

<p>1 Tuesday, 22 June 2021</p> <p>2 (10.00 am)</p> <p>3 (Proceedings delayed)</p> <p>4 (10.10 am)</p> <p>5 THE CHAIRMAN: Good morning, everybody. Please sit down.</p> <p>6 Yes.</p> <p>7 MS BLACKWELL: Good morning, sir, we are going to start</p> <p>8 today's proceedings by hearing from retired Detective</p> <p>9 Inspector Rob Murray, who is in the witness box ready to</p> <p>10 be sworn.</p> <p>11 THE CHAIRMAN: Thank you.</p> <p>12 MR ROBERT MURRAY (sworn)</p> <p>13 Questions from MS BLACKWELL</p> <p>14 MS BLACKWELL: Thank you. Will you give your full name to</p> <p>15 the court, please?</p> <p>16 <b>A. Robert Murray.</b></p> <p>17 Q. You are, am I right, a retired detective inspector from</p> <p>18 the Metropolitan Police?</p> <p>19 <b>A. That's correct, your Honour, yes.</b></p> <p>20 Q. Mr Murray, I am going to take your evidence in the</p> <p>21 following sections.</p> <p>22 First of all, I am going to ask you about your</p> <p>23 position in the MPS at December 2015.</p> <p>24 Then I am going to ask you about Operation Utara,</p> <p>25 the establishment of Operation Ankaa and an exploration</p> <p style="text-align: center;">Page 1</p>	<p>1 of your involvement in that, taking you through your</p> <p>2 notebooks.</p> <p>3 Then your preparation for what took place on</p> <p>4 11 December 2015, including the meetings that you had</p> <p>5 with various people.</p> <p>6 Let us begin, please, with your position in the Met</p> <p>7 by December 2015. When did you join the Met?</p> <p>8 <b>A. I joined the Met on 23 June 1986.</b></p> <p>9 Q. Right. As we know, by the time December 2015 arrived,</p> <p>10 you had reached the rank of detective inspector?</p> <p>11 <b>A. That's correct, yes.</b></p> <p>12 Q. For how long had you held that rank?</p> <p>13 <b>A. I had been a substantive detective inspector since 2010,</b></p> <p>14 <b>but prior to that I had been an acting detective</b></p> <p>15 <b>inspector, both within Metropolitan Police and on the</b></p> <p>16 <b>national crime squad.</b></p> <p>17 Q. Right. For how long?</p> <p>18 <b>A. Varying periods, in total about 18 months.</b></p> <p>19 Q. Before 2010, when you took up the full-time role?</p> <p>20 <b>A. That's correct.</b></p> <p>21 Q. Thank you.</p> <p>22 We have attempted to obtain your training records</p> <p>23 but, because you are retired, there are certain rules</p> <p>24 and regulations about disclosure of the same. I just</p> <p>25 want to ask you what recent training, and by that I mean</p> <p style="text-align: center;">Page 2</p>
<p>1 by 2015, you had undertaken. During the course of your</p> <p>2 time as detective inspector, would you attend on regular</p> <p>3 courses?</p> <p>4 <b>A. There was less courses as a detective inspector than</b></p> <p>5 <b>there was as a detective constable and a detective</b></p> <p>6 <b>sergeant, detective inspector is a more management role.</b></p> <p>7 Q. Yes, did you for instance ever undertake the training</p> <p>8 course for tactical firearms commander?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. You did. Can you remember when you completed that</p> <p>11 course?</p> <p>12 <b>A. I think it was about 2011.</b></p> <p>13 Q. Right. Did you ever undertake the strategic firearms</p> <p>14 commander course?</p> <p>15 <b>A. No, I didn't, no.</b></p> <p>16 Q. Right.</p> <p>17 I am going to move on to ask you some questions</p> <p>18 about Operation Utara. As I do so, it may assist us to</p> <p>19 look at a document which is at MPS 1254, please,</p> <p>20 Mr Coates.</p> <p>21 Sir, for your reference, this is in our larger</p> <p>22 bundle with the red reference number 740.</p> <p>23 THE CHAIRMAN: Thank you.</p> <p>24 MS BLACKWELL: We can see this document is headed "The</p> <p>25 Operation Utara briefing note from 13 November 2015".</p> <p style="text-align: center;">Page 3</p>	<p>1 We don't need to be concerned with the date at the</p> <p>2 moment, but is this a document that is familiar to you,</p> <p>3 Mr Murray?</p> <p>4 Are you having difficulty seeing the screen?</p> <p>5 <b>A. Yes, I am, yes.</b></p> <p>6 Q. I wonder if it is possible to have that moved closer to</p> <p>7 Mr Murray, so that he can see it.</p> <p>8 Sir, we are just going to pause whilst we rearrange</p> <p>9 Mr Murray's screen.</p> <p>10 THE CHAIRMAN: Certainly.</p> <p>11 MS BLACKWELL: Does that interfere with anybody's</p> <p>12 opportunity to see the witness?</p> <p>13 No. Thank you.</p> <p>14 Is this a document that is familiar to you,</p> <p>15 Mr Murray?</p> <p>16 <b>A. Yes, it is.</b></p> <p>17 Q. Can you explain how it was created, please?</p> <p>18 <b>A. It was a briefing note to assist Assistant Commissioner</b></p> <p>19 <b>Gallan with an update on the current direction and</b></p> <p>20 <b>strategy of Operation Utara.</b></p> <p>21 Q. Was it prepared by you?</p> <p>22 <b>A. I can't recall if it was prepared by me or one of my</b></p> <p>23 <b>officers.</b></p> <p>24 <b>Sorry, is there one or two pages to this?</b></p> <p>25 Q. There are three pages to it, and your name appears at</p> <p style="text-align: center;">Page 4</p>

<p>1 the bottom of the third page. So I suspect that even if</p> <p>2 you didn't create the whole of the document, you have</p> <p>3 put your name to it, so perhaps you took it as yours by</p> <p>4 the time it had been created?</p> <p>5 <b>A. Yes, I either created this document or I was certainly</b></p> <p>6 <b>aware of it, yes.</b></p> <p>7 Q. Thank you.</p> <p>8 It serves as a useful note for us in establishing</p> <p>9 the parameters of Operation Utara and how the operation</p> <p>10 came to be created and the subjects that it included.</p> <p>11 Now, if you have had an opportunity to look at it</p> <p>12 and you can see it, could I ask you to read through it,</p> <p>13 please?</p> <p>14 <b>A. Certainly.</b></p> <p>15 Q. So Operation Utara briefing note, 13 November 2015:</p> <p>16 "The purpose of this briefing note is to provide</p> <p>17 AC Gallan [that is Assistant Commissioner Gallan] with</p> <p>18 an updated briefing on the current direction and</p> <p>19 strategy for Operation Utara:</p> <p>20 "Operation Utara commenced in April 2012 targeting</p> <p>21 a Turkish familial OCG [organised crime group] headed by</p> <p>22 Gurhan Karatas, this Karatas family are a</p> <p>23 long-established crime family importing and distributing</p> <p>24 Class A and B drugs throughout the capital and beyond</p> <p>25 from their north-east London roots.</p> <p style="text-align: center;">Page 5</p>	<p>1 "Gurhan Karatas remains the principal strategic</p> <p>2 target, however during the period of this latest</p> <p>3 authority Ramazin Sakinc has been identified as</p> <p>4 operating on a similar level. This operation provides</p> <p>5 a significant response to the strategic threat posed to</p> <p>6 London from organised Turkish crime and dovetails with</p> <p>7 Operation Etana being conducted by colleagues from the</p> <p>8 Central Task Force at Catford.</p> <p>9 "The key players on Utara are inextricably linked to</p> <p>10 the Tottenham Turks, who still have an ongoing feud with</p> <p>11 rival Hackney groups, which has manifested itself in the</p> <p>12 well-publicised shootings and murders over the last few</p> <p>13 years. There are current tensions between the Eren</p> <p>14 family in particular and other rival factions in Hackney</p> <p>15 following the murder of in Turkey of an Eren family</p> <p>16 member:</p> <p>17 "The current intelligence assets have allowed us to</p> <p>18 monitor those tensions and identify several arrest</p> <p>19 disruption opportunities which have arisen ..."</p> <p>20 Q. I am going to ask you to pause there, please, and can we</p> <p>21 go over to page 2.</p> <p>22 Could you begin to read again, please, Mr Murray,</p> <p>23 under the section "The current operational strategy"?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 6</p>
<p>1 <b>A. "To continue working with our intelligence assets to</b></p> <p>2 <b>identify opportunities to obtain direct evidence against</b></p> <p>3 <b>Gurhan Karatas, the Eren family, Ramazin Sakinc and</b></p> <p>4 <b>other named subjects. [Redacted]</b></p> <p>5 "The nature of these criminals is such that any</p> <p>6 operational team has to keep undermining the network to</p> <p>7 be in a position to seize the rare opportunities that</p> <p>8 arise to obtain direct evidence against the principals.</p> <p>9 "In the interim we have sought to continue</p> <p>10 disrupting the OCG's activity, during the last month we</p> <p>11 have achieved no less than five different arrests and</p> <p>12 recovery of four firearms and ammunition. From this</p> <p>13 arrest provides potential opportunities to construct</p> <p>14 conspiratorial evidence against the higher-placed</p> <p>15 subjects (eg during this review period the 10-kilo</p> <p>16 seizure).</p> <p>17 "Such a strategy continues to be successful. In</p> <p>18 total, this operation has recovered over 200 kilos of</p> <p>19 class A drugs and just under £0.5 million in cash.</p> <p>20 "There have been one arrest for a violent kidnap</p> <p>21 from the street and a really significant arrest in terms</p> <p>22 of public safety in Haringey.</p> <p>23 "Timescale. It remains extremely difficult to be</p> <p>24 entirely prescriptive at this stage as to the precise</p> <p>25 timings of when Operation Utara might be concluded.</p> <p style="text-align: center;">Page 7</p>	<p>1 <b>This authority has been in existence for a considerable</b></p> <p>2 <b>period of time, however it remains necessary and has</b></p> <p>3 <b>consistently produced results:</b></p> <p>4 "This is an operation targeting a hybrid and</p> <p>5 extended network of criminals, who are at the best</p> <p>6 inconsistent in their patterns of behaviour and at worst</p> <p>7 extremely chaotic.</p> <p>8 "Exit strategy. If the decision was taken not to</p> <p>9 renew this authority, our strategy would be to continue</p> <p>10 working with our existing intelligence assets for as</p> <p>11 long as possible. Current intelligence indicates that</p> <p>12 Ozcan Eren has current access to at least one firearm</p> <p>13 and we have a duty to try and recover this and maximise</p> <p>14 public safety. In addition two other lower level</p> <p>15 subjects, Ali Uruglu and Erdal Toyam, are currently</p> <p>16 actively seeking to obtain a firearm for an unknown</p> <p>17 purpose. However, in time these assets would gradually</p> <p>18 become obsolete if we are not authorised to further</p> <p>19 deploy.</p> <p>20 "There are no other arrest opportunities and we</p> <p>21 would be limited to applying for search warrants at</p> <p>22 those premises we could approach an examining</p> <p>23 magistrate. Successful applications could not be</p> <p>24 guaranteed as they would be purely speculative, let</p> <p>25 alone likely to generate a positive result."</p> <p style="text-align: center;">Page 8</p>

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<p>1 Q. Thank you, Mr Murray.</p> <p>2 Just to summarise, this was an operation which, by</p> <p>3 November 2015, which was the date of this document, had</p> <p>4 been running for some considerable time, focusing upon</p> <p>5 subjects, some of whom are named within the course of</p> <p>6 this document and one of those subjects was Ozcan Eren</p> <p>7 and his family, who were known to be involved in both</p> <p>8 drug dealing and also firearms dealing?</p> <p>9 <b>A. Yes, that's correct.</b></p> <p>10 Q. Thank you.</p> <p>11 I am going to ask for us to look at another document</p> <p>12 now, and it is MPS3999, please, Mr Coates. This is</p> <p>13 another document that bears your name. Together with</p> <p>14 others involved in the operation.</p> <p>15 We can see at the top there is a reference "IRSC --</p> <p>16 Operation Bittell", what does that refer to?</p> <p>17 <b>A. I think that is the reference number for the inquiry</b></p> <p>18 <b>support team --</b></p> <p>19 Q. Yes.</p> <p>20 <b>A. -- of which I have had no dealings.</b></p> <p>21 Q. All right, but what I want to ask you about is the</p> <p>22 circumstances in which this document was created.</p> <p>23 I think what we are going to see, as we move through</p> <p>24 this document, is that it is a PowerPoint for a series</p> <p>25 of briefings that took place in the run-up to</p> <p style="text-align: center;">Page 9</p>	<p>1 11 December 2015.</p> <p>2 Could we go to the second page, please, Mr Coates.</p> <p>3 Again, there is an introduction here for those</p> <p>4 present at the briefings to explain in more simple terms</p> <p>5 Operation Utara and its relevance to the briefings that</p> <p>6 were taking place in December.</p> <p>7 Could you read out this slide, please, Mr Murray?</p> <p>8 <b>A. Certainly:</b></p> <p>9 <b>"Introduction. Operation Utara is an ongoing</b></p> <p>10 <b>proactive investigation into the criminal activities of</b></p> <p>11 <b>an organised criminal network, including Ozcan Eren and</b></p> <p>12 <b>his cousin Izzet Eren. This OCN is based within the</b></p> <p>13 <b>Turkish community and is a network of long standing in</b></p> <p>14 <b>north London, with historic links to offences of drug</b></p> <p>15 <b>supply and acts of extreme violence against members of</b></p> <p>16 <b>rival Turkish OCNs."</b></p> <p>17 Q. Thank you, next slide, please?</p> <p>18 <b>A. "Background. On 13 October 2015, SCD7(7) mounted</b></p> <p>19 <b>a spontaneous armed surveillance employment at Craven</b></p> <p>20 <b>Park Road. An LOS [lost or stolen] motorcycle was</b></p> <p>21 <b>observed arriving at a location with two persons on</b></p> <p>22 <b>board. Both went toward the building line of premises</b></p> <p>23 <b>close to a towpath and met an unknown male, before</b></p> <p>24 <b>returning to the bike and riding towards the A10. The</b></p> <p>25 <b>motorcycle was stopped by armed officers. Izzet Eren</b></p> <p style="text-align: center;">Page 10</p>
<p>1 <b>was detained and found to be in possession of a Tokarev</b></p> <p>2 <b>9mm pistol and six rounds of ammunition. Amoyaw-Gyamfi</b></p> <p>3 <b>made off dropping a bag containing a Skorpion machine</b></p> <p>4 <b>pistol and full magazine. He was detained nearby."</b></p> <p>5 Q. Thank you, and the next slide, please?</p> <p>6 <b>A. "Both men were arrested and dealt with at Stoke</b></p> <p>7 <b>Newington and they have since been charged and at first</b></p> <p>8 <b>appearance at Wood Green Crown Court pleaded guilty to</b></p> <p>9 <b>offences, including possession of firearms with intent</b></p> <p>10 <b>to endanger life. Intelligence indicates that, at the</b></p> <p>11 <b>time of the first appearance, there was a plan to</b></p> <p>12 <b>intercept the prison van and forcibly assist Eren to</b></p> <p>13 <b>escape from lawful custody. This plan did not go ahead</b></p> <p>14 <b>due to a breakdown in communications and ...</b></p> <p>15 Q. Next slide, please?</p> <p>16 <b>A. "Current intelligence, Eren and Gyamfi are currently on</b></p> <p>17 <b>remand at HMP Wormwood Scrubs. They are next due at</b></p> <p>18 <b>Wood Green Crown Court on Friday, 11 December 2015.</b></p> <p>19 <b>Intelligence indicates that Izzet Eren intends to escape</b></p> <p>20 <b>from custody whilst en route to court. Intelligence</b></p> <p>21 <b>indicates that Ozcan Eren has access to a vehicle parked</b></p> <p>22 <b>in a car park in Eastern Road, Wood Green. This vehicle</b></p> <p>23 <b>is intended for use in a bid to free Izzet from lawful</b></p> <p>24 <b>custody."</b></p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 11</p>	<p>1 At the beginning of this PowerPoint, the first slide</p> <p>2 contains information relating to Operation Utara, but it</p> <p>3 brings us conveniently into what I am going to describe</p> <p>4 as the birth of Operation Ankaa, because what the</p> <p>5 remaining slides that we have looked at confirm is the</p> <p>6 arrest of Izzet Eren and Erwin Amoyaw-Gyamfi on</p> <p>7 13 October in the circumstances described here, is that</p> <p>8 right?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. We are going to return, during the course of your</p> <p>11 evidence, to look at the remaining part of this</p> <p>12 PowerPoint, but for the present time could we take that</p> <p>13 from the screen, please.</p> <p>14 Can you explain, please, Mr Murray, why the</p> <p>15 investigation into the arrest, the attempt to break out</p> <p>16 Izzet Eren from custody was given its own particular</p> <p>17 operation and a separate name to Operation Utara?</p> <p>18 <b>A. Just for the purposes of disclosure and keeping the two</b></p> <p>19 <b>cases separate.</b></p> <p>20 Q. When you refer to the purpose of disclosure, what do you</p> <p>21 mean by that?</p> <p>22 <b>A. Well, if there was a subsequent prosecution for the</b></p> <p>23 <b>matters arising in Ankaa, then it would be easy to keep</b></p> <p>24 <b>the disclosure relating to that case separate from the</b></p> <p>25 <b>others.</b></p> <p style="text-align: center;">Page 12</p>

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<p>1 Q. Right. It wasn't in order to identify a separate 2 faction of Operation Utara, in other words only 3 a smaller amount of subjects that were involved in 4 Operation Ankaa rather than the larger operation? 5 <b>A. Ankaa was focused on the potential breakout. That is 6 what that piece of -- that is what the operation was 7 focused on, not the wide ranging drugs and guns that was 8 continuing throughout that period, it was purely focused 9 on the breakout.</b> 10 Q. In relation to both operations, did you perform the role 11 of senior investigating officer? 12 <b>A. Yes, I did, yes.</b> 13 Q. Can you explain to us, please, what that title means and 14 what your duties were, focusing please on Operation 15 Ankaa? 16 <b>A. Well, as the senior investigating officer, I was in 17 charge of the operation. I reviewed and set the initial 18 strategies, I ensured there were sufficient resources 19 and staff for it, I arranged meetings, I kept notes of 20 the progress of it and would review the progress. 21 I would meet with other partners, other agencies and 22 other units, to assist progression of the case.</b> 23 Q. Thank you. 24 We are going to move on to deal with your connection 25 with other officers, but could you begin by explaining</p> <p style="text-align: center;">Page 13</p>	<p>1 to us, please, who sat below you in the operation and 2 which roles were fulfilled by which officers? 3 <b>A. Yes, on my time I had two detective sergeants, one of 4 which was FE19, who was the investigating officer for 5 Operation Utara and Operation Ankaa. 6 FE19 had approximately six staff, detective 7 constables, of which -- two of which were DC Kinch, who 8 was the officer in the case, the case officer, and 9 supported by DC Sparks, who would be the deputy and 10 would assist.</b> 11 Q. Right. 12 And a number of other officers as well? 13 <b>A. Yes.</b> 14 Q. Thank you. 15 I want to just take a moment to establish with you 16 when you first became aware of the intelligence that 17 there was a plan to break out Izzet Eren from custody. 18 You can confirm, can you, please, Mr Murray, that on 19 29 October, Izzet Eren and Erwin Amoyaw-Gyamfi were 20 produced from prison at Wood Green for their plea and 21 case management hearing, or their plea and trial 22 management hearing? 23 <b>A. Yes, that's correct.</b> 24 Q. And, on that occasion, both men pleaded guilty to 25 a series of firearms offences?</p> <p style="text-align: center;">Page 14</p>
<p>1 <b>A. Yes, that's correct.</b> 2 Q. Was it some time around then that you first became aware 3 of a plan to break out Izzet Eren at a subsequent time? 4 <b>A. Yes. I was -- I was approached and spoken to by 5 DC Sparks and that was on the 30th, the day after. He 6 came into my office, I spoke to him about it and made 7 a series of notes in relation to that conversation.</b> 8 Q. We are going to turn to look at those notes together 9 now, because they serve as a useful contemporaneous 10 record of your involvement throughout the operation. 11 I am going to begin a little before the 30th, so 12 could we have up, please, page MPS4482. 13 Sir, for your reference, this is red page 23. 14 THE CHAIRMAN: Thank you. 15 MS BLACKWELL: As we move throughout your book, we will see 16 that there are several places where either the letters 17 "DPA" or "Sensitive/irrelevant" appear in boxes and can 18 you confirm, please, Mr Murray, that that is where there 19 is information relating to another case or other 20 individuals not connected to either Operation Utara or 21 Ankaa? 22 <b>A. That's correct, yes.</b> 23 Q. Thank you very much. 24 This page of your notebook begins on 25 27 October 2015, we can see that from the top right-hand</p> <p style="text-align: center;">Page 15</p>	<p>1 corner. Are you with me? 2 <b>A. Yes.</b> 3 Q. Thank you. 4 As we move down the page, the page appears to be in 5 three sections, which are delineated by lines and the 6 bottom section, which is headed "Intelligence: Utara, 7 Sabri Karatas" is that one of the individuals that we 8 heard about when you read through your briefing note? 9 <b>A. Yes, that's correct.</b> 10 Q. Could you please read the remaining part of the third 11 section of that page? 12 <b>A. Yes:</b> 13 <b>"Demonstration and possible breakout attempt. Wed, 14 28 October 2015, 8pm-9pm. Two U/K [unknown] IC3 males 15 to assist breakout. Past the GD trip and PACE/intel(?). 16 Prison intel unit notified, no other intel re breakout."</b> 17 Q. Are you able to recollect what that relates to? 18 <b>A. Yes.</b> 19 <b>This relates to Sabri Karatas was in custody for 20 being sentenced for a substantial amount of heroin. He 21 was in prison and had been diagnosed with advanced 22 cancer and I believe a request had gone to the Home 23 Secretary for discretion to remove or withdraw his 24 sentence, to be allowed the last few days of his life 25 outside custody, and I think this is what this relates</b></p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 to.</p> <p>2 Q. The note appears to relate to a breakout attempt with</p> <p>3 two unknown IC3, that is black, males, to assist in the</p> <p>4 breakout. Is it your recollection that, in relation to</p> <p>5 that individual, you had received information that there</p> <p>6 was likely to be an attempt to break him out of prison?</p> <p>7 <b>A. No, sorry, I should have explained.</b></p> <p>8 <b>Mr Karatas had been transferred from prison to</b></p> <p>9 <b>a hospice in east London, somewhere, forgive me,</b></p> <p>10 <b>obviously it is a long period of time.</b></p> <p>11 Q. It is.</p> <p>12 <b>A. He was transferred from the prison to a hospice because</b></p> <p>13 <b>of his condition and I think there was some strong</b></p> <p>14 <b>feeling in relation to him being -- I think he had still</b></p> <p>15 <b>had prison guards with him or something, and I think the</b></p> <p>16 <b>family had obviously felt it was inappropriate and he</b></p> <p>17 <b>should be allowed to serve his final days outside.</b></p> <p>18 <b>I think that is what the breakout was about, in</b></p> <p>19 <b>getting him out of the hospice, was my understanding.</b></p> <p>20 Q. Right, but it bears no relation to any information that</p> <p>21 you were to receive on 30 October about this operation?</p> <p>22 <b>A. No, from my understanding this was separate. This was</b></p> <p>23 <b>to do with Mr Karatas and not the subsequent Ankaa.</b></p> <p>24 Q. All right, let's turn then, please, to the following</p> <p>25 day, the next page.</p> <p style="text-align: center;">Page 17</p>	<p>1 The page after. There we are, thank you.</p> <p>2 We can see that on 29 October, you have made other</p> <p>3 notes --</p> <p>4 MR BUTT: Sir, I am going to ask if that document can be</p> <p>5 taken off the screen, please, and I will raise a point</p> <p>6 with my learned friend, I do apologise. (Pause)</p> <p>7 MS BLACKWELL: Sir, could we pause there, please, and cut</p> <p>8 the live feed. Something has arisen which I need to</p> <p>9 establish with my learned friend.</p> <p>10 THE CHAIRMAN: Are you happy for me to stay or do you want</p> <p>11 me to break?</p> <p>12 MS BLACKWELL: You may remain. Thank you.</p> <p>13 THE CHAIRMAN: Thank you. (Pause)</p> <p>14 MS BLACKWELL: Sir, I am helped by my learned friend in</p> <p>15 relation to two words that should have been redacted</p> <p>16 from the document which has just been displayed. I am</p> <p>17 confident that we have another copy of that document</p> <p>18 within the system which could be displayed immediately.</p> <p>19 However, I would like to ensure that the remaining</p> <p>20 documents in relation to this topic that I intend to</p> <p>21 display do not have any material on them which should</p> <p>22 have been redacted.</p> <p>23 THE CHAIRMAN: I presume there has been discussion about</p> <p>24 redactions and the like.</p> <p>25 MS BLACKWELL: Yes, there has. But as I am sure you can</p> <p style="text-align: center;">Page 18</p>
<p>1 understand, sir, when the documents first become</p> <p>2 uploaded to the system, they are not always fully</p> <p>3 redacted. There is then a discourse that takes place</p> <p>4 between the inquiry legal team and all of the other core</p> <p>5 participants and often there are additional redactions</p> <p>6 which need to be made and the new fully redacted</p> <p>7 document is uploaded.</p> <p>8 THE CHAIRMAN: All right.</p> <p>9 MS BLACKWELL: I am sorry that we haven't yet got very far</p> <p>10 but could I ask you please to rise for a few moments</p> <p>11 while this is checked, thank you.</p> <p>12 THE CHAIRMAN: Yes.</p> <p>13 (10.37 am)</p> <p>14 (A short adjournment)</p> <p>15 (11.16 am)</p> <p>16 THE CHAIRMAN: Yes. I hope everybody is agreeable that we</p> <p>17 are deemed to have had our mid-morning break.</p> <p>18 MS BLACKWELL: Yes, I checked and we are.</p> <p>19 I can apologise only, again, sir, about the mistake.</p> <p>20 THE CHAIRMAN: Don't worry, these things happen. Thank you.</p> <p>21 MS BLACKWELL: As I explained before the break, we are</p> <p>22 constantly and contentedly reacting to all of the</p> <p>23 necessary redactions that are being thrust upon us, but,</p> <p>24 unfortunately, the system also has to catch up with the</p> <p>25 speed at which we are working and sometimes it doesn't,</p> <p style="text-align: center;">Page 19</p>	<p>1 and that is what happened in this case.</p> <p>2 THE CHAIRMAN: Please don't apologise. Thank you.</p> <p>3 MS BLACKWELL: Thank you.</p> <p>4 Now then, Mr Murray, we were about to look at the</p> <p>5 page of your notebook that has notes relating to</p> <p>6 29 October 2015.</p> <p>7 THE CHAIRMAN: Page 26?</p> <p>8 MS BLACKWELL: Page 26 in our hard copy bundle, sir.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 MS BLACKWELL: If I could ask, please, to display -- whilst</p> <p>11 I hold my breath -- MPS4482, please. Thank you.</p> <p>12 If we can go to the following page, the next page</p> <p>13 and the next page.</p> <p>14 Thank you.</p> <p>15 I don't in fact need to ask you about the notes you</p> <p>16 made on 29 October, because I am going to take you</p> <p>17 straight away to 30 October, in the knowledge that we</p> <p>18 are about to look in detail at a note which you made</p> <p>19 following your discussion about the information in</p> <p>20 relation to the breakout of Izzet Eren.</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Before we turn over to look at those notes, the first</p> <p>23 notes that you made relating to 30 October are these at</p> <p>24 the bottom of this page. We can see that, on the bottom</p> <p>25 half of the page, under the heading "Utara", there are</p> <p style="text-align: center;">Page 20</p>

