very, very difficult thing to achieve and had 5 clearly taken a lot of planning. 6 Q. I can take you to the FA2 if it would help you, but I am 7 not sure we necessarily need to. Looking at the FA2 8 form, or when you became involved in the operation, did 9 you have an understanding of what the tipping points 10 would be in that operation? 11 A. I am aware that there were tipping points, and 12 I discussed with Neil, clearly in his own mind and in 13 any TFC's mind, once we reach an evidential point we are 14 there. I had had a discussion with him about 15 a geographical tipping point, in terms of were we to get 16 to the situation -- which I viewed as unlikely -- of the 17 prison van coming to the junction of the A1 with the 18 North Circular and at that time us not having control of 19 the Audi, that my team, I believe we were Team A, would 20 go from a covert follow on the prison van, and we would 21 move forward to a more less covert overt/discreet follow 22 on that van. 23 Q. Okay. 24 We have jumped ahead. Just for completeness, you 25 were the ground TFC for Team A?</p> <p style="text-align: center;">Page 10</p>
<p>1 A. Yes, I believe we were Team A, yes. 2 Q. You were Team A, there is no dispute. 3 A. Thank you. 4 Q. You were responsible for the escort of the prison van? 5 A. Yes, sir. 6 Q. It was designed, was it, to be covert initially? 7 A. Yes. 8 Q. One of the contingencies was to switch to an overt 9 deployment escorting the prison van? 10 A. Yes. 11 Q. We will come in a little bit to talk about how that 12 happened, but I want to stick if I can with tipping 13 points. You have mentioned the evidential tipping 14 point. Whose decision would it be as to when you 15 reached the evidential tipping point? 16 A. That would be Neil Williams. As the overarching TFC, he 17 is in receipt of the intelligence, he knows what 18 surveillance evidence is given him. That would be 19 Neil's and Neil's alone. 20 Q. How did you expect that he was going to determine 21 whether or not that evidential tipping point was 22 reached -- you mentioned surveillance, you mentioned 23 intelligence. What sort of information were you 24 expecting him to be assessing? 25 A. In Neil's shoes, Mr Williams's shoes, I would be</p> <p style="text-align: center;">Page 11</p>	<p>1 assessing the quality of evidence, the quality of 2 surveillance evidence, all against a threshold of 3 reaching a point for the Crown Prosecution Service, 4 where I could be happy that substantial conspiracy 5 offences were capable of being charged on the evidence 6 we had obtained, and I wouldn't be happy until that 7 point. 8 Q. You say "substantial conspiracy", could you help us as 9 to what you mean? 10 A. Had it become clear at any stage that there was a live 11 firearm in the car, or had it become clear via audio 12 that sufficiency of evidence had been reached to 13 facilitate a conspiracy -- to facilitate a charge of 14 conspiracy, to facilitate the escape of offenders, they 15 are the sorts of evidential tipping point I would have 16 been looking at. And they clearly -- they need a very 17 high level of evidence -- 18 THE CHAIRMAN: What do you mean they need a very high level 19 of evidence? 20 A. Sir, I have SIOed a number of jobs myself, I have sat at 21 the head of a number of complicated serious organised 22 criminal investigations and I have come away from 23 meetings with the Crown Prosecution Service disappointed 24 on a number of occasions that they would be looking for 25 more evidence, as it were, the final nail in the coffin.</p> <p style="text-align: center;">Page 12</p>

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<p>1 When, in my own view the coffin was already well and 2 truly nailed shut. 3 THE CHAIRMAN: They were not asked on this occasion, were 4 they? 5 A. I don't know, sir. 6 THE CHAIRMAN: Yes. 7 MS MCNEILL: Sir you have anticipated my question, slightly. 8 Have you in your experience ever consulted the Crown 9 Prosecution Service during the planning of an operation 10 to receive some advice or some indication as to the 11 sorts of offences that could be charged and/or where the 12 threshold might lie? 13 A. Yes, I have. 14 Q. You have done that? 15 A. Yes. 16 Q. Frequently, one off? 17 A. Sorry, what was that? 18 Q. Have you done that frequently, was it a one off? 19 A. Occasionally, not frequently, no. Because -- dealing 20 with the sorts of investigations we were, our jobs were 21 normally, frequently, cut and dry. We normally obtain 22 first-rate evidence, best evidence, to put before the 23 Crown Prosecution Service. 24 THE CHAIRMAN: Help me about this. 25 This is a case in which what you are effectively</p> <p style="text-align: center;">Page 13</p>	<p>1 saying is if the position had become clear -- 2 A. Yes. 3 THE CHAIRMAN: If the position had become clear, you might 4 have been in a position to arrest the conspirators 5 earlier than you did? 6 A. On this particular occasion, sir? 7 THE CHAIRMAN: If the position had become clear, either that 8 there was a conspiracy to commit the offence of escape 9 or a conspiracy to possess firearms or whatever. 10 A. If the position had become clear, sir, to the point that 11 I was happy that the charges that we were going to 12 proffer would achieve the objective of the operation, 13 which was sustained ongoing protection, then yes. 14 THE CHAIRMAN: You wouldn't be going to the CPS, you would 15 be making your own decision then, wouldn't you? 16 A. Yes, you would. 17 THE CHAIRMAN: Because you wouldn't have the time to consult 18 with the CPS? 19 A. No. No. 20 THE CHAIRMAN: So, with respect, what is the relevance of 21 previous unfortunate experiences you have had with the 22 CPS about not getting the advice which you expected? 23 A. I thought I was being asked about that area, sir. 24 MS MCNEILL: Sorry, maybe if I phrase it a bit more clearly. 25 When you have consulted the CPS in the past, has it been</p> <p style="text-align: center;">Page 14</p>
<p>1 during the planning phase of the operation? 2 A. Frequently -- yes, before we have deployed on 3 operations, yes. 4 Q. Have you consulted them about the sorts of offences that 5 you would have in mind in planning that operation? 6 A. Yes. 7 Q. Have you sought advice about where the charging 8 thresholds lie for those offences? 9 A. Yes. Yes. 10 MS MCNEILL: Sir, does that assist as to where we are going 11 with that question? 12 THE CHAIRMAN: I don't think we are going to get any 13 further, but thank you very much. 14 MS MCNEILL: Thank you. 15 Going back to tipping points, we talked about 16 a geographic tipping point, and you said that you 17 understood that if they reached the A1 in the van and 18 you didn't have control over either the mission vehicle 19 or the van, was that right? 20 A. No, we would have control on the van, but if we had 21 taken the van as far as the A1, the A406 -- which was we 22 didn't know the prescribed route that the van was going 23 to take. That was the most likely route coming from 24 Wormwood Scrubs, coming to Wood Green. We didn't know 25 the prescribed route. The agreed tipping point or the</p> <p style="text-align: center;">Page 15</p>	<p>1 tipping point that Mr Williams had in mind, which made 2 perfect sense, was the A1/A406 and at that stage if we 3 hadn't had control of the Audi, bearing in mind the 4 overarching mitigation was that at no stage during that 5 operation that day would the prison van and the Audi be 6 allowed to come together. So if we get to a point where 7 the prison van is becoming within the general fold, as 8 it were, of the Wood Green Crown Court geographical 9 area, and we didn't have control on the Audi, we 10 would -- I know that Neil wouldn't and I certainly 11 wouldn't have taken a chance with remaining covert on 12 the prison van. 13 Q. Two questions arising from that one. You say whether or 14 not we had control over the mission vehicle, what do you 15 mean by the term "control", do you mean physically have 16 stopped it or do you mean have surveillance control? 17 A. Surveillance control of it. 18 Q. Okay, so if by the time the van reaches the A1 you don't 19 have eyes on the mission vehicle that was the geographic 20 tipping point? 21 A. That was my understanding, sir, yes. 22 Q. When you say at no stage was the van going to get to the 23 vehicle, the vehicle get to the van, is that because you 24 would have gone covert in your deployment or how could 25 you be sure that the mission vehicle would not get to</p> <p style="text-align: center;">Page 16</p>

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<p>1 the van?</p> <p>2 A. Because of the degree of control that they had on the</p> <p>3 mission vehicle, on the Audi.</p> <p>4 Q. Help me a little bit, they could listen to it, they</p> <p>5 could know where it was?</p> <p>6 A. Yes.</p> <p>7 Q. But how did that make sure that the van would not reach</p> <p>8 the mission vehicle? Because you said at no stage could</p> <p>9 they get together.</p> <p>10 A. We had two separate surveillance teams running, both of</p> <p>11 which were in communication with one another and C3000,</p> <p>12 where Mr Williams was sitting, was receiving all of that</p> <p>13 surveillance commentary, all of the technical</p> <p>14 information and other intelligence assets that were</p> <p>15 available that morning. So with a combination of those</p> <p>16 factors, he was able to quite easily ensure those</p> <p>17 vehicles were kept apart.</p> <p>18 Q. Is that because he can decide when to move in? To</p> <p>19 ensure they are kept apart, someone has to move in,</p> <p>20 don't they?</p> <p>21 A. Not necessarily, no. If they remain a distance apart</p> <p>22 geographically, they are apart and there is no need for</p> <p>23 anyone to move in or move up.</p> <p>24 Q. Okay, but if they start to come together, then we have</p> <p>25 heard from Mr Williams it becomes a decision as to</p> <p style="text-align: center;">Page 17</p>	<p>1 whether or not to have an intervention and/or</p> <p>2 an interception, yes?</p> <p>3 A. Yes.</p> <p>4 Q. In your experience, is it common to decide in advance</p> <p>5 the technique that would be used at the point of</p> <p>6 an intervention or an interception?</p> <p>7 A. I'm sorry, do you mean which tactics, which --</p> <p>8 Q. Yes.</p> <p>9 A. That is the whole purpose of submitting the FA5, the</p> <p>10 tactical advice, it is exactly what it says on the tin,</p> <p>11 sir, it is advice. And having received that back,</p> <p>12 I know Neil had read it, I had read it, there were</p> <p>13 a number of options presented by the tactical adviser,</p> <p>14 and it is then down to the ground commander, the TFC on</p> <p>15 the day, and that was still a role that Neil Williams</p> <p>16 kept in C3000 to decide which tactic would be used with</p> <p>17 full regard to the geography, the time of the day,</p> <p>18 the -- the full working environment that the CTSFOs were</p> <p>19 being asked to work in.</p> <p>20 Q. So the tactical advice, the FA5, provides a list of</p> <p>21 options --</p> <p>22 A. Yes.</p> <p>23 Q. -- in terms of tactics?</p> <p>24 A. Yes.</p> <p>25 Q. If I understand your evidence, the decision as to which</p> <p style="text-align: center;">Page 18</p>
<p>1 of those tactics to deploy was for the overarching TFC?</p> <p>2 A. Yes, sir.</p> <p>3 Q. That was not the role of the ground TFC?</p> <p>4 A. No.</p> <p>5 Q. At the point at which state amber would be declared,</p> <p>6 would you expect the overarching TFC to indicate which</p> <p>7 tactic he expects or would like to be deployed?</p> <p>8 A. Yes, I would, sir.</p> <p>9 Q. In your experience, have you ever used the contain and</p> <p>10 call out tactic?</p> <p>11 A. Have I ever instructed a contain and -- no, I haven't.</p> <p>12 Q. Have you ever seen a circumstance in which it would be</p> <p>13 appropriate to use the contain and call out technique</p> <p>14 during your deployments?</p> <p>15 A. No, because if I had then that is what I would have</p> <p>16 done.</p> <p>17 Q. I understand it might just be completely operationally</p> <p>18 specific. Are you able to help us at all as to why, or</p> <p>19 any common factors that have meant that contain and call</p> <p>20 out has not been an option on any of the 20 to 40</p> <p>21 deployments you have told us you have undertaken as TFC?</p> <p>22 A. When I said 20 to 40 deployments, they are deployments,</p> <p>23 they are not necessarily jobs which have gone to state</p> <p>24 amber and resulted in any dynamic interception or</p> <p>25 intervention.</p> <p style="text-align: center;">Page 19</p>	<p>1 But normally, working in London, as we do, sir, it</p> <p>2 is a very built-up environment and at the height of the</p> <p>3 TFC's mind will be the what if factors, in terms of the</p> <p>4 possibility of subjects, particularly in stolen</p> <p>5 vehicles, breaking out of blocks that the CTSFO vehicles</p> <p>6 put in place, and the risk to the general public through</p> <p>7 firearms being discharged out of windows because they</p> <p>8 had been given an opportunity so to do. Stolen cars</p> <p>9 making off from the point of interceptions or</p> <p>10 interventions.</p> <p>11 We don't work in the countryside particularly,</p> <p>12 typically we work in built-up central London, and those</p> <p>13 environmental factors, as a TFC, in my eyes, have a huge</p> <p>14 impact on the final decision as to what sort of dynamic</p> <p>15 action I will ask to be employed.</p> <p>16 Q. If I understand your evidence, are you saying that the</p> <p>17 contain and call out tactic is generally not going to be</p> <p>18 suitable, working in London?</p> <p>19 A. Sir, I am not sure I can answer that.</p> <p>20 Q. Okay.</p> <p>21 A. It is not a tactic I have used. I think that is the</p> <p>22 best I can give you, sir, it is not a tactic I have</p> <p>23 used.</p> <p>24 Q. That is okay.</p> <p>25 THE CHAIRMAN: Two things.</p> <p style="text-align: center;">Page 20</p>

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<p>1 First of all, you have explained that not all of the</p> <p>2 20 to 40 call outs that you have been involved in have</p> <p>3 resulted in a state amber.</p> <p>4 A. Yes, sir.</p> <p>5 THE CHAIRMAN: What percentage, if you can say, of those 20</p> <p>6 to 40 have?</p> <p>7 A. I can think of half a dozen, sir, individually,</p> <p>8 individual examples.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 Ms McNeill suggested that London might create</p> <p>11 a problem as far as the contain and call out option was</p> <p>12 concerned, for the reasons that you have given.</p> <p>13 A. Yes.</p> <p>14 THE CHAIRMAN: But that is going to apply, is it not, to any</p> <p>15 urban situation, it is not peculiar to London, it is</p> <p>16 a problem that makes a contain and call out option the</p> <p>17 more difficult to utilise in an urban area, is that</p> <p>18 a fair way of putting it.</p> <p>19 A. It is, sir. I can think of a specific operation that</p> <p>20 finished up -- we started in London and finished up in</p> <p>21 the middle of Birmingham and, for exactly the same</p> <p>22 reasons, I instructed a dynamic stop and extraction.</p> <p>23 THE CHAIRMAN: Thank you.</p> <p>24 MS MCNEILL: Thank you.</p> <p>25 Do we take from your evidence, again I don't want to</p> <p style="text-align: center;">Page 21</p>	<p>1 take you any further than you are able to go. Generally</p> <p>2 speaking, once you have a dynamic intervention or</p> <p>3 dynamic interception, is it most likely to result in</p> <p>4 an extraction? In your experience?</p> <p>5 A. In my experience, sir, yes, but every job, and every set</p> <p>6 of circumstances at state amber are considered</p> <p>7 individually. And will always be, they have to be.</p> <p>8 Q. I am going to look, if we can, a little bit more at what</p> <p>9 you actually did, on Operation Ankaa, if we can?</p> <p>10 A. Yes.</p> <p>11 Q. Did you attend the briefing at New Scotland Yard on</p> <p>12 10 December?</p> <p>13 A. I did, sir, yes.</p> <p>14 Q. If we look at tab 4 of your bundle, IPC305, you kept</p> <p>15 a daybook, is that right?</p> <p>16 A. Yes, I did.</p> <p>17 Q. What did you use your daybook for, what sorts of things</p> <p>18 did you record in your daybook?</p> <p>19 A. Salient events in terms of the operation that were not</p> <p>20 covered elsewhere, sir.</p> <p>21 Q. If we look at page 2 of your daybook, is this the entry</p> <p>22 at the very top that you made when you went to the</p> <p>23 New Scotland Yard briefing?</p> <p>24 A. Yes, it is.</p> <p>25 Q. Is it the whole of that page, I don't think it is, scene</p> <p style="text-align: center;">Page 22</p>
<p>1 log it says beneath, so that is 11 December, isn't it?</p> <p>2 A. No, the briefing at New Scotland Yard was PowerPoint</p> <p>3 presented, it was very comprehensive and I have simply,</p> <p>4 well, one line about being there and one line about the</p> <p>5 communication folders, ie the talk groups on the radios</p> <p>6 that were going to be used and the issues that had been</p> <p>7 realised in advance regarding it.</p> <p>8 Q. We have already covered, I don't need to go back to it,</p> <p>9 the matter of tipping points and the general role of</p> <p>10 Team A.</p> <p>11 Did you find the briefing you attended on</p> <p>12 10 December at New Scotland Yard useful for carrying out</p> <p>13 the role of ground TFC on Team A?</p> <p>14 A. Yes, sir, I did.</p> <p>15 Q. Did you have any input into the briefing that was given</p> <p>16 or were you merely attending to listen?</p> <p>17 A. I was an attendee and I believe I may have been asked to</p> <p>18 identify myself for the benefit of the surveillance</p> <p>19 teams or the CTSFOs -- I think there was only one there,</p> <p>20 actually.</p> <p>21 For those that hadn't worked with me before, just</p> <p>22 from a point of view of identification, possibly.</p> <p>23 THE CHAIRMAN: Did you know at the time there was only one</p> <p>24 CTSFO there?</p> <p>25 A. I think shortly afterwards sir, actually.</p> <p style="text-align: center;">Page 23</p>	<p>1 THE CHAIRMAN: Yes, thank you.</p> <p>2 MS MCNEILL: Generally speaking, would you expect more</p> <p>3 CTSFOs to attend briefings in advance of an operation?</p> <p>4 A. In an ideal world, they would all be there, sir. That</p> <p>5 particular branch of SO19 is extraordinarily busy</p> <p>6 with --</p> <p>7 THE CHAIRMAN: It depends on other deployments?</p> <p>8 A. Absolutely, yes.</p> <p>9 Had they been able to be, there they would have been</p> <p>10 there.</p> <p>11 MS MCNEILL: Turning if we can to the role of Team A, which</p> <p>12 was focused on the Serco van, your statement is quite</p> <p>13 limited, so I am going to see if I can flesh it out</p> <p>14 a little bit for us.</p> <p>15 A. Yes.</p> <p>16 Q. Team A, how many vehicles were involved in the escort of</p> <p>17 the prison van with Team A?</p> <p>18 A. Surveillance vehicles?</p> <p>19 Q. Yes.</p> <p>20 A. I can give you an approximate number, sir, I can't be</p> <p>21 exact.</p> <p>22 Q. But the -- amongst those vehicles, there was at least</p> <p>23 one motorbike?</p> <p>24 A. Ideally there would have been, I don't specifically</p> <p>25 recall.</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Q. That is fine. And there was the use of ARVs, as well, 2 armed response vehicles? 3 A. Yes. 4 Q. As we discussed earlier, initially the plan was for Team 5 A to remain covert? 6 A. Yes. 7 Q. Until such time that Mr Williams asked you to switch to 8 overt? 9 A. Yes, or a mid point between the two being discreet -- 10 ie not boxed in tight around the prison van, but clearly 11 present within its vicinity as it moved through London. 12 Q. If you move from covert to discreet, you move in a bit 13 closer to the van, is that what you are saying? 14 A. Yes. 15 Q. Is it the intention of discreet to be visible to the 16 driver of the van or is it still supposed to be discreet 17 as from him? 18 A. Discreet as from everyone, but in closer proximity to 19 the van than in a fully covert role. 20 Q. The decision to move from covert to discreet, was that 21 one for Mr Williams or for you? 22 A. No, for Mr Williams. 23 Q. Bearing in mind it was your responsibility to escort the 24 Serco van, were you aware that Serco had not been made 25 aware of the operation?</p> <p style="text-align: center;">Page 25</p>	<p>1 A. I believe I was, yes. 2 Q. Did that surprise you? 3 A. No. 4 Q. Why? 5 A. Operations such as this are run on the basis of need to 6 know rather than nice to know. I don't know of any 7 specific concerns that the investigation team had around 8 Serco, and them being alerted to the -- to what was 9 going to occur, but I can understand that there may well 10 have been concerns around for instance corruption. 11 So -- 12 Q. Are you aware of that now or is that something you were 13 aware of at the time? 14 A. If I was running the job, that is something I would have 15 been very aware of at the time. 16 Q. Sorry, you misunderstand me. Were you aware at the time 17 that there were concerns about Serco or is that 18 something you are now aware of? 19 A. I gathered by the fact that they had not been alerted 20 that there would be natural concerns around Serco. 21 THE CHAIRMAN: Are you saying that, because you knew they 22 hadn't been told -- 23 A. Yes. 24 THE CHAIRMAN: -- and you assumed that the reason they 25 hadn't been told was because there were concern about</p> <p style="text-align: center;">Page 26</p>
<p>1 corruption? 2 A. That is my understanding, sir, yes. 3 THE CHAIRMAN: It is not your understanding, it is what your 4 state of mind was, with respect? 5 A. Yes. 6 THE CHAIRMAN: Thank you. 7 MS MCNEILL: Were you at the time aware of any corruption 8 concern with Serco? Did you have concerns about Serco? 9 A. In relation to that particular job? 10 Q. In general terms. 11 A. I had concerns about corruption, sir, with anyone in the 12 prison establishment environment, frankly. 13 THE CHAIRMAN: You were not aware of any particular concerns 14 as far as Serco was concerned? 15 A. No. 16 THE CHAIRMAN: Thank you. 17 MS MCNEILL: In your role on Team A, would it have assisted 18 you to know precisely the route that the Serco van would 19 take? 20 A. No. And in fact I would say it was preferable that we 21 didn't know. 22 Q. Why? 23 A. Because vans that are supposed to follow a route from A 24 to B, frequently do not and the best thing to do with 25 a surveillance team, even a highly trained team such as</p> <p style="text-align: center;">Page 27</p>	<p>1 the one we were using, is to keep them on their toes and 2 don't tell them where you believe someone is going to -- 3 a route someone is going to travel, because they relax, 4 it is human instinct, they relax and then when the 5 vehicle takes a different route we get caught cold. 6 Q. There is a few issues flowing from that, is there not. 7 There is two stages. 8 Firstly, would it assist you as ground TFC to know 9 the route, as distinct from whether or not you tell the 10 surveillance officers, would it have assisted you in 11 your role to know the exact route? 12 A. No, because other than instructing the Serco driver to 13 take that route, there would be no way of knowing that 14 the route that I had been given was in fact the route 15 they were going to take. 16 Q. But if they had been in contact with Serco, and Serco 17 were able to say this is the route that we take, would 18 that not have helped you planning what to do with your 19 officers, where to put them, how to plan? 20 A. That's obviously a hypothetical question, because Serco 21 were not told. 22 Q. I appreciate that. 23 A. But no, it wouldn't. 24 Q. Turning to 11 December, if I can, you provided 25 a briefing to Team A at the Alperton garage at 5.00 am,</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 is that right?</p> <p>2 A. I did, sir, yes.</p> <p>3 Q. Can we look at tab 2 of your bundle, it is MPS178.</p> <p>4 Please take a drink of water, sorry.</p> <p>5 A. Thank you, I have.</p> <p>6 Q. Is this a briefing template that you used in order to</p> <p>7 prepare the 5.00 am briefing at Alperton?</p> <p>8 A. It is, sir, yes.</p> <p>9 Q. If we can whizz through it, please, to page 2, we see</p> <p>10 that it sets out the expectations from the APP for</p> <p>11 briefings, including:</p> <p>12 "All staff involved in situations where authorised</p> <p>13 firearms officers are deployed must be given as full</p> <p>14 a briefing as possible."</p> <p>15 A. Yes.</p> <p>16 Q. "The briefing should include the objectives and tactics</p> <p>17 that have been authorised and the level of additional</p> <p>18 detail will depend on the circumstances prevailing and</p> <p>19 the time available."</p> <p>20 A. Yes.</p> <p>21 Q. Where it says at the top bullet point "as full</p> <p>22 a briefing as possible", whose decision is it as to what</p> <p>23 amounts to as full as possible?</p> <p>24 A. Mr Williams. It is Mr Williams's decision as to what</p> <p>25 goes into the briefing and that is then passed to me to</p> <p style="text-align: center;">Page 29</p>	<p>1 deliver that briefing.</p> <p>2 Q. So he says, "I want your briefings to cover the</p> <p>3 following topics and go into this level of detail" and</p> <p>4 then you follow that through?</p> <p>5 A. Yes, and obviously we had the PowerPoint briefing that</p> <p>6 was available to us from the New Scotland Yard briefing</p> <p>7 the previous day, and the briefing on the morning of the</p> <p>8 job very much reflects and replicates the briefing that</p> <p>9 had been given the previous day with any relevant</p> <p>10 intelligence or operational updates.</p> <p>11 Q. You went to New Scotland Yard, received a full briefing</p> <p>12 there, you used the same materials and passed on largely</p> <p>13 the same information in your briefing?</p> <p>14 A. The following day as we move a little further forward</p> <p>15 through this briefing template, that the actual</p> <p>16 intelligence briefing for the day is delivered by</p> <p>17 an officer from the unit that were conducting the</p> <p>18 investigation.</p> <p>19 Q. Can we go to page 4, please, Mr Coates, it is DS</p> <p>20 Rob Wiggins, do you know who briefed Mr Wiggins, do you</p> <p>21 know where he received his information from?</p> <p>22 A. I don't, no.</p> <p>23 Q. If we go over the page, please, to page 5, this seems</p> <p>24 a fairly standard template, exactly as it says, the</p> <p>25 information, it has the date, your name, the name of the</p> <p style="text-align: center;">Page 30</p>
<p>1 operation, the command team, and then it says:</p> <p>2 "I will hand over to DS Wiggins ..."</p> <p>3 So this is written for you to fill in the gaps and</p> <p>4 read out precisely from?</p> <p>5 A. Yes.</p> <p>6 Q. Over the page, please.</p> <p>7 We can just see very briefly at the top -- why don't</p> <p>8 you read for us your handwritten entry, in the top box?</p> <p>9 A. Sorry, can you say that again?</p> <p>10 Q. What is your handwritten entry in the top box?</p> <p>11 A. It says:</p> <p>12 "Full briefing by DS Wiggins and the radio channel</p> <p>13 is confirmed at 174A."</p> <p>14 Q. Threat assessment is left empty and then SFC strategy,</p> <p>15 "Developed and agreed"?</p> <p>16 A. "... by/with FE14."</p> <p>17 Q. And tactical advice, over the page to page 7, tactical</p> <p>18 options and actions, OFC:</p> <p>19 "Police vehicle details, make and models, team call</p> <p>20 signs."</p> <p>21 What does that refer to?</p> <p>22 A. This part of the briefing, sir, is delivered -- this is</p> <p>23 the third part of the briefing, so I have introduced the</p> <p>24 briefing, handed over to, in this case, DS Wiggins, who</p> <p>25 has presented the intelligence case. And I have then</p> <p style="text-align: center;">Page 31</p>	<p>1 run through -- I have then, sorry, handed over to the</p> <p>2 OFC, V64, who then delivers the tactical options and</p> <p>3 actions from the firearms perspective.</p> <p>4 Q. Then we go over the page, finally, to page 8, which sets</p> <p>5 out post-incident procedures and the conferring warning?</p> <p>6 A. Yes.</p> <p>7 Q. Thank you. I can bring it up if it assists but we have</p> <p>8 the transcript of that briefing, and will it largely</p> <p>9 verbatim set out what is in this template?</p> <p>10 A. Yes.</p> <p>11 Q. People will read from the template?</p> <p>12 A. Yes.</p> <p>13 Q. Thank you.</p> <p>14 We will look at the information that came to you</p> <p>15 after the briefing. We can take that down, please,</p> <p>16 Mr Coates. If at the time you delivered your briefing</p> <p>17 you knew that conspirators had an imitation firearm, is</p> <p>18 that something you would include in your briefing?</p> <p>19 A. No.</p> <p>20 Q. Why?</p> <p>21 A. Because I would need to be satisfied 100 per cent that</p> <p>22 that information was accurate and it would very much</p> <p>23 depend on the source of that information.</p> <p>24 Until a firearm has been seized by police, been</p> <p>25 submitted to the laboratory and been deemed and proved</p> <p style="text-align: center;">Page 32</p>