<p>1 two names, Erdal Toyam and Ali Uruglu, "Seeking firearm, 2 no further ..." 3 I am afraid I can't read the following two words. 4 <b>A. "Actionable".</b> 5 Q. "No further actionable intel"? 6 <b>A. Correct.</b> 7 Q. That relates to some members of Operation Utara, or 8 perhaps I should say some subjects of Operation Utara? 9 <b>A. Yes, that's correct.</b> 10 Q. That was recording information or intelligence that you 11 had received in relation to them seeking a firearm? 12 <b>A. Yes, that's right.</b> 13 Q. Now, underneath the wiggly line we can see the 14 following, and please correct me if I am wrong -- in 15 fact, Mr Murray, I am going to ask you to read it out 16 because you have a better chance than me of getting it 17 accurate. 18 <b>A. Okay:</b> 19 <b>"HMP van arrive court, in court, leave court, van,</b> 20 <b>HMP prison."</b> 21 <b>Then underneath:</b> 22 <b>"HMP, ambulance, hospital, ambulance, HMP."</b> 23 Q. Thank you. 24 What does that note mean? 25 <b>A. That was a note I made as an assessment of the potential</b></p> <p style="text-align: center;">Page 21</p>	<p>1 <b>attack points, any breakout -- that would be involved in</b> 2 <b>a breakout attempt. So vulnerable areas, so the</b> 3 <b>breakout would have to happen either, for example, in</b> 4 <b>the top line, from prison, whilst in the prison van, or</b> 5 <b>whilst they are arriving at court, potentially in court,</b> 6 <b>when they were leaving court or in the van back to the</b> 7 <b>prison.</b> 8 Q. It relates to the information that you were receiving on 9 that day of the plan to break Izzet Eren out? 10 <b>A. Yes.</b> 11 Q. Did you make that note whilst you were having 12 a conversation with somebody? 13 <b>A. Yes.</b> 14 Q. Who was that? 15 <b>A. DC Sparks.</b> 16 Q. Did it relate to any information that you received on 17 30 October about an aborted attempt to break Izzet Eren 18 out, which had taken place the previous day, on 19 29 October? 20 <b>A. I can't recall whether I learned of the aborted attempt</b> 21 <b>on the 30th or a day or two after.</b> 22 Q. All right, well with that in mind, may we turn over to 23 the next page, please -- 24 THE CHAIRMAN: Just before we do, does it follow that your 25 references here to Toyam and Uruglu seeking a firearm,</p> <p style="text-align: center;">Page 22</p>
<p>1 catered for the possibility that such a firearm might be 2 used in any subsequent attempt to spring Izzet Eren? 3 <b>A. From my memory, I don't think this piece of intelligence</b> 4 <b>in this form related to the Ankaa matter.</b> 5 MS BLACKWELL: Why do you say that? 6 <b>A. Because I think this was another -- a separate piece of</b> 7 <b>intel.</b> 8 Q. Apart from the wiggly line separating the two, they 9 appear very close on the page together? 10 <b>A. Yes.</b> 11 Q. Did they come to you as part of the same conversation? 12 <b>A. I can't recall that. But it may be that I have made</b> 13 <b>that entry because the other page was open in my book,</b> 14 <b>so, for example, if I have written on the right-hand</b> 15 <b>side of my book, the left hand page may have been sort</b> 16 <b>of partially blank and I have made that note in the</b> 17 <b>left-hand side.</b> 18 Q. What you are describing -- please correct me if I am 19 wrong -- is that whilst you were making the very full 20 note that we are about to turn to, you may have jotted 21 something down on the other page for need of space? 22 <b>A. Absolutely. Absolutely, that is my interpretation,</b> 23 <b>having reread this again prior to this hearing.</b> 24 Q. Thank you. 25 With that in mind, may we turn, please to, the next</p> <p style="text-align: center;">Page 23</p>	<p>1 page and the page after, and the page after, and the 2 page after that. Right. 3 I am going to provide a separate reference then, 4 please for the notes on 30 October. If we go to 5 MPS3712, and look at the second page of that document. 6 There we are. Thank you. 7 This full page, I am going to suggest to you, 8 Mr Murray, records the conversation and subsequent 9 discussion that you had with DC Sparks on this day about 10 the intelligence that you were receiving? 11 <b>A. Yes, that's correct.</b> 12 Q. Again, please, will you assist -- 13 THE CHAIRMAN: Which page is that, please? 14 MS BLACKWELL: Sir, in relation to our bundle, it is behind 15 divider 10 and it should be the second page. 16 THE CHAIRMAN: Thank you very much. Yes. I have it. 17 MS BLACKWELL: Thank you. 18 I am going to ask for your assistance again, please, 19 Mr Murray in reading out this record. Before I do so, 20 could I ask whether it is possible, please, for us to 21 display the next page side by side, because the 22 follow-on page contains the remaining part of the note 23 for this day. 24 That is not the next page. Could we take that down, 25 please. Yes, I think that is the note and we will need</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 to enlarge that, if we can. Thank you very much, 2 Mr Coates. 3 Right, over to you, Mr Murray. 4 <b>A. So:</b> 5 <b>"Escape Utara, 30/10/15. DC Sparks 30/10/15. Intel</b> 6 <b>suggests member of Eren OCN are planning to break out</b> 7 <b>Izzet Eren from custody, either to/at/from a court</b> 8 <b>appearance or potentially another opportunity, eg fake</b> 9 <b>illness/heart attack -- ambulance to/at hospital: they</b> 10 <b>will use vehicle and weapons (one firearm). Not known</b> 11 <b>day or time/location, exact MO:</b> 12 <b>"Intel to be passed to the PIO for dissemination to</b> 13 <b>the prison governor (believed Wormwood Scrubs). The</b> 14 <b>risk and threat to the prison staff and ambulance staff.</b> 15 <b>Increase security around I Eren, cat status, cat A,</b> 16 <b>et cetera. Consider measures to prevent opportunities,</b> 17 <b>eg video-link, court appearance, increase the number of</b> 18 <b>officers. Duty of care to those potentially involved."</b> 19 <b>Then:</b> 20 <b>"Monitor any future intel re evidence and</b> 21 <b>intelligence gathering opportunities, via armed</b> 22 <b>support/surv [surveillance] OPs, recover/seize any</b> 23 <b>firearms/weapons. Stolen/LOS [which means lost or</b> 24 <b>stolen] vehicles; check next date for court appearance</b> 25 <b>at WGCC [which is Wood Green Crown Court].</b></p> <p style="text-align: center;">Page 25</p>	<p>1 <b>"Prison to be notified by MPS Prison Intel Unit.</b> 2 <b>Then Serco ..."</b> 3 <b>Then that is:</b> 4 <b>"DC Sparks inform DI Steve Mayes."</b> 5 <b>Above that is:</b> 6 <b>"DS Dan Wright, SCO35, prison intel unit."</b> 7 <b>Then I can't quite read that word.</b> 8 THE CHAIRMAN: Something and "form of words passed to him 9 ..." 10 <b>A. "[Something] and form of words passed to him. He will</b> 11 <b>liaise with security governor Pete Nicholls, experience</b> 12 <b>of sensitive intel issues."</b> 13 <b>Then some office contact numbers:</b> 14 <b>"Mercury system, prison intel unit and corruption</b> 15 <b>lead."</b> 16 Q. Then over onto the following page at the bottom we see 17 a further note that is headed "Utara" and then 18 underneath: 19 "Izzet Eren/11 December next at Wood Green Crown 20 Court, court appearance, sentence." 21 Do you have that? 22 <b>A. Yes, I do.</b> 23 Q. Then could you read on, please, to the bottom of that 24 page? 25 <b>A. Then:</b></p> <p style="text-align: center;">Page 26</p>
<p>1 <b>"Confirm Ozcan Eren (1) H/A [which is home address],</b> 2 <b>(2) LOS vehicle, ID unknown associates, Chokky(?), Omer,</b> 3 <b>Mur(?), HMP van prison staff, HMP governor meeting,</b> 4 <b>access support. Then serve control prisoner on van that</b> 5 <b>day, then meeting with TSU, the mission car, prison van</b> 6 <b>..."</b> 7 <b>And it has "Sparks".</b> 8 <b>Then:</b> 9 <b>"SFC/TFC Rob, DSU Turner and DCI Williams. SC019</b> 10 <b>TACAD."</b> 11 <b>That's Rob.</b> 12 <b>And then that's "Inspector Brian Elliott ..."</b> 13 <b>(Inaudible) for --</b> 14 Q. Ozcan Eren? 15 <b>A. "... and Amoyaw-Gyamfi (Adam) 10 November. Tuesday, 1pm</b> 16 <b>afternoon, next meeting Monday 11.00 am after office</b> 17 <b>meeting."</b> 18 <b>Then:</b> 19 <b>"Arrange meeting, DSU Turner, DSU Gilmour, DCI W,</b> 20 <b>DI RM and Op team."</b> 21 Q. The document that we can see displayed on the right-hand 22 side of our screen, can you confirm, please, Mr Murray, 23 that that is the final part of the note that you made on 24 30 October? The bit that you have just read out? 25 <b>A. Yes, I believe so.</b></p> <p style="text-align: center;">Page 27</p>	<p>1 Q. Were you reading it out from your notes? 2 <b>A. I was reading it out from this, from the bundle.</b> 3 Q. Okay, so as far as you are aware, and we will check it 4 in your original notes, but that appears to be the final 5 part of the note that begins on the previous page. 6 I want to take you through almost line by line, 7 please, to establish, through you, what was told to you, 8 what you understood that to mean and what immediate 9 plans you were making in accordance with the 10 intelligence that you had received. 11 The conversation that was taking place with 12 Detective Constable Sparks was it face to face or over 13 the telephone? 14 <b>A. Face to face, in my office.</b> 15 Q. In your office, which was situated in which building? 16 <b>A. It was situated in Hertford House.</b> 17 Q. Was that the centre of the Operation Utara officers, if 18 you like? 19 <b>A. Yes.</b> 20 Q. How many officers were there? 21 <b>A. At that meeting, it was just him and I.</b> 22 Q. But in the building or on the floor where your office 23 was, was it occupied by several of the team? 24 <b>A. Yes, the two teams were present, yes. In neighbouring</b> 25 <b>offices.</b></p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 Q. Are you able to help us with the time that this meeting 2 took place? 3 <b>A. I can't, no.</b> 4 Q. How long did it take? 5 <b>A. I can't recall. I haven't recorded a time. I am not 6 sure how long it would have taken.</b> 7 Q. Do we take it from the very full notes that you have 8 made that it wasn't simply a matter of Mr Sparks giving 9 you the intelligence of which he was aware and leaving 10 you to your own devices. You and he, it appears, sat 11 and discussed -- 12 <b>A. Certainly.</b> 13 Q. -- the plan? 14 <b>A. Yes, it certainly wasn't minutes, it may have been 15 an hour, it may even have been longer but I can't 16 remember exactly.</b> 17 Q. Did you make these notes during the course of the 18 meeting or once it had finished? 19 <b>A. Probably when it was finished. But I would have noted 20 down some of the key points that was mentioned. For 21 example, probably the first paragraph, and then 22 subsequently, when we discussed it, the -- my strategy 23 and the intelligence gathering and what we were seeking 24 to do would have probably been towards the end, 25 I assume.</b></p> <p style="text-align: center;">Page 29</p>	<p>1 Q. As far as you are able to recollect, these notes were 2 made on the same day? 3 <b>A. Certainly.</b> 4 Q. Certainly. Thank you. 5 <b>A. Certainly within an hour, I would suggest, of the 6 initial information from DC Sparks.</b> 7 Q. The information at the beginning of the meeting suggests 8 that DC Sparks was telling you that he was in possession 9 of intelligence suggesting that a member of the Eren 10 organised crime network were planning to break out 11 Izzet Eren from custody? 12 <b>A. Yes, that's correct.</b> 13 Q. Did he tell you that his intelligence was that that was 14 going to happen either to, at or from a court appearance 15 or during another opportunity, for example fake illness, 16 heart attack, ambulance to or from hospital? 17 <b>A. No, I think that was my sort of interpretation of the 18 initial details were break out from custody, I believe. 19 Following on from the note on the previous page that 20 we discussed, that was the potential areas that he could 21 have been broken out from.</b> 22 Q. That information was as a result of your analysis of the 23 possible opportunities that there might be for the 24 escape plan to take place? 25 <b>A. Correct.</b></p> <p style="text-align: center;">Page 30</p>
<p>1 Q. The following line reads: 2 "They will use vehicle and weapons (one firearm)." 3 <b>A. Yes.</b> 4 Q. Am I right in suggesting to you that that information, 5 about the use of a vehicle and "one firearm" came from 6 Detective Constable Sparks? 7 <b>A. That is my recollection and what I have written down, 8 yes.</b> 9 Q. The reference to one firearm is quite specific, isn't 10 it? That is not something that you would have analysed 11 as part of the information that you were given. You 12 must have been given that specific information, I am 13 going to suggest to you? 14 <b>A. I recall there being at least a firearm going to be used 15 for this, particularly in the context of what was going 16 to happen and the people that are involved.</b> 17 Q. Right: 18 "Not known day or time, location or exact MO." 19 Was that information that you were given or did that 20 result from your analysis of the intelligence? 21 <b>A. My analysis, yes, I am saying not known, because if the 22 information was there, I would have written it down. So 23 that wasn't known.</b> 24 Q. Thank you. 25 From what you have said this morning, Mr Murray,</p> <p style="text-align: center;">Page 31</p>	<p>1 that may well conclude the information that you were 2 given and what we are going to now look at, the 3 following information that is contained in this note, is 4 your analysis and planning of how to deal with that 5 intelligence. 6 You are nodding? 7 <b>A. Yes.</b> 8 Q. Thank you: 9 "Intelligence to be passed to PIO"? 10 <b>A. Yes, that is the prison intelligence officer.</b> 11 Q. "For dissemination to prison governor (believed Wormwood 12 Scrubs)." 13 <b>A. That's correct.</b> 14 Q. Is that a reference to an action which you were going to 15 ensure took place so that the prison governor at 16 Wormwood Scrubs would be privy to this information about 17 the planned breakout? 18 <b>A. Yes, that's correct.</b> 19 Q. Did that in fact happen? 20 <b>A. Yes, it did.</b> 21 Q. We are going to come in a few moments to a reference to 22 Detective Inspector Steve Mayes. Is he somebody that 23 worked in the Prison Intelligence Unit and was he tasked 24 to pass the information on to the prison? 25 <b>A. Yes, I tasked DC Sparks.</b></p> <p style="text-align: center;">Page 32</p>



<p>1 <b>DC Sparks in turn then spoke to DI Mayes, who then</b>  2 <b>in turn was a liaison for the prison, passed the</b>  3 <b>information to Mr Nicholls.</b>  4 Q. I want to come back, just for a moment, to the  5 suggestion I made a few moments ago about the aborted  6 attempt that was made on 29 October.  7 In answer to my question as to whether or not the  8 note on the previous page related to that, your evidence  9 appeared to be that you were not sure if, during the  10 course of this conversation with Detective Constable  11 Sparks, you had been made aware of that aborted attempt  12 the day before. Is that right?  13 <b>A. That's correct, I can't recall when -- because I think</b>  14 <b>I would have written it down in this note that there was</b>  15 <b>an aborted attempt. And I haven't. So I think it may</b>  16 <b>have been subsequently.</b>  17 Q. But you did become aware --  18 THE CHAIRMAN: This note was a couple of days later.  19 <b>A. It was either later that day potentially or in the next</b>  20 <b>... following day, yes.</b>  21 MS BLACKWELL: Thank you.  22 Returning to the note, please, we see a list of four  23 issues which you have recorded. The first of which is  24 this:  25 "Risk and threat to prison staff/ambulance staff."</p> <p style="text-align: center;">Page 33</p>	<p>1 <b>A. Yes.</b>  2 Q. Can you explain what that note reveals?  3 <b>A. Yes, that is my consideration for this intelligence to</b>  4 <b>be -- one of the reasons to be passed there, is to</b>  5 <b>consider the risk and threat to prison staff from this</b>  6 <b>potential breakout.</b>  7 Q. What did you consider to be the risk to, first of all,  8 the prison staff?  9 <b>A. If something had happened in the interim period, for</b>  10 <b>example the ambulance scenario --</b>  11 Q. Yes.  12 <b>A. Then something -- it may be useful for them to assess</b>  13 <b>the risk of that. If, for example, he had feigned</b>  14 <b>a heart attack or the like, it is something for them to</b>  15 <b>be aware of, to build a plan and put contingencies in</b>  16 <b>place for that.</b>  17 Q. And similarly for the ambulance staff?  18 <b>A. Yes, and for the ambulance staff and obviously for the</b>  19 <b>prison as well.</b>  20 Q. I am going to take you up on something you just said  21 because in answering my question you said "in the  22 interim", but of course when you were making this note  23 at this time, you were not aware, were you of the date,  24 the next court date?  25 I know that it appears on the following page, where</p> <p style="text-align: center;">Page 34</p>
<p>1 there is reference to 11 December, but I think in answer  2 to questions earlier you indicated that when you made  3 this part of the note, you were not aware of the next  4 court date, so by saying "in the interim", what do you  5 mean? The interim between when and when?  6 <b>A. Between anything else that happened subsequently.</b>  7 Q. All right.  8 <b>A. I suspect I may have been aware of the date because,</b>  9 <b>from the court appearance on the 29th, I would have been</b>  10 <b>updated by DC Kinch on the result and the fact that he</b>  11 <b>had pleaded guilty and they were due to be sentenced on</b>  12 <b>11 December.</b>  13 Q. Just to remind everybody, DC Kinch was part of your  14 team, wasn't he?  15 <b>A. He was, he was one of our officers, he was the officer</b>  16 <b>in the case for Utara and Ankaa.</b>  17 Q. Sometimes referred to as the OIC?  18 <b>A. That's correct, yes.</b>  19 THE CHAIRMAN: If you were aware of the date at this stage,  20 you didn't make a note of it?  21 MS BLACKWELL: Not on this part of the page, but on the  22 following page, there is a reference to 11 December and  23 a sentence hearing at Wood Green Crown Court.  24 THE CHAIRMAN: Thank you. Very good.  25 MS BLACKWELL: Can we agree that during the course of this</p> <p style="text-align: center;">Page 35</p>	<p>1 notetaking you became aware of that date?  2 <b>A. Yes.</b>  3 Q. Thank you.  4 How were you at this point in time intending to  5 mitigate the risk and threat that may be faced by the  6 prison staff and the ambulance staff?  7 <b>A. Well, by notifying them to make them aware of it, so the</b>  8 <b>prison governor could take whatever steps he or she</b>  9 <b>wished to do, and as we considered further on the</b>  10 <b>potential plan for dealing with this, balancing the</b>  11 <b>short-term prevention and thwarting of Izzet Eren's</b>  12 <b>escape against the longer term risk of the potential</b>  13 <b>harm to the public from -- by trying to identify and</b>  14 <b>arrest and convict the people that would be involved in</b>  15 <b>this breakout, and also recover firearms, weapons, that</b>  16 <b>would be used to facilitate the breakout.</b>  17 Q. I think the answer to my question is that, at the time  18 that this note was written, you considered that the way  19 to mitigate the risk and threat to the prison staff or  20 ambulance staff was to inform the governor so that he  21 could take appropriate measures?  22 <b>A. That's correct.</b>  23 Q. The next point is -- forgive me, I can't make out the  24 first word?  25 <b>A. "Increase ..."</b></p> <p style="text-align: center;">Page 36</p>

<p>1 Q. "Increase security around I Eren ..."</p> <p>2 That is Izzet Eren?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. "Cat status, cat A, et cetera."</p> <p>5 <b>A. That's correct.</b></p> <p>6 Q. To what does that relate?</p> <p>7 <b>A. That is by providing them with this information, they</b></p> <p>8 <b>would be able to consider this and if need be review his</b></p> <p>9 <b>category status accordingly.</b></p> <p>10 Q. Right, because it would have been important for the</p> <p>11 prison, would it not, to, armed with this information,</p> <p>12 determine whether or not Izzet Eren's category should be</p> <p>13 raised to category A status?</p> <p>14 <b>A. Yes, that was a decision for them at that stage.</b></p> <p>15 Q. A decision for them but here you were acknowledging --</p> <p>16 <b>A. Considering it, yes.</b></p> <p>17 Q. -- that that was a real possibility in terms of the</p> <p>18 action that the prison may want to take to protect</p> <p>19 themselves from any breakout?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. Next:</p> <p>22 "Consider measures to prevent opportunities. Eg</p> <p>23 video-link court appearance/increased number of</p> <p>24 officers."</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 37</p>	<p>1 Q. Here you are considering whether or not an appropriate</p> <p>2 tactic in order to prevent any escape attempt would be</p> <p>3 to prevent Izzet Eren having to leave the prison at all.</p> <p>4 That is the video-link option. Or, if he did have to</p> <p>5 leave the prison, increasing the number of officers that</p> <p>6 would be guarding him?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. What did you do in order to consider, having made this</p> <p>9 note, the viability of cancelling Izzet Eren's trip to</p> <p>10 Wood Green Crown Court on 11 December and arranging for</p> <p>11 that to take place over video-link, so that he wouldn't</p> <p>12 have to leave the prison?</p> <p>13 <b>A. I didn't take any steps to arrange that. That was one</b></p> <p>14 <b>of the considerations -- on the time within the hour of</b></p> <p>15 <b>receiving this information, considerations at that stage</b></p> <p>16 <b>of things that I am thinking about.</b></p> <p>17 <b>It was important to notify the prison for that to be</b></p> <p>18 <b>considered but as it developed, and the strategy and the</b></p> <p>19 <b>planning developed, that was something -- not something</b></p> <p>20 <b>I requested, no.</b></p> <p>21 THE CHAIRMAN: Does it follow from what you are saying that</p> <p>22 at the time you were making these notes and considering</p> <p>23 these various risks that had to be addressed, there was</p> <p>24 no strategy in place which was going to allow the</p> <p>25 conspiracy to spring Izzet Eren to run to fruition?</p> <p style="text-align: center;">Page 38</p>
<p>1 <b>A. Not initially there wasn't.</b></p> <p>2 <b>THE CHAIRMAN: No.</b></p> <p>3 <b>A. Not straight away. Not at this point.</b></p> <p>4 THE CHAIRMAN: At the time you are making these notes, that</p> <p>5 is not on the radar, is it?</p> <p>6 <b>A. Not yet, no.</b></p> <p>7 THE CHAIRMAN: Thank you.</p> <p>8 MS BLACKWELL: Thank you, sir. We are going to come to this</p> <p>9 but as we can see from the notes that appear towards the</p> <p>10 end of this record, that you were -- I am going to</p> <p>11 suggest -- in the process of identifying individuals who</p> <p>12 would fulfil the roles of tactical firearms commander</p> <p>13 and strategic firearms commander, indicating a settled</p> <p>14 decision that this was going to involve an armed</p> <p>15 deployment.</p> <p>16 <b>A. No, as the discussions went on and the consideration of</b></p> <p>17 <b>this risk went on, this option was considered --</b></p> <p>18 <b>considered to be a potential option.</b></p> <p>19 Q. Sorry, you are talking about the video-link or the armed</p> <p>20 deployment?</p> <p>21 <b>A. So I am talking about at the bottom of the note in</b></p> <p>22 <b>relation to SFC, TFC, et cetera.</b></p> <p>23 Q. Yes.</p> <p>24 <b>A. Over a period of time, and I am not sure how long that</b></p> <p>25 <b>is, an hour or hours, after further consideration and</b></p> <p style="text-align: center;">Page 39</p>	<p>1 <b>assessment of all the circumstances, the short-term risk</b></p> <p>2 <b>and the long-term risk, this was a potential viable</b></p> <p>3 <b>option that needed to be considered and I needed to</b></p> <p>4 <b>approach officers to see whether or not this -- they</b></p> <p>5 <b>would support this and it was viable.</b></p> <p>6 Q. You had identified the officers who in fact in the event</p> <p>7 fulfilled the roles that, within an hour of receiving</p> <p>8 this information, you had identified that they might</p> <p>9 fulfil. That's right, isn't it?</p> <p>10 <b>A. I am not sure about the note -- the timing of the end of</b></p> <p>11 <b>note, the second section.</b></p> <p>12 Q. I think you said hour or hours?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. My point, Mr Murray, is that the persons identified in</p> <p>15 this note did in fact fulfil the roles of tactical</p> <p>16 firearms commander and strategic firearms commander, so</p> <p>17 we can see reference to -- forgive me, "Turner", where</p> <p>18 we see "SFC/TFC"?</p> <p>19 <b>A. Yes, DSU Turner and DCI Williams.</b></p> <p>20 Q. Yes, and they were the officers who fulfilled those</p> <p>21 roles on 11 December, weren't they?</p> <p>22 <b>A. They were.</b></p> <p>23 Q. Can we go back, please, to the reference to the</p> <p>24 video-link.</p> <p>25 By the time you had completed this note, is it your</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 evidence that the option of employing a video-link for 2 the sentencing hearing had been dismissed out of hand? 3 <b>A. No, I wouldn't say it has been dismissed out of hand,</b> 4 <b>but a more appropriate option was being progressed for</b> 5 <b>that and that was the tactical option of an armed</b> 6 <b>operation to deal with both the short-term and long-term</b> 7 <b>risk.</b> 8 Q. Had you, during the course of compiling this record, 9 made any enquiries about the viability of the sentencing 10 hearing taking place over a video-link? 11 <b>A. No, I hadn't.</b> 12 Q. Did you in fact, during the course of your involvement 13 as SIO in this operation, ever make any inquiries about 14 the viability of video-link being used? 15 <b>A. I recall a discussion with Mr Nicholls about the</b> 16 <b>video-link or them not having a video-link capacity or</b> 17 <b>capability. That is, I think, the extent of it.</b> 18 Q. Well, we are going to turn to look at your note of that 19 meeting, or meetings, because I think you had two 20 meetings with Governor Nicholls, didn't you -- 21 <b>A. I did.</b> 22 Q. -- in a short time. 23 Right, and just sticking with this note, "Increase 24 number of officers", you have already confirmed that 25 that relates to the number of officers that might be</p> <p style="text-align: center;">Page 41</p>	<p>1 guarding him, should he need to leave the prison? 2 <b>A. Yes.</b> 3 Q. During the course of your making this record, did you 4 make any enquiries about the necessity for that to take 5 place or was that something which you would have 6 expected the prison to do armed with the information 7 which you were actioning that they receive? 8 <b>A. Yes, we passed to the prison for them to consider.</b> 9 Q. Finally, number 4, "Duty of care to those potentially 10 involved", what did that relate to? 11 <b>A. That related to all the people that may be involved in</b> 12 <b>the risk, the breakout.</b> 13 Q. And -- 14 <b>A. So that is everyone at the prison, the ambulance staff</b> 15 <b>and everyone else.</b> 16 Q. And the people charged with the duty of getting him from 17 prison to court? 18 <b>A. Potentially, yes.</b> 19 Q. Yes, did you in fact consider any duty of care that 20 might be held towards them at this point? 21 <b>A. Yes.</b> 22 Q. What was your conclusion? 23 <b>A. Well, it moves on from the assessment of the intent for</b> 24 <b>them -- my assessment was as it developed over this day,</b> 25 <b>was that the intention or the likely intention, of</b></p> <p style="text-align: center;">Page 42</p>
<p>1 <b>Izzet Eren's escape, is that if this wasn't progressed</b> 2 <b>and dealt with in a short-term solution, or short-term</b> 3 <b>option, it would only just delay the intention, it would</b> 4 <b>be just transferred to another time. On this occasion</b> 5 <b>we had intelligence which gave an opportunity likely to</b> 6 <b>be on that day that we could potentially deal with this</b> 7 <b>matter and at the same time build in safeguards for</b> 8 <b>example, as we will speak about, the prison van and the</b> 9 <b>mission car not coming together, it would ensure</b> 10 <b>everyone's safety.</b> 11 Q. Are you describing in your mind performing a balancing 12 exercise? 13 <b>A. Yes.</b> 14 Q. Within that balance, you need to weigh the duty of care 15 owed to those charged with looking after and guarding 16 Izzet Eren with what you are describing as perhaps 17 greater consideration of ensuring that, if this 18 conspiracy were allowed to run, there was the prospect 19 of -- I think you have already made reference to this -- 20 taking a firearm or firearms off the street, arresting 21 conspirators and preventing this escape attempt taking 22 place at a time when nobody was prepared for it? 23 <b>A. Correct.</b> 24 Q. Returning to the note, please: 25 "Monitor any future intelligence re (1) evidence and</p> <p style="text-align: center;">Page 43</p>	<p>1 intelligence gathering opportunities." 2 I think is that another "Re armed support"? 3 <b>A. "Via":</b> 4 <b>"Potentially via armed support, surveillance or</b> 5 <b>OPs."</b> 6 Q. What does that relate to, please? 7 <b>A. That relates to the intelligence for the breakout, to</b> 8 <b>see if we can gather any further intelligence or develop</b> 9 <b>any further intelligence or evidence on that matter.</b> 10 Q. Had you given some thought at the time that this note 11 was made to how that might be actioned? 12 <b>A. Obvious potential opportunities could be surveillance,</b> 13 <b>observations and, depending on identifying the vehicle,</b> 14 <b>there may be technical opportunities to try and gather</b> 15 <b>evidence/intelligence through that.</b> 16 Q. Number 2: 17 "Recover, seize any firearm or weapons." 18 Is that a reference to the opportunity to do that 19 during the course of the operation? 20 <b>A. Yes, that's right.</b> 21 Q. "Stolen/LOS vehicles." 22 Is that a reference to the fact that in your view it 23 was likely that the attempt would include the use of 24 a lost or stolen vehicle? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 44</p>

<p>1 Q. Was that something that you had determined through your 2 experience of the way in which these gangs or organised 3 crime groups work? 4 <b>A. Yes.</b> 5 Q. Finally, "check next date for court appearance". 6 <b>A. Yes.</b> 7 Q. We can see that that was done. 8 <b>A. Yes, that is why later on that entry is completed later, 9 when I had confirmed the date.</b> 10 Q. Prison to be notified by MPS Prison Intelligence Unit 11 and then reference to "Serco", who are Serco? 12 <b>A. Serco are a company that provide custodial support to 13 the prison service and other agencies.</b> 14 Q. Why does their name appear in your note? 15 <b>A. Just for consideration by the -- as a group of people 16 that might be involved or connected to the prison break. 17 That is I think why I have written that down there. We 18 were not going to be going directly to Serco. The 19 intelligence would have been passed to the prison intel 20 unit for them to deal with.</b> 21 Q. It was your expectation that the prison intel unit, 22 armed with the information that you were going to action 23 and to receive about this intelligence of the breakout 24 attempt, would themselves make contact with Serco in 25 order to bring them into the picture?</p> <p style="text-align: center;">Page 45</p>	<p>1 <b>A. Potentially. Potentially. I don't know why I have 2 written "Serco" down there, it might be just it was 3 a consideration at that time.</b> 4 Q. Then the following line, "Sparks inform DI 5 Steve Mayes ..." then there's a reference to Dan Wright, 6 who is he? 7 <b>A. I don't know, I can't remember.</b> 8 Q. Perhaps somebody else at the prison intel unit? 9 <b>A. I would suspect that is the case.</b> 10 Q. "Form of words passed to him." 11 What form of words were you referring to in that 12 part of the note? 13 <b>A. Just a succinct summary of the intel that DC Sparks had 14 provided to me.</b> 15 Q. Had he provided you with a form of words or -- sorry, 16 I interrupted you. 17 <b>A. No, I interrupted you, sorry.</b> 18 Q. Or had he provided you with a picture of the 19 intelligence of which he was aware? 20 <b>A. He had given me a verbal picture of the intelligence. 21 Not a hard copy or an electronic copy.</b> 22 Q. We are going to turn in a moment to deal with CRIMINT 23 reports and I am going to ask you to help us in relation 24 to forms of words that are broken out in relation to 25 intelligence:</p> <p style="text-align: center;">Page 46</p>
<p>1 "He will liaise with security governor 2 Pete Nicholls." 3 That is a reference to your actioning Mr Mayes to do 4 that. 5 Sorry, what do the final two lines of that page 6 read? 7 <b>A. "He is experienced of sensitive intel issues. Mercury 8 system, prison intel unit and corruption lead."</b> 9 Q. On to the following page, please, under what is a type 10 of heading "Izzet Eren, 11 December next court 11 appearance", because the first reference that we see on 12 that page doesn't relate in fact to Operation Ankaa, 13 does it? 14 <b>A. It doesn't, no.</b> 15 Q. We can see there that by the time this note is made, you 16 have discovered the date of the sentencing hearing? 17 <b>A. Yes.</b> 18 Q. You are also noting, "Confirm Ozcan Eren's home address 19 and lost or stolen vehicles, identify U/K associates"? 20 <b>A. Yes.</b> 21 Q. Then three names. 22 Were those names Cheeko, Honor and Nero names that 23 were provided to you by Mr Sparks? 24 <b>A. I can't remember.</b> 25 Q. If they were not provided by him, from whom or where</p> <p style="text-align: center;">Page 47</p>	<p>1 would you have obtained that information? 2 <b>A. I honestly cannot remember.</b> 3 Q. When this note was made did you make any attempt to 4 identify who those three people were? 5 <b>A. They may have been -- that might have been tasked by 6 DC Sparks and researched, but I didn't task the research 7 of that. I can't recall where I got that from or the 8 relevance of it.</b> 9 Q. Then, "HMP van, prison staff", what does that relate to? 10 <b>A. That is my consideration of the van and the prison staff 11 in relation to this.</b> 12 Q. "HMP governor, meeting, assess support"? 13 <b>A. "Access support".</b> 14 Q. Access support. 15 <b>A. So that relates to me seeking a meeting with the prison 16 governor to discuss this intelligence, getting 17 potentially access to the prison and the information of 18 the prisoners and the van, et cetera, that day, and 19 seeking their support to assist us with this proposed 20 potential operation.</b> 21 Q. Then what does the following line relate to, is that 22 surveillance -- 23 <b>A. "Surv control, prison on van that day."</b> 24 Q. What does that mean, please? 25 <b>A. That is a consideration, at each prison there are</b></p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 a number of prison vans leave every day to go to courts 2 across London and everywhere else.</p> <p>3 Q. Yes.</p> <p>4 <b>A. As we may speak about earlier on, there is a system in 5 place for allocating prisoners in specific vans and 6 prisoners and the number of prisoners going to various 7 locations. A vital thing in this case was that we 8 needed to know which van the prisoners were put in. 9 So this is me recording this. So we need 10 surveillance control on, in the prison to identify the 11 van that those prisoners are in that day, that was the 12 key point, that is what that relates to.</b></p> <p>13 Q. By the time you are making this note, and bearing in 14 mind that this relates to the need for you to identify 15 the van that would be taking Izzet Eren to court on 16 11 December, do you agree that, within your mind at 17 least, you had settled on allowing the conspiracy to 18 continue, at least to the point at which Izzet Eren left 19 the prison?</p> <p>20 <b>A. It was an option that we were planning towards but it 21 was not the final decision, because there was a number 22 of planning phases we would have to get through, 23 authorities we would have to get --</b></p> <p>24 Q. I understand that, Mr Murray, which is why my question 25 was phrased in the way that it was. In your mind, your</p> <p style="text-align: center;">Page 49</p>	<p>1 aim was to put in place a system, involving an armed 2 deployment, which involved Izzet Eren, at the very 3 least, leaving the prison in a prison van that was 4 identified and allowing the conspiracy to continue to 5 that extent?</p> <p>6 <b>A. Yes, potentially, yes.</b></p> <p>7 Q. You say "potentially".</p> <p>8 <b>A. Subject to getting approval --</b></p> <p>9 Q. Subject to it being approved in the way which we are 10 going to look at throughout the course of your evidence, 11 that was your aim?</p> <p>12 <b>A. It was a consideration at that stage, it was planned 13 consideration, there may have been other intelligence 14 that would have stopped that, for example, or changed, 15 like if we had identified who the subjects were or where 16 the guns were stored, that may not have resulted in that 17 but this was a strong potential way of dealing with the 18 short-term/long-term risk here and it was a plan that 19 I was looking to support. So yes, I was planning 20 towards that but whether it reached that stage is 21 another matter.</b></p> <p>22 Q. Because that would be out of your hands?</p> <p>23 <b>A. Correct.</b></p> <p>24 Q. We are getting towards the end of this note, now, and we 25 can see that the next line includes the following, "TSU,</p> <p style="text-align: center;">Page 50</p>
<p>1 mission car, prison van, Sparks".</p> <p>2 Can you explain that entry, please?</p> <p>3 <b>A. Yes, it has "meeting" ... so that was in relation to 4 seeking a meeting with the TSU in relation to the 5 mission car, which we had subsequently identified and 6 also considerations in relation to anything we could do 7 in relation to the prison van, any technical evidence, 8 intelligence gathering opportunities there.</b></p> <p>9 Q. All right. What you had in mind, I am going to suggest, 10 is that it would be possible -- again, subject to 11 approval -- for there to be a deployment to insert 12 a probe, an audio probe or something of that nature, 13 into the mission car and there would also be 14 an opportunity to do the same in relation to the prison 15 van, if that van had been identified in terms of the one 16 that was going to be taking Izzet Eren to court?</p> <p>17 <b>A. Yes, it was a consideration at that stage, yes, 18 potentially.</b></p> <p>19 Q. In fact, as we know, although there was a successful 20 deployment of a probe into the mission car, for whatever 21 reason there was not a probe used in relation to the 22 prison van?</p> <p>23 <b>A. That's correct.</b></p> <p>24 Q. Then "SFC/TFC", and you have been good enough to help 25 with the names there, is that Rob, Turner and Williams?</p> <p style="text-align: center;">Page 51</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. Is that "Rob" a reference to you?</p> <p>3 <b>A. It is, I am tasking myself, yes.</b></p> <p>4 Q. Tasking yourself, not as the TFC or the SFC but as the 5 SIO of the operation?</p> <p>6 <b>A. Correct.</b></p> <p>7 Q. Does that indicate that you appreciated the need for 8 your role as SIO to work very closely with whoever was 9 identified as being suitable to carry out the roles of 10 the TFC and the SFC?</p> <p>11 <b>A. Yes, I mean I had to identify for a firearms operation 12 you need a TFC and an SFC.</b></p> <p>13 Q. Yes.</p> <p>14 <b>A. So I went to DCI Williams, who is a very experienced 15 tactical firearms commander, who we have used previously 16 and also Superintendent Turner, who is a very 17 experienced SFC.</b></p> <p>18 Q. Although you were intending not to fulfil the role of 19 any firearms commander, you appreciated that, as SIO of 20 the operation, you would necessarily need to be involved 21 in -- carefully involved in the planning and in the 22 carrying out of the operation on the day?</p> <p>23 <b>A. Yes, I would have sought to do that, yes, because my 24 interest of -- the key objectives were preventing and 25 also gathering evidence of the conspiracy and the</b></p> <p style="text-align: center;">Page 52</p>

<p>1 <b>removal and recovering firearms, yes, and potential</b></p> <p>2 <b>prosecution of these offenders.</b></p> <p>3 Q. As we have established, the identification here by this</p> <p>4 note on 30 October came to fruition, because</p> <p>5 DCI Williams did fulfil the role of tactical firearms</p> <p>6 commander and Detective Superintendent Turner did fulfil</p> <p>7 the role of strategic firearms commander?</p> <p>8 <b>A. That's correct.</b></p> <p>9 Q. And we can then see "SCO19 TACAD", what does that relate</p> <p>10 to?</p> <p>11 <b>A. That is the tactical adviser, from the armed unit.</b></p> <p>12 Q. We see a name there, "Rob", is that another reference to</p> <p>13 you?</p> <p>14 <b>A. That's correct, that is me.</b></p> <p>15 Q. Why does your name appear alongside that?</p> <p>16 <b>A. Because I was going to contact the TAC advise team to</b></p> <p>17 <b>speak to someone there.</b></p> <p>18 Q. PAS forms, what are those?</p> <p>19 <b>A. They are -- they relate to prison forms and requests for</b></p> <p>20 <b>information from the prison. I can't recall what "PAS"</b></p> <p>21 <b>stands for -- I would have done five years ago, but</b></p> <p>22 <b>I can't remember what they stand for but it is</b></p> <p>23 <b>applications to the prison for information.</b></p> <p>24 Q. For information, all right. This was you considering</p> <p>25 that it might be appropriate to make those applications</p> <p style="text-align: center;">Page 53</p>	<p>1 in relation to -- I think that should be a reference to</p> <p>2 Izzet Eren?</p> <p>3 <b>A. It is, yes.</b></p> <p>4 Q. And Erwin Amoyaw-Gyamfi?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. We can see "Adam" in brackets, what is he doing there?</p> <p>7 <b>A. That is DC Seton, I have tasked him with that task.</b></p> <p>8 Q. Is that an indication that you are going to task him or</p> <p>9 that you have tasked him?</p> <p>10 <b>A. Probably I have tasked him, because I have ticked the</b></p> <p>11 <b>side of it.</b></p> <p>12 Q. Right. The name appears in brackets, is it possible</p> <p>13 that you have put his name down there when you make the</p> <p>14 note and then later ticked it when you have tasked him</p> <p>15 or actioned him to perform that role?</p> <p>16 <b>A. I can't remember.</b></p> <p>17 Q. All right:</p> <p>18 "Tuesday, 1pm afternoon, next meeting, arrange</p> <p>19 meeting, Monday 11am, after office meeting."</p> <p>20 I might have been reading that in the wrong order,</p> <p>21 can you explain to us, please, to what that relates --</p> <p>22 THE CHAIRMAN: There is also a reference to 10 November on</p> <p>23 the right-hand side, under "Adam".</p> <p>24 MS BLACKWELL: Thank you, sir.</p> <p>25 <b>A. So that is me considering arranging a meeting with those</b></p> <p style="text-align: center;">Page 54</p>
<p>1 <b>people there -- Detective Superintendent Turner,</b></p> <p>2 <b>Detective Superintendent Gilmour, DCI W, which is</b></p> <p>3 <b>DCI Williams, DI RM, which is me, and potentially the</b></p> <p>4 <b>ops team.</b></p> <p>5 Q. And the ops team. Detective Superintendent Gilmour,</p> <p>6 tell us about him, how does his name appear there?</p> <p>7 <b>A. Detective Superintendent Gilmour was my detective</b></p> <p>8 <b>superintendent, so that's my line manager. He was -- we</b></p> <p>9 <b>would obviously notify him of the potential operation</b></p> <p>10 <b>and also he was looking to do some shadowing, if</b></p> <p>11 <b>I remember correctly, to become a fully fledged SFC.</b></p> <p>12 Q. Right, and you were intending that those names that you</p> <p>13 have just read out would attend a meeting, a planning</p> <p>14 meeting, I am going to suggest, for the operation?</p> <p>15 <b>A. Yes, that is why I have made a note of that, yes.</b></p> <p>16 Q. Do we know, in fact, that that meeting did take place on</p> <p>17 10 November?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. I think we are going to establish that it did.</p> <p>20 By way of recap, by the time you have finished</p> <p>21 making this note on 30 October: you have intelligence of</p> <p>22 the breakout; you know the date that Izzet Eren is due</p> <p>23 to appear at Wood Green Crown Court for his sentence;</p> <p>24 you have considered the option of placing some sort of</p> <p>25 probe in the mission car; you have identified that, in</p> <p style="text-align: center;">Page 55</p>	<p>1 your mind, the correct aim going forwards would be</p> <p>2 an armed deployment; you have identified that that would</p> <p>3 need a tactical firearms commander, a strategic firearms</p> <p>4 commander and a tactical adviser from the firearms unit;</p> <p>5 you have identified appropriate individuals to perform</p> <p>6 the role of tactical firearms commander and strategic</p> <p>7 firearms commander; and you have in mind that there will</p> <p>8 be a planning meeting with those individuals together</p> <p>9 with Detective Superintendent Gilmour and your</p> <p>10 operations team on 10 November?</p> <p>11 <b>A. Yes. Yes.</b></p> <p>12 <b>There is just one point I would like to just reflect</b></p> <p>13 <b>back to you as I think about this. The secondary note</b></p> <p>14 <b>that we have got on the second page, there is reference</b></p> <p>15 <b>here to "Mission car".</b></p> <p>16 Q. Yes.</p> <p>17 <b>A. We didn't find the mission car until 4 November. So</b></p> <p>18 <b>I am questioning the date in relation to when I have</b></p> <p>19 <b>recorded this, if this was actually done on the 30th at</b></p> <p>20 <b>all.</b></p> <p>21 Q. Right, well we will certainly check. I understood that</p> <p>22 you had accepted that this was part of the same note?</p> <p>23 <b>A. Yes, I thought this was the same note but potentially</b></p> <p>24 <b>I may be mistaken. Certainly the first page is, but</b></p> <p>25 <b>this and the reference to "Mission car", I am not sure</b></p> <p style="text-align: center;">Page 56</p>