<p>1 to be imitation, or not capable of discharging a lethal</p> <p>2 force, it is presumed by police to be live.</p> <p>3 Q. That is a slightly different question. Is there not</p> <p>4 a difference between saying this is relevant</p> <p>5 intelligence, that we believe that they have</p> <p>6 an imitation firearm --</p> <p>7 THE CHAIRMAN: Only.</p> <p>8 MS MCNEILL: Sorry, sir, only have an imitation firearm.</p> <p>9 This is relevant intelligence you should know about, as</p> <p>10 opposed to saying, "There is definitely not a real</p> <p>11 firearm, don't worry at all". There is a distinction,</p> <p>12 isn't there, between the two?</p> <p>13 A. APP talks about the importance of not giving information</p> <p>14 at briefings which may affect an officer's response at</p> <p>15 the point of intervention or interception. Now, it is</p> <p>16 obviously some time since I read APP, but giving that</p> <p>17 information, potentially erroneous information, is</p> <p>18 extremely, extremely dangerous and is not something</p> <p>19 which I would do under any circumstances.</p> <p>20 Q. I just want to understand this a little bit more, you</p> <p>21 say it is potentially erroneous. Of course intelligence</p> <p>22 is just intelligence?</p> <p>23 A. Yes.</p> <p>24 Q. It is not necessarily fact, is it?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 33</p>	<p>1 Q. It has to be assessed and you decide what weight you do</p> <p>2 or do not attribute to that intelligence; is that right?</p> <p>3 A. Yes.</p> <p>4 Q. Would you accept that whether or not there was only</p> <p>5 an imitation firearm is relevant to the operation?</p> <p>6 A. No.</p> <p>7 Q. No? Why is it not relevant?</p> <p>8 A. Because with due regard to the background, the</p> <p>9 antecedents and the criminality of the subjects involved</p> <p>10 in this operation, it is simply not possible to make</p> <p>11 that assertion, on the basis of any intelligence.</p> <p>12 Q. I don't want to be at cross purposes. I appreciate you</p> <p>13 say it couldn't be determinative, so you couldn't say</p> <p>14 "They definitely don't have a real one", but on what</p> <p>15 basis is it not even relevant to the deployment?</p> <p>16 A. So, I am trying to think of how at a briefing I could</p> <p>17 pass that information without relaxing and taking the</p> <p>18 CTSFOs and the surveillance team's guard and lowering</p> <p>19 their perception of the potential risk, and I can't</p> <p>20 think of a way that I would do it and I wouldn't do it.</p> <p>21 THE CHAIRMAN: Are you saying, really, that when you are</p> <p>22 dealing with seasoned hardened criminals, the</p> <p>23 intelligence as to whether or not they have or have not</p> <p>24 been able to access a live firearm is irrelevant,</p> <p>25 because for so long as the conspiracy is in existence,</p> <p style="text-align: center;">Page 34</p>
<p>1 things can change or are you saying that even if the</p> <p>2 information about the state of their armoury comes from</p> <p>3 the conspirators themselves, it cannot be relied on?</p> <p>4 A. Sir, absolutely, sir. And if I can say this. That on</p> <p>5 the day in question, although we didn't know the</p> <p>6 identity of those that were likely to be or were going</p> <p>7 to be in the mission vehicle, we had a very good idea</p> <p>8 from the initial intelligence which indicated that</p> <p>9 Ozcan Eren was seeking to recruit a suitable team of</p> <p>10 individuals, I believe the wording was, to carry out</p> <p>11 this mission for him on his behalf.</p> <p>12 The type of individual that Mr Eren was likely to</p> <p>13 recruit were likely to be men of violence, likely to be</p> <p>14 dishonest men. These were men that lie to one another</p> <p>15 on a daily basis and they make their way through life</p> <p>16 assisted with the possession and access to firearms.</p> <p>17 As a briefing officer, I am not prepared to put my</p> <p>18 officers, potentially, in the line of live fire, members</p> <p>19 of the public in the line of live fire, because had that</p> <p>20 happened and we had finished up at a venue such as this,</p> <p>21 sir, in four or five years time when a member of the</p> <p>22 public had been killed and I said, "Well, they told us</p> <p>23 it was imitation", I would quite rightly be asked the</p> <p>24 question, "What and you believed them? Men such as</p> <p>25 this, you believed them?"</p> <p style="text-align: center;">Page 35</p>	<p>1 It is not happening.</p> <p>2 MS MCNEILL: Two questions arising from that.</p> <p>3 You said that they were likely to be -- you gave</p> <p>4 a description of the sort of men you thought would be</p> <p>5 involved in this conspiracy and were likely to be?</p> <p>6 A. Yes.</p> <p>7 Q. Is it right that you didn't know as at the time of</p> <p>8 deployment who was going to be in the mission vehicle or</p> <p>9 exactly who was involved in the conspiracy?</p> <p>10 A. Excuse me, that is absolutely right, sir, yes.</p> <p>11 Q. So when you say they are likely to be, is that your</p> <p>12 assumption based on the nature of the gang that you were</p> <p>13 dealing with?</p> <p>14 A. Reading the FA2, you get an immediate feel for the type</p> <p>15 of individual that were likely to be recruited to</p> <p>16 perform this role. Recruited by a crime family that</p> <p>17 travel across Europe to carry out firearms-enabled</p> <p>18 crime. That they were not going to recruit a lad from</p> <p>19 the coffee shop.</p> <p>20 Q. The second question arising from that, and I think</p> <p>21 I know the answer but I want it to be clear: is it your</p> <p>22 evidence that there is no health warning that you could</p> <p>23 have attached to the intelligence about the imitation</p> <p>24 firearm that would enable you to properly give it to the</p> <p>25 officers before you?</p> <p style="text-align: center;">Page 36</p>

<p>1 MR BUTT: Sir, if we are now moving from the abstract to the</p> <p>2 specific intelligence, then it needs to be put in</p> <p>3 context in that it was received after the briefing and</p> <p>4 the nature of it.</p> <p>5 To date we have been asked questions in a more</p> <p>6 general sense, but if we are moving to this</p> <p>7 intelligence ...</p> <p>8 MS MCNEILL: Completely fair and I will rephrase, because we</p> <p>9 are going to do that in two stages.</p> <p>10 In general terms, is there any health warning that</p> <p>11 you believe can be attached to information about</p> <p>12 an imitation firearm as at 5.00 am, that would enable</p> <p>13 you to pass that on to the officers you are briefing?</p> <p>14 A. No, and if I attempted to do so, sir, it would serve no</p> <p>15 useful purpose.</p> <p>16 THE CHAIRMAN: Thank you.</p> <p>17 MS MCNEILL: The health warning itself would have eroded the</p> <p>18 use of the intelligence?</p> <p>19 A. I'm sorry, can you say that again?</p> <p>20 Q. I'm just understanding, your answer was the health</p> <p>21 warning, putting such a level of health warning onto</p> <p>22 that intelligence means the intelligence would then</p> <p>23 serve no useful purpose?</p> <p>24 A. No, the health warning would serve no useful purpose at</p> <p>25 all.</p> <p style="text-align: center;">Page 37</p>	<p>1 Q. Following the briefing, your team, where did your team</p> <p>2 go to wait until the prison van was leaving Wormwood</p> <p>3 Scrubs?</p> <p>4 A. I don't remember, sir, but it would have been -- the</p> <p>5 surveillance team would have gone and taken control of</p> <p>6 the front of the prison establishment, and myself and</p> <p>7 the rest -- I was in a command vehicle, so one of the</p> <p>8 vehicles driven by the CTSFOs, three other vehicles and</p> <p>9 I think a couple of motor bikes and we would have gone</p> <p>10 to the vicinity, but I don't know where.</p> <p>11 Q. That is okay.</p> <p>12 Can we look at the notes you took on the day, it's</p> <p>13 tab 3 of your bundle.</p> <p>14 A. Thank you.</p> <p>15 Q. IPC306.</p> <p>16 Can we just have page 2 up to begin with, thank you.</p> <p>17 This is a copy of the FA2 form, we see in the top</p> <p>18 left corner it is dated 10 December 2015, and we covered</p> <p>19 earlier that you received the updated FA2 form from</p> <p>20 Mr Williams?</p> <p>21 A. Yes, I did.</p> <p>22 Q. On or after 10 December?</p> <p>23 A. I think this was actually the 7th, that I received this.</p> <p>24 Q. I am not going to try and trip you up at all, we have</p> <p>25 spent a long time looking at different versions of these</p> <p style="text-align: center;">Page 38</p>
<p>1 forms. There was a version prepared on 7 December,</p> <p>2 a further version was created on 10 December, we can see</p> <p>3 a date in the top left-hand corner and if we look in</p> <p>4 fact at page 6, please, Mr Coates, we can see it says,</p> <p>5 "Updated on 10 December 2015, with some additional</p> <p>6 intelligence".</p> <p>7 A. Yes.</p> <p>8 Q. I don't want to trip you up, we can infer from this, and</p> <p>9 we have looked at the forms, that you must have at some</p> <p>10 point received the 10 December version of the FA2.</p> <p>11 A. Yes, thank you.</p> <p>12 Q. Page 57 of this document, please, Mr Coates.</p> <p>13 We will start with your handwritten notes.</p> <p>14 Is it the expectation that during a deployment you</p> <p>15 will use this section of the FA2 form sort of in lieu of</p> <p>16 your daybook?</p> <p>17 A. Yes.</p> <p>18 Q. What sort of information would you or should you be</p> <p>19 noting in this log?</p> <p>20 A. APP is fairly non-committal about what will and what</p> <p>21 won't be recorded, sir. Normally at the start of a log,</p> <p>22 I will set out the briefing, venue, times and my</p> <p>23 rationale, because even though I am a ground-assigned</p> <p>24 TFC with an overarching TFC, it is still incumbent upon</p> <p>25 me -- excuse me -- to review the legality and the</p> <p style="text-align: center;">Page 39</p>	<p>1 lawfulness of the operation running as it stands, and to</p> <p>2 sign to say I am happy to conduct that role in those</p> <p>3 circumstances and that I will be working very much with</p> <p>4 and towards the working strategy during the day and that</p> <p>5 is what the top probably half of the page sets out.</p> <p>6 Q. With no disrespect to you, I struggle to read your</p> <p>7 handwriting.</p> <p>8 A. And I should apologise to everyone, it is absolutely</p> <p>9 dreadful.</p> <p>10 THE CHAIRMAN: Don't. We all have that problem, or many of</p> <p>11 us do.</p> <p>12 MS MCNEILL: Can you just help us please by reading through</p> <p>13 this, and what I will do is stop you at certain points</p> <p>14 and ask you some further questions if that is okay.</p> <p>15 A. Right from the top?</p> <p>16 Q. Please, yes.</p> <p>17 A. 11.12.15, 5.10:</p> <p>18 "Briefing Athlon Road patrol base. Warnings given,</p> <p>19 concludes 5.30 am."</p> <p>20 Q. That's the briefing we just talked about?</p> <p>21 A. Yes:</p> <p>22 "6.30 am, update movement on mission vehicle</p> <p>23 (vehicle 1). Audi is away towards Wood Green."</p> <p>24 Q. Pause there, were you aware of whether or not it was</p> <p>25 known that -- let me start that again, were you aware of</p> <p style="text-align: center;">Page 40</p>

<p>1 whether or not there might be a second vehicle involved 2 in the conspiracy? 3 A. The only vehicle I was aware of definitively, sir, was 4 the mission vehicle. A number of other vehicles related 5 to the subjects had been made known to us during the 6 briefing, but in terms of firm knowledge on the day, we 7 only knew of the Audi. 8 Q. In terms of planning and the threat assessment, did you 9 give consideration to whether or not there might be 10 another vehicle? 11 A. In the back of my mind, sir, yes, but going with the 12 intelligence that we had, this is where we were 13 tremendously assisted by the degree of control that the 14 investigating unit had managed to facilitate on the job, 15 I was happy that we were, once the Audi moved, that we 16 were certainly in the right arena as it were for the 17 day. 18 Q. And that assisted you if the mission vehicle was (a) 19 used or (b) the only vehicle, but were you concerned 20 that for example the mission vehicle might be a getaway 21 vehicle and there was another vehicle that was going to 22 intercept the Serco van, was that something that you 23 considered at the time? 24 A. I considered a number of scenarios through the day. 25 But, with the intelligence around the intention of the</p> <p style="text-align: center;">Page 41</p>	<p>1 subjects in that car, and then the movement, 2 particularly at that time of the day of that car, I was 3 fully focused on that car, with -- dealing with a job 4 like this, you are always thinking about the what ifs, 5 but at 6.20/6.30 that morning, as it were from 6 an operational point of view, that was looking as good 7 as it could. 8 Q. Were you confident that the plan for the protection of 9 the Serco van was suitable should there be a second 10 vehicle? 11 A. Yes, sir, I was. 12 Q. Why was that? 13 A. Because of the surveillance control that we had on the 14 van, those assets, the surveillance assets would have 15 picked up, or were likely to pick up the activities of 16 any unknown vehicle in the vicinity of the prison van, 17 and had we been ambushed or blindsided by any unknown 18 group of subjects in an unknown vehicle, the 19 surveillance officers were armed for their own 20 protection and the CTSFOs in the team that I was 21 managing were close enough to move up and deal with that 22 spontaneous threat had it occurred. 23 Q. If we can return to your document, it starts, "I have 24 read the overarching strategy ..." 25 A. "I have read the overarching strategy from the SFC and</p> <p style="text-align: center;">Page 42</p>
<p>1 agree with the rationale of principal TFC 2 DCI Neil Williams. I have however applied the NDM and 3 reviewed the intelligence available at this time. 4 I will continue to do so with a view to the best 5 possible outcome for this firearms 6 investigation/operation ie the reduction/removal of the 7 risk posed by the subjects of this investigation. This 8 is the principal concern of the operation and surpasses 9 the need to obtain best evidence to support any 10 prosecution, which is secondary to ongoing public 11 protection." 12 Q. Thank you. Where it says "Update"? 13 A. "Update: more than one subject in vehicle 1." 14 Q. That is the mission vehicle? 15 A. I'm sorry, yes. 16 Q. Don't apologise, I am just making sure we are clear. 17 Were you receiving through the radio ongoing updates 18 from the surveillance teams on the mission vehicle? 19 A. Yes. 20 Q. Did you receive your updates from them directly or would 21 they go through C3000 and back out towards you? 22 A. In our vehicle, we had three people, three people, 23 myself, the OFC, sat in the front passenger seat and the 24 driver, I believe we had certainly our surveillance 25 channel running, we had the other surveillance channel</p> <p style="text-align: center;">Page 43</p>	<p>1 running on a separate radio and then the CTSFOs had 2 a chit-chat channel between themselves running, so three 3 radios running at the same time within the car. 4 Q. Moving to your next update? 5 A. "Update from within vehicle 1 [the Audi, sir] audio in 6 preparation of offence." 7 Q. Can you help us as to what that means? 8 A. It meant that I had been updated from Mr Williams that 9 there was clearly talk within the mission vehicle 10 concerning the offence that was to be committed later 11 that morning. 12 Q. Okay. The next one seems to be discussion with OFC? 13 A. Excuse me, yes: 14 "I have had a discussion with the OFC re tactical 15 command control should the van reach Wood Green Crown 16 Court." 17 Q. Further? 18 A. "Further discussion re the SIO's intention should the 19 Audi approach Wormwood Scrubs prison." 20 Q. Moving down? 21 A. "Intel suggests at least one imitation firearm at time 22 of committing offence, further suggest the Audi will be 23 burnt out post offence." 24 Q. This is the stage at which you received -- we talked in 25 the abstract about intelligence relating to imitation</p> <p style="text-align: center;">Page 44</p>

<p>1 firearms?</p> <p>2 A. Yes.</p> <p>3 Q. This was the stage at which you received intelligence on</p> <p>4 the morning about an imitation firearm?</p> <p>5 A. Yes.</p> <p>6 Q. It says:</p> <p>7 "Suggests at least an imitation firearm."</p> <p>8 Would you have recorded the words as they were</p> <p>9 relayed to you?</p> <p>10 A. Yes.</p> <p>11 Q. Without repeating everything we went through in the</p> <p>12 abstract a moment ago, did you consider at this stage</p> <p>13 whether or not you should further disseminate that</p> <p>14 intelligence to any of the officers working with you?</p> <p>15 A. No. I did consider it and no, I didn't disseminate it,</p> <p>16 deliberately.</p> <p>17 THE CHAIRMAN: For the reasons you have given?</p> <p>18 A. Yes, sir.</p> <p>19 THE CHAIRMAN: Yes.</p> <p>20 MS MCNEILL: Did you at that stage perform any, whether</p> <p>21 deliberate or unofficial, risk assessment to the</p> <p>22 operation, did that change the risk assessment in any</p> <p>23 way.</p> <p>24 A. At that stage, sir, the intelligence and information</p> <p>25 that I was in receipt of, was running exactly in line</p> <p style="text-align: center;">Page 45</p>	<p>1 and in tandem with where I expected to be at that stage</p> <p>2 of the day. So everything was fitting the ongoing</p> <p>3 assessment for the job.</p> <p>4 Q. 7.15 am?</p> <p>5 A. "7.15 am: the van will be van 5. At this time subject,</p> <p>6 co-defendant and one other are due on the van. Only one</p> <p>7 stop planned at this time. This may be subject to</p> <p>8 change."</p> <p>9 Then:</p> <p>10 "BX11 TXM possible VRN for the prison van."</p> <p>11 Q. You have received the information about the van is going</p> <p>12 to be leaving Scrubs, and that there is only going to be</p> <p>13 one stop, it's going straight to Wood Green?</p> <p>14 A. Sorry, could you say that again?</p> <p>15 Q. The information suggests you know which van it was</p> <p>16 leaving Wormwood Scrubs and that it would be going</p> <p>17 direct to Wood Green Crown Court without any other</p> <p>18 stops?</p> <p>19 A. Yes, with the contingency that that may be subject to</p> <p>20 change.</p> <p>21 Q. Exactly.</p> <p>22 I am passed a question. I understand you explained</p> <p>23 earlier that you didn't know the route and you didn't or</p> <p>24 wouldn't expect to tell the surveillance officers the</p> <p>25 route. Is that right?</p> <p style="text-align: center;">Page 46</p>
<p>1 A. Yes.</p> <p>2 Q. You also said that at the time you suspected or assumed</p> <p>3 there might be concern about Serco corruption?</p> <p>4 A. Yes.</p> <p>5 Q. If the driver, if you had known there was</p> <p>6 a pre-determined route for the Serco van, and the driver</p> <p>7 then deviated from that route, would that be</p> <p>8 an indication or could that be an indication, of</p> <p>9 an imminent attack or a part of the plan?</p> <p>10 A. Conceivably, sir, yes, it could also have been because</p> <p>11 the traffic was bad and he wanted to go another way, he</p> <p>12 or she wanted to go another way.</p> <p>13 Q. With that question then, would it have assisted you to</p> <p>14 know the route of the Serco van if only to be aware of</p> <p>15 any unexpected deviation from a pre-determined route?</p> <p>16 A. I don't believe it would, sir, no.</p> <p>17 THE CHAIRMAN: I think I understand the question.</p> <p>18 You have explained to us why you wouldn't want to</p> <p>19 know, for two reasons, first of all it could change?</p> <p>20 A. Yes.</p> <p>21 THE CHAIRMAN: Secondly, it could take your surveillance</p> <p>22 officers off guard?</p> <p>23 A. Yes.</p> <p>24 THE CHAIRMAN: I understand that. I think the question that</p> <p>25 is being asked is this.</p> <p style="text-align: center;">Page 47</p>	<p>1 If you had known the route, and there had been</p> <p>2 a deviation from it, would that have been something</p> <p>3 which could have been potentially important in the grand</p> <p>4 scheme of the conspiracy?</p> <p>5 Is that the point?</p> <p>6 MS MCNEILL: I believe so.</p> <p>7 THE CHAIRMAN: Is that right? I don't know who it has come</p> <p>8 from.</p> <p>9 MS MCNEILL: I understand that is the point. Can you help</p> <p>10 us?</p> <p>11 THE CHAIRMAN: Yes.</p> <p>12 A. It is difficult for me to conceive of a set of</p> <p>13 circumstances where we would know, sir, 1,000 per cent</p> <p>14 that this is the route the van is going to take.</p> <p>15 THE CHAIRMAN: I think you have already established that.</p> <p>16 I think the point that is being asked now is why it</p> <p>17 wouldn't help to know, and the question that you are</p> <p>18 being asked now is would it not have helped to know the</p> <p>19 route so that if it did deviate, that could, as it were,</p> <p>20 flag up the possibility of something in connection with</p> <p>21 the conspiracy? Do you understand?</p> <p>22 A. I do.</p> <p>23 THE CHAIRMAN: I hope that makes it clear.</p> <p>24 A. I think possibly is the best answer I can give you, sir.</p> <p>25 THE CHAIRMAN: Thank you.</p> <p style="text-align: center;">Page 48</p>

1 Because although you prefaced the question by saying
 2 there had been suspicions of corruption, this officer
 3 has said that he had none.
 4 MS MCNEILL: Indeed.
 5 THE CHAIRMAN: Thank you.
 6 MS MCNEILL: Moving on, we have got 7.28:
 7 "Any attack on this vehicle will be firearms
 8 enabled."
 9 **A. Yes.**
 10 Q. We have heard some evidence last week about how that
 11 message came to be sent out?
 12 **A. Yes.**
 13 Q. Can you tell us what did you understand this message to
 14 mean?
 15 **A. That at the time of committing the substantive offence**
 16 **on the Serco van, that those responsible for committing**
 17 **it would be in possession of a firearm.**
 18 Q. A real firearm or an imitation firearm or --
 19 **A. Irrelevant to my thinking, either.**
 20 Q. Okay, so when you received that message, you didn't
 21 know, or wouldn't have known, whether or not that
 22 indicated a real or imitation firearm?
 23 **A. No, I wouldn't.**
 24 **It could have been a piece of wood in a canvas bag**
 25 **pointed at the driver, and experience tells me that that**

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1 THE CHAIRMAN: The fact that it may or may not have been
 2 a live firearm was irrelevant as far as you were
 3 concerned?
 4 **A. Yes.**
 5 THE CHAIRMAN: Yes.
 6 MS MCNEILL: 7.35?
 7 **A. "Intel from within vehicle 1, the Audi, further**
 8 **conversation in preparation of offence."**
 9 Q. If you just keep reading, I will tell you when to stop.
 10 **A. "From surveillance, two males into vehicle 1, all in**
 11 **black with beanie hat rolled up or one with beanie hat**
 12 **rolled up on top of a dark hoody."**
 13 Q. Yes.
 14 **A. "8.00 am, intel from surveillance, no change on the**
 15 **prison van, vehicle 1 stopped near Bracknell Close,**
 16 **vicinity of Wood Green Crown Court.**
 17 **"8.10 am update subject 1 is waiting to be loaded**
 18 **into the van within the prison. No change on vehicle 1,**
 19 **the Audi.**
 20 **"8.17, update, prison van is smaller version of**
 21 **Serco type bus. Subject 1 and two other inmates,**
 22 **original index is believed still valid, no change on**
 23 **vehicle 1.**
 24 **"8.28, prison van is loaded with inmates and**
 25 **manoeuvres through prison estate, no change on**

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1 **achieves the desired effect, or it could have been**
 2 **a MAC 10 Ingram machine pistol with 25 rounds in the**
 3 **clip.**
 4 Q. What did you understand to be the purpose of putting out
 5 this message at the time?
 6 **A. To confirm to the team the intelligence picture and the**
 7 **operational standing at that time, as we knew it.**
 8 Q. Did that to your mind add anything to the information
 9 you had already received, that intelligence suggested
 10 they only had an imitation -- at least had an imitation
 11 firearm?
 12 **A. I'm sorry, can you say that again?**
 13 Q. You received information that said, "Intelligence
 14 suggests at least an imitation firearm"?
 15 **A. At least, yes.**
 16 Q. Then at 7.28 you receive a message "Any attack on this
 17 vehicle will be firearms enabled"?
 18 **A. Yes.**
 19 Q. Did that second message add anything in your mind to
 20 that which you had already been told?
 21 **A. It went hand in hand with it.**
 22 THE CHAIRMAN: I think you are being asked whether it added
 23 anything to it?
 24 **A. It confirmed that the intelligence -- yes, sir, it did**
 25 **add.**

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1 **vehicle 1, believe third eye on surveillance, Bounds**
 2 **Green Road area, IC3 male, all in black with black**
 3 **gloves.**
 4 **"8.52 from surveillance, prison van is Hanger Lane**
 5 **Gyratory system no change on the Audi, which is**
 6 **vehicle 1."**
 7 **At 9.00 am, "State amber".**
 8 Q. Pause there, again I am passed a question.
 9 Were you aware on the morning of the 11th, that
 10 there were no eyes on Ozcan Eren? So you didn't know
 11 where he was at that time of the morning?
 12 **A. Yes, I was.**
 13 Q. You knew that they had eyes on the mission vehicle, yes?
 14 **A. Yes.**
 15 Q. Did it concern you that the operational team did not
 16 know where Ozcan Eren was or what vehicle he might be
 17 in?
 18 **A. It was certainly in my mind, sir, yes.**
 19 Q. We talked earlier about the idea of a second vehicle.
 20 Did it occur to you, therefore, that given that we have
 21 eyes on the mission vehicle but no eyes on Ozcan Eren,
 22 that there was likely to be at least one other vehicle
 23 with Ozcan Eren?
 24 **A. Likely, I don't know. Possibly, yes.**
 25 Q. We talked earlier about geographical tipping points and

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<p>1 you said one of them was whether or not the van would 2 reach the A1 junction at a time when you did or didn't 3 have control of the mission vehicle. 4 Would it have been a geographical tipping point if 5 at the time the Serco van reached the A1 junction, you 6 didn't have control over Ozcan Eren? 7 A. That wasn't the tipping point that had been set by 8 Mr Williams, and with the intelligence strongly 9 indicating it was those within the Audi that were to 10 perform the attempt on the van, no. 11 Q. Can you help us understand why, if you have got -- you 12 understand the intelligence was that Ozcan Eren was to 13 be part of this plan in some form. Did you know whether 14 or not he was going to be involved practically on the 15 day as opposed to being an organiser? 16 A. I didn't, no. 17 Q. If there was the suspicion of or possibility for 18 a second vehicle, why is a lack of control of a second 19 vehicle that may or may not get close to the Serco van, 20 not a geographical -- not a tipping point in the same 21 way it would be if the mission vehicle was not under 22 control? 23 A. That is something for Mr Williams to consider, as the 24 overarching TFC, although clearly and quite rightly it 25 sits in my mind as well.</p> <p style="text-align: center;">Page 53</p>	<p>1 Everything that had happened that morning ran almost 2 scripted with the intelligence that was being received 3 by Mr Williams. And as such, at that stage, such 4 a tipping point contingency with regard to Ozcan Eren 5 was of no real concern to me. 6 Q. But you had Ozcan Eren's intelligence profile? 7 A. Yes. 8 Q. Even with the benefit of that, and knowing his role 9 within the family that you described at some length 10 earlier, how dangerous they were -- 11 A. Yes. 12 Q. -- a lack of control on Ozcan Eren was not of a real 13 concern to you? 14 A. It wasn't ideal. Clearly we would have loved to have 15 control on him all day. Certainly. I know Mr Williams 16 would, but in terms of direct concern, no, because it 17 didn't fit with the intelligence that had up until that 18 date and time been absolutely on point. 19 Q. If we look at 9.00 am, please, state amber was declared 20 and we have heard from others about that. Can you 21 please tell us what effect if any does a declaration of 22 state amber does the B team, Team Bravo, have on the 23 actions of your team, Team Alpha? 24 A. Initially, nothing, we continued in our role to continue 25 shadowing the prison van. However, that changed within</p> <p style="text-align: center;">Page 54</p>
<p>1 the following three or four minutes, following 2 a conversation between myself and Mr Williams in C3000. 3 Q. Okay, and if we read down, I think you can explain to us 4 why that changed in the next three or four minutes? 5 A. So at 9.05, I had a phone call or communication with 6 Mr Williams and I applied -- because clearly at this 7 point, there has been a significant change in the nodes 8 that make up the NDM, the first one being information 9 intelligence. We have gone to state amber, shots have 10 been fired. So I revisit the NDM and in consultation 11 with Mr Williams he directs and I fully agree that we go 12 from covert to a discreet set of tactics on the prison 13 van, not quite fully overt in terms of an escort but 14 overt in terms of we are far closer to being in 15 a position to move up should we need to. 16 Q. Thank you. 17 Then we move down to 9.20? 18 A. "9.20, GM15, UHZ, which amber on GM15 UHZ, agreed with 19 C3000." 20 And that is Mr Williams. 21 Q. I think you have missed a note in between -- no, you 22 have not read it out. 23 Can you explain to us, please, what happened for 24 state amber to be declared on a vehicle known as GM15? 25 A. Yes, we -- it was actually our control vehicle,</p> <p style="text-align: center;">Page 55</p>	<p>1 I believe, that sighted an Audi known to be or believed 2 to be in the possession of Ozcan Eren shadowing the 3 prison van and shadowing our convoy to the nearside as 4 we moved along the 406. That therefore precipitated 5 a change in my mind with regard to the potential risk 6 posed by Ozcan, and I wanted to be in a position to deal 7 with that risk. 8 Q. It is no criticism of you, I know you are working from 9 memory. Sir, we will read the evidence at some point 10 today, it was the motorcycle following the prison van 11 that spotted the car with Ozcan, or that is what the 12 statement would suggest. 13 A. It may well have been, but I clearly recall looking out 14 of the passenger -- it was our OFC, V64, looked out of 15 the passenger side of our vehicle and that Audi was 16 sitting at a T junction just at the side of our car. It 17 may well have been a motorcycle saw it, sir, and we saw 18 it immediately thereafter or at the same time. 19 Q. I am not taking a point with you, I'm just trying to 20 help us follow on various pieces of evidence. 21 When state amber is declared on the vehicle GM15, 22 what effect does that have? 23 A. I spoke -- clearly my main objective as the TFC on that 24 van is to deliver that van and its contents safely to 25 Wood Green Crown Court, and there was no change in that</p> <p style="text-align: center;">Page 56</p>

<p>1 operational objective for me.</p> <p>2 What I was trying to do, and what I did at the time,</p> <p>3 was speak to the OFC and enquire of him if we had</p> <p>4 sufficient armed assets to split the team at that point</p> <p>5 and send a sufficient and able armed escort with the van</p> <p>6 to take its contents to the Crown Court and split the</p> <p>7 team so that armed assets to deploy and bring about the</p> <p>8 arrest of Ozcan Eren and the other occupant of the Audi.</p> <p>9 Q. I appreciate it is some time later now. Can you assist</p> <p>10 us with how many vehicles you left with the prison van</p> <p>11 escorting it and how many you redeployed?</p> <p>12 A. I believe it was two motorcycles, and I believe they</p> <p>13 were both double crewed.</p> <p>14 Q. Yes.</p> <p>15 THE CHAIRMAN: Thank you.</p> <p>16 MS MCNEILL: Then did the coverage on the prison van move to</p> <p>17 overt at that stage or did they remain discreet?</p> <p>18 A. Yes.</p> <p>19 Q. They moved to overt?</p> <p>20 A. Yes.</p> <p>21 Q. Practically speaking, what effect does that have?</p> <p>22 A. It is in the same way that as a member of the public,</p> <p>23 sir, you see the special escort group bringing a prison</p> <p>24 van through the streets, it would have been the same but</p> <p>25 without the use of blue lights, I would imagine.</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. Thank you.</p> <p>2 If we go over the page to page 61 of your notes,</p> <p>3 read the last entry for us at 9.25?</p> <p>4 A. "9.25 am, vehicle 2, [which was the second Audi</p> <p>5 containing Ozcan Eren] stopped Barratt Avenue, N22,</p> <p>6 subject Borg plus one were detained."</p> <p>7 Q. Subject Borg we know is Ozcan Eren.</p> <p>8 A. Yes.</p> <p>9 MS MCNEILL: Sir, we will read the evidence from those who</p> <p>10 effected that arrest today.</p> <p>11 THE CHAIRMAN: Yes.</p> <p>12 MS MCNEILL: That concludes my questions in relation to the</p> <p>13 deployment on the Serco van.</p> <p>14 I just have a very brief section in relation to the</p> <p>15 scene at Bracknell Close.</p> <p>16 A. Yes.</p> <p>17 Q. Is it right that at 10.15 you were redeployed to</p> <p>18 Bracknell Close to manage the scene?</p> <p>19 A. I was, sir, yes.</p> <p>20 Q. We looked briefly at it before, if we can look at tab 4</p> <p>21 of your bundle, IPC305.</p> <p>22 A. Yes.</p> <p>23 Q. Page 2.</p> <p>24 Are these your notes from your role in managing the</p> <p>25 scene at Bracknell Close?</p> <p style="text-align: center;">Page 58</p>
<p>1 A. They are, sir, yes.</p> <p>2 Q. In managing the scene at Bracknell Close, what was your</p> <p>3 responsibility?</p> <p>4 A. Excuse me. When I arrived on scene, DI Smith had had</p> <p>5 control of the scene and had obviously a very active</p> <p>6 scene, by the time I arrived it was a passive and</p> <p>7 well-contained, well-managed scene. My duties were to</p> <p>8 ensure that that situation remained the case pending</p> <p>9 suitable examination by experts.</p> <p>10 Q. It might assist, just for the record, if you can help us</p> <p>11 read your note?</p> <p>12 A. Yes.</p> <p>13 Q. Please pick up from "Scene log".</p> <p>14 A. "Scene log, scene handed over from DI Smith, 10.15 am,</p> <p>15 Bracknell Close, N22. Mr Baker in situ, covered with</p> <p>16 a forensic tent. Two gloves in roadway covered with</p> <p>17 cones to secure/preserve evidence. Cordon is in place</p> <p>18 and effective at this time. Three unmarked Trojan</p> <p>19 vehicles and Trojan control vehicle in situ at scene.</p> <p>20 Secure as appropriate to the scene. DPS, IPCC informed</p> <p>21 and en route. Local BOCU [the local police station]</p> <p>22 duty office Paul Sanderson in attendance. Priority is</p> <p>23 to secure and preserve evidence. cursory inspection of</p> <p>24 subject Audi shows a MAC 10/Skorpion OR SIMILAR</p> <p>25 [underlined] is left in situ pending forensic retrieval.</p> <p style="text-align: center;">Page 59</p>	<p>1 A bumbag type bag is in the roadway near to Mr Baker.</p> <p>2 "10.55 am, CSM John Cochran(?) arrives and is</p> <p>3 briefed by John Welsh(?) and myself. Request the duty</p> <p>4 officer to inform the coroner of the death. Limited</p> <p>5 details available at this time. Spoke with DPS at</p> <p>6 11.35 am. David Gasby briefed re operational background</p> <p>7 and the generic history of events up until now."</p> <p>8 Q. Over the page to page 3, please. Don't worry about the</p> <p>9 names at the top, I think it is just the entry at 1.05.</p> <p>10 A. "1.05 possible ident for the deceased Jermaine Baker</p> <p>11 16.03.87 ..."</p> <p>12 With a PNC identification number and details of</p> <p>13 tattoos by which I believe Mr Baker had been identified,</p> <p>14 C3000 had been informed.</p> <p>15 "At 1.25 pm I handed the scene over to Steve Foxley</p> <p>16 from the IPCC."</p> <p>17 Q. Thank you. I am asked one more question to ask you</p> <p>18 about contain and call out so I will do that now.</p> <p>19 Sir, I know there are some possible questions from</p> <p>20 core participants so I might ask, sir, that we could</p> <p>21 have a brief five break so I can see to that.</p> <p>22 THE CHAIRMAN: Very good.</p> <p>23 MS MCNEILL: You explained that contain and call out might</p> <p>24 not be suitable in a built-up urban area, we talked</p> <p>25 about London and you mentioned Birmingham also.</p> <p style="text-align: center;">Page 60</p>

<p>1 A. Yes.</p> <p>2 Q. I think you might have answered some of this, but to</p> <p>3 make sure we can get it clear. Does that mean that</p> <p>4 generally speaking the interception of a vehicle in</p> <p>5 London, because that is where you work, will involve</p> <p>6 an armed extraction?</p> <p>7 A. I can't comment on generally. I can only tell you that</p> <p>8 in the armed jobs which I have been involved with, and</p> <p>9 I have known others, other TFCs be involved with, the</p> <p>10 majority outcome in terms of the interdiction by armed</p> <p>11 officers, intervention/interception, is an extraction.</p> <p>12 THE CHAIRMAN: I think the question was armed.</p> <p>13 A. I'm sorry, sir.</p> <p>14 THE CHAIRMAN: The question was armed extraction.</p> <p>15 A. Yes, sir.</p> <p>16 But as I said, earlier, and I am keen to stress,</p> <p>17 every set of circumstances, every job, is considered on</p> <p>18 its own merit and on its own situation at the time.</p> <p>19 MS MCNEILL: When we spoke earlier about the decision as to</p> <p>20 which precise tactic to use, would you, when you were</p> <p>21 acting as a TFC, say I would like you likely to</p> <p>22 instigate an armed intervention with armed extraction or</p> <p>23 is it understood that an armed extraction will usually</p> <p>24 follow from an armed interception? Would you specify,</p> <p>25 "I would like you to conduct an armed extraction"?</p> <p style="text-align: center;">Page 61</p>	<p>1 A. Yes.</p> <p>2 Q. Yes.</p> <p>3 Is an armed extraction considered to be high risk?</p> <p>4 A. No.</p> <p>5 Q. Amongst the tactical options available to you, is it</p> <p>6 higher risk than other tactical options available to</p> <p>7 you, for example the contain and call out?</p> <p>8 A. No.</p> <p>9 Q. No. You don't say it is any riskier than a contain and</p> <p>10 call out?</p> <p>11 A. No, and it is a tactic used by CTSFOs every day of the</p> <p>12 week in London. People get arrested by virtue of armed</p> <p>13 intervention and armed interceptions with armed</p> <p>14 extractions every day without incident, and it depends,</p> <p>15 as Mr Williams detailed in his FA2, on the response of</p> <p>16 the subject at that point, that that will determine the</p> <p>17 response of the CTSFO.</p> <p>18 Q. Where an armed extraction is a possible tactic, you</p> <p>19 might even say a likely tactic to be deployed, is it</p> <p>20 important to obtain as much information as possible</p> <p>21 about who was going to be in the vehicle?</p> <p>22 A. We would want to know as much as we can before we send</p> <p>23 CTSFOs into that situation. Having said that, the</p> <p>24 identity of who is in the vehicle -- yes, it is</p> <p>25 important, yes. If we can establish it.</p> <p style="text-align: center;">Page 62</p>
<p>1 If we can't, clearly, and the circumstances have led</p> <p>2 to us being at state amber, the need to meet the working</p> <p>3 strategy is what we are there for.</p> <p>4 MS MCNEILL: Sir, do you have any questions at this stage</p> <p>5 before we take a quick --</p> <p>6 Questions from THE CHAIRMAN</p> <p>7 THE CHAIRMAN: Yes, just one, while it is -- I am asking you</p> <p>8 now as a TFC and not as a subordinate TFC, as I think</p> <p>9 you describe yourself on this occasion. If you had as</p> <p>10 TFC clear evidence of a conspiracy to escape during the</p> <p>11 build up to state amber from the covert monitoring,</p> <p>12 would you have considered an arrest earlier than the</p> <p>13 time that state amber was called, even if there was no</p> <p>14 precise nature -- no precise evidence as to the nature</p> <p>15 of the firearm which the conspirators had?</p> <p>16 A. No, sir, I wouldn't.</p> <p>17 THE CHAIRMAN: Why not?</p> <p>18 A. Because --</p> <p>19 THE CHAIRMAN: What was the advantage, if you had that</p> <p>20 evidence, of letting it run?</p> <p>21 A. The potential to remove firearms, live or otherwise,</p> <p>22 from circulation within the criminal community.</p> <p>23 THE CHAIRMAN: I appreciate that but what, if nothing is</p> <p>24 going to happen, before state amber is called, once the</p> <p>25 evidence is there what is the downside of going in if</p> <p style="text-align: center;">Page 63</p>	<p>1 you are going to achieve your aim of sustained public</p> <p>2 protection, based on a conviction for conspiracy to</p> <p>3 commit an indictable offence, ie escape, what is the</p> <p>4 downside of going in early?</p> <p>5 A. The likely prison sentence, sir, and thereby the degree</p> <p>6 of sustained public protection.</p> <p>7 THE CHAIRMAN: So the likely prison sentence was a very</p> <p>8 significant aspect of the thought process of the TFC?</p> <p>9 A. I need to be clear, here, sir, please.</p> <p>10 Are you asking me if I knew that there was</p> <p>11 a conspiracy to escape which was not firearm enabled?</p> <p>12 THE CHAIRMAN: No, I am asking you if you knew that there</p> <p>13 was a conspiracy to escape which may or may not have</p> <p>14 been firearm enabled, it may have been enabled with</p> <p>15 an imitation.</p> <p>16 A. Yes.</p> <p>17 THE CHAIRMAN: Right.</p> <p>18 Obviously conspiracy to commit indictable offences,</p> <p>19 such as escape or possession of an imitation firearm,</p> <p>20 are going to carry a lower sentence than those which</p> <p>21 involve possession of a real firearm.</p> <p>22 But insofar as you had evidence, and it is</p> <p>23 a hypothetical situation because you were not the man on</p> <p>24 the ground, you have evidence that there is a conspiracy</p> <p>25 to escape, you have evidence that it is at least enabled</p> <p style="text-align: center;">Page 64</p>

1 by an imitation firearm --

2 **A. Yes.**

3 THE CHAIRMAN: -- what is the disadvantage of going in at

4 that stage?

5 **A. Well, sir, in those circumstances, my tipping point is**

6 **reached in those circumstances.**

7 THE CHAIRMAN: It is.

8 **A. Yes.**

9 THE CHAIRMAN: In other words, it depends on your assessment

10 of the strength of the evidence?

11 **A. Very much so. Yes.**

12 THE CHAIRMAN: Thank you.

13 Further questions from MS MCNEILL

14 MS MCNEILL: Sir, I have the questions from the core

15 participants. I can deal with them.

16 THE CHAIRMAN: I have to say, I was not asking my question

17 in the hope of using the time for you to get your

18 questions, but if you have, then -- and you think it is

19 appropriate to ask them, then by all means do and then

20 we will have our break.

21 MS MCNEILL: Thank you, sir, and I am happy to ask these,

22 I think it will assist just to get a little bit of

23 clarity on some of the topics we have covered.

24 THE CHAIRMAN: Thank you.

25 MS MCNEILL: Can we look, please at COP4, Mr Coates, and

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1 been made and state amber declared or an immediate

2 threat to life or potential for serious injury

3 identified."

4 We have talked about the evidential tipping points

5 already, we know that state amber was declared:

6 "The subject or subjects should have been

7 identified, the officers should endeavour to deploy from

8 a vehicle in close proximity to the subjects without

9 being seen or drawing attention from a possible third

10 eye. The officers, whenever possible, should

11 continually keep the subject under observation when

12 deploying."

13 Yes?

14 **A. Yes.**

15 Q. Are these factors specifically relating to the time and

16 the moment at which you go forward for an intervention

17 or an interception?

18 **A. I believe they are, yes, and obviously the first word in**

19 **that paragraph is "Generally".**

20 Q. Of course.

21 Looking specifically at the third bullet point, I am

22 asked to draw out:

23 "The ability to deploy from a vehicle in close

24 proximity to the subject but without being seen or

25 drawing attention from a possible third eye."

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1 page 7 of that document.

2 We are looking here at some of the curriculum from

3 the College of Policing, were you familiar with this at

4 the time?

5 **A. I would have been in a working capacity, sir, yes.**

6 Q. I am not suggesting that you knew it word for word or

7 that you needed to.

8 **A. No.**

9 Q. If we look at -- hopefully I have been given the correct

10 reference -- yes, can we zoom up from "generally" down,

11 please. You confirm that you had seen the FA5?

12 **A. Yes.**

13 Q. And that the FA5 prevented a number of tactics from

14 within which an overarching TFC, or indeed the ground

15 TFC, could choose?

16 **A. Yes.**

17 Q. Is it right that each of those options on the FA5 remain

18 at least theoretically available to be chosen throughout

19 the operation?

20 **A. Yes, they do, they remain available.**

21 Q. Depending on the circumstances?

22 **A. Yes.**

23 Q. We see here, it indicates:

24 "Generally before a tactical option to intercept or

25 intervene is instigated a decision to arrest should have

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1 Is that more difficult in an urban area than you

2 referred to a rural area, earlier?

3 **A. Is it more difficult?**

4 Q. Yes, to deploy covertly in close proximity without being

5 seen or drawing attention?

6 **A. Not necessarily, no.**

7 Q. It is not always more difficult in an urban area?

8 **A. No.**

9 Q. Is it possible to do in an urban area?

10 **A. Yes, I would think so.**

11 Q. I am asked to ask it verbatim, does that third bullet

12 point present difficulties when deploying in an urban

13 area?

14 **A. Yes.**

15 Q. But does it make it impossible?

16 **A. No, not impossible but I would contend it is probably**

17 **unlikely without being seen.**

18 Q. Page 9, please of the same document.

19 Looking if we can at D3 -- COP14, sorry, it's not

20 quite the same document, page 9.

21 THE CHAIRMAN: Yes.

22 MS MCNEILL: Thank you very much.

23 D3 begins, it's the penultimate paragraph and under

24 the heading "Contain and call out". Can we zoom that

25 out, please, thank you:

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<p>1 "Prior to any communication with the subject, 2 officers should ensure that the vehicle is sufficiently 3 contained. This may necessitate police resources being 4 deployed to create a sterile area by preventing traffic 5 and member of the public approaching from the front or 6 rear of the stationary vehicle." 7 Then it goes on to talk specifically about the 8 officer in the nearside ... 9 Does the ability to do that present difficulties in 10 an urban area? 11 A. It would depend on the circumstances prevailing at the 12 time, but potentially, yes. 13 Q. Specifically in a busy urban area, does it present 14 difficulties? 15 A. Yes. 16 Q. Can it be done? 17 A. Conceivably, sir, yes, but -- 18 THE CHAIRMAN: The busier, it is the less likely? 19 A. That stands to reason, yes. 20 MS MCNEILL: Every deployment is situation specific, is it? 21 A. Very much so. 22 Q. Can we look, please, at page 13 of this document. And 23 the first paragraph under the heading "Extraction, 24 Mr Coates. 25 "An extraction is a tactical option whereby the</p> <p style="text-align: center;">Page 69</p>	<p>1 subjects are removed from the vehicle by officers who 2 move forward and physically take hold of them. The 3 purpose of an extraction is to minimise risk to both the 4 subject and the officers, preserve evidence and rapidly 5 gain control thereby neutralising any threat." 6 A. Yes. 7 Q. Was this your understanding of the tactic of extraction 8 at the time of Operation Ankaa? 9 A. Yes, and I have read this paragraph before and I have 10 always thought that the preserve evidence should come at 11 the end, but it is rapidly -- neutralising the threat is 12 probably more important than preserving evidence, but 13 that is not in any order of priority, sir, yes. 14 Q. It says the purpose of extraction is to minimise the 15 risk to both the subject? 16 A. Yes. 17 Q. Can you help us understand from your training, why does 18 an extraction minimise the risk to the subject? 19 It does say "... and the officers", but just about 20 the subject at this stage. 21 A. It minimises the risk to the subject because they are 22 dominated, overpowered and secured in very quick time. 23 There we are. 24 Q. Okay. 25 You say that it minimises the risk to the subject</p> <p style="text-align: center;">Page 70</p>
<p>1 because they are dominated, overpowered and secured in 2 very quick time? 3 A. As opposed to -- if I can elaborate, as opposed to 4 surrounding the vehicle, pointing guns at it and 5 allowing violent men, who are potentially armed with 6 firearms, to come up with a plan in the car as to what 7 they are going to do to get out of the situation. 8 Q. That could escalate the risk overall? 9 A. Very much so. 10 Q. You can take that down, thank you. 11 Are these issues that we have looked at, are they 12 amongst the relevant considerations when you are 13 deciding whether or not extraction is to be the favoured 14 option in an urban area? 15 A. Yes. 16 Q. Are there other factors that we haven't covered? 17 A. No. I mean most importantly of all is, you know, the 18 movement of people within the area, general public. 19 Q. The most important factor is how many people there are 20 and what they are doing? 21 A. That is a principal concern, yes. 22 Q. One quick matter, again it's just for clarity, I can 23 bring up the FA2 if I need to, but you were asked 24 earlier about the intelligence relating to the 25 individuals in the car and your answer was, paraphrased,</p> <p style="text-align: center;">Page 71</p>	<p>1 to the effect that they believed they were trying to 2 assemble an appropriate team for the job? 3 A. Yes. 4 Q. Did you receive that information from the FA2 form? 5 A. Yes, I did. 6 Q. In fact the exact wording from the FA2 form is "Izzet is 7 putting together a team of suitable individuals to 8 effect the escape, the identity of that personnel is 9 unknown". 10 Selecting tactics, you indicated was one of your 11 roles on the ground as the ground TFC? 12 A. Yes. 13 Q. When Team Alpha split so that some could go and arrest 14 Ozcan Eren -- 15 A. Yes. 16 Q. -- did you decide what tactic would be used with regard 17 to Ozcan Eren and communicate that to the officers? 18 A. Yes. 19 Q. What did you ask them to do? 20 A. If the situation presented itself and we were the first 21 vehicle to find the Audi, I would have instructed 22 I think a forced stop and an extraction. 23 Q. Just so we are clear, it is rather confusing because 24 Ozcan Eren was also in an Audi. When you say "the 25 Audi", did you mean Ozcan Eren's Audi or the mission</p> <p style="text-align: center;">Page 72</p>

<p>1 vehicle?</p> <p>2 A. The vehicle 1 is off the scene, it's dealt with. The</p> <p>3 second Audi that Ozcan was in and had arrived in the</p> <p>4 immediate vicinity of the prison van.</p> <p>5 Q. Your instruction to the officers was to go and arrest</p> <p>6 Ozcan Eren by way of an interception and extraction?</p> <p>7 A. If I hadn't given it, I certainly would have done at the</p> <p>8 point of coming into contact with the Audi, yes.</p> <p>9 Q. What about the point at which you split your officers in</p> <p>10 two and you said some stay with the van and some go and</p> <p>11 effect arrest?</p> <p>12 A. I would have said with a state amber, having agreed it</p> <p>13 with Mr Williams in C3000, I was in full agreement with</p> <p>14 him and vice versa, but in terms of discussing the</p> <p>15 tactic, it would have been dependent upon the</p> <p>16 environment that we found ourselves in when that Audi</p> <p>17 came into our vicinity.</p> <p>18 Q. Okay, so you didn't say, okay, we are going to split in</p> <p>19 two, you go and get Ozcan Eren and use a dynamic</p> <p>20 interception and armed extraction?</p> <p>21 A. I don't believe I had got to that point, no, but to be</p> <p>22 clear, in that environment, it would have been likely,</p> <p>23 and I would have considered all the circumstances,</p> <p>24 environmental, footfall of people as we have touched on</p> <p>25 before, it is likely, not certain but it's likely that</p> <p style="text-align: center;">Page 73</p>	<p>1 that is the direction I would have given.</p> <p>2 MS MCNEILL: Sir, I think we have asked everybody's</p> <p>3 questions and there are no further questions for this</p> <p>4 witness. Unless there is anything else arising that you</p> <p>5 would like to ask?</p> <p>6 THE CHAIRMAN: No, thank you very much indeed.</p> <p>7 A. Thank you.</p> <p>8 MS MCNEILL: Might that be an appropriate point for a break?</p> <p>9 THE CHAIRMAN: Yes, is 10 minutes sufficient? Thank you.</p> <p>10 That is all right. You can go.</p> <p>11 (11.41 am)</p> <p>12 (A short adjournment)</p> <p>13 (12.00 pm)</p> <p>14 MS BLACKWELL: Thank you, sir, may the witness be sworn,</p> <p>15 please.</p> <p>16 THE CHAIRMAN: Yes.</p> <p>17 MS KEELY SMITH (sworn)</p> <p>18 A. Keely Smith.</p> <p>19 Questions from MS BLACKWELL</p> <p>20 THE CHAIRMAN: Please sit down.</p> <p>21 MS BLACKWELL: Ms Smith, I am going to begin my questioning</p> <p>22 by inviting you to provide to us a summary of your</p> <p>23 experience as a police officer, as at 11 December 2015.</p> <p>24 A. I joined the police in 1985. I was a career detective,</p> <p>25 most of my service was spent dealing with serious and</p> <p style="text-align: center;">Page 74</p>
<p>1 organised crime. I did two tours on the</p> <p>2 Metropolitan Police Flying Squad, so that is responsible</p> <p>3 for armed robberies on commercial premises.</p> <p>4 Q. Yes.</p> <p>5 A. While I was there as a DC, I was an AFO, authorised</p> <p>6 firearms officer, and a tactical adviser.</p> <p>7 I then left the unit on promotion, went to the</p> <p>8 kidnap unit where I was a DS and a DI, I have worked in</p> <p>9 3000, both as an SIO and out on the ground as a TFC, so</p> <p>10 I am used to the workings of 3000.</p> <p>11 I was a DI, returned to the Flying Squad, where</p> <p>12 I was a DI, a tactical firearms commander, where we used</p> <p>13 to deploy on a daily basis on armed operations.</p> <p>14 Q. Yes.</p> <p>15 A. I did a couple of years as SIO on a murder squad,</p> <p>16 responsible for murders in London. I then -- I am</p> <p>17 a trained hostage and crisis negotiator and my last</p> <p>18 couple of years of service was on the projects team, so</p> <p>19 dealing with gun trafficking, firearms trafficking,</p> <p>20 across London and contracts to kill.</p> <p>21 And in 2015 I received a policing excellence award</p> <p>22 for investigation into those trafficking firearms across</p> <p>23 the UK.</p> <p>24 And then I retired and I have been retired for six</p> <p>25 years and I am a waitress now.</p> <p style="text-align: center;">Page 75</p>	<p>1 Q. Thank you.</p> <p>2 Just to make clear, at the time that you retired</p> <p>3 from the Met, you held the rank of detective inspector?</p> <p>4 A. That's right.</p> <p>5 Q. Right. Thank you very much.</p> <p>6 On the deployment that took place on 11 December,</p> <p>7 were you acting as tactical firearms commander?</p> <p>8 A. I was the ground TFC, yes.</p> <p>9 Q. Right. We have heard what you have said about your role</p> <p>10 in relation to that on other occasions. On how many</p> <p>11 occasions had you acted as tactical firearms commander</p> <p>12 as at 11 December?</p> <p>13 A. Possibly up to 100. Obviously not all resulting in</p> <p>14 an interception or intervention, but possibly 100, maybe</p> <p>15 even more. To say when I was on the Flying Squad we</p> <p>16 were out on the plot nearly every day.</p> <p>17 Q. Thank you.</p> <p>18 How did you first become aware of Operation Ankaa?</p> <p>19 A. Operation Ankaa itself, I am not sure I knew the name</p> <p>20 but I was aware there was an ongoing feud between the</p> <p>21 Hackney Boys and the Tottenham Turks, they were at the</p> <p>22 top of the SCD7 threat matrix. At the actual operation</p> <p>23 which I was asked to TFC on, probably in the week</p> <p>24 commencing 7 December.</p> <p>25 Q. Right, is it correct that you were unable to attend the</p> <p style="text-align: center;">Page 76</p>