<p>1 <b>I would be seeking a meeting with the TSU prior to even</b>  2 <b>having found the stolen car. Because it would have been</b>  3 <b>pointless, we might never do so.</b>  4 Q. We will certainly check that. Of course if we go back  5 to the note on the first page, and the top part, which  6 you have confirmed relates to information that you  7 received from Detective Constable Sparks, we can see  8 there reference to "They will use vehicle and weapons"?  9 <b>A. Yes.</b>  10 Q. So it isn't impossible that you have, with your  11 experience of how these organised crime gangs work,  12 inferred that a mission car will be used?  13 <b>A. Certainly a mission car would be used, but I wouldn't be</b>  14 <b>visiting the TSU to seek and discuss tactics unless we</b>  15 <b>had actually found that car.</b>  16 <b>So that makes me question the date on the bottom of</b>  17 <b>the second page, if we could check that.</b>  18 Q. We will certainly check that.  19 <b>A. I appreciate it, thank you.</b>  20 Q. It is important for us to establish when this note was  21 made.  22 Thank you.  23 THE CHAIRMAN: That apart, as far as your state of knowledge  24 and awareness was concerned, Ms Blackwell's summary is  25 correct?</p> <p style="text-align: center;">Page 57</p>	<p>1 <b>A. Yes.</b>  2 THE CHAIRMAN: Thank you.  3 MS BLACKWELL: Thanks.  4 Please could we put up HMP7, which I hope is  5 an email from DI Mayes to the prison. Thank you  6 Mr Coates.  7 We can see that this email was sent from DI Mayes to  8 certain individuals on the late afternoon of 13 October,  9 in fact 16.35.  10 It is as follows:  11 "Pete ..."  12 It's addressed to Peter Nicholls -- can you confirm  13 that he was the governor of Wormwood Scrubs prison at  14 the time?  15 <b>A. No, he was the --</b>  16 Q. The security governor, I think?  17 <b>A. He was, yes.</b>  18 Q. We will establish his position in good time.  19 "Pete, as discussed, please be mindful that any  20 overt upgrade in security regarding the below intel  21 within the prison may compromise duty of care to our own  22 source, intelligence indicates that IE [relating to  23 Izzet Eren] will escape from custody whilst in transit  24 B25. Suzy Dale. Please place on CRIMINT."  25 It appears that that is an email sent by Detective</p> <p style="text-align: center;">Page 58</p>
<p>1 Inspector Mayes to Mr Nicholls on the day that you  2 received the information and have agreed that you tasked  3 him to inform the prison of the breakout, the breakout  4 plan.  5 Yes?  6 <b>A. Sorry, yes.</b>  7 Q. All right. But it also contains an instruction to  8 Mr Nicholls that he be mindful that any overt upgrade in  9 security regarding Izzet Eren may compromise the duty of  10 care to our own source.  11 What does that relate to, please?  12 <b>A. I have not seen this email, but my interpretation is</b>  13 <b>that he is -- putting it to his attention that there is</b>  14 <b>a confidential source involved.</b>  15 Q. We have established in relation to the note we have just  16 looked at that one of the concerns that you had was the  17 opportunity for the prison to increase Izzet Eren's  18 security category to category A?  19 <b>A. Yes.</b>  20 Q. However, this email appears to be indicating that any  21 overt upgrade in his security may compromise a duty of  22 care to others. If you are not able to comment on it --  23 I appreciate it isn't your email -- please say so. The  24 reason that I am asking you about it is it appears that  25 Mr Mayes has sent this following your indication and</p> <p style="text-align: center;">Page 59</p>	<p>1 instruction to him to contact the prison.  2 <b>A. Yes.</b>  3 Q. Right.  4 Is it the case, Mr Murray, that, having seen it for  5 the first time now, you are unsure as to the meaning of  6 that first sentence?  7 <b>A. Yes.</b>  8 Q. Right.  9 Then I will not seek to ask you any more about it,  10 but we will return to the issue of categorisation when  11 we look at the meetings that you had with  12 Governor Nicholls yourself.  13 THE CHAIRMAN: Can you tell me the page, please of that  14 document?  15 MS BLACKWELL: I am so sorry, sir, yes. I can in a moment,  16 if you will allow me.  17 THE CHAIRMAN: All right, no hurry.  18 MS BLACKWELL: Thank you.  19 Before we reach 10 November and the date of the  20 meeting that we know had been set up, I would like to  21 take you to a note that appears in your daybook from  22 1 November, so it is a day or two later than the one we  23 have just looked at and could we put up, please --  24 I don't know whether in fact in the copy which you have,  25 Mr Coates, it follows on, MPS3712, at page 5.</p> <p style="text-align: center;">Page 60</p>

<p>1 THE CHAIRMAN: Yes.</p> <p>2 MS BLACKWELL: Is that 1 November or 11 November?</p> <p>3 THE CHAIRMAN: It looks like the 11th.</p> <p>4 MS BLACKWELL: I do apologise.</p> <p>5 THE CHAIRMAN: In fact it looks more like the 31st, but it</p> <p>6 couldn't have been, because there is not a 31 November.</p> <p>7 MS BLACKWELL: Well spotted, sir.</p> <p>8 I apologise for not having the page to hand.</p> <p>9 THE CHAIRMAN: I have it. If you --</p> <p>10 MS BLACKWELL: You have it?</p> <p>11 THE CHAIRMAN: I have it, yes.</p> <p>12 MS BLACKWELL: Please would you share it, sir?</p> <p>13 THE CHAIRMAN: Yes it is MPS0003712/005.</p> <p>14 MS BLACKWELL: Could you repeat that, please?</p> <p>15 THE CHAIRMAN: MPS0003712.</p> <p>16 MS BLACKWELL: That is the page that is up.</p> <p>17 THE CHAIRMAN: Yes, but it has no red page, because it is</p> <p>18 before the red paging begins.</p> <p>19 MS BLACKWELL: Then it will appear in the bundle behind</p> <p>20 divider 10.</p> <p>21 THE CHAIRMAN: It is behind divider 10.</p> <p>22 MS BLACKWELL: Thank you, at page 5.</p> <p>23 THE CHAIRMAN: It is immediately after the half page, which</p> <p>24 I have actually now placed on its side rather than</p> <p>25 vertically.</p> <p style="text-align: center;">Page 61</p>	<p>1 MS BLACKWELL: All right, thank you.</p> <p>2 Are you able to assist us, Mr Murray with the date</p> <p>3 of this note, on one view there is a number and then</p> <p>4 a divider -- but then on another view, there might be</p> <p>5 two numbers and a divide.</p> <p>6 <b>A. From the sheet here, it is 11/11/15.</b></p> <p>7 Q. That is the 11th?</p> <p>8 <b>A. Yes, it is my writing. I am fairly sure --</b></p> <p>9 Q. Ms McNeill has come to the rescue, sir, could we display</p> <p>10 MPS4490, please, and it is red page 29.</p> <p>11 THE CHAIRMAN: Thank you.</p> <p>12 MS BLACKWELL: I should perhaps explain, sir, in order to</p> <p>13 attempt to excuse my apparent incompetence that these</p> <p>14 notes have come to us in three separate bundles and they</p> <p>15 haven't been uploaded in a chronological state, so I do</p> <p>16 apologise for appearing to be inept.</p> <p>17 THE CHAIRMAN: Don't worry about that.</p> <p>18 MS BLACKWELL: It should be red page 29, sir.</p> <p>19 THE CHAIRMAN: That is not the same document as the one we</p> <p>20 were just looking at.</p> <p>21 MS BLACKWELL: No, it isn't, because the one that we were</p> <p>22 just looking at was 11 November.</p> <p>23 THE CHAIRMAN: Correct, so in other words we are now going</p> <p>24 to red page 29 in order to deal with this</p> <p>25 chronologically?</p> <p style="text-align: center;">Page 62</p>
<p>1 MS BLACKWELL: We are.</p> <p>2 THE CHAIRMAN: Red pages 29, 30 and 31 all precede the page</p> <p>3 that we were just looking at.</p> <p>4 MS BLACKWELL: Yes, they do.</p> <p>5 THE CHAIRMAN: Very good.</p> <p>6 MS BLACKWELL: Thank you. Do you have the page in front of</p> <p>7 you?</p> <p>8 <b>A. I have it just put on the screen.</b></p> <p>9 Q. You have it on the screen. If you have any difficulty</p> <p>10 in following it, we will attempt to provide you with</p> <p>11 a hard copy.</p> <p>12 <b>A. Thank you.</b></p> <p>13 Q. Let's see how we go.</p> <p>14 We can see this note is headed "Utara firearm info".</p> <p>15 Then it appears to relate to a potential firearm trade</p> <p>16 today, and then there are four names that we are</p> <p>17 beginning now to recognise in this inquiry: Ali Uruglu,</p> <p>18 Erdal Toyam, Mehmet Topkaya and Murat -- unknown Murat.</p> <p>19 Does this note relate in any way to Operation Ankaa?</p> <p>20 <b>A. Not that I believe so, no.</b></p> <p>21 Q. Following on, we can see on the remainder of this page,</p> <p>22 there are further references to individuals that we know</p> <p>23 were involved in Operation Ankaa, including towards the</p> <p>24 middle of the page, a note that says, "1.55pm, update,</p> <p>25 meeting shortly, trade may be ..."</p> <p style="text-align: center;">Page 63</p>	<p>1 <b>A. "... trade may be going ahead today."</b></p> <p>2 Q. "... going ahead today."</p> <p>3 Then we see, "SFC, DSU Turner, TFC ..."</p> <p>4 <b>A. Jerry Troon.</b></p> <p>5 Q. "SIO Rob Murray, and intel DC Andy Sparks."</p> <p>6 Is this a note relating to Operation Utara or Ankaa</p> <p>7 or something else?</p> <p>8 <b>A. Utara.</b></p> <p>9 Q. How are you able to identify that?</p> <p>10 <b>A. Because that was never brought to my attention, it was</b></p> <p>11 <b>linked to Ankaa. It is different subjects and</b></p> <p>12 <b>a different day.</b></p> <p>13 Q. To be fair, the tactical firearms commander is not</p> <p>14 DCI Williams?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Does that give you an indication that it is not relating</p> <p>17 to Ankaa?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Right?</p> <p>20 <b>A. Plus it also says "firearms trade", so this would have</b></p> <p>21 <b>involved a sale of a firearm between criminals.</b></p> <p>22 Q. Thank you.</p> <p>23 The --</p> <p>24 THE CHAIRMAN: Yes.</p> <p>25 MS BLACKWELL: Thank you, sir.</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



<p>1 The next entry, I think that does relate to</p> <p>2 Operation Ankaa is on 4 November. On this date --</p> <p>3 THE CHAIRMAN: Can I have a page, please?</p> <p>4 MS BLACKWELL: We don't need to go to the note, sir, because</p> <p>5 I am simply going to ask Mr Murray to confirm that on</p> <p>6 that date, do you recollect completing PAS forms, that</p> <p>7 you have already described, for both Izzet Eren and also</p> <p>8 Erwin Amoyaw-Gyamfi?</p> <p>9 <b>A. I can't remember that.</b></p> <p>10 Q. Do you remember completing the forms but not the date or</p> <p>11 do you not remember completing the forms?</p> <p>12 <b>A. I think I remember completing the forms. I can't</b></p> <p>13 <b>remember the date. But I must have done, I am sure</b></p> <p>14 <b>I would have supported the forms prior to them being</b></p> <p>15 <b>submitted.</b></p> <p>16 Q. We are just going to look at one of those.</p> <p>17 THE CHAIRMAN: PAS?</p> <p>18 MS BLACKWELL: For your reference, sir, it is red page 59.</p> <p>19 THE CHAIRMAN: Thank you.</p> <p>20 MS BLACKWELL: Could we put up, please, on the screen,</p> <p>21 HMP16. We can see this is a PAS form relating to</p> <p>22 prisoner Izzet Eren, we can see the requesting officer's</p> <p>23 details at the bottom of that page and the date that it</p> <p>24 was submitted. If we go on to page 5 of the document,</p> <p>25 please, Mr Coates, we can see that at the bottom the</p> <p style="text-align: center;">Page 65</p>	<p>1 authorising officer is you on that date.</p> <p>2 <b>A. Yes, 4 November, yes.</b></p> <p>3 Q. Thank you.</p> <p>4 THE CHAIRMAN: "PAS" stands for what? I mean I know it is</p> <p>5 a PAS1 form, but does it stand for anything "PAS"?</p> <p>6 <b>A. It does but I am sorry, your Honour, I can't remember --</b></p> <p>7 THE CHAIRMAN: If you don't know, I can't be expected to</p> <p>8 know.</p> <p>9 MS BLACKWELL: We will obtain that information for you, sir.</p> <p>10 THE CHAIRMAN: Thank you.</p> <p>11 MS BLACKWELL: This was you in your role as senior</p> <p>12 investigating officer progressing the operation and</p> <p>13 applying for the prison to provide you with certain</p> <p>14 information relating to the individual named?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Thank you.</p> <p>17 On 6 November, we -- I am going to ask you to</p> <p>18 confirm that you received a form of words broken out on</p> <p>19 a CRIMINT report relating to the access by the gang to</p> <p>20 a vehicle in the Bounds Green area of London.</p> <p>21 I don't expect you to remember that date. What I am</p> <p>22 going to do is to take you to the two occasions when</p> <p>23 information about this plan was broken out in the way in</p> <p>24 which I have described, and I am going to, please,</p> <p>25 invite you, Mr Murray, to help me explain to the inquiry</p> <p style="text-align: center;">Page 66</p>
<p>1 what that means and what a CRIMINT report is, all right,</p> <p>2 so could we put up on to the screen, please, MPS368.</p> <p>3 Sir, this is in your red bundle at page 654.</p> <p>4 THE CHAIRMAN: Thank you.</p> <p>5 Yes.</p> <p>6 MS BLACKWELL: I wonder, please, Mr Coates, could we put</p> <p>7 this page and the next page up side by side, please.</p> <p>8 Whilst Mr Coates is arranging the order of the</p> <p>9 documents, could I inform you, please, sir, that "PAS"</p> <p>10 stands for "Police advisers section". I am gratefully</p> <p>11 assisted by Mr Moss.</p> <p>12 THE CHAIRMAN: Thank you.</p> <p>13 MS BLACKWELL: Can you confirm that this is a document</p> <p>14 commonly known as a CRIMINT report?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Can you explain to the inquiry what it is and how it is</p> <p>17 compiled?</p> <p>18 <b>A. CRIMINT is a system in the Met Police where -- it's</b></p> <p>19 <b>the database where is held intelligence on a variety of</b></p> <p>20 <b>things. CRIMINTs are created by individuals, the system</b></p> <p>21 <b>can be searched upon and people have got varying degrees</b></p> <p>22 <b>of access, people can manage it but most people have got</b></p> <p>23 <b>standard access, and they can create CRIMINT reports and</b></p> <p>24 <b>then search for them subsequently, using the search</b></p> <p>25 <b>tools that are on there.</b></p> <p style="text-align: center;">Page 67</p>	<p>1 Q. The purpose of this document, we can see, can we not, on</p> <p>2 the second sheet, under the box headed "Information",</p> <p>3 which is that intelligence indicates that Izzet Eren</p> <p>4 will escape from custody whilst in transit?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. This is what is commonly known as a form of words?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Which is sanitised so that information which is received</p> <p>9 by the police, by way of intelligence, is capable of</p> <p>10 being used in the wider criminal justice sense by police</p> <p>11 officers and courts and the like, without disclosing the</p> <p>12 source of the intelligence, in other words it is</p> <p>13 protecting the source of the intelligence by including</p> <p>14 only the bare minimum of information?</p> <p>15 <b>A. Yes, that is well put, yes.</b></p> <p>16 Q. Thank you.</p> <p>17 We can see if we look on the first sheet that there</p> <p>18 is a box headed "Evaluation". In that box is the letter</p> <p>19 B and two numbers, 2 and 5?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. What do those denote?</p> <p>22 <b>A. They are in relation to the source -- let me try and</b></p> <p>23 <b>remember ... the source and also the -- so the grading</b></p> <p>24 <b>of the source, the grading of the intelligence, and</b></p> <p>25 <b>I think to do with dissemination, I think.</b></p> <p style="text-align: center;">Page 68</p>

<p>1 Q. The handling of the material is the final number, isn't 2 it?</p> <p>3 <b>A. That's correct.</b></p> <p>4 Q. And so when this intelligence is received, it is 5 evaluated so that anyone looking at this information 6 report is able to establish the quality of the 7 intelligence that has been received?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. And also what is appropriate by way of further 10 dissemination?</p> <p>11 <b>A. That's right, yes.</b></p> <p>12 Q. This may seem like an obvious question, Mr Murray, but 13 why is it that, in relation to this piece of 14 intelligence, only the sentence that we read there is 15 capable of being captured and broken out in this way? 16 Why is there not more here?</p> <p>17 <b>A. Because that is what he has put, because that is the 18 limited information he could share.</b></p> <p>19 Q. Right. It isn't a question, is it, of somebody deciding 20 only to provide part of the story?</p> <p>21 <b>A. No. No.</b></p> <p>22 Q. There is a deliberateness and a purpose behind the 23 information being as scant as it appears here?</p> <p>24 <b>A. Absolutely, yes.</b></p> <p>25 Q. Do you know when you received this report, we can see</p> <p style="text-align: center;">Page 69</p>	<p>1 that it is dated 30 October, that is the date that it 2 was created. Are you able to remember when you first 3 became aware of it?</p> <p>4 <b>A. No, I can't remember, no.</b></p> <p>5 Q. Right. Was it before or at the same time or after the 6 conversation that you had had with Detective Sergeant --</p> <p>7 <b>A. DC Sparks.</b></p> <p>8 Q. DC Sparks?</p> <p>9 <b>A. I am sure it would have been after, as I tasked him to 10 create and inform the PIU, so it would have been created 11 after our conversation, I would suspect.</b></p> <p>12 Q. Thank you, could we take that down, please, and replace 13 it with -- in fact I don't need to put this on the 14 screen, but I am going to invite you, sir, to make 15 a note of red page 657, because in a similar way, on 16 6 November, a second form of words was broken out, and 17 this is the one that I have already referred you to, 18 relating to the vehicle, which said: 19 "Intelligence indicates that Ozcan Eren has access 20 to a vehicle parked in a car park in Eastern Road, Wood 21 Green." 22 Do you know when you became aware of that CRIMINT 23 report created on 6 November?</p> <p>24 <b>A. I can't remember, but I can assist by saying I was 25 pretty sure that I was aware the vehicle was found on</b></p> <p style="text-align: center;">Page 70</p>
<p>1 <b>the 4th. I would have been notified on that, but as far 2 as the CRIMINT concerned, I can't assist --</b></p> <p>3 THE CHAIRMAN: So you knew about the vehicle having been 4 found before --</p> <p>5 <b>A. I was informed.</b></p> <p>6 THE CHAIRMAN: -- the CRIMINT.</p> <p>7 <b>A. Yes, I am sure, your Honour, it was the 4 November it 8 was found.</b></p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 MS BLACKWELL: We are going to look at the note of your 11 planning meeting on 10 November. Can I invite you, 12 please, to try and find that in there?</p> <p>13 <b>A. Certainly.</b></p> <p>14 Q. I am going to see whether there is a note and 15 a reference to give to you, sir?</p> <p>16 THE CHAIRMAN: I think I have it.</p> <p>17 MS BLACKWELL: Do you remember if you made a note at the 18 planning meeting on 10 November?</p> <p>19 <b>A. I can't recall at this immediate minute.</b></p> <p>20 Q. No. I don't think we could find a note for that date. 21 Yes, you provided some details of this meeting in 22 the first witness statement that you gave, which is 23 dated 22 March 2016. Do you have that with you?</p> <p>24 <b>A. Yes, I do.</b></p> <p>25 Q. Right. Now, that was a witness statement provided by</p> <p style="text-align: center;">Page 71</p>	<p>1 you as a result of a request made by the IPCC?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. We can see that -- on the second page, just below the 4 midline -- there is reference to the meeting on 5 10 November.</p> <p>6 We know from your note on 30 October that the 7 purpose of this meeting was a planning meeting. Can you 8 confirm that that is indeed what took place?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Are you able to confirm who was present at that meeting, 11 please, Mr Murray?</p> <p>12 <b>A. Yes. It was Detective Superintendent Turner, 13 DCI Williams, S48, who is the tactical adviser, and 14 I believe Detective Superintendent Gilmour was present 15 at that meeting.</b></p> <p>16 Q. You have explained that he was not a fully fledged 17 strategic firearms commander, but was somebody who was 18 shadowing in that role?</p> <p>19 <b>A. That's correct.</b></p> <p>20 Q. We may be able to establish, Mr Murray, that in fact 21 Mr Gilmour didn't start his shadowing role until 22 7 December. Which would mean that at this planning 23 meeting on 10 November, he was yet to become a shadow 24 SFC. 25 If that is right, what was his role during the</p> <p style="text-align: center;">Page 72</p>

<p>1 course of this meeting, if he hadn't started his period 2 of shadowing? 3 <b>A. I can't assist with that. My memory was that I believed</b> 4 <b>he was there. Maybe I am mistaken.</b> 5 Q. Was he part of your line management structure -- 6 <b>A. He was, yes.</b> 7 Q. -- within the organisation? 8 <b>A. Yes.</b> 9 Q. Did DCI Williams sit in between you in terms of line 10 management? 11 <b>A. That's correct, yes.</b> 12 Q. So Mr Williams was your line manager, and Mr Gilmour was 13 his line manager? 14 <b>A. That's correct, yes.</b> 15 Q. Could it have been in that capacity that he was present 16 at this meeting, if indeed he was? 17 <b>A. I can't recall.</b> 18 Q. All right. 19 THE CHAIRMAN: Presumably, Mr Murray, if you made this 20 statement in March 2016, which has quite a lot of detail 21 of a meeting which took place on 10 November, there must 22 have been a note? 23 <b>A. I can't remember if there was a note made or not.</b> 24 <b>I have gone through my notes, my handwritten notes, but</b> 25 <b>I can't seem to find a note of the 10th. I think I am</b></p> <p style="text-align: center;">Page 73</p>	<p>1 <b>correct in saying that.</b> 2 MS BLACKWELL: Yes. 3 <b>A. Which surprises me, because I do make notes, as you can</b> 4 <b>see. But I appear not to have done so on this occasion.</b> 5 THE CHAIRMAN: Or the note has gone astray? One of the two? 6 <b>A. Potentially. But I would think it wouldn't have gone</b> 7 <b>astray, because all the documents, my notes were kept</b> 8 <b>together in a bundle, so my guess is that potentially</b> 9 <b>I didn't make a note on this occasion.</b> 10 Q. Certainly from the notes that we have received, the 11 final note on 9 November is a note relating to you 12 organising a Christmas party and then the next note 13 relates to 11 November, which we have had briefly up on 14 the screen and we will return to look at in a moment. 15 THE CHAIRMAN: Yes. 16 MS BLACKWELL: It surprises you, does it, that you didn't 17 make a note of this planning meeting? 18 <b>A. Yes.</b> 19 Q. You would be aware of the necessity for the strategic 20 firearms commander to ensure that a careful note, I am 21 going to say, not just a note but a careful note of 22 a planning meeting such as this was recorded? 23 <b>A. Yes, we do tend to make notes, yes.</b> 24 Q. Then would it surprise you that the only person to have 25 taken a note during the course of this meeting was S48,</p> <p style="text-align: center;">Page 74</p>
<p>1 the tactical adviser? 2 <b>A. Yes.</b> 3 <b>On reflection, if I didn't take a note, I should</b> 4 <b>have taken a note.</b> 5 Q. And your note would have been for your operational 6 purposes -- 7 <b>A. Yes.</b> 8 Q. -- or investigative purposes. Would you also have 9 expected either the tactical firearms commander or the 10 strategic firearms commander, or both, to have taken 11 a note? 12 <b>A. I can't answer for them, it depends on how they operate,</b> 13 <b>really, I mean I do take notes. Some people don't.</b> 14 <b>I can only speak for myself.</b> 15 Q. Thank you. 16 Help us with this then, please, and this may be 17 difficult in the absence of a note, but how long did 18 this meeting last? 19 <b>A. I can't recall, but I would imagine it was certainly not</b> 20 <b>minutes. It would have been an hour or so, I would</b> 21 <b>imagine.</b> 22 Q. We have established that the purpose of the meeting was 23 planning. 24 <b>A. Yes.</b> 25 Q. What was discussed during the course of that lengthy</p> <p style="text-align: center;">Page 75</p>	<p>1 meeting? 2 <b>A. The intelligence. And then the opportunities.</b> 3 <b>Certainly the -- as I have mentioned, the short term</b> 4 <b>balancing against the longer term, so the short term of</b> 5 <b>potentially stopping it, stopping the movement of the</b> 6 <b>prisoners to the court, but the assumption was that that</b> 7 <b>would just delay it. If we lost this opportunity, will</b> 8 <b>we have an opportunity of receiving intelligence in</b> 9 <b>relation to this, this plot, it would just transfer it</b> 10 <b>to another day.</b> 11 Q. Are you sure that during the course of this meeting on 12 10 November there was discussion about options other 13 than an armed deployment? 14 <b>A. I think it was outlaid, yes, but the focus of this main</b> 15 <b>discussion was in relation to the proposed firearms</b> 16 <b>operation.</b> 17 THE CHAIRMAN: In relation to what? 18 <b>A. This potential proposed firearms operation.</b> 19 THE CHAIRMAN: Yes. 20 <b>A. Yes.</b> 21 MS BLACKWELL: If there was discussion about, for instance, 22 the option of using a video-link for the sentencing 23 hearing, that was not dwelt upon because everybody who 24 was there fulfilling the roles that we know they did, 25 was on board for the armed deployment?</p> <p style="text-align: center;">Page 76</p>

<p>1 <b>A. Certainly everyone present was supportive and thought it</b>  2 <b>was a feasible operation and it was viable. But I am</b>  3 <b>sure I would have introduced the background of this.</b>  4 <b>Let me just refer to my statement, if I may.</b>  5 Q. Yes, of course, please do.  6 <b>A. Yes, at the meeting I outlined the background of the</b>  7 <b>operation, the intelligence concerning the breakout and</b>  8 <b>the potential firearms risks, yes.</b>  9 <b>So I would have -- I think I would have outlined</b>  10 <b>some of the options but it looked towards the best</b>  11 <b>option, the option which I supported, was to have</b>  12 <b>a firearms operation to deal with both the long-term and</b>  13 <b>short-term risk.</b>  14 THE CHAIRMAN: I think you probably ought to read that  15 paragraph into the record.  16 <b>A. Certainly.</b>  17 <b>Where would you like me to start?</b>  18 THE CHAIRMAN: If you would start the paragraph beginning,  19 "Given the potential risks ..."  20 Are you content with that, Ms Blackwell?  21 MS BLACKWELL: Thank you very much, sir.  22 <b>A. Given the potential risks faced by officers who could be</b>  23 <b>deployed in this operation, I considered it necessary to</b>  24 <b>consider armed support and approached DCI Williams,</b>  25 <b>an experienced tactical firearms commander, to discuss</b></p> <p style="text-align: center;">Page 77</p>	<p>1 <b>the intelligence and potential opportunities and to seek</b>  2 <b>to formulate the most appropriate tactical option.</b>  3 <b>I arranged a planning meeting with Detective</b>  4 <b>Superintendent Turner, an experienced strategic firearms</b>  5 <b>commander, DCI Williams, the TFC, and S48, who is</b>  6 <b>an experienced tactical adviser. Also present was</b>  7 <b>Detective Superintendent Gilmour, in a shadow strategic</b>  8 <b>firearms commander capacity. This meeting took place on</b>  9 <b>Tuesday, 10 November 2015. At this meeting, I outlined</b>  10 <b>the background of the operation, the intelligence</b>  11 <b>concerning the breakout and the potential firearms risk.</b>  12 <b>It was provisionally agreed that provided the control of</b>  13 <b>the stolen Audi A6 vehicle was maintained and this</b>  14 <b>vehicle and its occupants were never able to approach</b>  15 <b>the prison van, then this provided a unique opportunity</b>  16 <b>to identify and arrest unknown offenders who were</b>  17 <b>willing and capable of committing serious</b>  18 <b>firearm-enabled crime and to recover those firearms and</b>  19 <b>ammunition in criminal circulation."</b>  20 Q. Thank you.  21 THE CHAIRMAN: Thank you.  22 MS BLACKWELL: Are you familiar with the national decision  23 model?  24 <b>A. Yes, I am, but five and a half years ago, but I still</b>  25 <b>have got a slight memory of it.</b></p> <p style="text-align: center;">Page 78</p>
<p>1 Q. I am going to display it on screen, please, it is IPC82  2 at page 9.  3 Does that jog your memory?  4 <b>A. Yes, it does, yes. That is it.</b>  5 Q. In situations requiring the deployment of firearms  6 officers, as this planning meeting was discussing, the  7 importance of assessing a plan according to the national  8 decision model, not once but continuously, is accepted  9 as a very important principle of armed policing, isn't  10 it?  11 <b>A. It is.</b>  12 Q. Right.  13 Was there a point during the course of the meeting  14 on 10 November at which you and the others present  15 reflected upon the national decision model and attempted  16 to incorporate it into your planning?  17 <b>A. I can't remember that. I was there as an SIO, and not</b>  18 <b>with my tactical firearms commander head on, which</b>  19 <b>I would have operated in on some occasions but not in</b>  20 <b>this operation. I was the SIO and focused on the</b>  21 <b>investigation and evidence gathering aspect of it.</b>  22 Q. I appreciate that. You would also confirm, wouldn't  23 you, Mr Murray, that this, as a decision making model,  24 is something that is used throughout the police service?  25 <b>A. It can be used for other matters, yes.</b></p> <p style="text-align: center;">Page 79</p>	<p>1 Q. Although you may not have introduced this yourself, with  2 your SIO hat on, during the course of this meeting, it  3 would have been entirely appropriate for there to have  4 been a discussion about this during the course of this  5 planning meeting?  6 <b>A. It could have been, yes.</b>  7 Q. I am going to give you an opportunity -- thank you, we  8 can take that down, please, Mr Coates -- of responding  9 to a comment that has been made in the report of the  10 inquiry's policing experts, Mr Ian Arundale and  11 Colin Burrows.  12 For your reference, sir, it is paragraph 220.  13 THE CHAIRMAN: Thank you.  14 MS BLACKWELL: "This opportunity, discussed at the planning  15 meeting, to identify and arrest unknown offenders who  16 are willing and capable of committing serious  17 firearm-enabled crime and to discover those firearms and  18 ammunition in criminal circulation, as articulated by  19 SIO Murray, became the raison d'etre of Operation Ankaa,  20 at this meeting."  21 <b>A. It was -- it was the proposed and preferred option for</b>  22 <b>me, but obviously it wasn't agreed and signed off yet.</b>  23 <b>There were potential other opportunities that could have</b>  24 <b>been -- they could have gathered information and</b>  25 <b>evidence, that would have avoided this operation, shall</b></p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 <b>we say not progressing to what it was, by the recovery</b> 2 <b>of firearms and the identification of people.</b> 3 Q. Yes. 4 <b>A. But at this stage, this was the option that I was</b> 5 <b>seeking to seek authority for.</b> 6 Q. Not only that -- I am turning now to paragraph 223, sir. 7 THE CHAIRMAN: Thank you. 8 MS BLACKWELL: It would appear to our policing experts that 9 by the end of the meeting, Detective Superintendent 10 Turner was seriously considering implementing the plan 11 as proposed by you and supported during the meeting by 12 FE16, who is DCI Williams. By the time the meeting 13 ended, do you agree that, with the support of 14 DCI Williams, Detective Superintendent Turner was of the 15 view that this should be implemented? 16 <b>A. He supported it on the proviso that we could deal with</b> 17 <b>the safety measures. But there were other things that</b> 18 <b>needed to be done prior to that, but it was a potential,</b> 19 <b>that we were working towards that option.</b> 20 Q. Right. We are going to turn to the forms that needed to 21 be completed, although I appreciate that that wasn't 22 your role, that was the role of the commanders in 23 relation to the firearms side of things? 24 <b>A. Yes, that's right.</b> 25 Q. Thank you.</p> <p style="text-align: center;">Page 81</p>	<p>1 I am going to turn back now to your notebook and 2 I am going to ask, please, that we display MPS4490 at 3 page 5. In fact, can we go back, please, to 4 11 November. 5 We will deal with 13 November. This is your note of 6 the first of two meetings that you had at HMP Wormwood 7 Scrubs with Pete Nicholls and we can also see the name 8 of Steve Mayes, that is Detective Inspector Mayes, who 9 was present also? 10 <b>A. Yes.</b> 11 THE CHAIRMAN: This is at red 33? 12 MS BLACKWELL: It is at red 33, sir. 13 THE CHAIRMAN: That is fine, so long as I've got the same 14 document. 15 MS BLACKWELL: We can see that the note is split in the 16 middle with a box containing sensitive/irrelevant 17 material that has been redacted. 18 Can you confirm, please, that this note contains the 19 information that was discussed during the course of this 20 meeting? 21 <b>A. Yes.</b> 22 Q. Could you, please, assist us Mr Murray by reading 23 through it? 24 <b>A. So:</b> 25 <b>"Utara 13/11/15. RM [that is me], Pete Nicholls, DI</b></p> <p style="text-align: center;">Page 82</p>
<p>1 <b>Steve Mayes, PIU, HMP Wormwood Scrubs.</b> 2 <b>Background: Izzet Eren, his cell number: A474, prison</b> 3 <b>number: AO647AQ, prison and court records show next</b> 4 <b>appearance is, admin hearing, 11 December, WGCC, cell</b> 5 <b>mate ..."</b> 6 Q. Then there is a name. 7 Then the bullet points, please? 8 <b>A. The bullet points are:</b> 9 <b>"By 6.15am will know what van he is on. List sent</b> 10 <b>to prison."</b> 11 Q. Sorry, I think you may have missed the two bullet points 12 above. 13 <b>A. Sorry, sorry, I am sorry.</b> 14 Q. It is my fault for interrupting you. 15 <b>A. I am sorry.</b> 16 <b>They are:</b> 17 <b>"Ensure correct/fast lift for surv".</b> 18 Q. Yes. 19 <b>A. And:</b> 20 <b>"Support for future ambulance escape."</b> 21 Q. Yes. 22 <b>A. Then, underneath:</b> 23 <b>"by 6.15am will know what van he is on. List sent</b> 24 <b>to prison. On plot by 7.00am. Van base from 7.30</b> 25 <b>leave. All van left by 8am. No video-link for sentence</b></p> <p style="text-align: center;">Page 83</p>	<p>1 <b>or trial. Only admin hearings. Not necessarily the</b> 2 <b>same van on the way back."</b> 3 <b>Then --</b> 4 Q. I think that starred entry may be a reference to where 5 he might be taken. Does it say, "Probably Pentonville"? 6 <b>A. It looks "Probably ..." thank you, yes, "Probably</b> 7 <b>Pentonville ..."</b> 8 <b>And then UIC ...</b> 9 <b>I'm sorry, I can't assist with that.</b> 10 Q. I think that says "Seek ad hoc PAS ... " 11 <b>A. Sorry, I was trying to --</b> 12 THE CHAIRMAN: I think in fact it is "VIL", it's part of 13 "Pentonville". 14 <b>A. "Seek ad hoc PAS listening to check if any linked</b> 15 <b>material to escape. If so, then apply PAS4, et cetera.</b> 16 <b>Prison previously applied for cat A and HMP declined,</b> 17 <b>stays cat B due to firearms. Not made one call in last</b> 18 <b>four week."</b> 19 <b>Could you just reduce the size?</b> 20 <b>Thank you:</b> 21 <b>"I think that is "Prison tel system. Flag external</b> 22 <b>on prison warning system, only if doctor or nurse direct</b> 23 <b>prisoner to leave prison for hospital. X-ray/A&amp;E. Must</b> 24 <b>have three guards to supervise. First visit on</b> 25 <b>21 November pm, new re [set in? or] get in. Second</b></p> <p style="text-align: center;">Page 84</p>

<p>1 visit on 23 November pm, cousin Ozcan Eren and mother 2 and father." 3 Thank you, and I think those two final entries 4 refers to visits which Izzet Eren had had? 5 A. That's correct. 6 Q. We have looked at an email that was sent to 7 Governor Nicholls on 30 October, the same date that you 8 first received the information about the breakout. 9 A. Yes. 10 Q. Here we are two weeks later, at the first meeting 11 between you and Governor Nicholls, why had it taken you 12 two weeks to attend the prison and speak to him in 13 a meeting? 14 A. I can't recall the reason for the delay. I assume we 15 were progressing the operation to try and find out if it 16 was going to be feasible. Obviously there had been 17 a meeting on the 10th, which I would think would have 18 been probably central to the planning of it, and once we 19 had secured the support of a SFC and the TFC and the 20 TACAD, it was a feasible operation that was going to be 21 supported. At that stage I would have arranged 22 a meeting, which I have, with Mr Nicholls, to see if 23 I could secure his support for the assistance of the 24 surveillance at prison and any further information. 25 Q. Was it important to your operation to receive the</p> <p style="text-align: center;">Page 85</p>	<p>1 support from the prison and from in particular 2 Mr Nicholls? 3 A. It was vital. 4 Q. Why was that? 5 A. Because there were a number -- there was a large number 6 of prisoners at the prison. Prisoners go every day to 7 various courts across London, there was no way of 8 knowing which prison van Mr Izzet Eren was going to be 9 on -- 10 Q. Right. 11 A. -- without speaking and consulting with the prison and 12 getting that information. 13 And then there was a system in place which we 14 learned in relation to when the prisoners were allocated 15 each van and which van was going to which prison. 16 Q. Yes. 17 A. Which route they were going to take, were they going to 18 stop at another court before they got to Wood Green 19 Crown Court, there were a number of issues. So it was 20 absolutely vital that we knew which van he was on, and 21 we got the registration and details of it, and one of my 22 staff was going to be inside the prison to get that 23 information straight away and then relay that out to the 24 rest of the team to say, "It is that van there". 25 Q. In order for that piece of the jigsaw to make the</p> <p style="text-align: center;">Page 86</p>
<p>1 operation complete, you would need the support of the 2 prison governor? 3 A. Absolutely. 4 Q. It was important in seeking that support, to ensure that 5 Mr Nicholls was fully sighted in terms of the 6 information which you were capable of giving to him 7 about the planned breakout? 8 A. Yes. 9 Q. If we look, please, at the top part of this note, before 10 the "Sensitive/irrelevant" box, that appears to contain 11 information that was provided to you from Mr Nicholls -- 12 A. Yes. 13 Q. -- because it relates to the identification of Mr Eren's 14 prison number and the cell that he is in, and the 15 cellmate, et cetera? 16 A. Yes. 17 Q. Looking at the bottom part of the note -- could we 18 highlight this, please, Mr Coates -- below the 19 "Sensitive/irrelevant" box, is this part of the note 20 similarly containing information provided from him to 21 you or is it a mixture of the conversation that was 22 taking place between the three of you who were present? 23 A. Reading it, it is predominantly I am writing down 24 information that Mr Nicholls has given me, I mean he is 25 informing me, I recall asking this system about vans and</p> <p style="text-align: center;">Page 87</p>	<p>1 the timing, so the first dot, the first bullet point is 2 all information that he has given to me that I didn't 3 know. He is then confirming there is no video-link for 4 sentence or trial. I didn't know that. 5 Not necessarily the same van on the way to the 6 prison that he would come back in, it could be different 7 vans. 8 I could seek an ad hoc PAS, listening to check if 9 there was any staff and then I could apply by PAS4. He 10 informed me the prison had applied for cat A, which had 11 been declined. He told me that he had not made one 12 call -- 13 THE CHAIRMAN: An application for category A status, had 14 been made because of the nature of the offences for 15 which he was due to be sentenced -- 16 A. Yes. 17 THE CHAIRMAN: -- and nothing else? 18 A. That's right. 19 THE CHAIRMAN: Thank you. 20 MS BLACKWELL: Let's just pause there, please. I want to 21 establish two issues with you, if I can: 22 "No video-link for sentence or trial, only admin 23 hearings". 24 Is it your evidence, Mr Murray, that that 25 information was provided to you by Governor Nicholls?</p> <p style="text-align: center;">Page 88</p>

<p>1 A. Yes.</p> <p>2 Q. Did that surprise you? I think you just said that it</p> <p>3 did.</p> <p>4 A. Yes, I mean it was a consideration right --</p> <p>5 Q. Or you didn't know. Not that it surprised you, but you</p> <p>6 didn't know?</p> <p>7 A. Yes, that the consideration right at the first -- on</p> <p>8 30 October when I got the information from DC Sparks,</p> <p>9 that was an immediate consideration if that is something</p> <p>10 that we could potentially do, he could be sentenced by</p> <p>11 there. When I went and spoke to him and he provided</p> <p>12 that information, there was no video-link for sentence,</p> <p>13 then, I do recall that and that is why I wrote it down.</p> <p>14 Q. Right, and did you pass that on to Detective Chief</p> <p>15 Inspector Williams and Detective Superintendent Turner?</p> <p>16 A. I can't remember.</p> <p>17 Q. Right. If indeed that was information provided to you</p> <p>18 during the course of this meeting, it would have been</p> <p>19 relevant for them to know it, wouldn't it?</p> <p>20 A. Yes.</p> <p>21 Q. Because, as we are going to establish, it was the duty</p> <p>22 of Detective Chief Inspector Williams to prepare what is</p> <p>23 known as the FA2 form?</p> <p>24 A. That's right.</p> <p>25 Q. For firearms authorisation?</p> <p style="text-align: center;">Page 89</p>	<p>1 A. Yes.</p> <p>2 Q. It was the duty of Detective Superintendent Turner to</p> <p>3 complete the FA3 form, which is the provision of the</p> <p>4 authorisation for the firearms?</p> <p>5 A. Yes.</p> <p>6 Q. Yes.</p> <p>7 It would have been important, perhaps, for them to</p> <p>8 understand that, in terms of the option of video-link,</p> <p>9 here were you being told that, in fact, that was not</p> <p>10 an option for a sentencing hearing at this particular</p> <p>11 prison?</p> <p>12 A. Yes.</p> <p>13 THE CHAIRMAN: I mean it is right, isn't it, as SIO, you</p> <p>14 would have inevitably shared that information with them</p> <p>15 as a matter of course?</p> <p>16 A. I would expect so, yes.</p> <p>17 THE CHAIRMAN: Yes.</p> <p>18 MS BLACKWELL: All right.</p> <p>19 A. But I genuinely cannot remember that conversation,</p> <p>20 unless it is in the notes at all, I can't remember that.</p> <p>21 Q. Right, but you appreciate the importance for them to --</p> <p>22 A. The significance of it.</p> <p>23 Q. The significance, thank you?</p> <p>24 A. Yes.</p> <p>25 Q. The second matter that I want to deal with is this.</p> <p style="text-align: center;">Page 90</p>
<p>1 Do you remember, during the course of this</p> <p>2 conversation, instilling in Governor Nicholls the</p> <p>3 importance of keeping the intelligence about the prison</p> <p>4 break confidential?</p> <p>5 A. Yes.</p> <p>6 Q. Why was that?</p> <p>7 A. During the course of inquiries, I have been advised that</p> <p>8 there were corruption issues around Serco and around the</p> <p>9 prison. That was why we went to speak to Mr Nicholls,</p> <p>10 as he was, I believe, the discipline and corruption lead</p> <p>11 for the prison.</p> <p>12 Q. Yes.</p> <p>13 A. Now, one of the concerns I had, whilst we didn't know</p> <p>14 who was involved, we didn't know -- all this sort of</p> <p>15 stuff, another issue was how were they actually going to</p> <p>16 break him out. How were they, the suspects, going to</p> <p>17 know which van he was in? So there was a real</p> <p>18 consideration and fear for me that someone in the prison</p> <p>19 may be involved in this organised gang or might be paid</p> <p>20 by them, et cetera, to provide that information and that</p> <p>21 may be the link.</p> <p>22 So I asked him to keep it confidential, both as --</p> <p>23 as a confidential source and also to prevent any</p> <p>24 intentional or inadvertent compromise of the operation.</p> <p>25 Q. Did you realise that in keeping that information</p> <p style="text-align: center;">Page 91</p>	<p>1 confidential the prospect of Izzet Eren's categorisation</p> <p>2 being raised to cat A was minimal, if not non-existent?</p> <p>3 A. When I first met him, I had met him two weeks after the</p> <p>4 information being sent. This was the first time I had</p> <p>5 met him.</p> <p>6 THE CHAIRMAN: Met whom?</p> <p>7 A. Mr Nicholls.</p> <p>8 THE CHAIRMAN: Yes.</p> <p>9 A. On the 30th, he had been sent the information in</p> <p>10 relation to the CRIMINT on the Mercury system. So what</p> <p>11 he had chosen to do initially, obviously, it was not</p> <p>12 under my control, I had not influenced him in any way in</p> <p>13 relation to it, not me personally, as this plan had</p> <p>14 progressed and obviously the support on the 10th, at</p> <p>15 this meeting on the 13th, when this was a viable option</p> <p>16 to deal with this risk, at that stage, I personally met</p> <p>17 him and was seeking him to keep this confidential.</p> <p>18 THE CHAIRMAN: Sorry, I think you were going to tell us what</p> <p>19 he had chosen to do after the 30th.</p> <p>20 A. I didn't know what he had chosen -- what he had done</p> <p>21 after the 30th.</p> <p>22 THE CHAIRMAN: Thank you.</p> <p>23 MS BLACKWELL: You were not aware on 30 October that there</p> <p>24 had been an application for his categorisation to be</p> <p>25 raised to cat A, and you were being told that here,</p> <p style="text-align: center;">Page 92</p>

<p>1 weren't you?</p> <p>2 <b>A. I am not sure -- I think I have written ... have</b></p> <p>3 <b>I written down somewhere else in notes that -- somewhere</b></p> <p>4 <b>I think I have read that he had, the application had</b></p> <p>5 <b>been turned down. Was it a few days later, after the</b></p> <p>6 <b>30th?</b></p> <p>7 Q. You had the opportunity during the course of this</p> <p>8 meeting to give Governor Nicholls your consent to share</p> <p>9 the information about the escape plan as widely as it</p> <p>10 needed to be shared in order to ensure that the</p> <p>11 categorisation of Izzet Eren was raised to cat A, didn't</p> <p>12 you?</p> <p>13 <b>A. I am sorry, could you repeat that?</b></p> <p>14 Q. You had the option to say to him --</p> <p>15 <b>A. I had the option, yes, I could have said --</b></p> <p>16 Q. "I will allow this information to be shared to the</p> <p>17 extent that it needs to be in order to raise his</p> <p>18 categorisation"?</p> <p>19 <b>A. I could have said that.</b></p> <p>20 Q. Right. You have explained the reason why you didn't do</p> <p>21 that, because you were concerned about leaking --</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. -- to those who may be assisting Eren in prison?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. But you must also have been aware that, in ensuring that</p> <p style="text-align: center;">Page 93</p>	<p>1 this information remained confidential, there was every</p> <p>2 prospect that Izzet Eren would remain categorised as B</p> <p>3 and that the increased security that would have come</p> <p>4 with a raised categorisation of A was not going to</p> <p>5 happen?</p> <p>6 <b>A. The -- I was never asked about, "Could I use this intel</b></p> <p>7 <b>to increase the category A status?"</b></p> <p>8 THE CHAIRMAN: It would have been fatal, wouldn't it, to the</p> <p>9 plan?</p> <p>10 <b>A. It would have been fatal to the plan, it would have</b></p> <p>11 <b>been, yes.</b></p> <p>12 MS BLACKWELL: Sir, I notice the time. Is that a convenient</p> <p>13 moment to pause?</p> <p>14 THE CHAIRMAN: Yes.</p> <p>15 MS BLACKWELL: Thank you.</p> <p>16 THE CHAIRMAN: Shall we resume at 2.00?</p> <p>17 MS BLACKWELL: Yes, please.</p> <p>18 THE CHAIRMAN: Thank you.</p> <p>19 (1.06 pm)</p> <p>20 (The Luncheon Adjournment)</p> <p>21 (2.00 pm)</p> <p>22 THE CHAIRMAN: Good afternoon, everybody.</p> <p>23 MS BLACKWELL: Good afternoon, sir. I am sorry we are</p> <p>24 a little late in starting, that is entirely my fault.</p> <p>25 THE CHAIRMAN: That is all right.</p> <p style="text-align: center;">Page 94</p>
<p>1 MS BLACKWELL: Mr Murray, just before we broke for lunch we</p> <p>2 were discussing the meeting that you had with Governor</p> <p>3 Pete Nicholls at Wormwood Scrubs prison on 13 November.</p> <p>4 Could we please display once again, Mr Coates,</p> <p>5 MPS4490, at page 5 please.</p> <p>6 We were discussing the categorisation of Mr Eren and</p> <p>7 the effect of keeping the information that you had</p> <p>8 provided to Mr Nicholls confidential by him. The effect</p> <p>9 that that would have on any future application or any</p> <p>10 review of the application that had already been made to</p> <p>11 raise him up to the category A status.</p> <p>12 By the time of this meeting on 13 November, you had</p> <p>13 known for some time about the aborted attempt to</p> <p>14 spring -- to use the phrase that you used, sir, this</p> <p>15 morning -- Izzet Eren on 29 October, and you knew of</p> <p>16 that, didn't you?</p> <p>17 <b>A. I did, yes.</b></p> <p>18 Q. Right.</p> <p>19 Did you bring that to the attention of</p> <p>20 Governor Nicholls in this meeting?</p> <p>21 <b>A. I can't remember.</b></p> <p>22 Q. Do you think that it would have been relevant to bring</p> <p>23 that to his attention?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Do you accept that there is a difference between</p> <p style="text-align: center;">Page 95</p>	<p>1 intelligence that somebody may try and break a prisoner</p> <p>2 out and evidence that an attempt had already been made</p> <p>3 but was aborted during the attempt?</p> <p>4 <b>A. My understanding was that we had intelligence there was</b></p> <p>5 <b>an aborted attempt, to the same level that there was</b></p> <p>6 <b>intelligence that there was going to be another</b></p> <p>7 <b>breakout.</b></p> <p>8 <b>I am unaware of any evidence of the aborted on the</b></p> <p>9 <b>29th.</b></p> <p>10 THE CHAIRMAN: I am not sure that is an answer to the</p> <p>11 question.</p> <p>12 MR BUTT: Sir, I think the witness probably is concerned</p> <p>13 about the answer.</p> <p>14 MS BLACKWELL: All right. Let's not concentrate -- thank</p> <p>15 you, Mr Butt.</p> <p>16 Let's not concentrate on how the information had</p> <p>17 come to you --</p> <p>18 THE CHAIRMAN: You can put the question another way I think.</p> <p>19 MS BLACKWELL: I will.</p> <p>20 THE CHAIRMAN: Yes.</p> <p>21 MS BLACKWELL: As far as you were aware, there had been</p> <p>22 an aborted attempt on 29 October. That is the</p> <p>23 information that had come to you?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. However that happened and whatever label we put on it.</p> <p style="text-align: center;">Page 96</p>