<p>1 pre-operational briefing at New Scotland Yard on 2 10 December? 3 A. That's right. There must have been an operational 4 commitment. I was running my own team at the time. 5 I can't remember what -- if there was a job on, but 6 I couldn't go. 7 Q. Were arrangements made for you to be briefed in any 8 event? 9 A. Yes, I got sent over the FA2 and the firearms forms and 10 I went to be personally briefed by Neil at Cobalt 11 Square. 12 Q. That took place I think on the morning of 10 December? 13 A. Yes, the Thursday. 14 Q. You already had the FA2 and FA3 forms, did you? 15 A. Yes, I may have had the FA5 by the time I went to see 16 him as well. And I had also got a document with a list 17 of subjects of Operation Ankaa, together with a detailed 18 schedule of the incidents and feuds between the two 19 gangs, which was considerable. 20 Q. Is that what we have heard referred to as the 21 PowerPoint? 22 A. No. I don't think so. There was -- 23 Q. A briefing document? 24 A. Not the briefing document that was used on the Friday -- 25 Q. No.</p> <p style="text-align: center;">Page 77</p>	<p>1 A. -- I was given an intel document and there was like 2 a schedule of the incidents between the Hackney Boys and 3 the Tottenham Turks, or it might be the Tottenham Boys 4 and the Hackney Turks. 5 Q. A list of incidents and intelligence? 6 A. Yes, the various shootings and killings they had been 7 involved in. 8 Q. Thank you. 9 Who provided you with the forms, how did you get 10 hold of them? 11 A. They were emailed to me, I assume by Neil. 12 Q. Neil Williams? 13 A. Yes, Neil Williams, sorry. 14 Q. Were you aware that there was no FA1 form? 15 A. I wasn't at the time. I do subsequently know, because 16 I have been dipping in and out of this inquiry and have 17 read various reports. 18 Q. Yes. 19 Would that necessarily have come to you, the FA1 20 form? 21 A. Not necessarily. Everything is duplicated on the FA2, 22 as far as I am concerned. 23 Q. All right. You made a witness statement -- in fact you 24 have made several witness statements, but the witness 25 statement which I am going to refer to sits behind tab 2</p> <p style="text-align: center;">Page 78</p>
<p>1 in our hard copy bundle. It is dated 14 December 2015. 2 At page 3 of that statement, you set out first of 3 all the armed officers that were available to you in 4 relation to the deployment, but it is really this that 5 I want to ask you about. 6 Beginning of paragraph 2: 7 "I had carefully read the FA2 produced by FE16 and 8 although he had overarching responsibility for the 9 operation, I was fully aware of my role." 10 A. Yes. 11 Q. Let's just have a look at the FA2 form for a moment. 12 Mr Coates, could we put up IPC6. 13 Go to the next page, please. 14 Could we go back, please, to page 1. That's right. 15 Is this the FA2 form that you received? You can see 16 that it is dated 7 December 2015. 17 A. I would have -- I think I received a form. I know there 18 was one dated 10 December. 19 Q. Yes. 20 A. Which I would have printed off and taken with me to the 21 plot, the utmost up to date one. I think -- 22 Q. I am just looking through, I think that this is the form 23 that you completed that has your notes on, towards the 24 end. 25 Could we just skip forward to page 36, please,</p> <p style="text-align: center;">Page 79</p>	<p>1 Mr Coates. Are those your notes? 2 A. They are, yes. 3 Q. Could we go back to the first page. 4 Thank you. 5 Did it occur to you when you received this document 6 that it was bearing the operation name of a different 7 operation? 8 A. I have only just noticed that now. So it would make no 9 difference to me, the name of the operation, to be 10 honest. 11 THE CHAIRMAN: Sorry, what do you mean it would make no 12 difference? 13 A. I mean an operation name is just a code name for 14 an operation. 15 THE CHAIRMAN: Yes. 16 A. The important bit for me would be the intelligence. 17 THE CHAIRMAN: Yes. But if you knew the name of the 18 operation and saw this related to something different -- 19 A. That is an oversight. I obviously hadn't read the 20 operation name. That is a mistake by me. 21 THE CHAIRMAN: Thank you. 22 MS BLACKWELL: Once you had had receipt of these documents, 23 did you speak to Neil Williams about their content? 24 A. We had a chat on the Thursday, yes. 25 Q. What did you talk about?</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 A. I think we went through the FA2, briefly what its his 2 tactics were going to be on that day, the intel that 3 they were trying to break the Erens out of prison. 4 Q. Yes. 5 A. And that they had got a lost or stolen vehicle on the 6 plot ready to go. That there had been some audio put 7 into the vehicle and there was some technical 8 surveillance available. 9 Q. Did you and Mr Williams talk about your various roles 10 that were going to be assigned to you, the following 11 day? 12 A. Yes, I was aware that he was going to be the overarching 13 TFC. I was going to be responsible for the Audi and 14 Mr Whitewood responsible for the Serco van. 15 Q. Right. 16 Did you talk about tipping points? 17 A. I was aware, I think, that there was going to be 18 a tipping point. Mr Turner's FA3, it said Wood Green. 19 Did we discuss the actual tipping point, geographical 20 tipping point on that morning? I am not quite sure, but 21 it was absolutely clear to me that Mr Williams, his main 22 objective was to have control of that Serco van. And at 23 no point during the operation would the two parties come 24 together, so the Audi -- the stolen Audi and the Serco 25 van would not come together.</p> <p style="text-align: center;">Page 81</p>	<p>1 Q. How did he tell you he was going to ensure that those 2 two vehicles did not come together? 3 A. Well, he had got Andy Whitewood shadowing the Serco van, 4 so we would have complete control of that there, with 5 AFOs and a surveillance team, and I would be in control, 6 have control and responsibility for the Audi. 7 Q. Did you and Mr Williams discuss what might happen when 8 the time came to approach the Audi vehicle and to effect 9 any arrests. 10 A. When we went to state amber, are you saying? What would 11 happen? 12 Q. Yes, how that might look? 13 A. He throughout the operation had the overarching 14 responsibility. He had all the intelligence available 15 to him in 3000, I was not party to getting that as it 16 happened or -- everything was being fed to him. So it 17 was agreed that he would call state amber. 18 Q. Yes. 19 A. And then I would be responsible for the Audi. 20 Q. Right. 21 What I am asking you is, did you and he discuss what 22 would happen when state amber was called, how that might 23 look, where the vehicles might be and how the 24 interception would take place? 25 A. On the Thursday that would be impossible. It was</p> <p style="text-align: center;">Page 82</p>
<p>1 a fast -- these operations are flexible, things can 2 change, this was a briefing on the Thursday, but 3 something could have happened overnight that completely 4 changed how we would deal with the Audi. The Audi may 5 not have even been involved on the Friday, so on the 6 Thursday, I don't think we had a discussion about how it 7 would be dealt with. 8 Are you suggesting whether it be an interception or 9 an intervention -- 10 Q. Yes, yes, I am talking about options and contingencies. 11 A. I had got the TAC advice, I am an experienced TAC. I am 12 aware of all the tactical options available to me. Did 13 we go into any depth? No, because as far as I am 14 concerned, at that point, it could change overnight. 15 The tactical options are there for Mr Williams and for 16 myself to constantly review. 17 Q. Thank you. 18 Let's look, please, at the guidance in relation to 19 intervention and interception. 20 Mr Coates, please could we display COP4 at page 6. 21 Were you familiar with this guidance at the time 22 that you were acting as tactical firearms commander? 23 A. Yes, I was. 24 Q. Right. We can see that there are definitions provided 25 for both intervention and interception.</p> <p style="text-align: center;">Page 83</p>	<p>1 Intervention: 2 "Dealing with a subject whilst they are in the act 3 of committing an offence, where potential victims are 4 present at that location and the subject is physically 5 in a position to carry out the threat. In summary, 6 interventions are implemented during the commission of 7 an offence which directly presents a threat to the 8 victim, and the victim is present; and the police 9 interaction interrupts or intervenes to mitigate the 10 threat." 11 Intervention: 12 "Dealing with a subject prior to the actual 13 commission of an offence and any potential threat being 14 realised, for example en route to or from an armed 15 robbery. In summary interceptions are implemented: 16 "Prior to the commission of an offence, and not in 17 the presence of the intended victim." 18 You were familiar with both of those principles? 19 A. Absolutely. 20 Q. Did you have any idea in your mind on 10 December as to 21 whether or not either of those would feature? 22 A. It was a probability that there would be 23 an interception. An intervention in my mind was 24 unlikely because the two vehicles, the suspects and the 25 Serco van, were never going to be allowed to come</p> <p style="text-align: center;">Page 84</p>

<p>1 together, so there would be no need for the 2 intervention. So it was probable there would be 3 an interception, unlikely there would be -- or virtually 4 impossible there would be an intervention, because 5 Mr Turner was not going to allow the two to come 6 together. 7 Q. Did you discuss those options when you were speaking 8 with Mr Williams on 10 December? 9 A. Did we -- did we use the terms "interception" and 10 "intervention"? Did we discuss that? I am not sure, 11 but we definitely discussed the fact that the Serco van 12 and the Audi, or the suspects, were not going to come 13 together. 14 Q. Did you discuss the fact that there were to be three 15 deployments, one on the Audi vehicle, one on the Serco 16 van and a third unarmed deployment on Ozcan Eren? 17 A. Yes, I was aware of that. 18 Q. Did you discuss with Mr Williams the prospect of 19 Ozcan Eren getting close to the Serco van? 20 A. I can't recall that discussion. But what was drummed 21 into me and was absolutely apparent, that if there was 22 any risk to the Serco van, the operation was going to go 23 overt. 24 Q. Because you have described how it was imperative that 25 the Audi vehicle and the Serco van did not meet each</p> <p style="text-align: center;">Page 85</p>	<p>1 other. 2 A. Yes. 3 Q. Come together. But you have also said in the course of 4 your evidence that you did not know whether or not the 5 Audi vehicle was going to be used and if so, in what 6 guise. 7 A. No, that's correct. 8 Q. Right, so was there discussion between yourself and 9 Mr Williams about the prospect of the Serco van being 10 attacked by another vehicle or another person? 11 A. I don't think there was a discussion. Did that bother 12 me? No, because I was happy that the Serco van would be 13 under control, either covertly or overtly, at all times. 14 Q. Could we go to page 25 of this document, please, 15 Mr Coates. 16 Thank you. 17 I would just like to take a moment to look at the 18 vehicle tactical options: 19 "Once the vehicle is stationary the subjects may be 20 dealt with by either an armed enquiry, containment and 21 call out, extraction or a critical shot." 22 I think we can pass over "armed enquiry". 23 Contain and call out: 24 "Where a containment and call out is employed, it 25 remains largely as described in module D3, (figure 9)</p> <p style="text-align: center;">Page 86</p>
<p>1 [which we can see on the left-hand side of the page]. 2 However, it is imperative that armed officers are 3 clearly identified as such, through the use of ski caps, 4 blue lights et cetera (see identification and transition 5 from covert to overt). 6 "It should be remembered that covert vehicles lack 7 high visibility, police markings and roof-mounted 8 warning lights. Therefore officers may be more 9 vulnerable to the hazards associated with operating in a 10 live carriageway. This risk may be managed through 11 positioning of the police vehicles to block the 12 carriageway and maximising the visibility of the covert 13 blue lights and flashing headlights. Where available, 14 the use of a magnetic roof-mounted warning light may 15 assist." 16 Next pain, please "Extraction": 17 "An extraction is a tactical option whereby the 18 subjects are removed from the vehicle by officers who 19 move forward and physically takes hold of them. The 20 purpose of an extraction is to minimise risk to both the 21 subject and the officers, preserve evidence and rapidly 22 gain control, thereby neutralising any threat. Where 23 an extraction is to be conducted, it remains largely the 24 same as described in module D3. However, given the 25 resources of a MASTS team, it may be possible to deal</p> <p style="text-align: center;">Page 87</p>	<p>1 with several subjects in a vehicle simultaneously. 2 "Due to the complex nature of such deployments and 3 the numerous potential scenarios it is not possible to 4 provide definitive guidance as to which officer from 5 which MASTS vehicle deals with a particular subject. 6 However, there are a number of general principles which 7 apply. 8 "Officers should prioritise the driver and/or any 9 other subject who presents the greatest threat. 10 Officers from the centre vehicle deal with the subjects 11 on the side on which this police vehicle is positioned. 12 Officers from the rear vehicle deal with the subjects on 13 the opposite side to the centre vehicle. 14 "Whilst these general principles will normally 15 apply, it is acknowledged that on occasions 16 environmental or operational considerations may require 17 a different approach." 18 Had you performed the role of ground tactical 19 firearms commander on deployments which resulted in 20 extractions? 21 A. Yes. And I have been an AFO when we have done 22 extractions. 23 Q. Thank you. 24 A. Back in the day, but I have been engaged in extractions. 25 Q. Help us if you can in that regard. Throughout your</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 career as a firearms officer, tactical firearms 2 commander, on how many occasions were you on 3 a deployment that resulted in an extraction? 4 A. 20, 30, over the years. Maybe more? 5 Q. Yes, could we just go back to the previous page, please, 6 Mr Coates. 7 On how many occasions either as a firearm officer -- 8 THE CHAIRMAN: I am going to ask you to stop, because there 9 is some very annoying background noise. 10 That is better. Thank you very much. 11 Oh, it seems to have a mind of its own. Sorry to 12 disturb you. Please carry on. 13 MS BLACKWELL: The same question in relation to contain and 14 call out, so in your role as either a firearm officer or 15 a tactical firearms commander, on how many occasions 16 have you been deployed on a deployment that resulted in 17 a contain and call out? 18 A. I can't bring to mind any and if I can explain, most of 19 my service I have dealt with the most horrible violent 20 nasty criminals in London, that, they deal in firearms, 21 drugs, they are a menace to the public in London. We 22 live in the busiest city in the country, the UK, 23 I cannot think of a street in London, and I have policed 24 most of the areas throughout my service, where it would 25 be suitable to -- where you would be able to get</p> <p style="text-align: center;">Page 89</p>	<p>1 a sterile area where you would be able to get all sides 2 of that vehicle covered, where there would be no members 3 of the public, no traffic, that it would be suitable to 4 do a containment and call out. In the situations that 5 I have dealt with and the type of criminals and people 6 that I have dealt with. 7 I am not saying it is impossible, I am just saying 8 I can't remember apart from when they are in a building, 9 when you go to do an early morning dig out, where you 10 knock on the door and you contain the house, the area, 11 that is a recognised tactic and I have done that 12 a number of times. 13 Q. But with vehicles -- 14 A. But with a vehicle on a street in London, even in the 15 middle of the night, you have then got to think about 16 the darkness, is it sterile, people walk in every street 17 in London at all hours of the day and night, and these 18 are dangerous armed criminals. So no, I haven't dealt 19 with it, or I can't recall dealing with a containment 20 and call out. 21 Could it happen? Yes, it could, because every job 22 is different. 23 Q. Have you ever known one take place in London? Not just 24 from your own experience, but anecdotally, have you ever 25 heard of a contain and call out take place in London?</p> <p style="text-align: center;">Page 90</p>
<p>1 A. I have trouble remembering what I did last week now I am 2 retired. No, I can't remember, I am sorry. 3 Q. Thank you. 4 Let's move on, please, from the discussion and 5 briefing that you had with Mr Williams on 10 December. 6 Can you tell us, please, what happened on 7 11 December, what time you deployed and what you did? 8 A. 11 December, I drove by myself to Enfield where I was to 9 brief the officers. 10 Q. Yes. 11 A. The world and his wife was there, all the AFOs, CTSFOs, 12 ARVs, surveillance teams, the operational team. We all 13 gathered in the huge briefing room there. I met with 14 the OFC and the members from the operational team. 15 Q. Yes. 16 A. And then when everyone was present, I conducted a taped 17 briefing. 18 Q. Yes. Let's go to that, please, if we can. Just bear 19 with me a moment. 20 If we could put up, please, MPS3301, Mr Coates. The 21 second page, please. 22 Is this your briefing note? This is behind 23 divider 6. 24 A. Thank you. 25 Yes, it is, yes.</p> <p style="text-align: center;">Page 91</p>	<p>1 Q. Can you tell us how that was created, please? 2 A. This is a generic briefing template that was on my 3 system. 4 Q. Yes. 5 A. It doesn't have an FA number, I don't know if it does 6 these days. I noticed that Mr Whitewood's is slightly 7 different to this one. So was there a generic one that 8 was used at the time? I don't think so. Is there one 9 now? I don't know. 10 This is a briefing template that I use so that I am 11 sure that I don't forget anything while I am briefing 12 the officers. 13 Q. Right, thank you. 14 Can we go to page 3, please. Thanks. 15 We can see that this appears to be generic in 16 format, in that it doesn't relate specifically to any 17 particular operation. 18 A. That's right. 19 Q. Is it your evidence that this was important to you to 20 ensure that nothing was missed? 21 A. Yes. 22 Q. Right. 23 Next page, please. 24 Again, this is a continuation of the generic part of 25 the document. Can we go to page 5, please.</p> <p style="text-align: center;">Page 92</p>

<p>1 Is this part of the document that you filled in</p> <p>2 specifically for this operation?</p> <p>3 A. It is, yes.</p> <p>4 Q. Tell us how this document assisted you during the course</p> <p>5 of the briefing? Did you simply read it out or was it</p> <p>6 an aide-memoire?</p> <p>7 A. A bit of both, really. A lot of it I read out, like the</p> <p>8 conferring warnings, because I want to make sure that</p> <p>9 they are absolutely spot on.</p> <p>10 Q. Yes.</p> <p>11 A. As I say, for me, there is quite a lot to remember and</p> <p>12 it is just easier to read it out.</p> <p>13 Q. Yes.</p> <p>14 A. But I may have ad libbed.</p> <p>15 Q. All right. Can we go to page 7? This is the part of</p> <p>16 the document that sets out the threat assessment, and</p> <p>17 the words "Threat assessment" are at the foot of the</p> <p>18 previous page.</p> <p>19 Could you take us through your assessment here, and</p> <p>20 tell us when that assessment was made and what you said</p> <p>21 about that assessment during the course of the briefing?</p> <p>22 A. I think I read out:</p> <p>23 "Identified individuals or groups at risk and</p> <p>24 degrees of risk at potential points of contact are:</p> <p>25 general public -- low; Serco or other custodians -- low;</p> <p style="text-align: center;">Page 93</p>	<p>1 police unarmed -- low; police armed -- low. Suspects</p> <p>2 PPOC ..."</p> <p>3 It says:</p> <p>4 "... (intervention or case of imminent threat to</p> <p>5 life interception) ..."</p> <p>6 Which is the wrong way round and I didn't say that.</p> <p>7 I have obviously -- when I have actually realised that</p> <p>8 that is wrong and I haven't said that in the briefing,</p> <p>9 I think I just say "suspects".</p> <p>10 Q. Right, we can have a look at that in a moment.</p> <p>11 At what stage were you assessing the threat posed?</p> <p>12 A. For me, this is at the -- when we go out onto the</p> <p>13 streets. For me, this is the SFC strategy, so for me,</p> <p>14 at that point, we are all low.</p> <p>15 I have put potential points of contact, having</p> <p>16 thought about this inquiry, that is probably -- I should</p> <p>17 have said the potential point of deployment.</p> <p>18 Q. Right.</p> <p>19 A. Because I understand that firearms officers, AFOs,</p> <p>20 contact to them may be different to my understanding of</p> <p>21 contact. So if I was to do this again, I would probably</p> <p>22 say at the point of deployment, that means when we leave</p> <p>23 the base. For me, everything was low at that point.</p> <p>24 Q. Right.</p> <p>25 Would it have been useful for you to engage in</p> <p style="text-align: center;">Page 94</p>
<p>1 a multidimensional threat assessment, at different</p> <p>2 points during the course of the proposed deployment?</p> <p>3 A. I did. That is why I've got a threat matrix.</p> <p>4 Q. I am talking about this part of the document, though.</p> <p>5 Would it have been helpful to have set out clearly the</p> <p>6 stage at which you were assessing the threat to be low</p> <p>7 and perhaps then go on to talk about how that threat</p> <p>8 might rise during the course of the deployment?</p> <p>9 A. I think the best way I can answer that is that, perhaps</p> <p>10 I should have said:</p> <p>11 "Identified individuals or groups at risk of</p> <p>12 injuries at the point of deployment, should we go to</p> <p>13 an interception/intervention ..."</p> <p>14 I am not sure how you can -- I would be guessing it</p> <p>15 would be medium or high, so I am not sure about that</p> <p>16 bit.</p> <p>17 Q. That it might be raised?</p> <p>18 A. Yes, perhaps that is the best phrase to be used.</p> <p>19 That at the point of deployment they are low, but</p> <p>20 this risk may be raised at the point of state amber or</p> <p>21 at the point of interception/intervention, yes, and not</p> <p>22 put whether it was low, medium or high.</p> <p>23 Q. Yes.</p> <p>24 Let's just have a look at the transcript of the</p> <p>25 briefing because the briefing was tape recorded, wasn't</p> <p style="text-align: center;">Page 95</p>	<p>1 it --</p> <p>2 A. Yes, it was.</p> <p>3 Q. -- as is usual practice.</p> <p>4 Could we go, please, to IPC238, please, Mr Coates.</p> <p>5 This is behind our divider 8.</p> <p>6 Thank you.</p> <p>7 We can see that you begin by addressing those who</p> <p>8 were there. Just, before we look at the briefing note,</p> <p>9 or the transcript, rather, how many people were present</p> <p>10 at this briefing, roughly speaking?</p> <p>11 A. I've got three CTSFO teams, so it is 10.30, jump off,</p> <p>12 40 ...</p> <p>13 60, 70?</p> <p>14 Q. Right.</p> <p>15 Was there anything unusual about the way in which</p> <p>16 this briefing was taking place, as opposed to other</p> <p>17 briefings that you had given in other operations?</p> <p>18 A. No.</p> <p>19 Q. Standard?</p> <p>20 A. Standard.</p> <p>21 Q. Thank you.</p> <p>22 You start off introducing yourself and you then say</p> <p>23 that you are going to hand over to S105 for the tactics.</p> <p>24 If we look at page 2, please.</p> <p>25 In fact, before you do that, you hand over to</p> <p style="text-align: center;">Page 96</p>

<p>1 Mr Kinch, who provides the intelligence briefing.</p> <p>2 A. Yes.</p> <p>3 Q. Which we can see on pages 2 and 3.</p> <p>4 Can we go to page 3, please.</p> <p>5 Then you come back in at 05.45. You say:</p> <p>6 "Right, thank you, any questions about that? As</p> <p>7 I say, if anyone needs a copy of the briefing sheet, if</p> <p>8 you go to see DC Kinch afterwards. The threat</p> <p>9 assessment then, the individuals or groups at risk that</p> <p>10 have been identified as potential points of contact.</p> <p>11 The general public, low, Serco custodians, low, unarmed</p> <p>12 police, low, armed police, low and the suspects, low.</p> <p>13 The SIO's strategy, as is always the overriding</p> <p>14 principle, is the preservation of life and protection of</p> <p>15 the police, public and subjects ..."</p> <p>16 Next page, please:</p> <p>17 "... the aim is to protect the public in the most</p> <p>18 appropriate method, balancing the risk of harm to the</p> <p>19 public in the short and longer terms. The strategy is</p> <p>20 to minimise the risk to the public, maximise the safety</p> <p>21 to Serco and other custodians, maximise the safety of</p> <p>22 police officers deployed, identify, locate, contain,</p> <p>23 neutralise the threat posed by the subject and his</p> <p>24 associates by the safest possible means."</p> <p>25 Pausing there, please, had you discussed with</p> <p style="text-align: center;">Page 97</p>	<p>1 Mr Williams the fact that the Serco custodians were not</p> <p>2 to be told of the deployment?</p> <p>3 A. No.</p> <p>4 Q. What did you believe was to be Serco's level of</p> <p>5 knowledge that morning?</p> <p>6 A. I am -- I assumed they wouldn't be aware.</p> <p>7 Q. Why did you assume that?</p> <p>8 A. It is a bit like when you do an armed robbery plot,</p> <p>9 quite often the guards are not told. Because it is</p> <p>10 a fluid situation, I suppose, that is a fluid situation.</p> <p>11 I wasn't aware that Serco guards hadn't been told.</p> <p>12 Was I surprised? No.</p> <p>13 Did it affect anything I did on that day?</p> <p>14 Absolutely not.</p> <p>15 Q. Had you been involved in anything like this before?</p> <p>16 That involved Serco custodians or the transport of</p> <p>17 a prisoner from a prison to a court?</p> <p>18 A. Not that I can recall.</p> <p>19 Q. Right. Is it your evidence that you didn't know one way</p> <p>20 or the other whether the Serco guards were going to be</p> <p>21 informed of the deployment?</p> <p>22 A. If they had been informed, I think Mr Williams would</p> <p>23 have told me.</p> <p>24 THE CHAIRMAN: Why do you think he would have told you that,</p> <p>25 anymore than he would have told you that they hadn't</p> <p style="text-align: center;">Page 98</p>
<p>1 been involved? Wouldn't it be more important for you to</p> <p>2 know if there was a reason for not telling them?</p> <p>3 Do you understand the point?</p> <p>4 If it is not clear, please say so.</p> <p>5 A. Yes.</p> <p>6 Was I told? I don't think I was told.</p> <p>7 THE CHAIRMAN: Let's assume you were not.</p> <p>8 A. Yes.</p> <p>9 THE CHAIRMAN: You are not told that the Serco custodians</p> <p>10 don't know.</p> <p>11 A. Yes.</p> <p>12 THE CHAIRMAN: There might be a very good reason for the</p> <p>13 Serco custodians not knowing, but might it not be</p> <p>14 important for you, as a firearms commander, to know that</p> <p>15 they hadn't been told?</p> <p>16 A. No, I don't think that would affect my judgment or my</p> <p>17 decision making at all.</p> <p>18 THE CHAIRMAN: Because you were not being, as it were, kept</p> <p>19 in the loop, were you, about what might have been</p> <p>20 an important piece of information?</p> <p>21 A. I'm sorry, sir, but I am satisfied I was completely kept</p> <p>22 in the loop for everything that I needed to perform my</p> <p>23 role in.</p> <p>24 THE CHAIRMAN: The fact that they either knew or didn't know</p> <p>25 was something that was not important to you?</p> <p style="text-align: center;">Page 99</p>	<p>1 A. I am saying I didn't know, but to be honest I am</p> <p>2 guessing six years later, I can't recall the</p> <p>3 conversation as to whether I knew or not. I am not</p> <p>4 surprised that -- but I don't know if that is from</p> <p>5 knowledge or just through general experience.</p> <p>6 THE CHAIRMAN: I am only going by the evidence that you gave</p> <p>7 before.</p> <p>8 A. I understand that, sir.</p> <p>9 THE CHAIRMAN: I am just trying to establish, and I promise</p> <p>10 to be quiet after this, why it was any more important</p> <p>11 for you to know that they had been informed than that</p> <p>12 they hadn't been informed, do you understand?</p> <p>13 You said that if they had been informed, you would</p> <p>14 have expected Mr Williams to tell you. But you also</p> <p>15 said that if they hadn't been informed, you wouldn't</p> <p>16 have expected to know.</p> <p>17 A. Maybe that is because I am going on my past experience</p> <p>18 of dealing with G4S guards through armed robbery.</p> <p>19 THE CHAIRMAN: Yes, very well, thank you.</p> <p>20 MS BLACKWELL: Did you need to know whether the Serco</p> <p>21 custodians were in the loop in order to properly assess</p> <p>22 the threat?</p> <p>23 A. Absolutely not.</p> <p>24 Q. Why not?</p> <p>25 A. As far as I was aware I had got all the information</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 I need. I've got the intelligence about the suspects</p> <p>2 likely to be involved, the fact that the Serco guards</p> <p>3 were not aware of the developing situation made no</p> <p>4 difference to my decision making.</p> <p>5 Q. Were you persuaded that the strategy, as you have set</p> <p>6 out at the top of page 4, was to minimise the risk to</p> <p>7 the public and maximise the safety to Serco or other</p> <p>8 custodians and if you were so persuaded, did that not</p> <p>9 depend at least in part on the fact that they were not</p> <p>10 kept in the loop?</p> <p>11 A. No. I was absolutely satisfied there was sufficient</p> <p>12 control measures in place, the tactics, the experience</p> <p>13 of everyone involved in the operation. I was happy</p> <p>14 there was enough control over that van. It didn't</p> <p>15 affect my decision making at all.</p> <p>16 Q. Thank you.</p> <p>17 Could we go to page 9, please.</p> <p>18 Following your presentation of the part of the</p> <p>19 briefing that we have just looked at, we then know that</p> <p>20 S105 then did take over, provided his briefing and then</p> <p>21 at page 9, you come back in to wrap things up at the</p> <p>22 end. At 15.17 you say:</p> <p>23 "Okay, thank you, right the following powers and</p> <p>24 policies apply to this operation. The power of arrest</p> <p>25 is conferred by section 24 of PACE as amended by SOCPA.</p> <p style="text-align: center;">Page 101</p>	<p>1 Human rights have been considered during the planning of</p> <p>2 the operation and granting the superintendent's</p> <p>3 authority it was deemed to be proportionate, legal,</p> <p>4 accountable and necessary in the circumstances."</p> <p>5 What were you referring to there when you were</p> <p>6 telling those present at the briefing that human rights</p> <p>7 had been considered?</p> <p>8 A. The right to life, section 2.</p> <p>9 Q. Okay.</p> <p>10 Did you consider spelling that out?</p> <p>11 A. I would think all the officers in that briefing room</p> <p>12 were fully aware of section 2 of the Human Rights --</p> <p>13 involved in firearms officers, the section 2 part of the</p> <p>14 Human Rights Act in firearms operations, I didn't think</p> <p>15 I needed to spell that out.</p> <p>16 Q. In fact, if we read on:</p> <p>17 "Armed officers are also reminded of the guidelines</p> <p>18 and instructions as set out in the MPS standard</p> <p>19 operating procedures regarding the use of firearms and</p> <p>20 the APP on armed policing. 5.26, strict reminder, all</p> <p>21 staff are reminded that their responsibilities and</p> <p>22 powers to use force under the following other</p> <p>23 legislation human rights, 3.1 of the Criminal Law Act,</p> <p>24 117 of PACE and common law regarding self defence."</p> <p>25 Here you cover it:</p> <p style="text-align: center;">Page 102</p>
<p>1 "Article 2 states that everyone's life shall be</p> <p>2 protected by law and requires that if force is used it</p> <p>3 must be no more than absolutely necessary and also</p> <p>4 strictly proportionate to the achievement of those aims.</p> <p>5 The ultimate responsibility for firing a weapon rests</p> <p>6 with the individual officer."</p> <p>7 Was that address from the point that we have just</p> <p>8 read out to the bottom of page 9 something which you did</p> <p>9 automatically in any briefing of this nature?</p> <p>10 A. Yes.</p> <p>11 Q. Was that something which you referred to your notes for</p> <p>12 or was it something you had done so often that you could</p> <p>13 repeat it off pat?</p> <p>14 A. Back then I probably could have repeated it off pat.</p> <p>15 Q. I am not going to ask you to do it now.</p> <p>16 A. But I read off the aide-memoire, and is that is why I've</p> <p>17 got it, so I ensure that I don't miss anything.</p> <p>18 Q. Thank you.</p> <p>19 We will just read on for completeness.</p> <p>20 "A firearm is to be fired only as a last resort.</p> <p>21 Other methods must have been tried and failed or must</p> <p>22 because of the circumstances be unlikely to success if</p> <p>23 tried. AFOs shall identify themselves as such and give</p> <p>24 a clear oral warning of their intent to use firearms</p> <p>25 with sufficient time for it to be observed, unless to do</p> <p style="text-align: center;">Page 103</p>	<p>1 so would unduly place any person at risk of death or</p> <p>2 serious harm or would be clearly inappropriate or</p> <p>3 pointless in the circumstances while unlikely to succeed</p> <p>4 if tried."</p> <p>5 Again, was that something which it was your habit to</p> <p>6 include at this stage in any briefing?</p> <p>7 A. Absolutely.</p> <p>8 Q. Right.</p> <p>9 You then complete the briefing by talking about the</p> <p>10 situation -- can we just look at page 10, towards the</p> <p>11 bottom, and read from here:</p> <p>12 "The important is to individually record what their</p> <p>13 honestly held belief of the situation was at the time</p> <p>14 force was used."</p> <p>15 You are talking here and in fact you are giving the</p> <p>16 conferring warning, aren't you?</p> <p>17 A. Yes.</p> <p>18 Q. "There should therefore be no need for an officer to</p> <p>19 confer with others about what was in their mind at the</p> <p>20 time force was used. If, however, in a particular case,</p> <p>21 a need to confer on others does arise, then in order to</p> <p>22 ensure transparency and maintain public confidence,</p> <p>23 where some discussion has taken place, officers must</p> <p>24 document the fact that this has taken place highlighting</p> <p>25 the time, date and place where the conferring took</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 place, the issue discussed, with whom and the reasons as 2 such discussion." 3 All right, again was that something which always 4 formed part of your briefing? 5 A. Yes. 6 Q. What is the importance of giving the conferring or 7 non-conferring warning? 8 A. I think it speaks for itself. I think am I by law 9 obliged to give it? But it is certainly something that 10 needs to be done at the briefing to the AFOs and as 11 I gave the conferring warning later in the day. 12 Q. Thank you. 13 When the briefing was complete, what did you do? 14 A. We all got our stuff together in the briefing room. 15 I am aware there was a -- DC Kinch had a discussion with 16 the OFC about the view from the OP, I didn't make a note 17 of that at the time. We were making sure I got the 18 armed Op number from C3000, I might have touched base 19 with 3000 just to let them know the briefing had been 20 finished, was then an update on the intelligence at that 21 point? 22 Yes, and we all got together, I got in the back of 23 the control car with the OFC and I had a shadow TFC with 24 me and a driver. 25 Q. Right. Did you have hard copy documents with you, and</p> <p style="text-align: center;">Page 105</p>	<p>1 if so what were they? 2 A. Yes, I always do, when I was going out on the plot, 3 I had a plot bag which had -- I would always take a copy 4 of the NDM, several copies of the threat matrix, so 5 I could fill that in if I needed, extra pages for the 6 TFC log, copy of the FA2, the 3 and the 5. 7 Q. Yes. 8 A. A copy of the briefing sheet. A map book, because that 9 is all we were given, no fancy iPads back then, and 10 I had that all in a plot bag that I would take with me 11 and on this occasion, that was no exception, I had it 12 with me with copies of the briefing sheet, FA2, 3 and 5. 13 Q. Right. When you got into the vehicle, what did you then 14 do? 15 A. I think we went to McDonald's. 16 Q. After that? 17 A. We made our way to Quicksilver, which is in the Wood 18 Green area. 19 Q. Did you drive there in convoy with other vehicles? 20 A. I can't remember if we were in convoy, we wouldn't have 21 been too far off. 22 Q. Which position were you occupying in the control car? 23 A. The OFC was in the front passenger seat, there was the 24 driver, I don't know his pseudonym. I think my shadow 25 was to my right and I was sat -- I was in the back,</p> <p style="text-align: center;">Page 106</p>
<p>1 anyway. 2 Q. You were in the back of the car? 3 A. Yes. 4 Q. Let's look, please, at the operational log that you made 5 that day. 6 We can see it at IPC6, please, Mr Coates, and 7 page 36. 8 This is the copy of the FA2, upon which you have 9 recorded a log of what took place that morning. I would 10 like you to take us through it, please. 11 A. Yes: 12 "Briefing held at Enfield patrol base. Conferring 13 and warnings given. I agree decisions DCI Williams. 14 C3000 ... open, DCI Williams is overarching TFC. 15 DI Whitewood TFC Team A. Discussion with TA [TAC 16 adviser] should no contact be made with subject. When 17 van reaches A1 then operation will go overt. I have 18 spoken to [DI Whitewood] he will take command and we 19 will switch to his radio channel." 20 Q. Pause there, please. 21 What contact did you have, what level of contact did 22 you have with Mr Whitewood that morning? Were you in 23 regular contact with him? 24 A. I think so. Either on the radio or by phone. 25 Q. Right.</p> <p style="text-align: center;">Page 107</p>	<p>1 A. As much as I needed to be. You have got to balance the 2 taking up airtime and taking up the phone time. The 3 most important is for me to be in contact with 3000, so 4 if we were, it was short and sharp. 5 Q. Right. Who was it in 3000 that you were in contact with 6 the most? 7 A. With Mr Williams and the TAC adviser. 8 Q. S48? 9 A. Yes. 10 Q. Was it you contacting them, them contacting you or 11 a mixture? 12 A. A mixture, constant contact throughout the morning. 13 Q. Thank you, can you return to the log, please? 14 A. "6.35: Audi on the move. Unconfirmed occupants. 15 "7.00 am national decision model reviewed, no 16 change." 17 Q. Pause there, please. Did you tell us that as part of 18 your pack you had a copy of the national decision model? 19 A. Yes. 20 Q. When you considered it, throughout the course of the 21 morning, did you physically look at it? 22 A. No. I knew it then. Ethics in the middle, 23 intelligence, powers, policy, review -- I knew it off by 24 heart then, but just in case, when it is busy, you are 25 under pressure, I've got a copy if I need to refer to it</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

1 **but, no, I didn't need to refer to it.**
 2 Q. Thank you.
 3 At 7.07?
 4 A. **7.07:**
 5 **"GU63 located Ruskin Road, Tottenham, Borg no**
 6 **control."**
 7 A. **That means the vehicle GU63, I forget the full**
 8 **registration number, but it was one of the vehicles**
 9 **known to be used by subject Borg, who is the brother of**
 10 **Izzet Eren.**
 11 Q. Izzet Eren.
 12 What does "Borg no control" mean?
 13 A. **The surveillance, we haven't got control -- as a team,**
 14 **we haven't got control on him, no one has eyes on him,**
 15 **he was not under control.**
 16 Q. How did you know that, was that something that came to
 17 you over the Airwaves?
 18 A. **I don't know, I imagine -- I can't remember. I think**
 19 **the surveillance team must have gone to look at if the**
 20 **vehicle was still in situ, and it was there, I assume**
 21 **that is how it would have come about. Or one of**
 22 **operational team, even, someone from the central task**
 23 **force.**
 24 Q. Okay, 7.25?
 25 A. **"Intel, burned vehicle, Oak Avenue/Weir Hall Road.**

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1 **So, for me, firearms enabled is a firearm or**
 2 **an imitation firearm or anything that can be considered**
 3 **to be a firearm.**
 4 **How I got that information, I don't know. I think**
 5 **it came over the radio and I passed it to the OFC. The**
 6 **only thing I think perhaps he must have been on the**
 7 **phone, so I wanted to make sure he had it. Or it must**
 8 **have come over the radio, but I was wanting to make sure**
 9 **that the OFC was aware firearms enabled.**
 10 Q. Where were you at 7.30?
 11 A. **I assume at Quicksilver.**
 12 Q. Where was the OFC?
 13 A. **I assume in front of me.**
 14 Q. Right, in a --
 15 A. **Control car.**
 16 Q. Thank you.
 17 A. **I can't be -- he may have popped out of the vehicle to**
 18 **use the facilities, but I can't remember, but I have**
 19 **obviously ensured that he knew that.**
 20 Q. Are you able to assist with where that information has
 21 come from?
 22 A. **I can't, I am afraid. It is possibly over the radio.**
 23 Q. If there was information received by the overarching TFC
 24 that the gang had only managed to source an imitation
 25 firearm, would you expect that information, that

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1 **Devonshire Hall School!!"**
 2 **The reason I put that is that I'm always aware of**
 3 **a backdrop should an interception/intervention, got the**
 4 **school with the kids, we are approaching school time, so**
 5 **that is going through my mind:**
 6 **"I am aware of the school premise should deployment**
 7 **be necessary there."**
 8 **So I have covered that, so in the back of my mind**
 9 **I am thinking about it takes us back to the containment**
 10 **and call out, outside a school, that just would not be**
 11 **possible. So I am constantly thinking about options and**
 12 **tactical options at that point.**
 13 Q. Right. 7.30?
 14 A. **7.30:**
 15 **"Van, BX11 TXM. Intel: attack firearms enabled,**
 16 **pass to OFC."**
 17 Q. Take us through that entry, please?
 18 A. **The van BX11 TXM is the Serco van in the prison:**
 19 **"Intel: attack firearms enabled."**
 20 **Firearms enabled to me, "firearms enabled"/"gun**
 21 **enabled", I think I am more inclined to use "gun**
 22 **enabled" coming from a Flying Squad background. For me**
 23 **firearms enabled/gun enabled is a firearm imitation or**
 24 **if you go into a bank with an umbrella like this, that**
 25 **is classed as a gun-enabled crime.**

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1 intelligence, to be disseminated?
 2 A. **No.**
 3 Q. Why not?
 4 A. **The officers had been briefed. There was no doubting in**
 5 **my mind that they knew that they were dealing with the**
 6 **top tier of criminals, possibly the most violent gang in**
 7 **London at the time, the Erens, the feud that had been**
 8 **ongoing, the fact that it was a firearm or imitation**
 9 **firearm. I did not want to -- unless you know**
 10 **100 per cent, and the only way you will know**
 11 **100 per cent is when you take that firearm off the**
 12 **street and it is examined and proved by an AFO, or sent**
 13 **to a lab and they say it is not capable of firing, you**
 14 **know, it is an imitation.**
 15 **I mean I have had umbrellas that are capable of**
 16 **firing. We have all seen the pictures of these various**
 17 **mobile phones and that that are capable of firing**
 18 **a bullet. So, for me, I would not expect it to come**
 19 **down in detail from Neil. I had got enough information,**
 20 **for me it was either a firearm or imitation, that is**
 21 **what I thought were firearms enabled.**
 22 THE CHAIRMAN: I don't think that has answered the question,
 23 because I think you were being asked, accepting that it
 24 is one or the other, if you know the intelligence is
 25 that only an imitation has been sourced --

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1 **A. Yes.**
 2 THE CHAIRMAN: -- then, would you expect that to be
 3 disseminated?
 4 **A. No.**
 5 MS BLACKWELL: Wouldn't it be relevant to the officers on
 6 the ground to understand that only an imitation firearm
 7 had been sourced? Even if that was disseminated down
 8 with a caveat or a health warning?
 9 **A. No, because it isn't -- I don't think it is relevant to**
 10 **be disseminated to the officers, the fact that it was**
 11 **an imitation.**
 12 **Like I say, it -- the APP says you have got to treat**
 13 **all firearms as real unless proved otherwise. So**
 14 **unless -- the only way you can be 100 per cent sure that**
 15 **it was a real firearm is to get it examined at a lab**
 16 **like I have said. So I did not think it was necessary**
 17 **or appropriate to have the intelligence that it was**
 18 **an imitation firearm.**
 19 **I have worked with Neil and I know his experience**
 20 **and I am absolutely confident that if there was anything**
 21 **I needed to know, I would have been told it.**
 22 **I am experienced enough, and bullish enough, if**
 23 **I was not happy with what was going on, I would have**
 24 **challenged it as well. But I am happy that I was given**
 25 **as much information from C3000 that I needed to do my**

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1 **needed more information about, but I know I would have**
 2 **been passed it so I felt no need to make the phone call**
 3 **to say, how many suspects? What sort of firearm? Is it**
 4 **an imitation? How do you know that? Where does that**
 5 **intel come from? I didn't feel the need to do that.**
 6 Q. Would that information, those questions and answers, not
 7 have assisted you?
 8 **A. No, because I go back to that point, I know I would have**
 9 **been passed that the information if it was available.**
 10 Q. Right.
 11 **A. Available and relevant.**
 12 Q. Right.
 13 THE CHAIRMAN: What you are saying is that because there was
 14 always the possibility that an "imitation firearm"
 15 wasn't an imitation, it wasn't relevant?
 16 **A. Yes.**
 17 THE CHAIRMAN: Because you are treating it as real until the
 18 contrary is proved?
 19 **A. As real, as per the APP, sir.**
 20 THE CHAIRMAN: Yes.
 21 MS BLACKWELL: At 07.38?
 22 **A. "Possible second Audi LM59 in convoy."**
 23 **To me that means that must have been put up by the**
 24 **surveillance team, I assume, and that is possible**
 25 **a third eye.**

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1 **job safely.**
 2 Q. Do you think that the information that the gang had only
 3 managed to source an imitation firearm was relevant to
 4 the threat assessment?
 5 **A. No. For all the reasons that I have just mentioned.**
 6 Q. When you received the information at 7.30,
 7 "Intelligence: attack firearms enabled", which we have
 8 just gone through, did you feel the need to seek
 9 additional information as to the type of firearm or of
 10 the number of firearms that might be used in the attack?
 11 **A. No, because I have said I know that I would have been**
 12 **passed anything relevant if -- if Neil -- if Mr Williams**
 13 **had information or C3000 was in possession of**
 14 **information, I am confident that it would have been**
 15 **passed to me.**
 16 **These operations, the worst thing you can do is keep**
 17 **getting on the phone to -- they are busy enough -- C3000**
 18 **is the control room, there is lots happening there. So**
 19 **I know if there was anything important to be passed to**
 20 **me, then it would have been done.**
 21 Q. You are not suggesting are you that it wouldn't been
 22 appropriate for you to have sought clarification if you
 23 had thought it was necessary?
 24 **A. No, of course not, like I have said, I am bullish, if**
 25 **there was something that I felt needed challenging or**

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1 Q. Yes.
 2 **A. 07.49:**
 3 **"Consider getting closer but vehicle not settled,**
 4 **risk of compromise."**
 5 Q. Which vehicle was that, would that be the Audi?
 6 **A. The Audi.**
 7 Q. Yes.
 8 **A. 7.50:**
 9 **"Vehicle rear of Wood Green Crown Court."**
 10 Q. Yes.
 11 **A. 8.00:**
 12 **"Number of occupants not confirmed, possibly**
 13 **Bracknell Close."**
 14 Q. Yes.
 15 **A. 8.10:**
 16 **"Subjects in holding area, HMP."**
 17 **That is the van.**
 18 Q. Yes.
 19 **A. 8.10:**
 20 **"Message from TAC adviser, from Mr Williams,**
 21 **Mr Williams would like movement on the van before**
 22 **intervention. I agree this will give best possible**
 23 **evidence ... satisfied that the vehicle is under**
 24 **control, no risk to Serco van at this time."**
 25 Q. Were you aware that by 8.10, the Audi vehicle had

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1 settled in Bracknell Close?

2 **A. I think at 8.00 I have put "Possible Bracknell Close".**

3 Q. You have, so this message that you are getting from the

4 TAC adviser related to what?

5 **A. The prison -- message from the TAC adviser, would like**

6 **movement of the van, so that is the prison van.**

7 Q. Yes, and you agree -- I am finding it difficult to read

8 your writing?

9 **A. So am I. This was done in the pitch black in the back**

10 **of a control car, with nothing to lean on:**

11 **"I agree this will give best possible evidence.**

12 **Satisfied vehicle under control. No risk to Serco van**

13 **at this time."**

14 Q. You were talking about the Serco van but you were saying

15 that the vehicle is under control. Is that the Audi

16 vehicle?

17 **A. Yes. Not total control, maybe, "some form of control"**

18 **would have been ideal to put, but --**

19 Q. All right, but what I am attempting to establish is you

20 were able to say that because, for at least 10 minutes

21 it had settled in Bracknell Close?

22 **A. Yes.**

23 Q. As we know the vehicle didn't move again?

24 **A. No.**

25 MS BLACKWELL: Sir, I am not going to finish this morning.

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1 made a record that related both to the Serco van and

2 also to the Audi and that, since 8.00, the Audi had been

3 parked on Bracknell Close?

4 **A. That is correct, yes.**

5 Q. Can we take up your notes, please, from 8.20?

6 **A. 8.20:**

7 **"Van still at prison. Vehicle under control. Risk**

8 **low."**

9 **8.28:**

10 **"Confirm subject is on van -- confirm subject on**

11 **van, van manoeuvring.**

12 **8.40:**

13 **"From C3000, confirmed I have responsibility for**

14 **Audi and possibly third eye in the vicinity."**

15 Q. Just pause there. What was that message that you were

16 receiving from the control room?

17 **A. I am not sure if it was via Mr Williams or the TAC**

18 **adviser, and it was just reiterating what I already**

19 **knew. I had got responsibility for the Audi, earlier in**

20 **the deployment there had been a possibility of the third**

21 **eye, which we can see at 7.38, "Possible second Audi,**

22 **11.59, in convoy". And so 3000, or Mr Williams, was**

23 **confirming that ... just reiterating that I had got**

24 **responsibility for the Audi and the third eye.**

25 Q. Right. And you were confirming that that is the message

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1 THE CHAIRMAN: Okay.

2 MS BLACKWELL: I wonder if that is a convenient moment to

3 pause.

4 THE CHAIRMAN: That is a matter entirely for you. Shall we

5 resume at 1.50?

6 MS BLACKWELL: Thank you.

7 THE CHAIRMAN: Thank you very much.

8 (1.00 pm)

9 (The Luncheon Adjournment)

10 (1.50 pm)

11 THE CHAIRMAN: Yes.

12 MS BLACKWELL: Thank you, sir.

13 Just before we broke for lunch, we were looking at

14 your handwritten log that you made over the course of

15 the morning. You were describing the circumstances in

16 which that was made, I think you said that you were

17 sitting in the back of the car, it was dark and you

18 didn't have anything to lean on. So you were doing the

19 best that you could to record things as they happened in

20 as accurate a way as you could?

21 **A. Yes, that's correct.**

22 Q. Right. We had reached page 37 of IPC6, please,

23 Mr Coates.

24 Thank you.

25 We had established that at 8.10 in the morning you

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1 that you received?

2 **A. Yes.**

3 Q. Thank you.

4 Did you have any contact with Mr Williams about the

5 level of responsibility that you were being given for

6 the third eye and how that would work together with the

7 responsibility that you had for the vehicle?

8 **A. There was certainly conversation between myself, the**

9 **OFC, the TAC adviser, possibly Mr Williams, that we were**

10 **aware that there was a third eye. The OFC was concerned**

11 **that it would stretch the CTSFO's resources to deal with**

12 **the Audi and the third eye.**

13 Q. Yes.

14 **A. So that was a concern. It was agreed that the Audi was**

15 **the main priority. If then we had sufficient resources**

16 **we would roll on to the third eye, but at that point we**

17 **didn't know where the third eye was --**

18 Q. Right.

19 **A. -- so --**

20 Q. Sorry, go on.

21 **A. Tactically there would have been other options, if the**

22 **third eye came into play, the surveillance could have**

23 **kept control of it and perhaps until we were ready to**

24 **move on that, but it was -- there was definitely**

25 **a discussion about with the OFC, that it would stretch**

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<p>1 his resources too far, and I agreed with that.</p> <p>2 Q. Right.</p> <p>3 The third eye was on foot or in a vehicle?</p> <p>4 A. Unknown at this stage. Obviously at 7.38, it said,</p> <p>5 "Possible second Audi in convoy", but we have got no</p> <p>6 control over it. So they could have been out, they</p> <p>7 could have been sweeping the plot -- by that I mean they</p> <p>8 could have been up and down Bracknell Close, we had no</p> <p>9 clue as to that subject's identity, so it was an unknown</p> <p>10 risk.</p> <p>11 Q. Right.</p> <p>12 The Audi had been parked in Bracknell Close now for</p> <p>13 40 minutes.</p> <p>14 A. Yes.</p> <p>15 Q. Once you realised the vehicle had settled there, did you</p> <p>16 consider whether or not that would be the position that</p> <p>17 the interception or the extraction was going to take</p> <p>18 place? In which --</p> <p>19 A. I had considered it. We obviously hadn't gone to state</p> <p>20 amber.</p> <p>21 Q. Yes.</p> <p>22 A. But it was a real -- it was a probability that that</p> <p>23 would be where the interception would take place.</p> <p>24 Q. Subject to the vehicle moving off?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 121</p>	<p>1 Q. Yes.</p> <p>2 Was it important to you to seek to obtain as much</p> <p>3 information as possible about the vehicle and its</p> <p>4 occupants?</p> <p>5 A. Absolutely. That was imperative, and this was done --</p> <p>6 we tried to do this, the OFC and myself tried to get in</p> <p>7 touch with the surveillance team, if a surveillance team</p> <p>8 operative could get eyes on the vehicle. For the CTSFOS</p> <p>9 it is important, you know, to get the backdrop. I know</p> <p>10 the tinted windows was a big consideration, there was</p> <p>11 talk of builders, just trying to paint a picture of</p> <p>12 exactly where that Audi was, whether it was face in,</p> <p>13 face out, how many occupants, as much information as</p> <p>14 possible before we went to state amber, but it was also</p> <p>15 important that we had to balance that with remaining</p> <p>16 covert.</p> <p>17 Q. The OFC was S105, wasn't it?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recollect in terms of who might be in the</p> <p>20 vehicle, that S105 at the briefing that took place</p> <p>21 earlier that day recalls mention of some heavies from</p> <p>22 Tottenham being used.</p> <p>23 A. Was that in the taped briefing.</p> <p>24 Q. Yes, but not during the course of the taped briefing, in</p> <p>25 the environs.</p> <p style="text-align: center;">Page 122</p>
<p>1 A. I am aware that he said that.</p> <p>2 Q. Yes.</p> <p>3 A. Have I made a note of it? No. The reason that I didn't</p> <p>4 is that the FA2 mentions recruiting -- not heavies but</p> <p>5 ... it doesn't mention Tottenham, but I took it all to</p> <p>6 be part of the ongoing intelligence.</p> <p>7 Q. Were you aware that that phrase, some heavies from</p> <p>8 Tottenham, was used at the briefing?</p> <p>9 A. I can't recall that at the time. It wasn't during the</p> <p>10 taped bit.</p> <p>11 Q. No, it wasn't. It wasn't. But S105 described that</p> <p>12 conversation taking place and the possibility of you</p> <p>13 being present.</p> <p>14 A. I may have been present. I didn't make a note</p> <p>15 contemporaneously of it.</p> <p>16 Q. Right. And you don't remember it being said?</p> <p>17 A. I don't remember it.</p> <p>18 Q. All right.</p> <p>19 What was in your mind at 8.40 that morning as to the</p> <p>20 likely occupants of the vehicle?</p> <p>21 A. Was it at -- I am not sure from my log, I think we had</p> <p>22 got confirmed by that stage it was three up, three</p> <p>23 subjects. We had no idea who the subjects were --</p> <p>24 no one had been identified. And, in my mind, we were</p> <p>25 dealing with a violent gang that caused misery to the</p> <p style="text-align: center;">Page 123</p>	<p>1 streets of London and are willing to use firearms at any</p> <p>2 cost. They have caused misery, death and destruction</p> <p>3 over several years, so this was always in my mind.</p> <p>4 Q. Do I take it from that answer that you expected members</p> <p>5 of the Tottenham Turks to be in the vehicle?</p> <p>6 A. Yes, or people the Tottenham Turks have recruited to do</p> <p>7 the breakout. I am not sure you have to sign up to</p> <p>8 a gang, but --</p> <p>9 THE CHAIRMAN: They have to be one or the other, because</p> <p>10 otherwise --</p> <p>11 A. Yes.</p> <p>12 THE CHAIRMAN: -- the operation, the conspiracy, cannot take</p> <p>13 place. People are not going to be there by chance.</p> <p>14 A. No.</p> <p>15 THE CHAIRMAN: They have either been recruited or they are</p> <p>16 members of the gang?</p> <p>17 A. I think I misunderstood the question, whether or not --</p> <p>18 yes, they have either been recruited or --</p> <p>19 THE CHAIRMAN: They have either been recruited for a one</p> <p>20 off, sub-contracted --</p> <p>21 A. Yes.</p> <p>22 THE CHAIRMAN: -- or they are fully paid-up members?</p> <p>23 A. I agree, sir, yes.</p> <p>24 THE CHAIRMAN: Yes.</p> <p>25 MS BLACKWELL: Other than that, you had no further</p> <p style="text-align: center;">Page 124</p>