<p>1 <b>A. Yes.</b></p> <p>2 Q. That was an important element of information which</p> <p>3 Governor Nicholls should have been told?</p> <p>4 <b>A. Yes, I would accept that, yes.</b></p> <p>5 Q. Because it would be something which he, as governor of</p> <p>6 the prison, would want to consider in deciding whether</p> <p>7 or not to support your plan to allow the conspiracy to</p> <p>8 continue in the way in which you have described?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. If you didn't mention that to Governor Nicholls, why</p> <p>11 would that be?</p> <p>12 <b>A. I can't remember if I mentioned to him or not.</b></p> <p>13 THE CHAIRMAN: Well look at your notes and see if they</p> <p>14 assist you.</p> <p>15 <b>A. There is nothing on there, on the notes that I have</b></p> <p>16 <b>made, that -- that the information that he has given</b></p> <p>17 <b>me --</b></p> <p>18 THE CHAIRMAN: There is nothing on there to the effect that</p> <p>19 you have told him --</p> <p>20 <b>A. Yes.</b></p> <p>21 THE CHAIRMAN: -- about the 29 October planned breakout.</p> <p>22 <b>A. That's correct, sir, yes.</b></p> <p>23 THE CHAIRMAN: Yes.</p> <p>24 MS BLACKWELL: If you didn't mention it to him, that was</p> <p>25 an important omission, wasn't it?</p> <p style="text-align: center;">Page 97</p>	<p>1 <b>A. If I hadn't, it would have been certainly useful for him</b></p> <p>2 <b>to, yes.</b></p> <p>3 Q. So he would not have been fully informed in a way that</p> <p>4 would have allowed him to properly consider his support</p> <p>5 for your plan?</p> <p>6 <b>A. Well, I can't remember if I did tell him or not, that is</b></p> <p>7 <b>the key point. But, yes, I accept I should have told</b></p> <p>8 <b>him, if I didn't tell him -- but as I said I am not</b></p> <p>9 <b>happy to accept that I didn't tell him, because I -- we</b></p> <p>10 <b>went to speak to him because he was someone that could</b></p> <p>11 <b>be trusted, according to the Prison Intelligence Unit,</b></p> <p>12 <b>and I was quite honest with him, as per the email that</b></p> <p>13 <b>I sent him subsequently, which we may look at, which</b></p> <p>14 <b>bullets and outlines exactly what our plan is, so there</b></p> <p>15 <b>was nothing I intended to hide from him, I was quite</b></p> <p>16 <b>open with him and I shared that information with him.</b></p> <p>17 <b>So I cannot understand why I may not have shared the</b></p> <p>18 <b>aborted attempt of the 29th with him.</b></p> <p>19 Q. All right.</p> <p>20 I would like to ask you about your concerns in</p> <p>21 relation to Serco, which you have explained during this</p> <p>22 morning's session as being one of the reasons why you</p> <p>23 wanted to keep the information about the prison break on</p> <p>24 11 December as confidential as possible.</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 98</p>
<p>1 Q. What were your concerns about bringing Serco into the</p> <p>2 circle of trust?</p> <p>3 <b>A. Because of the corruption risks identified and told to</b></p> <p>4 <b>me by DI Mayes.</b></p> <p>5 Q. Right. What was it about the Serco operatives that</p> <p>6 amounted to a concern about their involvement in</p> <p>7 corruption?</p> <p>8 <b>A. They general -- I didn't have any intelligence on any</b></p> <p>9 <b>particular individual one, it was a general ... the</b></p> <p>10 <b>information was generally against Serco staff and,</b></p> <p>11 <b>because we didn't know which vehicle, or exactly how the</b></p> <p>12 <b>plan was going to be, were they get to get information,</b></p> <p>13 <b>that was a risk to the plan.</b></p> <p>14 <b>So we took the view that we didn't inform any Serco</b></p> <p>15 <b>staff at all, because of the risk of compromising the</b></p> <p>16 <b>operation.</b></p> <p>17 Q. Had you been told about a particular concern in relation</p> <p>18 to an individual who worked for Serco?</p> <p>19 <b>A. No, it was general from DI Mayes.</b></p> <p>20 Q. I am going to press you on this, Mr Murray, what was it</p> <p>21 that Mr Mayes told you about his concerns over the Serco</p> <p>22 organisation or their operatives?</p> <p>23 <b>A. I can't remember exactly what he said, I have noted it</b></p> <p>24 <b>in one of my decision log entries that he has identified</b></p> <p>25 <b>that there are corruption risks with Serco and as</b></p> <p style="text-align: center;">Page 99</p>	<p>1 <b>a result of that, that's what influenced my decision not</b></p> <p>2 <b>to tell Serco.</b></p> <p>3 Q. Let's look at I think the decision you are referring to.</p> <p>4 Mr Coates, please can we have --</p> <p>5 Will you give me a moment, please, sir.</p> <p>6 It is decision log number 6, for your information,</p> <p>7 sir, it is behind divider 4 in our bundle.</p> <p>8 We are just going to obtain the URN so we can put it</p> <p>9 up on the screen.</p> <p>10 MPS3691, please, Mr Coates.</p> <p>11 On the second page.</p> <p>12 This sheet of paper bears the number six in a box</p> <p>13 that says "Decision number" in the top right-hand</p> <p>14 corner.</p> <p>15 First of all, Mr Murray, can you explain to us where</p> <p>16 this comes from, does it come from a book?</p> <p>17 <b>A. Yes, this is a page in a decision log that I had</b></p> <p>18 <b>maintained for Utara and Ankaa, and these decisions that</b></p> <p>19 <b>I made are key decisions that I thought relevant to</b></p> <p>20 <b>individually record in this book, and this decision here</b></p> <p>21 <b>relates to a topic, the decision and the reason and the</b></p> <p>22 <b>date and time I have made it.</b></p> <p>23 Q. Okay, and we can see that this particular decision was</p> <p>24 made on 11 November of 2015. So in fact, two days</p> <p>25 before the meeting at the prison that took place on the</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 13th. 2 <b>A. Yes.</b> 3 Q. Could you read the decision, please, Mr Murray? 4 <b>A. Yes:</b> 5 <b>"Not to apply/seek P3 INTs of authority for prison</b> 6 <b>van for 11 December 2015 transporting Izzet Eren to</b> 7 <b>WGCC."</b> 8 Q. Before we go on to the reason, what does that decision 9 mean? 10 <b>A. That means that I don't intend to apply for part 3,</b> 11 <b>which is part 3 under the Police Act, which is property</b> 12 <b>interference and intrusive surveillance authority for</b> 13 <b>the deployment of any device in the – in a prison van.</b> 14 Q. That takes me back to a note that we looked at this 15 morning, to where you were considering TSU in either the 16 mission vehicle or the prison van, do you remember? 17 <b>A. Yes.</b> 18 Q. Whilst we know that there was a probe inserted into -- 19 an audio probe into the mission vehicle, does this 20 confirm your decision not to make a similar application 21 for the van? 22 <b>A. Yes.</b> 23 Q. Could you read out your reason for this decision, 24 please. I think it appears in two parts? 25 <b>A. Yes:</b></p> <p style="text-align: center;">Page 101</p>	<p>1 <b>"1. Potential corruption issues re Serco as advised</b> 2 <b>by DI Mayes (PIU) and DCI MPS TSU.</b> 3 <b>"2. Inability to confirm which (a) van would be</b> 4 <b>used for the transport that day (b) officers (c) which</b> 5 <b>cell in the prison van he would be placed in and (d) to</b> 6 <b>confirm he would have a mobile phone inside the cell."</b> 7 Q. All right, dealing with part 1 of the reasons, potential 8 corruption issues re Serco as advised by DI Mayes (PIU), 9 do I take it from the evidence that you have just given 10 that you are unable to assist in any further detail as 11 to what those potential corruption issues were? 12 <b>A. Yes.</b> 13 Q. Secondly, who is DCI MPS TSU and what did he or she tell 14 you? 15 <b>A. I have looked into this in the last couple of days to</b> 16 <b>try and assist my recollection of this, and I can't --</b> 17 <b>I can't identify anything further to that. I have</b> 18 <b>written down there, so it must be what I believed at</b> 19 <b>that time.</b> 20 Q. So you cannot remember who it is -- nor -- 21 <b>A. I don't know who it is and I don't know if it was</b> 22 <b>directly from that person that gave me that information</b> 23 <b>or it was because of information held by that person.</b> 24 Q. Right. 25 Could it have come to you via DI Mayes from that</p> <p style="text-align: center;">Page 102</p>
<p>1 person, and we can ask him about that? 2 <b>A. Yes possibly. It is possible.</b> 3 Q. In part 2 of the reason box, we see several issues which 4 have been recorded by you, mitigating against the 5 installing of a probe in the prison van. 6 I am going to take them, in reverse order. So let's 7 start with (d), you were unable to confirm whether he 8 will have a mobile phone with him inside the cell. 9 You mentioned this morning that, because of the 10 nature of this plan that was known to you to break 11 Izzet Eren out of prison on his way to court, that you 12 considered he may have required the assistance of 13 somebody inside the prison in order to make the 14 arrangements or to be aware of the arrangements that 15 were going to take place? 16 <b>A. Yes.</b> 17 Q. An alternative to that is that he had access to his own 18 mobile telephone, wasn't it? In order to correspond and 19 have connection with those on the outside? 20 <b>A. We simply didn't know at that stage.</b> 21 Q. No. 22 <b>A. No.</b> 23 Q. What I am attempting to establish with you, Mr Murray, 24 is it wasn't necessarily a question of there being 25 an inside man in the prison, it was perfectly possible,</p> <p style="text-align: center;">Page 103</p>	<p>1 and indeed turned out to be the case, that Izzet Eren 2 had access to his own mobile telephone, which he used to 3 keep in contact with those who were organising the plan 4 on the outside? 5 <b>A. Absolutely. As it turned out, that turned out to be the</b> 6 <b>case.</b> 7 Q. That turned out to be the case? 8 <b>A. We did not know and there was still that risk there, and</b> 9 <b>that was a part of my consideration.</b> 10 Q. We also looked at a note this morning that, according to 11 the information that you were provided, he had not been 12 making any telephone calls using the prison system, had 13 he? 14 <b>A. From the information given by Mr Nicholls, no, there had</b> 15 <b>been no calls logged against his account I think.</b> 16 Q. Account? 17 <b>A. Yes.</b> 18 Q. Did that create suspicion in you that he may well have 19 had access to a mobile phone? 20 <b>A. Potentially.</b> 21 Q. Did you suggest to Mr Nicholls that perhaps his cell be 22 searched and he be searched in order to establish 23 whether or not he had a mobile phone? 24 <b>A. No.</b> 25 Q. Why not?</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 <b>A. Well, two -- 1, what the prison decides to do in respect</b>  2 <b>of that is a matter for them. I think it was flagged up</b>  3 <b>as possibly someone who had come to notice for that</b>  4 <b>before and, secondly, if that had happened, that would</b>  5 <b>have undermined the case and undermined the operation.</b>  6 Q. Do you think rather than suggesting that that take  7 place, you may well have raised that as something which  8 Mr Nicholls shouldn't do?  9 <b>A. I can't remember if I specifically said do not do that,</b>  10 <b>but I definitely didn't insist that his cell was</b>  11 <b>searched. If that assists.</b>  12 Q. Looking at reason (c) under paragraph 2, you didn't know  13 which cell in the prison van he would be placed in, that  14 was something that could have been orchestrated by you,  15 isn't it?  16 <b>A. Not without risking notifying Serco, because on how it</b>  17 <b>was explained to me, the prison vans in question were</b>  18 <b>allocated in the morning and then it would depend on how</b>  19 <b>he was booked in, so it would have to be someone there</b>  20 <b>to put him in the cell, so that would have potentially</b>  21 <b>compromised the operation, if there was someone at Serco</b>  22 <b>involved at that prison who was assisting him, so there</b>  23 <b>was a risk of compromising that by looking for that</b>  24 <b>option.</b>  25 Q. Couldn't you have organised with the prison that the van</p> <p style="text-align: center;">Page 105</p>	<p>1 taking him on the morning would only have been  2 transporting him and Erwin Amoyaw-Gyamfi and inserted  3 probes into the two cells in which they were going to be  4 placed?  5 <b>A. Then that would have appeared to have been strange and</b>  6 <b>out of character, because normally they go in a van as</b>  7 <b>allocated routinely, they may suspect there is something</b>  8 <b>wrong and that might corrupt or compromise the</b>  9 <b>operation.</b>  10 Q. Did you discuss at this meeting with Governor Nicholls  11 that, as far as you were concerned, because of this  12 security risk with bringing Serco into the loop, your  13 plan was to continue with the transportation of  14 Izzet Eren to court with Serco operatives driving the  15 van, in ignorance of what was being planned, on the  16 basis that you were confident that there would never  17 come a time when that van would meet up with those  18 planning to effect the escape?  19 <b>A. Absolutely.</b>  20 <b>With additional plans and safety measures, that</b>  21 <b>if -- the mission vehicles as we call it was ever lost</b>  22 <b>control of or there was ever any additional intel to</b>  23 <b>suggest anything else, there was another vehicle or</b>  24 <b>anything else, then the overt security would go round</b>  25 <b>the prison van to protect it.</b></p> <p style="text-align: center;">Page 106</p>
<p>1 Q. What would have been wrong with replacing the Serco  2 drivers with police officers?  3 <b>A. A number -- there was a number of points there, to</b>  4 <b>replace the Serco drivers you would have needed to use</b>  5 <b>undercover officers, they would have needed to be</b>  6 <b>trained in the role of being a Serco guard and going</b>  7 <b>through the training and system. If they were going to</b>  8 <b>be armed, then they would have to be additionally</b>  9 <b>trained, but even then you would then expect two, three</b>  10 <b>or four unknown Serco officers that have never been</b>  11 <b>known to anyone turning up at Wormwood Scrubs and</b>  12 <b>saying -- then insisting they get allocated a particular</b>  13 <b>van with particular prisoners in it, and just for one</b>  14 <b>particular route. And that would be highly suspicious</b>  15 <b>and could compromise the operation.</b>  16 Q. What if the plan was to get the prisoners loaded into  17 the van, with the Serco officers sitting in the driving  18 seats or the driving seat and the front passenger seat  19 and then at the very last minute replace them with  20 officers who were trained and understood a route that  21 they were to take to court in circumstances in which the  22 prisoners would have been none the wiser?  23 <b>A. Well, then there is the issue and risk of assuming that</b>  24 <b>the guards in question that were driving that van were</b>  25 <b>not involved in any way in the plan, the conspiracy, and</b></p> <p style="text-align: center;">Page 107</p>	<p>1 <b>then the further risk is, if he did have a mobile phone</b>  2 <b>with him and said, "We have stopped and the staff have</b>  3 <b>now changed", there may be another aborted attempt and</b>  4 <b>they may not continue around this.</b>  5 <b>My view with this is that we had to take this very</b>  6 <b>carefully and sensibly and confidentially as possible,</b>  7 <b>because my assessment was Izzet Eren was determined to</b>  8 <b>escape. He was wanted for murder in Turkey, he was</b>  9 <b>about to be sentenced to a substantial term of</b>  10 <b>imprisonment at Wood Green Crown Court, he had sought to</b>  11 <b>be involved in an abortive attempt on the 29th. He was</b>  12 <b>then planning this -- what we are discussing here -- on</b>  13 <b>the 11th and if we compromised that and we would have</b>  14 <b>failed on the 11th to arrest the conspirators and deal</b>  15 <b>with this, then he would have simply tried again and we</b>  16 <b>would have just -- the intention was there, it would</b>  17 <b>have just been misplaced to another time when we didn't</b>  18 <b>have that intelligence and would have left a greater</b>  19 <b>risk to the public on another occasion.</b>  20 <b>Further to that, Izzet Eren was subsequently</b>  21 <b>imprisoned and then transferred to Turkey and</b>  22 <b>subsequently escaped from Turkey, which proves his</b>  23 <b>intention and what type of criminal he is.</b>  24 <b>So my -- to go around that, I didn't want to take</b>  25 <b>any risks at all to potentially compromise this</b></p> <p style="text-align: center;">Page 108</p>

<p>1 <b>operation.</b></p> <p>2 Q. You talk of risks in terms of the risk posed in relation</p> <p>3 to a future escape plan, if this one wasn't allowed to</p> <p>4 proceed.</p> <p>5 But in doing so, weren't you allowing there to</p> <p>6 continue to be a high risk that those driving him to</p> <p>7 court that day were placed in danger?</p> <p>8 <b>A. Certainly there was a risk placed on those, but that</b></p> <p>9 <b>risk was managed by the TFC and the SFC strategy which</b></p> <p>10 <b>took into effect and were considering everyone involved</b></p> <p>11 <b>in the operation and those strategies and those plans</b></p> <p>12 <b>covered for that. And the key main element, which</b></p> <p>13 <b>I highlighted to Mr Nicholls in my email and I spoke to</b></p> <p>14 <b>him about, was the fact that the prison van was always</b></p> <p>15 <b>going to be protected by a covert surveillance team and</b></p> <p>16 <b>armed support, with an overt capacity there as well.</b></p> <p>17 <b>So if at any stage there was anything, any risk</b></p> <p>18 <b>identified through the gathering of intelligence and the</b></p> <p>19 <b>surveillance, then we would have gone to an overt stage</b></p> <p>20 <b>in protecting that prison van.</b></p> <p>21 Q. We are going to look in a moment at what you knew and</p> <p>22 what you didn't know on the morning of 11 December.</p> <p>23 Wasn't there always a risk that your operation would</p> <p>24 be blindsided by subjects or vehicles being involved in</p> <p>25 this escape attempt, about which you had no prior</p> <p style="text-align: center;">Page 109</p>	<p>1 knowledge?</p> <p>2 <b>A. We were confident that the vehicle in question was the</b></p> <p>3 <b>vehicle that was going to be used and the unknown people</b></p> <p>4 <b>that we were unable to identify were the people that</b></p> <p>5 <b>were going to be involved in the breakout.</b></p> <p>6 Q. Right. You didn't know who was going to be involved in</p> <p>7 the mission vehicle, did you?</p> <p>8 <b>A. No.</b></p> <p>9 Q. Even up until the time that the intervention or the</p> <p>10 interception took place at 9.00 on the morning of</p> <p>11 11 December. You had no idea who was in that?</p> <p>12 <b>A. That's correct.</b></p> <p>13 Q. Right.</p> <p>14 Just before we leave this point, I want to ask you</p> <p>15 to consider this.</p> <p>16 Wasn't one of the ways in which you could have</p> <p>17 reduced the risk of Izzet Eren becoming involved in any</p> <p>18 future breakout to support the application to make him</p> <p>19 a category A prisoner?</p> <p>20 <b>A. Yes, we could have done, in the short term, yes, we</b></p> <p>21 <b>could have done, but then in the long term people</b></p> <p>22 <b>involved in breaking people out of prison or certainly</b></p> <p>23 <b>having the capacity for that in firearm-related crime</b></p> <p>24 <b>and the possession of firearms would not have been dealt</b></p> <p>25 <b>with and those involved in this offence would not have</b></p> <p style="text-align: center;">Page 110</p>
<p>1 <b>been arrested and brought to justice.</b></p> <p>2 Q. Can I ask, please, Mr Coates, that we put up the</p> <p>3 following document, which is the second page of the</p> <p>4 notes from 13 November, and it is IPC408.</p> <p>5 Sir, for your reference, it is red 7.</p> <p>6 THE CHAIRMAN: Thank you.</p> <p>7 MS BLACKWELL: It is not that page, I am afraid. If you</p> <p>8 keep going, please. And again, and again, and again.</p> <p>9 THE CHAIRMAN: Behind divider 11.</p> <p>10 MS BLACKWELL: Thank you.</p> <p>11 That is it. Thank you.</p> <p>12 Before we do this, I need to make clear, Mr Murray,</p> <p>13 that the second page of the notes that I took you to</p> <p>14 this morning, that I said related to 30 October, do not</p> <p>15 bear a date and, despite our best efforts over</p> <p>16 lunchtime, we are not able to identify the date that</p> <p>17 they were written by you, except that they were provided</p> <p>18 to us in a bundle that placed them immediately after</p> <p>19 30 October. So I want to make clear in fairness to you,</p> <p>20 and you were very good enough during my questions to</p> <p>21 accept certain aspects of what was contained in them, in</p> <p>22 terms of your mindset, but, unless we are assisted any</p> <p>23 further by those who have provided the notes, I don't</p> <p>24 now maintain that they must have been made on that day.</p> <p>25 <b>A. Thank you.</b></p> <p style="text-align: center;">Page 111</p>	<p>1 Q. However, these notes, these notes were made on</p> <p>2 13 November. If we look, please, it appears, certainly</p> <p>3 from my viewing of them, that they are additional</p> <p>4 information that is either provided to you by</p> <p>5 Governor Nicholls or has been obtained by you on the</p> <p>6 same subjects following the meeting, so could I ask,</p> <p>7 please, that you read aloud to us the contents of this</p> <p>8 page?</p> <p>9 <b>A. "Special schemes arranged and supplied to Pete Nicholls</b></p> <p>10 <b>for updating HMP security system. Eren's cellmate</b></p> <p>11 <b>Abdi Shakur Wardere, date of birth, prison number, A --"</b></p> <p>12 THE CHAIRMAN: That doesn't matter.</p> <p>13 <b>A. Okay:</b></p> <p>14 <b>"In custody [Redacted]. Erwin Amoyaw-Gyamfi, prison</b></p> <p>15 <b>number A39A ..."</b></p> <p>16 THE CHAIRMAN: No need to read that out.</p> <p>17 <b>A. Thank you:</b></p> <p>18 <b>"Erwin is due police visit. Visit next week.</b></p> <p>19 <b>David Grace, Paul Wilson, Erwin number visits on the PAS</b></p> <p>20 <b>system. Review meeting in two weeks time.</b></p> <p>21 <b>Pete Nicholls, RM, S Mayes. Default position of</b></p> <p>22 <b>suspects not under control and risk of attack prison</b></p> <p>23 <b>van. HMP seek overt support or counsel video-link.</b></p> <p>24 <b>Hammersmith hospital next door to Scrubs for X-ray</b></p> <p>25 <b>minor. Charing Cross for A&amp;E. Offer of CCTV control</b></p> <p style="text-align: center;">Page 112</p>