<p>1 information, either from intelligence that you had 2 received or indeed from anything that was being 3 discussed within the Audi, to give you a clearer 4 picture? 5 A. No. Only perhaps they were males. 6 Q. Males? 7 A. Yes. 8 Q. Yes. 9 Would you expect to be informed if something had 10 been said in the Audi that morning that was capable of 11 identifying the occupants? 12 A. No, not necessarily. 13 Q. Why not? 14 A. If the operational team had been able to identify the 15 occupants, I would expect those checks to be run 16 through. Supposing they identified John Smith in the 17 car, those intelligence checks would be run through our 18 systems, the CRIMINT systems, the intelligence checks 19 and then maybe I would expect that information, but 20 I wouldn't expect information like nicknames or ... not 21 a full intelligence picture. 22 Q. Right. 23 Did you speak to the OFC about the manner in which 24 you would keep control of the Audi and the third eye at 25 the same time -- I know you have made reference to that?</p> <p style="text-align: center;">Page 125</p>	<p>1 A. This was a concern for both of us. Like I have said, 2 the OFC was concerned that it would stretch our 3 resources. 4 Q. Yes. 5 A. And I agreed with him. And it was agreed between the 6 four of us, so me, the OFC, the TAC adviser and 7 Mr Williams that the priority would be the Audi, and 8 then we would roll onto the third eye if and when they 9 were identified. 10 Q. These conversations were taking place over the radio, or 11 mobile phone or both? 12 A. With me and the OFC, we were sat next to each other. 13 With 3000, either mobile phone or radio. I would 14 think most of them were on the mobile phone, because at 15 this point it was clear we were going to be going to 16 state amber within -- not necessarily immediately, but 17 we were getting near the witching hour. So it's clear, 18 it is important to keep all the radio channels clear. 19 Q. Right. 20 What discussions were taking place between you and 21 the OFC, sitting next to you, about the manner of the 22 intervention or interception? 23 A. We had a discussion about whether or not it would be 24 an interception or an intervention. An intervention is 25 when a victim is there, so that is parked. As far as</p> <p style="text-align: center;">Page 126</p>
<p>1 I was concerned it was going to be an interception. 2 Q. Right. 3 A. We had a very brief discussion about how -- you know, 4 would it be a containment and call out or an extraction. 5 It didn't need much discussion, we quickly came to the 6 agreement between me, the OFC, TAC adviser and 7 Mr Williams who was the -- had the ultimate final 8 decision that it would be an extraction. 9 Q. Who was providing information over the radio about the 10 position of the vehicle and the state of the vehicle. 11 A. That that would be the surveillance team. 12 Q. Right. Were you, the OFC and Mr Williams discussing 13 between the three of you what the most appropriate type 14 of interception was going to be? 15 A. Yes. 16 Q. Did you make any notes of that discussion? 17 A. No. 18 Q. Why not? 19 A. I can't answer that, it was an obvious -- for me it was 20 an obvious we were going to do an extraction at that 21 point. If I came in this situation again, I would 22 probably put E for extraction, or, "Discussed E [for 23 extraction]". That is a learning point for me for my 24 log at the time. 25 Q. Was there any discussion about the possibility of</p> <p style="text-align: center;">Page 127</p>	<p>1 bringing the vehicles into position, and indeed into the 2 position that they did occupy in Bracknell Close, and 3 using them to block in the Audi, in order to perform 4 a containment and call out? 5 A. I was aware the OFC was on the phone to the rest of his 6 team, so I was only hearing one side of that but that 7 was not the safest thing to do. For me the safest thing 8 was the extraction. 9 Yes. 10 Q. I understand your position on that, I was specifically 11 asking whether there was any discussion about the 12 possibility of bringing the vehicles in to block in the 13 Audi and thereafter drawing back and performing 14 a containment and call out. 15 A. I think the containment and call out was discussed and 16 then dismissed. So it wasn't in that depth, we didn't 17 talk about how the containment and call out was done, 18 because it was dismissed. We were going to do the 19 extraction, because that was in my opinion the safest 20 option, tactical option, for us to do the interception. 21 Q. Did you feel that you had sufficient knowledge and 22 experience of a containment and call out to properly 23 discuss and quickly reject it? 24 A. Yes, I do. I was absolutely on top of my game at that 25 time. I knew the APP inside out. I knew what</p> <p style="text-align: center;">Page 128</p>

<p>1 a containment and call out was. We had asked for all</p> <p>2 the background factors, like the occupants, the car,</p> <p>3 where it is positioned, trying to get how many people</p> <p>4 were in Bracknell Close, the builders, and we didn't</p> <p>5 have enough information.</p> <p>6 And, like I have said earlier in my evidence,</p> <p>7 I actually can't think of many roads in London where</p> <p>8 a containment and call out for an operation of this kind</p> <p>9 would be appropriate. I am not saying it is never going</p> <p>10 to happen, but that is my view and experience.</p> <p>11 Q. Thank you.</p> <p>12 In the moments before state amber was called, were</p> <p>13 you concerned about the lack of detail given to you in</p> <p>14 terms of the state of the vehicle and the occupants</p> <p>15 inside it?</p> <p>16 A. I am not concerned, I wasn't concerned, in an ideal</p> <p>17 world, I would have a surveillance officer with eyes on</p> <p>18 the vehicle, we would know the occupants, we would know</p> <p>19 their IC code, we would know whether the windows were</p> <p>20 steamed up, we would know the exact position, how</p> <p>21 many -- we would have the full picture painted. The</p> <p>22 fact that I didn't have that information, I was aware</p> <p>23 but it didn't concern me. At some point, we needed to</p> <p>24 go forward to protect the public, take the risk,</p> <p>25 measured risk, and protect the public from the people in</p> <p style="text-align: center;">Page 129</p>	<p>1 that Audi.</p> <p>2 Q. The vehicle had been in position for about 50 minutes by</p> <p>3 now.</p> <p>4 A. Yes.</p> <p>5 Q. What had you done to attempt to fill the gaps in your</p> <p>6 knowledge of who was in that vehicle?</p> <p>7 A. The OFC and myself, like I have said, was in contact</p> <p>8 with the surveillance team leader, to see if we can get</p> <p>9 operatives closer, and it is the balancing act with</p> <p>10 remaining covert and obtaining that information.</p> <p>11 So this was a constant ongoing developing situation</p> <p>12 where we were trying to get the information from the</p> <p>13 surveillance team.</p> <p>14 Q. Could we go back to your log, please.</p> <p>15 A. Yes.</p> <p>16 Q. I think we had reached 08.44.</p> <p>17 A. Yes:</p> <p>18 "Confirmed [it says] audio [but 'Audi'] not</p> <p>19 blacked-out windows."</p> <p>20 Q. That had come from the surveillance officers?</p> <p>21 A. Yes, but I don't know if that is -- was contemporaneous,</p> <p>22 that they saw that at 8.44 or if a surveillance officer</p> <p>23 had seen it earlier in the day and they were able -- the</p> <p>24 enquiries that the OFC and I were making with the</p> <p>25 surveillance team, it had been confirmed then.</p> <p style="text-align: center;">Page 130</p>
<p>1 Q. Thank you.</p> <p>2 A. At 8.50:</p> <p>3 "Move forward, surveillance team, to confirm</p> <p>4 occupants and location."</p> <p>5 Then 8.58, "Amber".</p> <p>6 Q. Right. Just let me take you back for a moment, please,</p> <p>7 to the record at 8.44.</p> <p>8 Did you do anything with that information that the</p> <p>9 windows were not blacked out?</p> <p>10 A. The OFC -- passed to the OFC, it was like ongoing</p> <p>11 discussions in the car.</p> <p>12 Q. Did he do anything with it? Did he disseminate that</p> <p>13 information to the rest of the vehicles in Team B?</p> <p>14 A. I can't recall.</p> <p>15 Q. Do you think he should have done?</p> <p>16 A. Yes.</p> <p>17 Q. Because for the firearms officers about to approach the</p> <p>18 vehicle, it would have been an important piece of</p> <p>19 information, wouldn't it?</p> <p>20 A. Yes, it would.</p> <p>21 Q. Equally, if the windows were steamed up, that is, again,</p> <p>22 a feature that should have been disseminated down to the</p> <p>23 officers on the ground, if it was known?</p> <p>24 A. If it was known, I think anything that mitigates or</p> <p>25 negates the risk for those officers that are going</p> <p style="text-align: center;">Page 131</p>	<p>1 forward, putting that interception to these highly</p> <p>2 dangerous individuals, anything that helps them, should</p> <p>3 be given to them.</p> <p>4 Q. Thank you.</p> <p>5 Could we move forwards in this document, please, to</p> <p>6 take a look at your threat matrix, which is at page 51,</p> <p>7 please, Mr Coates.</p> <p>8 Could you explain to us, please, what this is and</p> <p>9 when you completed it?</p> <p>10 A. This is a -- well, what it says, the threat matrix that</p> <p>11 when I did my TFC course we were advised to keep during</p> <p>12 an operation. So obviously we have got the times there.</p> <p>13 Across the top we have threat groups, so: "Serco";</p> <p>14 "armed", that means armed police; "MOP", members of the</p> <p>15 public; "unarmed", that means unarmed police officers;</p> <p>16 "subjects van"; that for me is the subjects, the Eren in</p> <p>17 the Serco van; "the subjects", that is the subjects in</p> <p>18 the Audi; and "LM59", which comes into play as the third</p> <p>19 eye at 7.40.</p> <p>20 So any time -- I review the threat matrix on</p> <p>21 a regular basis, and you can see here I have reviewed it</p> <p>22 at 6.00, 6.35; 7.40, when the third eye comes into play,</p> <p>23 then again at 8.00.</p> <p>24 Q. Should you have considered the threat assessment and any</p> <p>25 raising of the level of threat between 8.00 and the time</p> <p style="text-align: center;">Page 132</p>

<p>1 that the state amber was called?</p> <p>2 A. No, in my opinion it remained low.</p> <p>3 Q. What I am asking you is, after 8.00 but before the</p> <p>4 interception took place, should you have reassessed the</p> <p>5 threat posed to each of the individuals and</p> <p>6 organisations listed?</p> <p>7 A. I don't think there is any guidance about how often you</p> <p>8 should reassess it, in time wise, and as far as I am</p> <p>9 concerned, it was low at 8.00 and the only significant</p> <p>10 change was when we went to state amber.</p> <p>11 Q. What was your assessment of the threat posed at state</p> <p>12 amber?</p> <p>13 A. Medium.</p> <p>14 Q. How did you make that assessment?</p> <p>15 A. I, as the TFC, look at the whole picture. So I look at</p> <p>16 the scene, the members of the public, the experience,</p> <p>17 and the training, of the CTSFOs or AFOs involved in the</p> <p>18 operation and also the suspects, if they comply to</p> <p>19 commands and orders, then the risk in my opinion remains</p> <p>20 medium.</p> <p>21 As an AFO going forward to that vehicle, not knowing</p> <p>22 who is in there, suspecting they will be armed, I can</p> <p>23 see that their risk assessment at that time will be</p> <p>24 high, sky high.</p> <p>25 But I am a step back, in my opinion there are two</p> <p style="text-align: center;">Page 133</p>	<p>1 different risk assessments. I am looking at the whole</p> <p>2 picture action, we have a stationary vehicle, we have</p> <p>3 occupants that we know there is three in there. We have</p> <p>4 got trained officers. We have got experienced officers.</p> <p>5 We have got some control over the vehicle because of the</p> <p>6 CMP.</p> <p>7 So the two risk assessments in my opinion are</p> <p>8 different, and I've got the whole picture and in my view</p> <p>9 it was medium at the point of amber.</p> <p>10 Q. Even though, in answering the question, you have</p> <p>11 acknowledged that at the point that the firearms</p> <p>12 officers are approaching the vehicle, the threat to them</p> <p>13 was sky high?</p> <p>14 A. They are two different risk assessments. Two totally</p> <p>15 different -- for them, I don't know what their evidence</p> <p>16 is, but I can imagine their risk assessment at that time</p> <p>17 would be high.</p> <p>18 Mine, confident that these officers are highly</p> <p>19 trained, have the right equipment, experienced and the</p> <p>20 fact if the suspects do as they are told, respond to</p> <p>21 commands, then the risk would be medium.</p> <p>22 Q. What if they didn't?</p> <p>23 What if the suspects didn't respond to commands?</p> <p>24 How would that then affect the risk assessment?</p> <p>25 A. My risk assessment or the CTSFO's risk assessment?</p> <p style="text-align: center;">Page 134</p>
<p>1 Q. The CTSFO's. Your assessment is based upon the subjects</p> <p>2 complying with what they are being told to do. How</p> <p>3 would that assessment be affected by non-compliance of</p> <p>4 subjects in the vehicle?</p> <p>5 A. If the subjects don't comply, then of course the risk to</p> <p>6 them goes to high.</p> <p>7 Q. Right. How do you know whether or not the subjects are</p> <p>8 going to comply?</p> <p>9 A. Well, I don't. Because in this situation, I am in the</p> <p>10 control vehicle, a way back, and it was obscured from my</p> <p>11 view, so I don't know what went on there. So I haven't</p> <p>12 got a view of what is going on, so how could I do the</p> <p>13 risk assessment?</p> <p>14 Q. In the absence of knowing that the subjects are going to</p> <p>15 comply, so you are quite rightly away from the Audi</p> <p>16 vehicle, aren't you? You are not on top of the vehicle,</p> <p>17 you are not even at the scene at this stage, you are</p> <p>18 some way off, aren't you, because you haven't come into</p> <p>19 Bracknell Close?</p> <p>20 A. I am talking about -- sorry, I am talking about the</p> <p>21 point of interception. Are you talking about when we</p> <p>22 are sat up in Lordship Lane?</p> <p>23 Q. What I am asking you to explain is the procedure that</p> <p>24 you go through in your mind in order to assess the</p> <p>25 threat that we see on this threat matrix, in terms of</p> <p style="text-align: center;">Page 135</p>	<p>1 the CTSFOs, when they are approaching the vehicle. I am</p> <p>2 asking you to explain why your assessment at that stage</p> <p>3 remains medium and isn't higher?</p> <p>4 A. No, I thought I said my threat assessment at state amber</p> <p>5 is medium.</p> <p>6 Q. Yes.</p> <p>7 A. Yes.</p> <p>8 Q. I am asking you why it isn't higher for the CTSFOs, for</p> <p>9 the armed officers?</p> <p>10 A. For those reasons, at state amber, we are still in</p> <p>11 Lordship Lane when we go to state amber, they are highly</p> <p>12 trained, experienced, they are well equipped, the</p> <p>13 vehicle is stationary, we have some information about</p> <p>14 the occupants, there being three occupants. The</p> <p>15 operation is properly resourced. So that is why it is</p> <p>16 medium, for me, at state amber.</p> <p>17 Q. Right, and what about at the time that the CTSFOs are</p> <p>18 approaching the vehicle?</p> <p>19 A. For me, because like I have explained, the risk</p> <p>20 assessment that -- my risk assessment, is a totally</p> <p>21 different risk assessment to what the CTSFOs' would be.</p> <p>22 Q. Why?</p> <p>23 A. Because I am looking at the whole picture.</p> <p>24 Q. Right.</p> <p>25 In any event, there is nothing on this threat matrix</p> <p style="text-align: center;">Page 136</p>

<p>1 to suggest that in your mind the level was ever raised 2 above low is there? 3 A. No, because I haven't put state amber. In my statement 4 I have said when we go to state amber the risk was 5 medium, although I didn't have time to record it. 6 Q. Right, so that is your explanation, that, had you 7 recorded it, it would have been medium throughout? 8 A. Medium, yes. 9 Q. Right. 10 Tell us then what happened when state amber was 11 called. In doing so, can you explain to the inquiry 12 what discussion was taking place between yourself, the 13 OFC and Mr Williams? 14 A. State amber was called, there had been a discussion, 15 brief discussions about it would be an extraction -- 16 Q. I'm sorry to interrupt you. Who said what about the 17 extraction, who was discussing what and who made the 18 final decision? 19 A. The final decision was made by Mr Williams, of course, 20 and I agreed, if I disagreed with it I would have 21 challenged it. 22 Q. Right. So tell us about the discussion that took place, 23 over the issue of extraction? 24 A. It wasn't a lengthy discussion, like I have said in my 25 evidence previously, it was one that was quickly agreed</p> <p style="text-align: center;">Page 137</p>	<p>1 between the four of us, with Mr Williams making the 2 final final decision. 3 Q. Was there any discussion at that stage of anything other 4 than an extraction, or was that the focus and that was 5 the decision that was taken? 6 A. I was aware of the tactical option, so containment and 7 call out, and the extraction, as I am sure Mr Williams 8 and the OFC and obviously the TAC adviser who had given 9 the advice. 10 Was there a big discussion about it? No. But it 11 was agreed extraction would be the best and safest 12 option for the officers, the suspects and the public. 13 Q. How was that decision disseminated to the CTSFOs? 14 A. Well, the OFC was in the car with me. 15 Q. Yes. 16 A. And I don't know if he did it on the radio, or on their 17 chit-chat radio or by phone. I think it was probably on 18 the radio, but I might be wrong. 19 Q. What instructions were given to the CTSFOs? 20 A. I haven't recorded that, so I can't tell you. I am 21 sorry, I can't remember. 22 Q. Who took the decision to move the convoy of vehicles 23 into Bracknell Close? 24 A. By that stage we had gone to state amber, so it was the 25 OFC.</p> <p style="text-align: center;">Page 138</p>
<p>1 Q. How practically was that achieved? 2 A. We went in convoy along Lordship Lane, turned the left 3 into Winkfield, then left into Bracknell, formed up with 4 Alpha, Bravo, Charlie and I was in the Control vehicle. 5 And that is how we did it. 6 Q. What did you then see happen? 7 A. We formed up, the order was given to strike, or to go to 8 red. Myself and the shadow TFC stayed in the control 9 car. The OFC said, "Stay in the car". He didn't need 10 to tell me that, that is absolutely, you know, you don't 11 get out of the vehicle until it is safe to do so, until 12 told by a CTSFO, and the CTSFOs deployed from their 13 vehicles towards the Audi. 14 Q. What instructions were given to them at that stage? 15 A. I haven't recorded that. 16 Q. Can you remember? 17 A. I am sorry. 18 Q. Did you shortly thereafter become aware that a shot had 19 been fired? 20 A. I did, yes. 21 Q. What was your involvement thereafter? 22 A. Initially I thought it was a Hatton round to deflate the 23 tyre, because I have been in a number of those 24 situations where that has happened. It then became 25 quite clear that one of the subjects of the vehicle had</p> <p style="text-align: center;">Page 139</p>	<p>1 been injured. 2 Q. Yes. 3 A. The Audi was obscured from my view, from where we were 4 in the control vehicle. But at some point the OFC came 5 back to the vehicle and informed me that one of the 6 subjects had been shot and it was at some point -- I got 7 out of the vehicle as it was safe to do so. 8 Q. You rang C3000 and asked for an ambulance to be called? 9 A. I did, yes. 10 Q. Then did you order cordons to be put in place? 11 A. Yes, between myself and the OFC, I knew I was 12 responsible for the scene, so, yes, we put cordons in. 13 Q. Were you aware of surveillance officers acting as human 14 cordons before that stage, holding people back and 15 blocking the roads? 16 A. Yes, I think I was. 17 Q. Were you aware of that as you drove into Bracknell 18 Close? 19 A. No. 20 Q. Right. When you refer to ordering cordons to be put in 21 place, are you referring there to tape, to a physical 22 cordon? 23 A. Yes, taping off Winkfield Road, or even Bracknell -- 24 yes, to tape off the scene, a big area of the scene. 25 Q. Were you involved in searching the Audi vehicle?</p> <p style="text-align: center;">Page 140</p>

35 (Pages 137 to 140)

<p>1 A. No, but it was pointed out to me that there was 2 a firearm in the rear offside, behind the driver's seat. 3 Q. Did you see that firearm? 4 A. Yes. 5 Q. In that position that you have described? 6 A. Yes. 7 Q. Were you aware of a man bag being found at the scene? 8 A. That was pointed out to me by one of the CTSFOs, who 9 said it had been taken from Jermaine and it was in front 10 of the Audi on the floor when it was pointed out to me 11 and I was really aware that I am responsible for the 12 scene before it was handed over to the IPCC. I think 13 I got a surveillance photographer to make sure that 14 those two items were photographed in situ at the point 15 that I had been made aware of them. 16 Q. And they were? 17 A. Yes. 18 Q. Thank you. 19 I would just like to ask you some more questions 20 about the surveillance team and the assistance that they 21 gave to you, as you were waiting at -- first of all, at 22 Quicksilver and then Lordship Lane and before you got 23 into Bracknell Close. 24 When you heard from the surveillance team that the 25 windows were not tinted, would the surveillance team</p> <p style="text-align: center;">Page 141</p>	<p>1 have put that on the main working channel? 2 A. I can't recall. 3 Q. Right. If they had put it on the main working channel, 4 would the CTSFOs have heard that message? 5 A. Yes. 6 Q. Would the same apply to the windows being steamed up, if 7 that were put out on the main working channel, would the 8 CTSFOs have heard that? 9 A. Everyone employed on that operation would have been 10 monitoring the main channel. 11 MS BLACKWELL: Thank you. 12 Sir, that concludes the questioning that I have, and 13 also that of the CPs. 14 Do you have any questions, sir? 15 Questions from THE CHAIRMAN 16 THE CHAIRMAN: Yes, I would just like to raise one matter, 17 please. 18 There is a strong body of evidence that whatever the 19 intelligence you treat a firearm as live until the 20 contrary is proved. That is an approach which on paper 21 would appear to be supported by the experts in this 22 case -- you would be aware of that? 23 A. Yes, sir. 24 THE CHAIRMAN: There is also a strong body of evidence from 25 firearms commanders that however strong the intelligence</p> <p style="text-align: center;">Page 142</p>
<p>1 may be that the firearm may only be an imitation, that 2 that should not be shared with the CTSFOs. You will be 3 aware of that because it is a view you hold yourself? 4 A. Yes, sir. 5 THE CHAIRMAN: You will also know that that is a view which 6 is not shared by the experts. 7 Can you assist in your capacity as a former 8 commander -- 9 A. I can give you an example -- 10 THE CHAIRMAN: -- former officer, why that opinion, which we 11 are yet to hear, in your view is inappropriate? 12 A. From personal experience, I remember being on a job back 13 in, when I was an AFO on the Flying Squad, sir, I was 14 a detective part of a MASTS operation, we used to call 15 them gunships back in the day. 16 The intelligence was that these couple of suspects 17 were going to go and rob an off licence on a Friday 18 night with an imitation firearm. They did do that, they 19 went and robbed the Threshers, came out with -- I was 20 the first AFO to challenge them. As they come round the 21 corner, fortunately a colleague of mine was there and 22 managed to bundle them, in some way or other, let's just 23 say that, to the ground. 24 THE CHAIRMAN: Yes. 25 A. When we proved the firearm, it was a real handgun with</p> <p style="text-align: center;">Page 143</p>	<p>1 a bullet in -- 2 THE CHAIRMAN: Yes. 3 A. -- in the thing. So the fact -- that -- my mindset 4 then, back then, that it was an imitation firearm, 5 I actually think that affected my mindset that I at that 6 time I was convinced -- they were a couple of druggies, 7 a couple -- and I was convinced that they would have 8 an imitation, as if turned out they had got a real 9 handgun with a bullet in, ready to go. 10 THE CHAIRMAN: You say that that is not something which 11 should be disseminated because it may, shall we say, 12 lower the guard -- 13 A. Definitely. 14 THE CHAIRMAN: -- of the CTSFO? 15 A. Definitely. 16 THE CHAIRMAN: Do you agree, however, that it is relevant to 17 the question of risk, even if, having been considered as 18 relevant to the question of risk, it is discounted for 19 the reasons that you have told us? 20 A. I don't think it should be. The fact that you have got 21 some intelligence that it is a -- am I going down the 22 wrong track? 23 THE CHAIRMAN: It is probably my question. It usually is. 24 I understand your explanation as to why officers 25 should not be told. The fact that experts don't share</p> <p style="text-align: center;">Page 144</p>

<p>1 it is a matter for me to grapple with in due course.</p> <p>2 A. Sure.</p> <p>3 THE CHAIRMAN: What I am asking you is whether or not it is</p> <p>4 something which is acted upon, is it not relevant to the</p> <p>5 assessment of risk?</p> <p>6 A. Yes.</p> <p>7 THE CHAIRMAN: In particular, to the police officers who may</p> <p>8 have to confront them?</p> <p>9 A. It is relevant to the assessment of risk, but you don't</p> <p>10 know until that firearm is proved by an AFO or taken to</p> <p>11 the laboratory whether it is real or an imitation.</p> <p>12 THE CHAIRMAN: So it is a risk which should be acknowledged</p> <p>13 and addressed, and then, as it were, discounted for the</p> <p>14 reasons that you have described?</p> <p>15 A. Yes, sir, I agree.</p> <p>16 THE CHAIRMAN: Thank you.</p> <p>17 MS BLACKWELL: Sir, there is one point of clarification, if</p> <p>18 I may.</p> <p>19 THE CHAIRMAN: Yes.</p> <p>20 Further questions from MS BLACKWELL</p> <p>21 MS BLACKWELL: You gave evidence about what happened after</p> <p>22 state amber, and you mentioned, I think, the word</p> <p>23 "strike". Is the strike phase the same as state red?</p> <p>24 A. Yes. State red is what was used. I think strike is</p> <p>25 something that I -- it probably comes from the bad old</p> <p style="text-align: center;">Page 145</p>	<p>1 days, like from years ago, it's a term that we used</p> <p>2 a long time ago.</p> <p>3 Q. Do they mean same thing?</p> <p>4 A. Yes, they do, yes.</p> <p>5 Q. Whose responsibility was it that morning to call state</p> <p>6 red?</p> <p>7 A. The OFC.</p> <p>8 Q. Did that take place?</p> <p>9 A. Yes.</p> <p>10 Q. Did you hear him say state red?</p> <p>11 A. Yes.</p> <p>12 Q. What effect did that have?</p> <p>13 A. It meant all the CTSFOs effected a strike.</p> <p>14 Q. Where were the vehicles when state red was called?</p> <p>15 A. I can't remember, exactly. Possibly in Bracknell Close.</p> <p>16 Q. But you are not sure?</p> <p>17 A. No.</p> <p>18 In Bracknell Close, I think.</p> <p>19 MS BLACKWELL: Sir, is there anything else as a result of</p> <p>20 that?</p> <p>21 THE CHAIRMAN: No, no, not at all.</p> <p>22 MS BLACKWELL: May this witness be released?</p> <p>23 THE CHAIRMAN: Of course she may.</p> <p>24 MS BLACKWELL: Thank you.</p> <p>25 We need a short break to rearrange the room. Could</p> <p style="text-align: center;">Page 146</p>
<p>1 I invite you to rise until 2.45?</p> <p>2 THE CHAIRMAN: Shall we use that as our mid-afternoon break?</p> <p>3 MS BLACKWELL: Yes, thank you.</p> <p>4 THE CHAIRMAN: Thank you.</p> <p>5 (2.32 pm)</p> <p>6 (A short adjournment)</p> <p>7 (2.51 pm)</p> <p>8 THE CHAIRMAN: The witness should be sworn in?</p> <p>9 MS BLACKWELL: Yes.</p> <p>10 W108 (sworn)</p> <p>11 Questions from MS BLACKWELL</p> <p>12 THE CHAIRMAN: Feel free to sit down.</p> <p>13 A. Thank you.</p> <p>14 MS BLACKWELL: Are you police constable in the</p> <p>15 Metropolitan Police?</p> <p>16 A. Yes, I am, sir.</p> <p>17 Q. Are you known by the cipher W108?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. I would like to begin, please, by inviting you to</p> <p>20 summarise your experience as a police officer, up to the</p> <p>21 time that the inquiry is considering, so</p> <p>22 11 December 2015?</p> <p>23 A. Okay.</p> <p>24 I was in the police 14 years by that point, or just</p> <p>25 over. And I had been a firearms officer in various</p> <p style="text-align: center;">Page 147</p>	<p>1 guises for about 10 years.</p> <p>2 Q. Right.</p> <p>3 A. The first four years of my career were spent at Croydon</p> <p>4 and then Hammersmith and Fulham boroughs and then the</p> <p>5 next nine to ten years I believe was -- correction,</p> <p>6 about eight years were at Heathrow Airport, that's where</p> <p>7 I first became a firearms officer, at AFO level. Whilst</p> <p>8 there I completed an ARV course --</p> <p>9 Q. ARV?</p> <p>10 A. Being armed response vehicle.</p> <p>11 Q. Thank you.</p> <p>12 A. Which is the next level up, and again from there</p> <p>13 I completed the CTSFO course and transferred to SCO19,</p> <p>14 where I had been for about a year before the ...</p> <p>15 Q. Right, and were you also an advanced police driver?</p> <p>16 A. That's correct.</p> <p>17 Q. Had you also undertaken first aid training?</p> <p>18 A. Yes.</p> <p>19 Q. And refresher training?</p> <p>20 A. Yes, that's correct.</p> <p>21 Q. I think on a regular basis you described that as --</p> <p>22 A. Yes, at least yearly.</p> <p>23 Q. At least yearly?</p> <p>24 A. Yes.</p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 148</p>

<p>1 When did you first become aware of Operation Ankaa?</p> <p>2 A. I have read through statements and refreshed my memory</p> <p>3 on this.</p> <p>4 Q. Thank you.</p> <p>5 A. It was about a week before the operation itself. I was</p> <p>6 aware that there would be an operation, but I didn't</p> <p>7 have any details of that operation.</p> <p>8 Q. Were you working on Thursday, 10 December?</p> <p>9 A. Yes, that's right.</p> <p>10 Q. Did you attend at Lemn Street at about 2.00 in the</p> <p>11 afternoon?</p> <p>12 A. Yes, that's correct.</p> <p>13 Q. Did you attend the briefing that the inquiry has heard</p> <p>14 took place at New Scotland Yard on that day?</p> <p>15 A. No.</p> <p>16 Q. Were you invited to attend that briefing?</p> <p>17 A. No.</p> <p>18 Q. What were you doing during the afternoon of 10 December,</p> <p>19 what was your deployment?</p> <p>20 A. It was to be in base ready for any deployments that</p> <p>21 would come in, but I don't think anything came in that</p> <p>22 afternoon.</p> <p>23 THE CHAIRMAN: I may have missed it. When the meeting took</p> <p>24 place that you didn't attend on the 10th, did you</p> <p>25 already know you were going to be involved on the 11th?</p> <p style="text-align: center;">Page 149</p>	<p>1 A. Yes, that's correct, sir, yes.</p> <p>2 THE CHAIRMAN: Thank you.</p> <p>3 MS BLACKWELL: When you described to the inquiry that you</p> <p>4 first became aware of the operation the week previously,</p> <p>5 was that with a view to being deployed on it?</p> <p>6 A. Yes, that's correct.</p> <p>7 If I may add to that, it was basically for</p> <p>8 resourcing, so we were getting a number of CTSFOs</p> <p>9 together.</p> <p>10 Q. Thank you.</p> <p>11 Did you stay overnight into 11 December in a hotel?</p> <p>12 A. Yes, near to the base.</p> <p>13 Q. Together with other firearms officers?</p> <p>14 A. That's correct, yes.</p> <p>15 Q. Did you deploy again on 11 December at about 2.00 am?</p> <p>16 A. Yes, back to the base for the brief.</p> <p>17 Q. Did you attend the tactical briefing at 3.00 am?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. Thank you.</p> <p>20 Are you able to assist the inquiry with what you</p> <p>21 were told during the course of that briefing?</p> <p>22 A. May I refer to my notes?</p> <p>23 Q. Yes, please do.</p> <p>24 You made a series of witness statements, the most</p> <p>25 helpful on this topic is probably the statement behind</p> <p style="text-align: center;">Page 150</p>
<p>1 divider 3. It's dated 14 December 2015.</p> <p>2 If you look at the bottom of page 1, you will see</p> <p>3 what you have recorded there about the content of the</p> <p>4 briefing.</p> <p>5 A. Would you like me to read from the statement or just</p> <p>6 sort of summarise --</p> <p>7 Q. Is this statement accurate and correct?</p> <p>8 A. Yes, I mean it was written soon after the events and it</p> <p>9 is much better than my memory I am afraid.</p> <p>10 Q. Quite so.</p> <p>11 I will read through it then if I may:</p> <p>12 "During this briefing I was informed that a Turkish</p> <p>13 male had been organising a breakout from custody to take</p> <p>14 place on the morning of 11 December 2015, when he is to</p> <p>15 be taken to Wood Green Crown Court for sentencing for</p> <p>16 a previous offence where he had been arrested when found</p> <p>17 in possession of a loaded firearm."</p> <p>18 A. That's correct.</p> <p>19 Q. You then go on to say:</p> <p>20 "It was believed that those that would be involved</p> <p>21 in the breakout would also be able to get hold of</p> <p>22 firearms."</p> <p>23 A. Yes, I specifically remember that piece of information.</p> <p>24 Q. Then you continue:</p> <p>25 "I was briefed that there was a stolen black Audi A6</p> <p style="text-align: center;">Page 151</p>	<p>1 estate parked in a car park at the bottom of Eastern</p> <p>2 Road near Bounds Green. It was believed that this car</p> <p>3 would be used by subjects to facilitate the breakout.</p> <p>4 The exact location of the attempt was unknown at the</p> <p>5 time of the briefing. The team was briefed to cover the</p> <p>6 movement of the prisoner van from Wormwood Scrubs prison</p> <p>7 to the court. The team I was with were briefed to cover</p> <p>8 the movement of the black Audi A6 and to be able to</p> <p>9 conduct a stop on that vehicle if necessary."</p> <p>10 A. Yes.</p> <p>11 Q. You were posted as the driver of the Bravo vehicle in</p> <p>12 that team?</p> <p>13 A. That's correct.</p> <p>14 Q. All right. Once the recorded briefing had concluded, do</p> <p>15 you recall any conversations outside of the formal</p> <p>16 briefing about the identity of those who would be</p> <p>17 involved in the breakout?</p> <p>18 A. No specific recollection of that.</p> <p>19 Q. Did you have any conversation with anybody else about</p> <p>20 whether for instance there were going to be IC3 males</p> <p>21 involved?</p> <p>22 A. I can't specifically remember that, sir, no.</p> <p>23 Q. Or black males?</p> <p>24 A. No. There would have been conversations, but</p> <p>25 unfortunately I can't recollect exactly what those</p> <p style="text-align: center;">Page 152</p>

<p>1 conversations involved.</p> <p>2 Q. All right.</p> <p>3 At that stage, once the briefing had concluded, did</p> <p>4 you remain at the base or did you go somewhere else?</p> <p>5 A. From there, we left to go to -- I forget the name of the</p> <p>6 road -- Lincoln Road, I think it is. A base for</p> <p>7 a further briefing.</p> <p>8 Q. That commenced at 5.00 am?</p> <p>9 A. Yes, that's correct.</p> <p>10 Q. Let's look then at your statement in terms of that</p> <p>11 briefing. You say:</p> <p>12 "During this briefing, we were given our warnings</p> <p>13 regarding the use of firearms and guidance around</p> <p>14 conferring when making notes.</p> <p>15 That appears to be the only comment that you make</p> <p>16 about what you were told during the course of that</p> <p>17 briefing.</p> <p>18 Do you have any other recollection over and above</p> <p>19 what I have just read out?</p> <p>20 A. No. I can't recollect what the actual briefing was, in</p> <p>21 that the fine detail of it. I obviously know what the</p> <p>22 job was, what the operation involved and the details</p> <p>23 were read out in that briefing. But to recite them now,</p> <p>24 I couldn't tell you.</p> <p>25 Q. All right.</p> <p style="text-align: center;">Page 153</p>	<p>1 I would like to ask you some questions, please,</p> <p>2 about some comments that you made in another witness</p> <p>3 statement, this one appears behind divider 4.</p> <p>4 THE CHAIRMAN: Yes.</p> <p>5 MS BLACKWELL: It's dated 8 February 2016.</p> <p>6 Was this statement prepared as a result of a request</p> <p>7 made by the IPCC?</p> <p>8 A. Yes, that's correct.</p> <p>9 Q. Were you given a series of questions and asked to answer</p> <p>10 them?</p> <p>11 A. Yes, I answered them at a later date however.</p> <p>12 Q. Could we just look together at the final sentence on the</p> <p>13 first page. You are dealing here with your belief about</p> <p>14 whether or not the subjects would be armed, and you say:</p> <p>15 "My belief was that we would encounter subjects who</p> <p>16 would be in possession of real firearms, like those</p> <p>17 recovered from the previous arrest, handguns and</p> <p>18 sub-machine guns.</p> <p>19 You go on:</p> <p>20 "I had no further updates after the briefing</p> <p>21 regarding the presence of firearms, positive or</p> <p>22 negative."</p> <p>23 Just pause there, I would like to ask you some</p> <p>24 additional questions about that.</p> <p>25 Would it have assisted to be informed that, from</p> <p style="text-align: center;">Page 154</p>
<p>1 29 October to 11 December, the gang were attempting to</p> <p>2 source firearms and ammunition?</p> <p>3 A. Yes, I think --</p> <p>4 Q. Do you think you were told that?</p> <p>5 A. I think I possibly was told that and that is why I have</p> <p>6 commented on it. I would have to refer back to the</p> <p>7 other statement as well, but I believe I did mention</p> <p>8 something before, around firearms being used in</p> <p>9 a previous offence, hence why the subject was in</p> <p>10 a prison van.</p> <p>11 I would have to read through it again, I am afraid.</p> <p>12 Q. We can go to it in a few moments.</p> <p>13 Would it have assisted for you to know that as of</p> <p>14 the night before, so 10 December, intelligence suggested</p> <p>15 that the gang had only managed to source an imitation</p> <p>16 firearm?</p> <p>17 A. If that is the information at the briefing, before we</p> <p>18 deploy, then I think that is always ideal to get that</p> <p>19 sort of information.</p> <p>20 Q. Why?</p> <p>21 A. Because you are forming a picture of what you are coming</p> <p>22 up against.</p> <p>23 If it is at that stage, at the briefing before, and</p> <p>24 everyone understands that, the planning and the tactics</p> <p>25 given out by TFC, SFC, possibly are different to what it</p> <p style="text-align: center;">Page 155</p>	<p>1 would be if they believed it was a real firearm.</p> <p>2 Q. A real firearm?</p> <p>3 THE CHAIRMAN: From your use of the words "it is always</p> <p>4 ideal to get that sort of information", do I understand</p> <p>5 that on previous operations on which you have been</p> <p>6 involved, that information had been shared with you?</p> <p>7 A. Not always. It has come up a number of times where it</p> <p>8 has been shared and other times where it hasn't been</p> <p>9 shared.</p> <p>10 THE CHAIRMAN: Sometimes you know and sometimes you don't</p> <p>11 know?</p> <p>12 A. Exactly, sir, yes.</p> <p>13 THE CHAIRMAN: Does that depend upon the approach of the</p> <p>14 tactical firearms commander or what? Do you know?</p> <p>15 Do you know what dictates whether you are given the</p> <p>16 full picture or not?</p> <p>17 A. I think it is a bit of a given -- or a belief that it is</p> <p>18 not of benefit to give out information that it could be</p> <p>19 an imitation firearm. If we are talking, as I said, in</p> <p>20 the planning and briefing process, I don't see why that</p> <p>21 information would be withheld. If we are talking later</p> <p>22 on at the point of deployment on to subjects in</p> <p>23 a vehicle, I would argue that it is not helpful to -- as</p> <p>24 a firearms officer, to face someone who has to all</p> <p>25 intents and purposes a gun in their hand, be it real or</p> <p style="text-align: center;">Page 156</p>

<p>1 not, I can't decide whether that is real or not, and so 2 I have to -- my actions have to be -- 3 THE CHAIRMAN: You have to assume it is live? 4 A. Exactly, sir. 5 THE CHAIRMAN: You have very helpfully indicated that once 6 you get close to deployment, it doesn't help to know, 7 and probably harms to know. If that is the case, why 8 does it help to know earlier? 9 A. If -- 10 THE CHAIRMAN: It is not a loaded question. It is 11 a question to which I genuinely don't know the answer. 12 A. It is just that if it is early doors, excuse my language 13 there -- 14 THE CHAIRMAN: Yes, it's fine. I understand the expression. 15 A. I just believe that the planning around it could be 16 catered for if it is a strong belief or if it has become 17 fact that is an imitation firearm, the threat to the 18 public is not what it would be if it was a real firearm, 19 so would you be putting firearms officers straight onto 20 the side of a car for an extraction if there is never 21 a live weapon in there? Could you stand off or employ 22 a different tactic, because there is no longer a threat 23 to the public if it is fact an imitation firearm. 24 THE CHAIRMAN: Thank you. 25 MS BLACKWELL: I don't know whether we moved away from the</p> <p style="text-align: center;">Page 157</p>	<p>1 statement of 8 February, do you still have that open in 2 front of you? It is the one with the larger print. 3 A. Yes. 4 Q. Yes. Could I ask you to look at page 2, please. 5 At the bottom of page 1, I will just remind 6 ourselves of what you said: 7 "My belief was that we would encounter subjects who 8 would be in possession of real firearms like those 9 recovered from the previous arrest, handguns and 10 sub-machine guns. I had no further up updates after the 11 briefing regard the presence of firearms positive or 12 negative." 13 You then go on to say: 14 "My own belief therefore did not change at any 15 point." 16 What I would like to ask you about is the risk 17 assessment that was provided to you in the 5.00 am 18 briefing as being low, and upon hearing that what your 19 reaction was? 20 A. My immediate reaction is -- this is something I do have 21 memories of, thankfully, is that I didn't understand why 22 it was low. In my mind it should have been high, but 23 then my job is to come up against somebody who might 24 have a firearm as opposed to somebody who is not going 25 to do that, they are going to just control the operation</p> <p style="text-align: center;">Page 158</p>
<p>1 itself. So it may differ -- it is two different jobs at 2 the end of the day. So -- 3 Q. You thought it should be higher? 4 A. Yes. 5 Q. You go on to say in your statement: 6 "My own personal risk assessment was high. I was 7 convinced that we would definitely face armed subjects, 8 having been briefly lost in thought about this, 9 I assumed at the time that I had missed any reference to 10 an increase in risk at the point of contact with 11 subjects as I have heard in briefings on previous 12 occasions." 13 Pausing there, you were so surprised at the risk 14 assessment being low that you thought you might have 15 missed something? 16 A. Yes, that's correct. 17 Q. Then you continue: 18 "I considered that the corporate risk assessment was 19 almost irrelevant, as I did not agree that it should be 20 anything but high at any time during the operation." 21 A. That's right. 22 Q. Yes and that you: 23 "... heard nothing during the operation that would 24 have changed your thoughts on that." 25 A. That's correct, yes.</p> <p style="text-align: center;">Page 159</p>	<p>1 Q. Did you speak to anybody about your concerns as to the 2 level of risk? 3 A. I specifically remember whilst in Lincoln Road turning 4 to somebody, and I can't identify who they were at the 5 time -- but sort of holding my hands up saying "low" -- 6 sort of mouthing it because we were in a tape-recorded 7 briefing, and showing that I didn't understand it and 8 there was a few looks around the room of that, in 9 agreement, I would suggest. But beyond that, no. 10 THE CHAIRMAN: Officers in a similar capacity to yours? 11 A. That's correct, sir, yes. 12 THE CHAIRMAN: Yes. 13 MS BLACKWELL: Other than indicating your level of surprise, 14 you didn't raise it with anybody? 15 A. No. 16 Q. Right. 17 Once the 5.00 am briefing had finished, what did you 18 then do? 19 A. I believe we made our way to Quicksilver after that, to 20 be closer to the plot. 21 Q. Right. 22 Had you collected your equipment before the 5.00 am 23 briefing or was that something you did afterwards? 24 A. It would have been well before the 5.00 am, it would 25 have been done at the 3.00 am or just after that at the</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)

<p>1 TAC briefing. That is where we keep all our equipment 2 at Leman Street.</p> <p>3 Q. What equipment were you carrying that day?</p> <p>4 A. As in firearms, it would have been a handgun, which 5 I had in the holster on my hip. I was wearing 6 plainclothes, non-uniform. I had a long arms SIG MCX 7 weapon and a Taser and personal protective equipment, 8 gloves, identification through a hat, some glasses. 9 I would have to see if I had written anything else down 10 in my statement.</p> <p>11 Q. I think you have probably covered the lot actually. 12 Just to confirm, when you say personal protective 13 equipment, what did that consist of, were you wearing --</p> <p>14 A. So, I mean, if you are going to use firearms, some 15 people will wear glasses and ear defenders, and 16 obviously gloves as well.</p> <p>17 Q. What about on your body?</p> <p>18 A. So, sorry, I wore a protective vest, so a 9mm protective 19 vest underneath my clothing, so you wouldn't see that 20 necessarily. For the MASTS operations it is covert, so 21 you don't put anything on over the top normally.</p> <p>22 Q. You were not in uniform, you were wearing --</p> <p>23 A. That's correct, and the only identification would have 24 been the flop cap.</p> <p>25 Q. You were driving the BMW X5?</p> <p style="text-align: center;">Page 161</p>	<p>1 A. That's correct.</p> <p>2 Q. Which other officers were with you in that vehicle?</p> <p>3 A. The ciphers I would have to, again, look -- I think it 4 is P2 and --</p> <p>5 Q. W112?</p> <p>6 A. Yes, correct.</p> <p>7 Q. You together with those officers made your way to 8 Quicksilver, did you?</p> <p>9 A. That's correct, yes.</p> <p>10 Q. Did you take that journey in convoy with other vehicles 11 or not?</p> <p>12 A. Whilst I can't specifically remember doing it that day, 13 I am sure we would have because that was the normal 14 operating procedure. It allows us to stay together in 15 case we get deployed elsewhere, rather than being broken 16 up.</p> <p>17 Q. During the course of the morning, and I am going to 18 suggest at about 7.30, did you hear a message 19 disseminated over the radio, that the attack was going 20 to be "firearms enabled"?</p> <p>21 A. I don't recall that message, no.</p> <p>22 Q. If you had heard that, what would you have taken that to 23 mean?</p> <p>24 A. I have -- I must admit I have since seen that phrase and 25 I didn't understand it.</p> <p style="text-align: center;">Page 162</p>
<p>1 Q. You didn't understand it?</p> <p>2 A. No.</p> <p>3 Q. Why?</p> <p>4 A. So I have discussed this with someone else to find out 5 what it meant. My -- on reading that, I think they 6 described it as the -- in our world it would be that the 7 crime or ... would be completed with firearms, so 8 subjects would have firearms.</p> <p>9 Q. Right.</p> <p>10 A. When I read it, as just a lone statement, "firearms 11 enabled", I read it as that we are authorised to carry 12 firearms. So I got it completely the wrong way around. 13 I didn't know what it meant.</p> <p>14 Q. You took it to refer to the police officers being 15 firearms enabled?</p> <p>16 A. Correct.</p> <p>17 Q. Carrying weapons?</p> <p>18 A. Yes.</p> <p>19 Q. Rather than the attack being firearms enabled?</p> <p>20 A. That's right. Yes, I don't recall hearing it on the 21 day.</p> <p>22 Q. If you had heard that phrase, would you have sought 23 clarification?</p> <p>24 A. Yes, absolutely.</p> <p>25 Q. Were you provided with any further information about the</p> <p style="text-align: center;">Page 163</p>	<p>1 Audi vehicle once it had settled in Bracknell Close?</p> <p>2 A. I know that descriptions of the exact location were put 3 out and how it was plotted up, so I was able to then 4 find that myself on my phone, Google Maps, and I was 5 able to see exactly where that would be.</p> <p>6 Q. Was that part of your role as well of being driver to 7 assess --</p> <p>8 A. Not specifically, no. Other people would be better 9 suited in the car but, because I wasn't driving at the 10 time, and to have my own awareness, I like to have 11 a look, as everyone would do, just so that I could have 12 a mind's eye of driving in there and going straight up 13 to the spot where he would be.</p> <p>14 Q. Had there been any discussion or instruction given to 15 you at that stage as to what was likely to happen, in 16 other words whether it was going to be an extraction or 17 a containment and call out, or something else?</p> <p>18 A. Unfortunately I can't actually recall any discussion 19 along those lines. I can only think that I assumed that 20 it was going to be an extraction, because it seemed to 21 be that that is what we always did for that scenario.</p> <p>22 Q. Right.</p> <p>23 Your experience told you that it was likely to be 24 an extraction?</p> <p>25 A. Yes. I say that only because I cannot recollect being</p> <p style="text-align: center;">Page 164</p>

<p>1 told that it will be.</p> <p>2 Q. Right, but it may be that you were told?</p> <p>3 A. Possibly, yes.</p> <p>4 Q. Yes.</p> <p>5 Had you ever been involved in a containment and call</p> <p>6 out situation on a vehicle?</p> <p>7 A. No.</p> <p>8 I have now, beg your pardon, but not back then.</p> <p>9 Q. Not then.</p> <p>10 If you had been given instructions to perform</p> <p>11 a containment and call out, would that be something that</p> <p>12 you felt you had the experience to do?</p> <p>13 A. Yes, because it is done in training as much as</p> <p>14 an extraction would be.</p> <p>15 Q. But in the event, we know that that wasn't a decision</p> <p>16 taken.</p> <p>17 Was it important to you to have as much information</p> <p>18 as possible about the Audi, and its occupants?</p> <p>19 A. Yes, absolutely.</p> <p>20 Q. Can you remember being told that the windows were not</p> <p>21 blacked out?</p> <p>22 A. I can't remember that coming up. Whether I was</p> <p>23 distracted by other things or not, I don't know.</p> <p>24 Q. All right.</p> <p>25 Do you remember whether or not you were told that</p> <p style="text-align: center;">Page 165</p>	<p>1 the windows were steamed up?</p> <p>2 A. No. I know that that came up afterwards in other --</p> <p>3 talking with the IOPC, but I hadn't heard it at the</p> <p>4 time.</p> <p>5 Q. Thank you.</p> <p>6 Did there come a time when you received instructions</p> <p>7 to line up your vehicles?</p> <p>8 A. Yes.</p> <p>9 Q. Outside Quicksilver?</p> <p>10 A. That's correct.</p> <p>11 Q. Was it by that stage becoming light outside?</p> <p>12 A. Yes, it was.</p> <p>13 Q. Did you receive information that the prisoners were</p> <p>14 getting ready to leave Wormwood Scrubs?</p> <p>15 A. Yes, that was over the radios.</p> <p>16 Q. Over the radio?</p> <p>17 A. Yes.</p> <p>18 Q. When it was reported to you that the prison van was on</p> <p>19 the move, were you then informed that the van was only</p> <p>20 going to Wood Green and no other stops were going to be</p> <p>21 made?</p> <p>22 A. Yes, I believe I wrote that in my statement.</p> <p>23 Q. You did?</p> <p>24 A. Yes.</p> <p>25 Q. Did you then get a radio signal from S105 to move</p> <p style="text-align: center;">Page 166</p>
<p>1 forwards?</p> <p>2 A. Yes, we moved to Lordship Lane, I believe.</p> <p>3 Q. Did you remain at Lordship Lane for a short while until</p> <p>4 you received further instructions?</p> <p>5 A. Yes, I know that the OFC from Alpha wanted to clarify</p> <p>6 a number of things, so we stopped short in Lordship</p> <p>7 Lane, I remember it being a bus stop just past the tube</p> <p>8 station on the nearside.</p> <p>9 Q. Right.</p> <p>10 A. As with any operation, it felt like we were there for</p> <p>11 a little while, but it was probably quite a short space</p> <p>12 of time.</p> <p>13 Q. Had you been made aware of the possibility of a third</p> <p>14 eye?</p> <p>15 A. Having read, again, statements and been sent questions,</p> <p>16 I -- this has come up. I can't specifically remember</p> <p>17 the third eye question, but it is vaguely in my memory,</p> <p>18 so it is just -- I can't comment on it any further other</p> <p>19 than it has jogged a memory but I can't be specific on</p> <p>20 it.</p> <p>21 Q. Thank you.</p> <p>22 What sort of discussions were taking place in your</p> <p>23 vehicle?</p> <p>24 A. Well, particularly around the vehicle itself, because</p> <p>25 I identified where it was.</p> <p style="text-align: center;">Page 167</p>	<p>1 Q. Yes.</p> <p>2 A. We were discussing how it would look when we pulled up</p> <p>3 next to the vehicle and where we would go.</p> <p>4 Q. Yes.</p> <p>5 A. I think there was a -- I would be speculating further</p> <p>6 than that if I was to say we talked about anything.</p> <p>7 Because, again, it was just a conversation you don't</p> <p>8 really record in your head, it was just kind of</p> <p>9 considerations of what you are going to do.</p> <p>10 Q. Did you know or did you have any idea as to the number</p> <p>11 of occupants in the vehicle? In the Audi?</p> <p>12 A. I can't remember if I recorded that it was three</p> <p>13 occupants at the time.</p> <p>14 Q. I think in your witness statement from February 2016,</p> <p>15 you say:</p> <p>16 "With regard to the number of occupants in the</p> <p>17 vehicle, it is only now that I am asked the question,</p> <p>18 that I recall that I expected to see three occupants."</p> <p>19 A. Right.</p> <p>20 Q. Do you think that that was an expectation borne out of</p> <p>21 something that came over the radio as to how many people</p> <p>22 were thought to be inside?</p> <p>23 A. Yes, I do. I don't see any other way that I formed that</p> <p>24 opinion that it would be three.</p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 168</p>

<p>1 What instructions were you given to move into 2 Bracknell Close? 3 A. Can I refer to my statement to see if I have written 4 anything on it? 5 Q. Yes, please. If you go to the statement behind 6 divider 3 and look at page 3, and the second paragraph 7 down, you say: 8 "Surveillance described the location as in Bracknell 9 Close on an off road parking bay and facing the road. 10 This was behind a six-foot wall or panel. This parking 11 area was just beyond the junction with Olympus Grove, 12 opposite the car were a number of workmen in 13 high-visibility jackets. Having received this 14 information, we moved along Lordship Lane and turned 15 left into Winkfield Road. From my position as driver, 16 I saw Charlie, a silver Skoda behind us and Alpha, 17 a black Audi, in front of us." 18 A. Yes. 19 Q. It looks as if you were given information about the 20 workmen being present just about the time that you were 21 being asked to move into the close? 22 A. Yes. Again it is a bit fuzzy as to when all that was 23 given out, the exact time, but I do remember we pulled 24 over to gain additional information and that is what 25 came across at the time.</p> <p style="text-align: center;">Page 169</p>	<p>1 Q. Right, so describe to us, please, what happened as you 2 drove into Bracknell Close, where you stopped and what 3 you did? 4 A. So as we turned right into Bracknell Close, I saw the 5 workmen on the right-hand side, they had been described 6 as well as their trucks. 7 Q. Yes. 8 A. Because I had looked at maps and because of the 9 description, I had a mind's eye of what I would expect 10 see and it was now before me. Obviously Alpha was in 11 front of me driving ahead, but I could -- being an X5, 12 I could see over their roofline, so I had a good view of 13 Olympus Grove, is it, on the left-hand side? 14 Q. Yes. 15 A. And then saw the fence or panel that I expected to be 16 there and the bonnet of a black car beyond that, which 17 I expected then to be the subject vehicle. 18 Q. Had it been arranged that your vehicle would stop 19 directly in front of the Audi? 20 A. No. 21 Q. All right. 22 Tell us about that? 23 A. Shall I tell you -- okay. There is obviously 24 a conventional way to stop vehicles, which is shown in 25 the manuals, and which would normally, if you are</p> <p style="text-align: center;">Page 170</p>
<p>1 talking about a subject vehicle being on the left-hand 2 side, parked, Alpha would go long, as we call it and 3 park in front of the vehicle to stop him going forward. 4 Bravo, my vehicle, would conventionally go alongside and 5 Charlie vehicle would be at the back to stop the reverse 6 option. The pavement or any street furniture to the 7 nearside would hopefully stop any movement that way and 8 the vehicles would be tight on to that subject car to 9 stop it moving. 10 However, knowing that we were doing 11 an unconventional stop, as it were, because that vehicle 12 was parked against or next to another parked vehicle on 13 its left and it was faced on to the road, there was no 14 way we could achieve -- 15 THE CHAIRMAN: You only had two of the four sides of the 16 vehicle? 17 A. That's correct, sir, yes. 18 THE CHAIRMAN: Yes. 19 A. We recognised before we went in that it would be 20 unconventional. Because we have done so much training 21 and we do these stops all the time, in training they 22 would throw in the unconventional stops and you know who 23 would do what. Generally Alpha will go long, past the 24 vehicle, because they will need to get containment on 25 the other side, even if that is just foot containment,</p> <p style="text-align: center;">Page 171</p>	<p>1 say for somebody jumping out of the car, they need to be 2 past it to be able to close that space down. 3 I know, driving Bravo, the next point would be for 4 me to stop the forward motion of that subject car, and 5 I am going to achieve that by but thing our vehicle in 6 front of it. 7 Q. And Charlie was directly behind you? 8 A. Yes, that's correct. 9 Q. Was that formation discussed prior to you going into 10 Bracknell Close? 11 A. I can't specifically remember the conversation. 12 Q. All right, but you were in no doubt as to what you were 13 doing? 14 A. I knew what I would do, yes. 15 Q. When the vehicles came to a stop, what then happened? 16 A. So, for me personally, I had to concentrate on 17 immobilising the car, we have had an injury, or in fact 18 a death before, of an officer of a car where a car has 19 been moved beyond them getting out and unfortunately 20 an event which has led into training for drivers to make 21 sure that vehicle is definitely stopped, secure and that 22 ordinarily a shout of "secure" or "doors doors", to 23 allow the other occupants to be able to jump out and 24 then, because I am not in a ready position to go and 25 address on to the subject vehicle, I have to then get</p> <p style="text-align: center;">Page 172</p>