<p>1 <b>room for officer to cover streets OS prison. Experience</b></p> <p>2 <b>of breakouts usually happen v near to prisons."</b></p> <p>3 Q. Do you accept this appears, although it doesn't bear</p> <p>4 a date, to be a continuation, at least if not of the</p> <p>5 meeting then of your thoughts following the meeting?</p> <p>6 <b>A. Yes, that's correct.</b></p> <p>7 Q. Thank you.</p> <p>8 Focusing in, if we can, on a couple of aspects of</p> <p>9 this note, firstly, you were indicating here that there</p> <p>10 was going to be a review meeting in two weeks' time with</p> <p>11 Pete Nicholls and yourself and Mr Mayes?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. As we will see, that did take place.</p> <p>14 Finally, your default position here, was that if the</p> <p>15 suspects were not under control and there was a risk of</p> <p>16 attacking the prison van, then the HMP seek overt</p> <p>17 support or cancel. What does that mean?</p> <p>18 THE CHAIRMAN: Or cancel and video-link.</p> <p>19 MS BLACKWELL: Yes, I am coming to that, sir.</p> <p>20 <b>A. That means that if we couldn't provide the necessary</b></p> <p>21 <b>overt support for the prison van, which we had, or else</b></p> <p>22 <b>they would cancel and we could do it by video-link.</b></p> <p>23 Q. This is not something that would occur once the van had</p> <p>24 left the prison, this is on the morning or in the time</p> <p>25 leading up to the morning of 11 December, if you weren't</p> <p style="text-align: center;">Page 113</p>	<p>1 confident that you had sufficient support, you could</p> <p>2 cancel the hearing?</p> <p>3 <b>A. Up until the morning, well, if prior to the 11th, then</b></p> <p>4 <b>that would have been an option. If during the course of</b></p> <p>5 <b>the operation the surveillance that day, and we had to</b></p> <p>6 <b>go to an overt position, then obviously it would have</b></p> <p>7 <b>been overt in taking to court with overt protection</b></p> <p>8 <b>around the prison van.</b></p> <p>9 Q. But this note says HMP seek overt support?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. What does that mean, that how would the prison be</p> <p>12 seeking overt support?</p> <p>13 <b>A. This is after I have explained the proposed tactic --</b></p> <p>14 Q. Right.</p> <p>15 <b>A. -- of covert.</b></p> <p>16 Q. Right, yes.</p> <p>17 <b>A. Covert surveillance, covert armed support, to ensure</b></p> <p>18 <b>that there was uniformed and marked police officers</b></p> <p>19 <b>present to support the prison van. If we couldn't</b></p> <p>20 <b>supply that, then they would ask for it to be cancelled</b></p> <p>21 <b>and do it by video-link.</b></p> <p>22 Q. Right, so the prison would seek a cancellation of the</p> <p>23 hearing?</p> <p>24 <b>A. Yes, that is how I have recorded it, yes or -- sorry,</b></p> <p>25 <b>would seek obviously not to support the plan and do it</b></p> <p style="text-align: center;">Page 114</p>
<p>1 <b>by way of prison video-link.</b></p> <p>2 Q. Video-link.</p> <p>3 You will remember that on the previous sheet of</p> <p>4 notes for this meeting there appears an indication that</p> <p>5 you say you were given by Governor Nicholls about there</p> <p>6 not being a video-link facility for sentencing hearings?</p> <p>7 <b>A. That's correct, yes.</b></p> <p>8 Q. If that is right, why are you suggesting that video-link</p> <p>9 would be an option if the prison sought to cancel the</p> <p>10 trip?</p> <p>11 <b>A. I am not -- I am -- I have written down what he said.</b></p> <p>12 <b>That is what he said there. Whether he is going to</b></p> <p>13 <b>intend to transfer him to a different prison and do it</b></p> <p>14 <b>from a -- the video-link from a different prison,</b></p> <p>15 <b>I don't know. I am only recording what he said and what</b></p> <p>16 <b>he has sought. If we couldn't provide the overt</b></p> <p>17 <b>support, which we did, and that was always the plan, to</b></p> <p>18 <b>cancel and do it by video-link, but I can't explain what</b></p> <p>19 <b>he said previously as to what I have written down there.</b></p> <p>20 Q. Do you think you asked him, "How could it be arranged by</p> <p>21 video-link, when you said that that is not a facility</p> <p>22 that is available?"</p> <p>23 <b>A. I can't remember asking that. And I can't remember</b></p> <p>24 <b>picking up that point, to be fair.</b></p> <p>25 Q. All right. We then see Hammersmith Hospital, next door</p> <p style="text-align: center;">Page 115</p>	<p>1 to scrubs for X-ray --</p> <p>2 <b>A. "/minor".</b></p> <p>3 Q. Thank you, and then Charing Cross for A&amp;E.</p> <p>4 Was Governor Nicholls telling you the prisons that</p> <p>5 Izzet Eren would be likely to be taken to?</p> <p>6 <b>A. The hospitals.</b></p> <p>7 Q. I'm sorry, the hospitals, of course.</p> <p>8 <b>A. Yes, he was indicating -- he provided some information,</b></p> <p>9 <b>the line at the bottom is that in his experience, with</b></p> <p>10 <b>breakouts, they usual happen very near the prison. And</b></p> <p>11 <b>obviously we didn't know where this was likely to</b></p> <p>12 <b>happen, so that was why he mentioned that. But the</b></p> <p>13 <b>prison -- sorry, the hospital next door was for minor</b></p> <p>14 <b>treatments, and Charing Cross was going to be for A&amp;E,</b></p> <p>15 <b>which was likely, if there was a feigned heart attack or</b></p> <p>16 <b>something serious, that would have been the hospital he</b></p> <p>17 <b>would have been likely to be taken to.</b></p> <p>18 Q. You had, I think during this conversation, or perhaps it</p> <p>19 is in the next meeting, but in any event, there was</p> <p>20 a discussion at some point between you and</p> <p>21 Governor Nicholls about increasing the security of those</p> <p>22 guarding Izzet Eren to at least three guards?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. I think we may have looked at this morning.</p> <p>25 <b>A. That is correct, I remember that from my memory.</b></p> <p style="text-align: center;">Page 116</p>

<p>1 Q. Yes. So that was something which you were prepared to 2 provide your consent to in terms of a change to the 3 regime in handling Izzet Eren in order to cover the 4 prospect of him needing emergency treatment or leaving 5 the pretty much, that he would be guarded by three 6 rather than two?</p> <p>7 <b>A. Yes. Mr Nicholls suggested that is what we were to do, 8 so I didn't disagree with him.</b></p> <p>9 Q. Did you think that that might have alerted either 10 Izzet Eren or any of the staff at the prison to the fact 11 that he was getting different treatment to that which 12 was expected?</p> <p>13 <b>A. No. I didn't consider that. I mean it is possible, he 14 could have considered that, but the likelihood was that 15 that was not going to happen, because the plan was 16 always going to be he knew he was going to be coming out 17 on the 11th, so the risk and the assessment was the 18 hospital-type breakout was unlikely to happen, there 19 wasn't anything to suggest that would have happened, but 20 that was purely contingency -- if he had naturally had 21 something wrong with him, if I can put it like that, 22 then that was a safeguard for there. It was always 23 likely to be he was coming out of prison, definitely the 24 11th and the planning was all towards that and the 25 intelligence supported still the 11th.</b></p> <p style="text-align: center;">Page 117</p>	<p>1 Q. I am sorry to hark back to it again, but if his category 2 status had been raised, were you aware during this 3 conversation with Governor Nicholls, that Wormwood 4 Scrubs could not have accommodated him as a category A 5 prisoner?</p> <p>6 <b>A. I was unaware of that.</b></p> <p>7 Q. Right.</p> <p>8 And the overwhelming likelihood would be that he 9 would have been transferred to Belmarsh?</p> <p>10 <b>A. I didn't know that.</b></p> <p>11 Q. Right. Can you confirm that Belmarsh is a high-security 12 prison?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. And that any court appearance that a prisoner in 15 Belmarsh has to appear at, or attend, can take place 16 either by video-link or indeed by walking to the court, 17 because there is an underground passage connected to 18 Woolwich Crown Court?</p> <p>19 <b>A. Yes, I am aware of that, yes.</b></p> <p>20 Q. Precisely for high security prisoners?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Thank you.</p> <p>23 I am sorry to go back in time, but I was struggling 24 this morning to find the notes for 11 November. I am 25 pleased to say that I think we flashed past them,</p> <p style="text-align: center;">Page 118</p>
<p>1 Mr Coates, as we were looking for these, so could I ask 2 you to go back. There we are, and one more page. Is 3 that the same page?</p> <p>4 It looks as if it is. Thank you.</p> <p>5 Right, "Utara update 11 November 2015".</p> <p>6 Could you read out, please, just the top half of 7 that page, Mr Murray?</p> <p>8 <b>A. "Izzet Eren didn't have working phone, but may SIM 9 prison van. Subsequent update ..."</b></p> <p>10 THE CHAIRMAN: It's red page 6.</p> <p>11 MS BLACKWELL: Sorry, yes, thank you. Sorry, Mr Murray.</p> <p>12 <b>A. "Subsequent update not to apply for P3 for re prison 13 van. Corruption issues re Serco. Only two guards on 14 van. Only allocated route that morning. Only allocate 15 van that morning. Van could visit several courts prior 16 to WGCC [Wood Green]. Cannot ..."</b></p> <p>17 Q. Confirm?</p> <p>18 <b>A. It would fit in confirm: 19 "Cannot [something] expect ..." 20 Ah: 21 "Cannot confirm exact number of prisoners per van."</b></p> <p>22 Q. Thank you. Pause there.</p> <p>23 Sir, would you give me a moment, please.</p> <p>24 This was two days before your visit to 25 Governor Nicholls at Wormwood Scrubs. Are you able to</p> <p style="text-align: center;">Page 119</p>	<p>1 identify from whom that information came to you?</p> <p>2 <b>A. No.</b></p> <p>3 Q. Are you able to establish what is meant by "didn't have 4 working phone but may SIM prison van"?</p> <p>5 <b>A. No, I can't assist with that.</b></p> <p>6 Q. Does that say "Subsequent update"?</p> <p>7 <b>A. It seems to, yes.</b></p> <p>8 Q. "Not to apply for P3 and prison van."</p> <p>9 We have looked at your decision about that on this 10 date, on 11 November, if you remember?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. A few moments ago.</p> <p>13 Is your evidence, Mr Murray, that you will have 14 received that information from somebody?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. But you are unable now to say who that person is?</p> <p>17 <b>A. That's correct.</b></p> <p>18 Q. Could I ask you about the information that lies below 19 that entry and ask you to read out the rest of it, 20 please.</p> <p>21 <b>A. "Utara, S: drive McQueen, map briefing TSU, part 3 22 folder. 11/11/15 RM. Spoke to Kim Overall re current 23 position. No prison van P3 application. No briefing 24 sheet for action needed. P3 tag, progress ASAP. 25 Written app only. After tag deployment, P3 probe may</b></p> <p style="text-align: center;">Page 120</p>

<p>1 <b>need personal presentation."</b></p> <p>2 Q. Right, thank you.</p> <p>3 What does S: drive McQueen mean?</p> <p>4 <b>A. I believe this was a name of a folder in one of our</b></p> <p>5 <b>share drives on our system which was used to keep some</b></p> <p>6 <b>of the information in relation to Ankaa, at the start of</b></p> <p>7 <b>it. I think prior to Ankaa being given a name.</b></p> <p>8 Q. Right. I am going to show you a document which I think</p> <p>9 may assist in this regard.</p> <p>10 <b>A. Thank you.</b></p> <p>11 Q. It is MPS3712, Mr Coates, at page 6.</p> <p>12 That is this page -- that's not what I intended.</p> <p>13 I am going to ask Ms McNeill if she can locate the</p> <p>14 document.</p> <p>15 Right, whilst we are obtaining the correct URN for</p> <p>16 that, let me just ask you about the remaining part of</p> <p>17 that entry, which appears to have been recorded on the</p> <p>18 afternoon or evening of 11 November, because it bears</p> <p>19 the letters PM after it.</p> <p>20 Who is Kim Overall and what did you speak to her</p> <p>21 about?</p> <p>22 <b>A. Kim Overall is a man and he works in the central</b></p> <p>23 <b>authorities unit or the covert authorities unit at what</b></p> <p>24 <b>was New Scotland Yard. He was involved in the</b></p> <p>25 <b>assessment, preparation and confirmation of sensitive</b></p> <p style="text-align: center;">Page 121</p>	<p>1 <b>authorities on behalf of -- for the Met Police.</b></p> <p>2 Q. And you were speaking to him about the fact that there</p> <p>3 was to be no P3 application for the prison van?</p> <p>4 <b>A. Well, I just gave a current update, the position. Yes,</b></p> <p>5 <b>no part 3 application be submitted for the prison van.</b></p> <p>6 <b>Confirm there is no briefing sheet required for ACSO,</b></p> <p>7 <b>that's the assistant commissioner specialist operations.</b></p> <p>8 Q. What do you mean by no briefing sheet?</p> <p>9 <b>A. It may have been that they had requested a briefing</b></p> <p>10 <b>sheet to be given to the CT commissioner to brief them,</b></p> <p>11 <b>but I have confirmed there was no briefing sheet needed.</b></p> <p>12 Q. Is that a briefing sheet, do you think, for your</p> <p>13 operation, as in Operation Utara, the intelligence</p> <p>14 gathering and information gathering side or a briefing</p> <p>15 sheet for the firearms operation?</p> <p>16 <b>A. I would suspect it is for -- part of the Ankaa</b></p> <p>17 <b>operation, I think.</b></p> <p>18 <b>Yes, I suspect it was.</b></p> <p>19 Q. When you speak of Operation Ankaa, do you mean your</p> <p>20 operation in which you were the SIO?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Rather than the operation that was developed in order</p> <p>23 to -- the firearms operation, if I can describe it as</p> <p>24 such, or do you see those two operations as being same?</p> <p>25 <b>A. Well, Utara continued throughout this period. That was</b></p> <p style="text-align: center;">Page 122</p>
<p>1 <b>the overarching operation which continued before, during</b></p> <p>2 <b>and after.</b></p> <p>3 <b>Ankaa was specifically designed around this specific</b></p> <p>4 <b>breakout, this was Operation Ankaa, this is what this</b></p> <p>5 <b>was.</b></p> <p>6 Q. But within Operation Ankaa, weren't there two sides to</p> <p>7 it, your investigative side and the operational firearms</p> <p>8 side?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Wasn't there a need to keep those sides of the operation</p> <p>11 separate?</p> <p>12 <b>A. I am sorry, I don't quite understand what you are</b></p> <p>13 <b>getting at.</b></p> <p>14 Q. The purpose of having a strategic firearms commander and</p> <p>15 a tactical firearms commander was that they ran the</p> <p>16 operational side of this plan, for want of a better</p> <p>17 word?</p> <p>18 <b>A. Yes, they run the firearms deployment. That is what</b></p> <p>19 <b>they were doing, but I was the SIO. I am in charge of</b></p> <p>20 <b>gathering evidence and intelligence, and this submission</b></p> <p>21 <b>for part 3, or whatever technical assistance we</b></p> <p>22 <b>required, was done via me directly to them. So they</b></p> <p>23 <b>were not involved in the process for applying, I applied</b></p> <p>24 <b>and it would have gone up to be checked and gone to the</b></p> <p>25 <b>assistant commissioner for her to assess and approve.</b></p> <p style="text-align: center;">Page 123</p>	<p>1 Q. Just going back to something you told us this morning,</p> <p>2 at the beginning of your evidence, about you having</p> <p>3 completed the tactical firearms commander course, do you</p> <p>4 agree that within this operation, Operation Ankaa, it</p> <p>5 was important for there to be a delineation between your</p> <p>6 role as the SIO and the tactical firearms commander</p> <p>7 role, who, as you say, was in charge of the tactics</p> <p>8 employed during the firearms operation?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Although you worked together, and it was important for</p> <p>11 you to work together, you each had a separate role that</p> <p>12 needed to be kept separate?</p> <p>13 <b>A. That's right.</b></p> <p>14 Q. Right.</p> <p>15 Do you think that your completion of the tactical</p> <p>16 firearms commander course at any time interfered with</p> <p>17 the way in which you were performing your role as the</p> <p>18 senior investigating officer?</p> <p>19 <b>A. No, absolutely not. No.</b></p> <p>20 Q. Thank you.</p> <p>21 I am most grateful to Ms McNeill. I think we have</p> <p>22 the McQueen document that I can ask you to look at,</p> <p>23 Mr Murray. It is MPS2127.</p> <p>24 Sir, I don't think that appears in your bundle.</p> <p>25 THE CHAIRMAN: Don't worry.</p> <p style="text-align: center;">Page 124</p>

<p>1 MS BLACKWELL: This is the right document.  2 It looks as if it is an email to Gary Kinch from  3 FE19, who we know worked together with Mr Kinch and  4 I think might have been his OIC?  5 <b>A. He was the IO for this operation. He was my DS and  6 Gary Kinch's line manager.</b>  7 Q. Line manager, thank you.  8 We can see the content is:  9 "Lads, the actions from today are on the IAM. Use  10 the dropdown box in the subjects box for McQueen and it  11 will take you to the relevant bit. Can you update the  12 results box when done? And if any further actions have  13 resulted from the completion of the initial action, any  14 relevant reference numbers that will enable others to  15 chase up jobs in your absence, also put in place.  16 Documents can be saved in the McQueen folder on the  17 S: drive. Any problems let us know."  18 Does that accord with your recollection that that is  19 what the reference was?  20 <b>A. That fits with my recollection, yes.</b>  21 Q. Thank you.  22 We have reached 13 November. Can you confirm,  23 please, Mr Murray, that on 17 November, a static camera  24 was mounted overlooking the Palace Gates car park, where  25 what we have been describing as the mission vehicle was</p> <p style="text-align: center;">Page 125</p>	<p>1 parked?  2 <b>A. I can't confirm the date, but I can confirm that that  3 took place.</b>  4 Q. All right.  5 Were you involved in the arrangements for deploying  6 this static camera for setting it up?  7 <b>A. No.</b>  8 Q. Was that a decision that you had taken as SIO, to have  9 a static camera?  10 <b>A. Yes, it was something we had discussed and I supported,  11 yes.</b>  12 Q. It may seem an obvious question: what was the purpose of  13 having a static camera deployed in that car park?  14 <b>A. To assist with the gathering of evidence and the  15 identification of the people that may be using that  16 vehicle. And particularly for the day, if the operation  17 progressed to the 11th, it would be very useful in  18 relation to the movement.</b>  19 Q. Yes, so that, between the deployment of the camera on  20 17 November and the court appearance on 11 December,  21 just under a month, if there had been any movement in  22 relation to the vehicle, you would have hoped that the  23 camera would capture that.  24 Would you also have considered the prospect of being  25 able to identify those who may have approached the car</p> <p style="text-align: center;">Page 126</p>
<p>1 or used the vehicle?  2 <b>A. Yes, if it was used prior to the day in question.</b>  3 Q. Yes, and I think you have also said that on the day in  4 question, it may be possible to capture images of those  5 removing the vehicle in order to use it as the mission  6 vehicle?  7 <b>A. Potentially, depending on the distance and the light,  8 et cetera, yes.</b>  9 Q. All right.  10 Did you become aware that in fact there were  11 concerns about the camera working in the hours of  12 darkness?  13 <b>A. I do recall someone mentioning that and consideration of  14 either changing the type of camera or the location of  15 the camera or a technical issue like that that I was not  16 involved in, but I do remember, now you mention that,  17 something of that now.</b>  18 Q. Could we display, please, MPS3993.  19 Sir, this is in our additional bundle at page 1039.  20 THE CHAIRMAN: Thank you.  21 MS BLACKWELL: Can we have page 5 of 11, please. Is that  22 simply one page?  23 Yes, thank you.  24 This is an action log and we can see at the bottom  25 that it is produced in May of this year for the purposes</p> <p style="text-align: center;">Page 127</p>	<p>1 of this inquiry. But for our purposes, what we are  2 looking at is information relating to the static camera.  3 The important part for our purposes is the paragraph  4 in the middle of the page, and we can see on the  5 left-hand side of the page, below the box of text, that  6 this entry was made on 23 November at 2015.  7 This was six days following the static camera being  8 deployed:  9 "A further [sensitive/irrelevant] is suggested to  10 find a suitable location for a camera OP site, much  11 closer to or within the car park being viewed.  12 A specialist low-light monochrome camera may be required  13 for night-time coverage."  14 Is that what you referred to when you say you became  15 aware that there may be concerns about the efficacy of  16 the camera?  17 <b>A. I remember something of that nature, but I was not  18 involved in the creation of this document but that is  19 the general -- my recollection, a potential issue.</b>  20 Q. Thanks.  21 Could we go to the next page, please.  22 It looks as if this is part of the same entry,  23 because we can see on the left-hand side that this was  24 also input on 23 November and the relevant part in the  25 middle of the text says this:</p> <p style="text-align: center;">Page 128</p>



<p>1 "The video product recorded at the front end since 2 deployment of the camera at OP was checked for quality 3 of footage during the hours of darkness. 4 "The subject vehicle was found to be not visible at 5 all during the hours of darkness. Presumably due to 6 a lack of sufficient ambient light at that location. 7 A further [sensitive/irrelevant] is suggested to find 8 a suitable location for a camera OP site much closer to 9 or within the car park being viewed. A specialist 10 low-light monochrome camera may be required for 11 night-time coverage, as it is probably not feasible 12 tactically to introduce additional artificial lighting 13 at the location." 14 Again, does that confirm the concerns that there 15 were about whether or not the camera was of use to you? 16 <b>A. I can't recall the exact details of what was told to 17 me -- other than how I described earlier -- but, yes, 18 there was a potential issue in relation to the location 19 of the camera and the coverage but the full details of 20 it I was unaware of at the time because I was dealing 21 with other matters and I think -- DC Dennett may have 22 been dealing with this, as well as DC Kinch and maybe 23 DC Sparks.</b> 24 Q. That was 23 November. If we can go to page 9 of the 25 same document, please, next page, thank you.</p> <p style="text-align: center;">Page 129</p>	<p>1 Two days later on 25 November, we can see problems 2 still exist: 3 "As previously mentioned, it is probably advisable 4 to fit an additional camera as the existing camera is 5 not providing a usable video image during the hours of 6 darkness." 7 Were you aware that apparently this problem had not 8 disappeared by 25 November? 9 <b>A. I can't remember.</b> 10 Q. Do you know whether there was ever an additional 11 deployment of more suitable equipment? 12 <b>A. I can't remember.</b> 13 Q. Because as you have explained, having a camera in that 14 position, with the facility to capture, with sufficient 15 quality, the movements of the subjects could have been 16 used to identify them? 17 <b>A. Yes. It would have been certainly useful, yes.</b> 18 Q. Okay, thank you. 19 May we now display MPS3712, at page 9. 20 Sir, this is behind your tab 10. 21 <b>A. Thank you.</b> 22 Q. This brings us to your notes, Mr Murray, for 1 December. 23 Avoiding the boxes that denote the sensitive and 24 irrelevant material could I ask you, please, to read 25 through this note?</p> <p style="text-align: center;">Page 130</p>
<p>1 <b>A. "Prison break Utara update. 1/12/15. Still believed 2 on. Ali Uruglu arrested BT [bailed to] FIU cash 3 investigation house cell. DC Gav Wilson, 4 Daniel Eduardo, gun, weekend, fast track, no 5 fingerprints, IC, breach of bail, await DNA. Gun not 6 FSS assessed. PAS SCO8 Trident, S/L ammunition, s 7 warrant, 10 rounds of ammo, charge IC, POS ammo. SCO8 8 Trident car stop and arrest. 12k cannabis, arrested and 9 B and R."</b> 10 Q. Pausing there, please. 11 The information that you have read out so far 12 relates to the wider Operation Utara and not to the 13 prison break? 14 <b>A. That's correct.</b> 15 Q. Right, we are going on to deal with information relating 16 to Ozcan Eren. 17 If you could read that out please? 18 <b>A. "Ozcan Eren confirmed 3 exist assets. Russell ..."</b> 19 Q. Square? 20 <b>A. "... flat, has access to Omar Murat car. Disabled 21 badge, then uses tube. Monday 7th, dec, surv, 22 Izzet Eren, PS material, being collected by Adam Seton, 23 intel looking to get out. Mission car Audi."</b> 24 Q. Then there is sensitive/irrelevant material, then TSU -- 25 <b>A. "TSU deployment. P3/IS authorities, tag, tech, probe</b></p> <p style="text-align: center;">Page 131</p>	<p>1 <b>awaits, probe off AC today 01.12.15."</b> 2 Q. Pause there, please. 3 Would you describe the information that you have 4 just read out from Ozcan Eren down to the present point 5 as an update relating to how you understood things to 6 lie by 1 December? 7 <b>A. Yes.</b> 8 Q. Thank you. 9 What is the final entry there, just on the 10 penultimate bullet point? 11 <b>A. "FA/1 prepare today."</b> 12 Q. Right, what is that a reference to? 13 <b>A. I believe it is a reference to -- FA/1 is a firearms 14 form, an application for the use of police firearms and 15 it has "prepare today", but I've got no details in 16 relation to what it is to do with, assuming that it is 17 to do with the prison break, then that was for somebody 18 to complete that.</b> 19 Q. Were you expected to be involved in the completion of 20 the firearms authorisation 1 form? 21 <b>A. No.</b> 22 Q. Is that something that you would expect the tactical 23 firearms commander, DCI Williams, to do? 24 <b>A. No, it would have been -- DCI Williams would have been 25 doing the FA/2. Someone else would have done a FA1.</b></p> <p style="text-align: center;">Page 132</p>