43 (Pages 169 to 172)

<p>1 a couple of bits together because I have been driving 2 and I have had my hands full. 3 So it should just be, and I believe it was then, 4 placing a cap on my head, securing the keys and getting 5 out of the car. 6 Q. And out you get? 7 A. Yes. 8 Q. You were aware of other officers getting out before you? 9 A. Yes. 10 Q. Then when you got out of your vehicle, where did you go 11 to? 12 A. So I got out, which is away from the subject vehicle, 13 subject vehicle is to my nearside and I got out on the 14 offside. 15 Q. Yes. 16 A. I have then rounded to go towards the front of my 17 vehicle, the X5, which then put me between the back of the 18 Alpha, in front of Bravo, and then towards the 19 subject vehicle. 20 Q. Which part of the subject vehicle did you reach first? 21 A. It would be its front nearside corner. 22 My X5 engine block or bonnet was directly in front 23 of the subject vehicle, so by the time I have rounded 24 the X5 bonnet, the point I would meet would be the front 25 nearside.</p> <p style="text-align: center;">Page 173</p>	<p>1 Q. The driver's side? 2 A. Passenger side. 3 Q. Passenger side? 4 A. Passenger side, yes. 5 Q. Right. 6 What did you hear being said by anybody? 7 A. There were shouts of "armed police", even before I got 8 out of the X5, and that was a continuation. Specific 9 things after that I didn't listen for, other than to 10 check across the vehicle and see what was happening with 11 everyone and check and see if there was any help needed 12 anywhere. 13 Q. What did you witness? 14 A. From that point, I could see that everyone was still 15 stood up, so there are not alarm bells ringing for me, 16 I don't necessarily need to go to address anyone 17 particularly and it appeared to me that there were 18 officers at each door of the vehicle, so in effect, the 19 containment, which is the first part you are trying to 20 achieve, is done, because nobody can get out of any of 21 the exits of the vehicle. 22 Q. Right. 23 A. Then it would be trying to support those officers, 24 should any be on their own, with an extraction of the 25 person in there or for a less-lethal option, ie Taser,</p> <p style="text-align: center;">Page 174</p>
<p>1 that sort of thing, at those points. 2 So I am looking to on fill a gap at those points. 3 Q. And did you fill a gap? 4 A. So I could see across the vehicle, overlooking over the 5 roofline, that there was an officer at the back of the 6 car, I think it was the back offside, that was with the 7 subject on his own. I believed he was on his own at the 8 time. So I went to make my way round to join him. 9 Q. What did you do? 10 A. So I turned to my right, I headed round the back of the 11 silver BMW which was parked to the nearside of the 12 subject vehicle, it was a bit of a long way round but 13 because of the closeness of the bonnet, I couldn't get 14 through, so I had to go the long way round. By the time 15 I had got there, the other officer had been joined by 16 a further officer and they didn't need my assistance. 17 Q. So what did you do? 18 A. I continued around the vehicle, sort of did a full 360 19 and then saw another subject on the ground, so we are 20 now onto the offside of the subject vehicle, the doors 21 are open, I have looked into the back seat area of the 22 subject vehicle. 23 Q. Yes. 24 A. And in the footwell I could clearly see a black weapon. 25 Q. Right, did you touch the weapon?</p> <p style="text-align: center;">Page 175</p>	<p>1 A. No. 2 Q. Did you become aware of shots being fired or a shot 3 being fired? 4 A. So in my statement I know that I have written that when 5 I exited the X5, that I heard a shot, or what I believed 6 to be a shot fired. It didn't change anything I did at 7 the time. I cannot now recollect hearing that shot. 8 I can't place it in my mind. 9 So -- 10 Q. Were you aware of officers attempting to break the 11 windows, the front driver and passenger's windows? 12 A. No. 13 Q. You have no memory of hearing that taking place? 14 A. No, unfortunately, because the thing I am really relying 15 on, when I am standing back, is just seeing everything 16 that is going on and trying to pick up the cues, more 17 from sight of what is going on, and I think I probably 18 blocked out a few of those sort of sounds that were 19 possibly not as important to me at the time. Probably 20 the hearing -- looking for screams or people not doing 21 as they should do, the screaming or the shouting or the 22 words of commands would continue. So I would be 23 listening out for that sort of thing. 24 Q. Right. 25 Did you become aware of somebody shouting for a med</p> <p style="text-align: center;">Page 176</p>

<p>1 pack?</p> <p>2 A. I did, again it is in my statement so I know I have</p> <p>3 written that and at some point I have then gone to the</p> <p>4 X5 and collected a med pack.</p> <p>5 Q. Right.</p> <p>6 Do you have the statement at tab 3?</p> <p>7 A. Yes.</p> <p>8 Q. Which is the statement made a number of days after the</p> <p>9 incident.</p> <p>10 A. Yes.</p> <p>11 Q. The paragraph at the top of page 4 deals with you</p> <p>12 hearing the shout for a med pack, and you say this:</p> <p>13 "It was then I thought that the shot I had heard had</p> <p>14 caused an injury."</p> <p>15 It looks as if at that stage you are marrying up one</p> <p>16 with the other, you have heard a shot, med packs are</p> <p>17 shouted for, therefore you assume there has been</p> <p>18 an injury.</p> <p>19 A. Yes.</p> <p>20 Q. You say:</p> <p>21 "I could see S111 and R116 at the front of the</p> <p>22 subject Audi and a male lying on the floor. I made my</p> <p>23 way to the front and by the time I got there, someone</p> <p>24 had asked for the BMW X5 to be moved and I assumed this</p> <p>25 was so that officers would have more room to administer</p> <p style="text-align: center;">Page 177</p>	<p>1 first aid on the subject. I drove the X5 over to the</p> <p>2 opposite side of the road and parked it outside some</p> <p>3 residential garages. When I got out of the X5 I heard</p> <p>4 another call for another med pack. I took the Bravo med</p> <p>5 pack from the back of the car and over to the casualty.</p> <p>6 I could see that a large amount of blood had come from</p> <p>7 the casualty in a short space of time. I could hear my</p> <p>8 colleagues asking the casualty for his name and if he</p> <p>9 was allergic to any medications, but I could not hear</p> <p>10 any replies. At some point I returned to K78 at the</p> <p>11 back of the car and remember him telling me that members</p> <p>12 of the public were filming us and that I should cover my</p> <p>13 face."</p> <p>14 Do you have a recollection of that happening?</p> <p>15 A. I do, yes.</p> <p>16 Q. "I then went back to the X5 and retrieved my face cover.</p> <p>17 I cannot recollect at what point I did this amongst</p> <p>18 assisting with the first aid. I also at some point</p> <p>19 assisted with moving a cordon tape further away from the</p> <p>20 immediate scene. My involvement in the first aid was to</p> <p>21 open up the med packs so that my colleagues could get to</p> <p>22 the dressings they required.</p> <p>23 "CPR was performed and was continued by my</p> <p>24 colleagues after the arrival of the London Ambulance</p> <p>25 Service. I put on protective gloves, and took over</p> <p style="text-align: center;">Page 178</p>
<p>1 placing pressure on to the site of the wound, I do not</p> <p>2 know from whom I took over. The wound was covered in</p> <p>3 a number of dressings and was located at the top of the</p> <p>4 chest in a central area. I stayed in this position as</p> <p>5 the CPR was continued and the LAS carried out their work</p> <p>6 on the casualty. Doctors then arrived on the scene and</p> <p>7 took over. I remained in place until one of the male</p> <p>8 doctors asked me to stop with the compression and to now</p> <p>9 hold up the ribcage which had been cut open by the</p> <p>10 doctor. I held the ribcage while doctors performed</p> <p>11 a number of tests until I was told that I could let go.</p> <p>12 "I then remained with the casualty until he was</p> <p>13 covered over with a sheet by the LAS. I removed my</p> <p>14 protective gloves and left them on the ground at the</p> <p>15 immediate scene. I was aware of local officers arriving</p> <p>16 to take over the cordons and I was told by P2 that we</p> <p>17 were going to be taken from the scene and that we had to</p> <p>18 leave the vehicles and operational equipment behind for</p> <p>19 the investigation.</p> <p>20 "I took with me the equipment I was wearing and the</p> <p>21 weapons I had taken from the armoury that morning.</p> <p>22 I then walked out of the scene and was taken to Leman</p> <p>23 Street."</p> <p>24 Does that accurately reflect your behaviour and your</p> <p>25 treatment, or assisting with the treatment to Jermaine</p> <p style="text-align: center;">Page 179</p>	<p>1 Baker?</p> <p>2 A. That's correct, yes.</p> <p>3 Q. Were you then, once you arrived at Leman Street, asked</p> <p>4 to engage in the post-incident procedure?</p> <p>5 A. Yes, that's right, yes.</p> <p>6 Q. Did that include you making at the time a short witness</p> <p>7 statement?</p> <p>8 A. It did, yes.</p> <p>9 Q. Thank you.</p> <p>10 I would just like to take you back for a moment to</p> <p>11 the time that you saw the weapon in the back of the car.</p> <p>12 Doing the best you can, what position was it in in</p> <p>13 relation to what we know was also in the back of the</p> <p>14 car, which is a rucksack or a bag of some sort?</p> <p>15 A. I don't recall the backpack, sorry.</p> <p>16 Q. Did you see the weapon clearly on display or was it</p> <p>17 inside the bag or can you not remember?</p> <p>18 A. I can't remember. In my mind's eye, I just can imagine</p> <p>19 it being in the footwell for some reason, but other than</p> <p>20 that I can't remember.</p> <p>21 MS BLACKWELL: I don't want you to speculate.</p> <p>22 Sir, that concludes my questioning. Do you have any</p> <p>23 questions, sir?</p> <p>24 THE CHAIRMAN: No, thank you very much.</p> <p>25 Just a tip?</p> <p style="text-align: center;">Page 180</p>

1 **A. Sir.**
 2 THE CHAIRMAN: If you go behind tab 1, it is not relevant it
 3 this inquiry but it might help you in the future and you
 4 are not the only person who has done this:
 5 "At the time of the incident I was not in possession
 6 of/did not have a pocket book."
 7 Neither of those is deleted. But they both cannot
 8 be right.
 9 **A. Yes, sir.**
 10 THE CHAIRMAN: Okay, just a tip, a friendly tip, thank you.
 11 MS BLACKWELL: Thank you, sir, there are no more questions
 12 from any of the other core participants.
 13 THE CHAIRMAN: Very good, thank you very much.
 14 MS BLACKWELL: Sir, in the time that remains today,
 15 Ms McNeill is going to do some reading.
 16 THE CHAIRMAN: We are not having W112 today, is that right?
 17 MS BLACKWELL: That's correct.
 18 THE CHAIRMAN: Just assist me, will you, is he earmarked for
 19 tomorrow?
 20 MS BLACKWELL: Yes. Together with P2.
 21 THE CHAIRMAN: P2, S111, V68 and W109?
 22 MS BLACKWELL: No.
 23 THE CHAIRMAN: I am looking at -- I am looking at
 24 a hopelessly out of date -- it's my fault, nobody
 25 else's ... they come thick and fast I am afraid.

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1 the journey he was informed that state amber had been
 2 declared on the Audi mission vehicle and shots had been
 3 fired.
 4 They were directed to close the protection and "push
 5 up on the prison van for the remainder of the journey".
 6 They were informed that there was a second Audi in the
 7 vicinity of Wood Green Crown Court. As the motorcycle
 8 passed that second Audi, they saw two males in the car
 9 paying a lot of attention to the custody van as it
 10 passed. The location of the second Audi was put out
 11 over the radio to the surveillance team and the covert
 12 ARVs were redeployed to stop that second Audi. W120 and
 13 a second motorbike followed the Serco van to Wood Green
 14 Crown Court.
 15 THE CHAIRMAN: Yes.
 16 MS BLACKWELL: Thank you, sir.
 17 Evidence of V117 (read)
 18 MS MCNEILL: V117, whose statement for completeness is
 19 MPS2803.
 20 THE CHAIRMAN: Yes.
 21 MS MCNEILL: V117 was a plain clothed police officer riding
 22 pillion on the unmarked police motorcycle with W120. He
 23 provides some further detail, but it is repetitive, in
 24 relation to the second Audi. What he does say is when
 25 he saw the second Audi it was at the mouth of the

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1 MS BLACKWELL: Yes, we are starting tomorrow with
 2 Bill Scammell, then W112, P2 and Nathan Mason. It is
 3 hoped he will give evidence in the afternoon.
 4 THE CHAIRMAN: Thank you.
 5 Yes.
 6 MS MCNEILL: Sir we don't consider it necessary for the
 7 purposes of reading to reset the room. People in the
 8 public gallery will be able to see myself or you on the
 9 screen in any event.
 10 THE CHAIRMAN: Very good.
 11 MS MCNEILL: We are going to hear summary, as discussed last
 12 week, of some of the officers involved in Team Alpha,
 13 who were, as we heard this morning, guarding the Serco
 14 van.
 15 **A. Yes.**
 16 **Evidence of W120 (read)**
 17 MS MCNEILL: The first is W120, just for completeness we
 18 will bring up the statement, it is MPS0002802. I am not
 19 going to read it in full, sir.
 20 THE CHAIRMAN: No.
 21 MS MCNEILL: W120 was a plain clothed police officer driving
 22 an unmarked police motorcycle involved in the escort of
 23 the prison van. He picked up the van after it left
 24 Her Majesty's Prison Wormwood Scrubs, covertly followed
 25 it as it travelled to Wood Green Crown Court. During

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1 junction as they passed. The Audi missed several
 2 opportunities to filter into the traffic, as they got
 3 closer he could see what he believed to be two Turkish
 4 males in the front seat, which he thought were fixated
 5 on the prison van.
 6 Evidence of MR DARREN SANDERS (read)
 7 MS MCNEILL: Darren Sanders, sir, the statement is at
 8 MPS980.
 9 Darren Sanders has been previously known by the
 10 cipher G76.
 11 THE CHAIRMAN: Yes.
 12 MS MCNEILL: On 11 December, he was in full uniform driving
 13 a marked armed response vehicle. He was involved in
 14 stopping the second Audi, which we now know contained
 15 Ozcan Eren. He was present when Ozcan Eren was arrested
 16 for assisting an offender. Ozcan Eren replied, "Have
 17 you got the right person? Which offender am
 18 I assisting?" He turned to the passenger in his car and
 19 asked him, "Are you an offender?"
 20 Evidence of MR MARK FREEMAN (read)
 21 MS MCNEILL: Sir, DC Mark Freeman is next at MPS878.
 22 DC Mark Freeman was involved in the arrest of Ozcan Eren
 23 also, he says when he told Ozcan Eren he would be taken
 24 to a police station and his clothing would be seized
 25 Ozcan Eren asked "for gunpowder?" When DC Freeman asked

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<p>1 why he had mentioned gunpowder, Ozcan Eren responded, 2 "Well, you don't get someone out with drugs, do you?" 3 Sir, I am going to move now to summarise the 4 evidence we have received from Alan French and 5 Martin Barry, who, as you are aware, have provided us 6 some evidence and some work in relation to the audio 7 files of the interception. Sir we are going to 8 summarise their reports and play some of that audio. 9 The family are not in the room in any event. 10 THE CHAIRMAN: Pardon? 11 MS MCNEILL: The family are not in the room. 12 THE CHAIRMAN: That is by design? 13 MS BLACKWELL: Exactly sir. 14 THE CHAIRMAN: But Ms Murphy is? 15 MS MCNEILL: Ms Murphy has stayed. 16 THE CHAIRMAN: Thank you. 17 Evidence of MR ALAN FRENCH and MR MARTIN BARRY (read) 18 MS MCNEILL: Alan French was approached by the IPCC in 19 January 2016 in order to undertake work enhancing and 20 transcribing audio from the Audi at the time of and 21 following the interception. He provided the following 22 comments on the quality of the audio feed. He said: 23 "The quality of both recordings was good. The noise 24 levels on both recordings were low. The loud shouting 25 at the time of the interception caused both recordings</p> <p style="text-align: center;">Page 185</p>	<p>1 to clip or distort. The other issue relevant was how 2 close the person speaking was to the microphone that was 3 picking it up. When the speaker is close to the 4 microphone their speech was easy to make out and 5 transcribe". 6 Using his specialist equipment, Mr French produced 7 a number of enhanced copies of the audio from the store 8 and retrieve device and the audio from the live feed 9 device. From the enhanced and un-enhanced audio files 10 he prepared a transcript known as AF3 and a transcript 11 known as AF5 from the live feed device. 12 He produced a transcript known as AF7 from the store 13 and retrieve device. 14 Sir, I don't propose to read those transcripts into 15 the record and nor have I been asked to do so. 16 Mr French subsequently amended his transcript AF5 17 from the live feed device, due to the influence of 18 comments heard while producing a transcript of the store 19 and retrieve, AF7. Listening to the store and retrieve 20 made him realise that he had wrongly transcribed some 21 parts of the transcript AF5. Mr French explained that 22 the transcripts prepared from different devices may 23 differ for two reasons: 24 "The slight discontinuities in time on the store and 25 retrieve device, meaning some utterances appear at</p> <p style="text-align: center;">Page 186</p>
<p>1 slightly different times on both audio files." 2 Secondly: 3 "The placement of the microphones may mean that some 4 utterances are more clearly captured on one device than 5 another." 6 Mr Martin Barry was subsequently instructed by the 7 Metropolitan Police Service to produce a transcript of 8 the audio at the time of the interception and 9 immediately after it. That is known as MCB1. 10 In the production of their transcripts, both 11 Mr French and Mr Barry used both the enhanced and 12 un-enhanced audio files from the store and retrieve and 13 the live feed devices, relying principally on the 14 enhanced versions. Mr Barry also made his own further 15 enhancements to the audio files. 16 At the inquiry's request in the course of his work 17 Mr Barry aligned the transcript he had prepared with 18 that Mr French had prepared, so they could be compared. 19 Can we please see INQ34, Mr Coates. 20 Thank you. 21 Sir, I need to make sure I get this the right way 22 round. On the left we see MCB1, which was the 23 transcript prepared by Mr Barry at the request of the 24 MPS. On the right one of the transcripts prepared by 25 Mr French. They set out halfway down the conventions</p> <p style="text-align: center;">Page 187</p>	<p>1 that used to explain possible interpretation, probable 2 interpretation, unclear, et cetera. 3 Second page, please, Mr Coates. 4 Again, sir, I don't propose to read these into the 5 transcript, but what we will do is play one version of 6 the enhanced live feed audio, followed by one version of 7 the enhanced store and retrieve and we will leave this 8 up on screen as we do so. 9 Mr Coates might help move through those pages just 10 as the audio plays. 11 Can we play first, please, MPS4014, which is 12 an enhanced version of the live feed device. 13 (3.45 pm) 14 (Audio recordings were played to the inquiry) 15 (3.47 pm) 16 MS MCNEILL: Can we show the final two pages of that 17 transcript for completeness. These will be published on 18 the website, sir. 19 Can we now play the enhanced version of the store 20 and retrieve audio, which is MPS4013. 21 (3.47 pm) 22 (Audio recordings were played to the inquiry) 23 (3.48 pm) 24 MS MCNEILL: Thank you. 25 Can we take that down, please.</p> <p style="text-align: center;">Page 188</p>

<p>1 Sir at the inquiry's request, Mr French and Mr Barry 2 were asked to produce an agreed transcript as far as 3 they were able and during that process Mr Barry produced 4 further versions of both audio feeds. The audio was 5 enhanced and was edited to align the start times of 6 both, I explained there is a bit of discrepancy. 7 Can we see, please, INQ25. This is the agreed 8 transcript. Again at the beginning it is the same 9 annotation as to natural pause, unintended, 10 intelligible, and we have only got probable 11 interpretations on this transcript. 12 Can we listen to a further version of the store and 13 retrieve at MPS4157, please, Mr Coates. 14 (3.49 pm 15 (Audio recordings were played to the inquiry) 16 (3.50 pm) 17 MS MCNEILL: Mr Coates, can you go back to page 1 of the 18 transcript and, sir, I am asked to play one final 19 version. This will be the live feed, it is the version 20 produced by Mr Barry. 21 It is MPS4159, Mr Coates. 22 (3.50 pm) 23 (Audio recordings were played to the inquiry) 24 (3.51 pm) 25 MS MCNEILL: Thanks, Mr Coates.</p> <p style="text-align: center;">Page 189</p>	<p>1 Finally for today, if we can look at INQ29, please, 2 Mr Coates, at page 3, Mr French was asked to identify 3 the timing of the gunshot on the audio feed. As agreed 4 with core participants, I am just going to read a short 5 extract from his evidence: 6 "I used recording A_DEF222 from the store and 7 retrieve device to try and identify the fatal shot, as 8 it seemed to be much clearer in quality for this purpose 9 compared to recording CH1 from the live feed and it was 10 from this recording that I produced an annotated 11 spectrogram." 12 He explains that a spectrogram is a 3-dimensional 13 visual display of an audio signal. The Y axis 14 represents the frequency of the signal, the bottom X 15 axis represents the time elapsed. The intensity or 16 amplitude of the signal is represented by different 17 colours. On the spectrograms used here the colour 18 intensity is adjustable. I have adjusted the colour 19 intensities so that the sharp or loud noises are in 20 a blue colour, which appears to give the best clarity 21 definition. 22 This can be seen on the first and second 23 spectrograms below, with the loud banging noises sharply 24 defined in blue. 25 The second spectrogram below showed some speech</p> <p style="text-align: center;">Page 190</p>
<p>1 noises after the possible door opening. The various 2 speech frequencies are shown as blue wavy horizontal 3 lines and are quite different to the loud banging type 4 noises, quieter passages of the recording are a pink to 5 yellow colour. Analysing the spectrogram, I was able 6 suggest possible causes for a number of noises heard 7 during the period. 8 I wonder if it is possible at the same time to have 9 the statement on the left and the spectrogram enlarged 10 slightly to the side so we can still see the paragraphs 11 around it? 12 Not to worry, Mr Coates: 13 "The recording starts with four loud banging noises 14 and shouting. I consider it likely that these four 15 banging noises are the police officers banging on the 16 windscreen or bodywork of the vehicle. This is what 17 these four noises sound like to me. If you view the 18 representation of these noises on the spectrogram you 19 can see quite clearly that these four noises are almost 20 identical. This would probably rule them out as being 21 the gunshot in question, as we know only one gunshot was 22 fired. I have attached a spectrogram of these four 23 banging noises below. 24 "After the four banging noises mentioned above there 25 is a lot of shouting that distorts the audio recording</p> <p style="text-align: center;">Page 191</p>	<p>1 greatly. On my annotated spectrogram below ..." 2 Could we have the pages up at the same time, 3 Mr Coates? 4 and 5 side by side would be a big help: 4 "On my annotated spectrogram below I have marked 5 a noise at just under 3 seconds from the start of the 6 recording. This may have been a vehicle door being 7 opened by the police officers, there is a small 8 possibility that this burst of sound is actually the 9 fatal gunshot, but this noise does not seem to be loud 10 enough in my opinion. Another possible indication that 11 this may be the door opening is that the shouting of the 12 officers seemed to be a bit clearer and louder after 13 this point. This would be expected if suddenly the 14 speech path from the officer to the microphone becomes 15 unimpeded by the glass/bodywork of the vehicle." 16 If you leave 5 where it is and bring up page 6, 17 please: 18 "The noise I have flagged as the possible gunshot 19 occurs at just under 5 seconds from the start of the 20 recording." 21 Sir, on the left we see the first arrow, which is 22 what Mr French seems to think is the door opening, on 23 the spectrogram on the left, followed by the second 24 arrow in the middle of the page: 25 "This particular noise is sharper and louder than</p> <p style="text-align: center;">Page 192</p>

<p>1 the surrounding background noise and any other noise on 2 this recording. The spectrogram below has 3 characteristics of gunshots I have seen in other cases. 4 Another point in favour of this argument is the actual 5 acoustic quality of this noise, it has a metallic 6 quality to it. I have noticed this metallic quality in 7 some other gunshots I have analysed in other cases. 8 I cannot think of another possible cause for this type 9 of noise occurring in or around vehicle, but would 10 consider any suggestions. 11 "There is also a light thumping noise at just under 12 six seconds, but I do not think this is loud enough to 13 be the shot and it is possibly a door slamming or a 14 thump to the bodywork of the vehicle. I have marked 15 this on the spectrogram below." 16 On to page 7, please, Mr Coates: 17 "After this initial intervention phase of the 18 recording there are two other thumping noises at 6 19 seconds and 16 seconds approximately. I would suggest 20 that these sound like the slamming of vehicle doors. 21 Both noises sound similar and viewing them on the 22 spectrogram below shows them to be similar in shape. We 23 know only one shot was fired, so it is unlikely that 24 either of these noises are the gunshot. 25 "There are also other thumping-type noises at 43, 50</p> <p style="text-align: center;">Page 193</p>	<p>1 seconds and 1.08 approximately from the start of the 2 recording. The noise at 43 seconds sounds like a heavy 3 item being dropped or moved. The noise at 50 seconds 4 sounds like a vehicle door slamming. The noise at 1 5 minute 8 seconds could be a vehicle door slamming or 6 again something hitting vehicle bodywork. Apart from 7 the noises mentioned above, there is nothing else on the 8 recording which I would suggest is a possible gunshot." 9 Page 8, please: 10 "Accurately recording the sound of gunshots is 11 a difficult task and specialists who do this sort of 12 thing tend to use very specific audio recorders and 13 microphones to make accurate recordings. One of the 14 problems they have to deal with is the actual loudness 15 of gunshots. Any microphone recorder combination used 16 to record them must be able to record the gunshot 17 without being overwhelmed by the sheer amount of energy 18 entering the microphone. I would suggest that the 19 surveillance system and microphones used in the Audi 20 were unlikely to be able to make an accurate recording 21 of any gunshot fired. These systems are generally 22 designed to record speech at much lower volumes than any 23 gunshot. Also, the recording audio bandwidth of these 24 surveillance systems is limited. This will undoubtedly 25 have had an effect on how any recorded gunshot would</p> <p style="text-align: center;">Page 194</p>
<p>1 sound. 2 "In Mr Barry's statement he noted that the recording 3 showed audio energy of up to 8.7 kilohertz, this means 4 that the system would not record any higher frequencies 5 than 8.7 kilohertz, this would be adequate for speech 6 but would likely have an effect on the recording of the 7 gunshot, making it sounds different to a perfectly 8 recorded gunshot made on a recorder with a wide 9 recording bandwidth. 10 "One other point to consider is that when the shot 11 possibly takes place there was a lot of shouting which 12 is already causing the recording to distort. In effect, 13 overwhelming the recording system. If the shot occurs 14 whilst this is happening then I would expect the 15 recording to sound different to a perfectly recorded 16 sample gunshot." 17 Thank you, Mr Coates. 18 Sir, that concludes all the reading we have to do 19 today. 20 THE CHAIRMAN: Summarising Mr French's evidence, doing the 21 best he can, the shot was fired just under 5 seconds 22 after the recording began? 23 MS MCNEILL: Thereabouts, sir, yes. 24 THE CHAIRMAN: Thank you. 25 MS MCNEILL: Sir, that concludes our business today.</p> <p style="text-align: center;">Page 195</p>	<p>1 I understand it is 10.00 am now for tomorrow 2 morning. 3 THE CHAIRMAN: Now, as opposed to -- 4 MS MCNEILL: There was some suggestion we might hear 5 Mr Scammell at 9.30 when we thought we had a heavier 6 day, but now we think 10.00 would be sufficient to hear 7 all of our witnesses. 8 THE CHAIRMAN: That is fine. 9 I look forward to seeing you all at 10.00 in the 10 morning. 11 (4.01 pm) 12 (The Inquiry adjourned until 10.00 am the following day) 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 196</p>

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