<p>1 Q. Who would have completed the FA1?</p> <p>2 <b>A. It could have been a detective constable, or a detective</b></p> <p>3 <b>sergeant, if that was required to be sent to</b></p> <p>4 <b>DCI Williams.</b></p> <p>5 Q. What is the purpose of the FA1 form?</p> <p>6 <b>A. The FA1 form is to inform the potential TFC of the</b></p> <p>7 <b>operation and the background. It is a fairly brief</b></p> <p>8 <b>form, just outlining the basic intel in relation to why</b></p> <p>9 <b>there is an application for firearms.</b></p> <p>10 Q. Right.</p> <p>11 But it forms part of the bundle of the FA forms that</p> <p>12 run from 1 to 5, doesn't it?</p> <p>13 <b>A. That's correct.</b></p> <p>14 Q. The completion of those forms is important to have</p> <p>15 an audit trail of the firearms operation applications</p> <p>16 from start to finish?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Are you aware of whether or not an FA1 form was</p> <p>19 completed in this case?</p> <p>20 <b>A. At the time I wasn't, but at the time -- I do know now.</b></p> <p>21 Q. You know now that it wasn't?</p> <p>22 <b>A. Correct, yes.</b></p> <p>23 Q. Finally, "Wood Green Crown Court, Liaise court manager</p> <p>24 and judge", is that?</p> <p>25 <b>A. That's correct.</b></p> <p style="text-align: center;">Page 133</p>	<p>1 Q. What does it say under the (iii) there?</p> <p>2 <b>A. "Re potential escape. Firearm officers in/around Wood</b></p> <p>3 <b>Green Crown Court. Arrest whilst at court/Serco seize</b></p> <p>4 <b>phone."</b></p> <p>5 Q. Right?</p> <p>6 THE CHAIRMAN: In brackets?</p> <p>7 <b>A. "(Rob)".</b></p> <p>8 <b>So that is something I tasked myself to do, just as</b></p> <p>9 <b>a remainder.</b></p> <p>10 THE CHAIRMAN: Thank you.</p> <p>11 MS BLACKWELL: Thank you.</p> <p>12 THE CHAIRMAN: Was that ahead of the application, which was</p> <p>13 attended by Mr Williams and, was it --</p> <p>14 <b>A. DCS Manson.</b></p> <p>15 MS BLACKWELL: I think Mr Sparks may have gone as well.</p> <p>16 THE CHAIRMAN: It was Williams plus one.</p> <p>17 MS BLACKWELL: Did you say Manson?</p> <p>18 <b>A. Yes.</b></p> <p>19 THE CHAIRMAN: This was relevant to that, when there was</p> <p>20 a meeting at the Royal Courts of Justice with</p> <p>21 Mr Justice Sweeney?</p> <p>22 <b>A. It leads to that, sir, yes, but this is -- the next step</b></p> <p>23 <b>was me going to Wood Green which then culminated in them</b></p> <p>24 <b>going for the further request.</b></p> <p>25 THE CHAIRMAN: Thank you.</p> <p style="text-align: center;">Page 134</p>
<p>1 MS BLACKWELL: Thank you, and indeed we will come on</p> <p>2 7 December to that meeting that you had at Wood Green</p> <p>3 Crown Court.</p> <p>4 Before we do, may we look at the planning meeting</p> <p>5 that took place on 3 December, two days after this note</p> <p>6 that we have just looked at, and Mr Coates, please could</p> <p>7 we display MPS 3712 at page 14.</p> <p>8 This is behind your tab 10, sir. Thank you.</p> <p>9 Sir, we are looking at the notes that are behind</p> <p>10 your tab 10 for 3 December.</p> <p>11 THE CHAIRMAN: Yes.</p> <p>12 MS BLACKWELL: They are at page 14.</p> <p>13 THE CHAIRMAN: Thank you.</p> <p>14 MS BLACKWELL: This was then the second planning meeting for</p> <p>15 Operation Ankaa; is that right?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. We looked at your notes -- well, you didn't have any</p> <p>18 notes for the planning meeting on the 10th but we know</p> <p>19 that you went there and you have explained in as full</p> <p>20 a detail as you can what went on and you have been</p> <p>21 assisted in relation to that prior meeting by what is</p> <p>22 contained in your witness statement?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. These are notes that you made during the course of the</p> <p>25 second planning meeting. Who was present during the</p> <p style="text-align: center;">Page 135</p>	<p>1 second meeting, please?</p> <p>2 <b>A. I have not written down on my notes who was present at</b></p> <p>3 <b>this meeting. But I could look to my statement, if you</b></p> <p>4 <b>would like me to.</b></p> <p>5 Q. It is in your statement, I was just going to invite you</p> <p>6 to look at that.</p> <p>7 It is on the third page, and you will see the second</p> <p>8 paragraph starts, "On 3 December". That should assist</p> <p>9 your memory in terms of who was present.</p> <p>10 <b>A. So present was Detective Superintendent Turner,</b></p> <p>11 <b>DCI Williams, the TAC adviser, S48, and I have recorded</b></p> <p>12 <b>the shadow SFC, Detective --</b></p> <p>13 Q. That is Mr Gilmour?</p> <p>14 THE CHAIRMAN: That is Mr Gilmour.</p> <p>15 <b>A. Mr Gilmour.</b></p> <p>16 MS BLACKWELL: Yes.</p> <p>17 Again -- sorry to interrupt you, but there may be</p> <p>18 an issue about when he became a shadow SFC, but for your</p> <p>19 purposes you understood him to be performing that role</p> <p>20 during the course of the meeting, on 3 December?</p> <p>21 <b>A. Yes, I recall he was there. But I have -- I haven't</b></p> <p>22 <b>made a note in my written notes who is present.</b></p> <p>23 Q. No.</p> <p>24 <b>A. But I believe he was there.</b></p> <p>25 Q. You have made a note in your statement that in addition</p> <p style="text-align: center;">Page 136</p>

<p>1 to those mentioned, present were two officers from the</p> <p>2 technical support unit, or the TSU?</p> <p>3 <b>A. That's correct, yes.</b></p> <p>4 Q. Do you know why they were present?</p> <p>5 <b>A. They were present to advise on covert audio equipment</b></p> <p>6 <b>and other technical options.</b></p> <p>7 Q. Right.</p> <p>8 In addition to those two individuals, was there</p> <p>9 anybody else present?</p> <p>10 <b>A. I can't recall.</b></p> <p>11 Q. Do you remember if one of the people relating to the TSU</p> <p>12 that was present, or in addition to the two you have</p> <p>13 noted, was Detective Sergeant Steve Alexander?</p> <p>14 <b>A. Yes, I think he may have been present.</b></p> <p>15 Q. Right.</p> <p>16 <b>A. He was the main person that we had dealings with.</b></p> <p>17 Q. From the TSU?</p> <p>18 <b>A. From the TSU. He was someone that I think I had spoke</b></p> <p>19 <b>to or one of my officers had spoke to, so, yes, I think</b></p> <p>20 <b>he was there.</b></p> <p>21 Q. Using your statement and your notes, if those help, can</p> <p>22 you explain to the inquiry what was discussed. In</p> <p>23 addition to the probe being placed in the Audi and the</p> <p>24 organisation for that deployment, what else was</p> <p>25 discussed during the course of this meeting?</p> <p style="text-align: center;">Page 137</p>	<p>1 <b>A. So, well the provisional strategy was discussed, which</b></p> <p>2 <b>was to conduct simultaneous armed surveillance with SFO</b></p> <p>3 <b>support on both the stolen A6 Audi and the prison van</b></p> <p>4 <b>containing Izzet Eren to the court and unarmed</b></p> <p>5 <b>surveillance be conducted on Ozcan Eren throughout this</b></p> <p>6 <b>period in order to gather evidence of the conspiracy.</b></p> <p>7 Q. Was it right to be describing the plan as a provisional</p> <p>8 strategy at this stage?</p> <p>9 <b>A. Well, the operation hadn't been authorised at that</b></p> <p>10 <b>point, so --</b></p> <p>11 Q. Is that an important delineation between a provisional</p> <p>12 strategy and a settled strategy?</p> <p>13 <b>A. Yes, that would be fair. I mean there is potential</b></p> <p>14 <b>changes depending if additional information came in,</b></p> <p>15 <b>additional intelligence that may get the TFC and the SFC</b></p> <p>16 <b>to review their strategies, so at that stage, the</b></p> <p>17 <b>working strategy we were working towards was the initial</b></p> <p>18 <b>plan.</b></p> <p>19 Q. Do you remember whether or not you made your notes</p> <p>20 during the course of that meeting or at a time once it</p> <p>21 had concluded?</p> <p>22 <b>A. I suspect I would have made it during the course of the</b></p> <p>23 <b>meeting, as we spoke about things.</b></p> <p>24 Q. Were you aware of anybody else making a note of the</p> <p>25 meeting?</p> <p style="text-align: center;">Page 138</p>
<p>1 <b>A. I wasn't.</b></p> <p>2 Q. Would you expect there to have been a formal minute</p> <p>3 taken of the meeting?</p> <p>4 <b>A. Potentially, there could be, but I didn't take it and</b></p> <p>5 <b>I had made my own notes.</b></p> <p>6 Q. Would it surprise you to discover that there was no</p> <p>7 formal note of this meeting, other than your notes, that</p> <p>8 we see in your book?</p> <p>9 <b>A. I can't comment on that.</b></p> <p>10 THE CHAIRMAN: Whose meeting was this?</p> <p>11 <b>A. This meeting was --</b></p> <p>12 THE CHAIRMAN: Who called it?</p> <p>13 <b>A. I think I may have arranged it.</b></p> <p>14 THE CHAIRMAN: Yes. Whose responsibility would it be to</p> <p>15 ensure that the meeting was properly minuted?</p> <p>16 <b>A. Well, I could take responsibility for that, if I called</b></p> <p>17 <b>it, then I made notes in relation -- potentially I may</b></p> <p>18 <b>have made more notes about it or made minutes of it.</b></p> <p>19 THE CHAIRMAN: You may have made more notes?</p> <p>20 <b>A. No, I should have maybe made more notes.</b></p> <p>21 THE CHAIRMAN: Thank you.</p> <p>22 MS BLACKWELL: In fact there was one other person present</p> <p>23 making notes and that was the tactical adviser, but the</p> <p>24 tactical adviser suggested that there were two CTSFOs</p> <p>25 present at the meeting, they are firearms officers,</p> <p style="text-align: center;">Page 139</p>	<p>1 aren't they?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Did you make a note of the presence of any firearms</p> <p>4 officers, either in your note or in your witness</p> <p>5 statement?</p> <p>6 <b>A. No.</b></p> <p>7 Q. Were you aware of any representatives of covert policing</p> <p>8 being present?</p> <p>9 <b>A. No.</b></p> <p>10 Q. Are you sure that the shadow SFC himself was present at</p> <p>11 this meeting?</p> <p>12 <b>A. I have seen that -- I believe he wasn't there, but</b></p> <p>13 <b>I recorded it as I thought he was there, so maybe I have</b></p> <p>14 <b>made a mistake.</b></p> <p>15 Q. All right, well it is either you that has made a mistake</p> <p>16 or he has made a mistake?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Which perhaps underlines the importance of somebody</p> <p>19 taking a formal minute of the meeting, to establish not</p> <p>20 only what was said but who was there?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Thank you.</p> <p>23 I am going to move on now, sir, to deal with the</p> <p>24 meeting at Wood Green Crown Court, I note that we have</p> <p>25 been going for an hour.</p> <p style="text-align: center;">Page 140</p>

<p>1 THE CHAIRMAN: If we are going to have a break, shall we 2 have it now? 3 MS BLACKWELL: It might be convenient. 4 THE CHAIRMAN: Shall we resume at 3.25. 5 MS BLACKWELL: Thank you. 6 THE CHAIRMAN: Thank you. 7 (3.14 pm) 8 (A short adjournment) 9 (3.25 pm) 10 MS BLACKWELL: Mr Murray, is the screen okay for you there? 11 <b>A. Yes, it is fine, yes.</b> 12 THE CHAIRMAN: Yes, Ms Blackwell. 13 MS BLACKWELL: Thank you, sir. 14 Mr Murray, we are now going to move to the meeting 15 you had at Wood Green Crown Court on 7 December. 16 Please could we display, Mr Coates, MPS3693. 17 Sir, it is your tab 6A, and the second page, please. 18 This is another excerpt from your decision logbook and 19 we can see that it is decision number 9. 20 Could you read out, please, the decision that was 21 made on 7 December by you and the reason for it? 22 <b>A. Yes, the decision was to meet with the court manager and</b> 23 <b>the resident judge at Wood Green Crown Court re</b> 24 <b>potential escape from custody, 11 December, for</b> 25 <b>authorities for AFOs, access and control, a SPOC and</b></p> <p style="text-align: center;">Page 141</p>	<p>1 <b>info, and Zeb Johnson, the court manager,</b> 2 <b>Anthea Rodgers, the accommodation manager, His Honour</b> 3 <b>Judge Pawlak, the acting resident judge, was briefed and</b> 4 <b>authorised. Then the reason:</b> 5 <b>"Seek support of Wood Green Crown Court for police</b> 6 <b>proactive operation on 11, 12th, 15th. Seek authority</b> 7 <b>for covert AFOs to be in the court as a contingency</b> 8 <b>only. Ensure full confidentiality, risk compromise.</b> 9 <b>Ensure risk planning considerations."</b> 10 Q. Thank you. 11 Was this record made prior to you going to Wood 12 Green Crown Court or after you had returned from your 13 visit? 14 <b>A. I have dated it the 7th of the 12th.</b> 15 Q. Which was the day of the visit. 16 <b>A. I think I may have made it and then I have entered this,</b> 17 <b>the Zeb Johnson, His Honour Judge Pawlak, I have entered</b> 18 <b>that afterwards.</b> 19 Q. Right, because you wouldn't necessarily have had those 20 details before you went to the meeting, would you? 21 <b>A. That is exactly right, and I wouldn't have written</b> 22 <b>"briefed and authorised" before I had spoken to the</b> 23 <b>judge.</b> 24 Q. Thank you. 25 When you went to the Crown Court, were you aware of</p> <p style="text-align: center;">Page 142</p>
<p>1 the procedure rules which govern an application of this 2 nature to apply for armed assistance at a Crown Court? 3 <b>A. Initially I wasn't, it was something I had never done</b> 4 <b>before, but I asked and someone informed me that was</b> 5 <b>part of process, so having been informed that was what</b> 6 <b>was required to be done, I followed the process.</b> 7 Q. Before you went there? 8 <b>A. Yes.</b> 9 Q. In preparation of going to this meeting, and presumably 10 there was an arrangement made for you, you didn't just 11 turn up? 12 <b>A. Of course.</b> 13 Q. Right. And you arranged to meet people who turned out 14 to be Zeb Johnson, the court manager, and His Honour 15 Judge Pawlak, who was the resident judge? 16 <b>A. I didn't physically meet Judge Pawlak, the intention was</b> 17 <b>to meet Zeb Johnson and His Honour Judge Pawlak, but as</b> 18 <b>it turned out I only met Zeb Johnson and Anthea Rodgers.</b> 19 Q. The accommodation manager? 20 <b>A. Correct, and I explained to them. They then contacted</b> 21 <b>the judge and then I was then informed through a call</b> 22 <b>and some emails of what the next step -- what I had been</b> 23 <b>told -- I am sure I have made a note of this in my</b> 24 <b>notebook, as to what the next steps and how we would</b> 25 <b>need to progress it.</b></p> <p style="text-align: center;">Page 143</p>	<p>1 Q. Right. Did you become aware at some point, either 2 before the meeting, during the meeting or afterwards, 3 that Wood Green Crown Court was not one of the Crown 4 Courts designated for the use of firearms support? 5 <b>A. I think I was. Is there something in an email at all to</b> 6 <b>that effect?</b> 7 Q. Let me take you to a document that confirms that that is 8 the position. 9 <b>A. Thank you.</b> 10 Q. It may be, Mr Murray, that you have at some point seen 11 this document and it might jog your memory? 12 <b>A. Could we look, please, Mr Coates, at IMQ20, page 1.</b> 13 <b>This is part of the Criminal Procedure Rules and we can</b> 14 <b>see in the middle of the page, under designated court</b> 15 <b>centres, we can see the following -- in fact, let's</b> 16 <b>start at the top of the document, because it may assist</b> 17 <b>and it may jog your memory:</b> 18 <b>"This practice direction sets out the procedure for</b> 19 <b>the making and handling of applications for</b> 20 <b>authorisation for the presence of armed police officers</b> 21 <b>within the precinct of any Crown Court and Magistrates'</b> 22 <b>Court building at any time. It applies to</b> 23 <b>an application to authorise the carriage of firearms or</b> 24 <b>Tasers in court. It does not apply to officers who are</b> 25 <b>carrying CS spray or ..."</b></p> <p style="text-align: center;">Page 144</p>

36 (Pages 141 to 144)

<p>1 <b>Is that PAVA?</b></p> <p>2 <b>A. Yes, PAVA, it's a pepper spray.</b></p> <p>3 Q. "... incapacitant spray, which is included in the</p> <p>4 standard equipment issued to officers in some forces and</p> <p>5 therefore no separate authorisation is required for its</p> <p>6 carriage in court. This practice direction applies to</p> <p>7 all cases in England and Wales in which a police unit</p> <p>8 intends to request authorisation for the presence of</p> <p>9 armed police officers in the Crown Court or in the</p> <p>10 Magistrates' Court buildings at any time, and including</p> <p>11 during the delivery of prisoners to court.</p> <p>12 "Emergency situations. This practice direction does</p> <p>13 not apply in an emergency situation. In such</p> <p>14 circumstances, the police must be able to respond in</p> <p>15 a way in which their professional judgment deems most</p> <p>16 appropriate."</p> <p>17 Pausing there, yours was not an emergency situation,</p> <p>18 was it?</p> <p>19 <b>A. Correct.</b></p> <p>20 Q. It was planned?</p> <p>21 <b>A. Pre-planned.</b></p> <p>22 Q. Designated court centres:</p> <p>23 "Applications may only be made for armed police</p> <p>24 presence in a designated Crown Court and Magistrates'</p> <p>25 Court centres, see below. This list may be revised from</p> <p style="text-align: center;">Page 145</p>	<p>1 time to time in consultation with the Association of</p> <p>2 Chief Police Officers (ACPO) and Her Majesty's court</p> <p>3 centre. It will be reviewed at least every five years</p> <p>4 in consultation with ACPO armed police secretariat and</p> <p>5 the presiding judges. The Crown Court centres</p> <p>6 designated for firearms deployment are (a) is the</p> <p>7 northern circuit, (b) is the northeastern circuit, (c)</p> <p>8 is the western circuit, (d) is the southeastern circuit,</p> <p>9 not including London, and (e) is the southeastern</p> <p>10 circuit London only. The Central Criminal Court,</p> <p>11 otherwise known as the Old Bailey, Woolwich, Kingston</p> <p>12 and Snaresbrook ..."</p> <p>13 And we need not look at the rest.</p> <p>14 Does that jog your memory in relation to your</p> <p>15 knowledge at any time of whether or not Wood Green Crown</p> <p>16 Court was a designated court?</p> <p>17 <b>A. No, it doesn't, no.</b></p> <p>18 Q. Is it your evidence, Mr Murray, that throughout the</p> <p>19 process that you undertook, you were not aware that Wood</p> <p>20 Green Crown Court was not a designated firearms court?</p> <p>21 <b>A. I can't remember being told that.</b></p> <p>22 <b>There may be an email I may have been sent by</b></p> <p>23 <b>Zeb Johnson, that gives information about an additional</b></p> <p>24 <b>process or further information, there may be a mention</b></p> <p>25 <b>of that but I am really not sure.</b></p> <p style="text-align: center;">Page 146</p>
<p>1 <b>If you have got the emails, which I hope you have,</b></p> <p>2 <b>then it may be on there.</b></p> <p>3 Q. Thank you, I do have some emails which may assist you.</p> <p>4 <b>A. Thank you.</b></p> <p>5 MS BLACKWELL: Sir, for your bundle, they are at page 570.</p> <p>6 THE CHAIRMAN: 570 or 517?</p> <p>7 MS BLACKWELL: 570.</p> <p>8 Mr Coates, may we -- just get these in the right</p> <p>9 order -- put up IPC1121. Can we go to the second page,</p> <p>10 because I think we need to read these in reverse order.</p> <p>11 THE CHAIRMAN: Yes.</p> <p>12 MS BLACKWELL: If we just go back to page 1, please,</p> <p>13 Mr Coates, briefly, we look if we look at the bottom</p> <p>14 line here, we see the first email in time is from Joanne</p> <p>15 Clow to Zeb Johnson, and Zeb Johnson is the court</p> <p>16 manager that you have already identified, copying in</p> <p>17 a variety of judges and support staff. If we go to</p> <p>18 page 2, please, thank you, this is what Jo has to say:</p> <p>19 "The sentence will definitely not take place at Wood</p> <p>20 Green given the court is not authorised for the</p> <p>21 deployment of firearms. Given the representations</p> <p>22 below, the sentence could take place at one of the</p> <p>23 designated firearms courts, ie Central Criminal Court,</p> <p>24 Snaresbrook or Woolwich, with the defendants being</p> <p>25 produced. However, before making a final decision,</p> <p style="text-align: center;">Page 147</p>	<p>1 Mr Justice Sweeney would like written update from</p> <p>2 an officer at ACPO level, setting out the risk and the</p> <p>3 exact role of the court at which the sentence will take</p> <p>4 place. Please can this be forwarded to me by the latest</p> <p>5 at 10.30 tomorrow morning.</p> <p>6 "If this is to be pursued, Mr Justice Sweeney would</p> <p>7 like to meet with the officer at ACPO level and the</p> <p>8 officer in the case in his chambers at the RCJ [that is</p> <p>9 the Royal Courts of Justice] at 2.00 pm tomorrow,</p> <p>10 Tuesday, the 8th. Please can you communicate this to</p> <p>11 the relevant people. Dave, I copy this to you should</p> <p>12 you wish to attend the meeting tomorrow if it goes</p> <p>13 ahead, many thanks Jo."</p> <p>14 Go back to page 1, please, Mr Coates, and we can see</p> <p>15 that this indeed was sent on 7 December at 16.45. The</p> <p>16 email above, which is sent 10 minutes later at 16.55,</p> <p>17 comes from Zeb Johnson to you, with Joanne Clow copied</p> <p>18 in. It says:</p> <p>19 "Further to our telephone conversation, please see</p> <p>20 the email below, I have CCed Jo Clow in, so if you</p> <p>21 'reply all' she will receive your email. I am out of</p> <p>22 the office tomorrow morning but contactable on my</p> <p>23 mobile."</p> <p>24 Then you respond 20 minutes later to say "As</p> <p>25 discussed, Rob", and I think that I that is all we need</p> <p style="text-align: center;">Page 148</p>

<p>1 to look at.</p> <p>2 THE CHAIRMAN: That is an email sent by him to Inspector</p> <p>3 Williams.</p> <p>4 <b>A. That's correct.</b></p> <p>5 MS BLACKWELL: It is.</p> <p>6 The order of events is that Joanne Clow sends the</p> <p>7 email to Zeb Johnson confirming that Wood Green Crown</p> <p>8 Court is not a designated court, that is forwarded to</p> <p>9 you by Zeb Johnson and you forward it on to FE16.</p> <p>10 <b>A. That's correct, DCI Williams, yes.</b></p> <p>11 Q. Yes, of course. This is not a memory test and I am not</p> <p>12 going to criticise you for having forgotten this, but it</p> <p>13 does become apparent when we look at the emails that you</p> <p>14 were aware around about 7 December that Wood Green Crown</p> <p>15 Court was not one of those designated?</p> <p>16 <b>A. That's right, I was copied into that. I remember there</b></p> <p>17 <b>was an email there, somewhere.</b></p> <p>18 Q. Yes.</p> <p>19 <b>A. There was various stages to go through. I dealt with</b></p> <p>20 <b>the Wood Green part and I forwarded it on for an ACPO</b></p> <p>21 <b>officer and DCI Williams to go on with.</b></p> <p>22 Q. Indeed we will hear that DCI Williams did attend and met</p> <p>23 with Mr Justice Sweeney the following day.</p> <p>24 Were you involved in preparing the written</p> <p>25 application which was submitted for firearms presence at</p> <p style="text-align: center;">Page 149</p>	<p>1 the Crown Court?</p> <p>2 <b>A. I don't think I was, no.</b></p> <p>3 Q. During your meeting, with Zeb Johnson, did you discuss</p> <p>4 the possibility of hearing the sentence over the</p> <p>5 video-link?</p> <p>6 <b>A. No.</b></p> <p>7 Q. Is there any reason for that?</p> <p>8 <b>A. At that stage, the operation had been -- the planning</b></p> <p>9 <b>had progressed to it was likely that we were going to</b></p> <p>10 <b>carry out the armed deployment. And unless there was</b></p> <p>11 <b>anything different, or nothing changed the position,</b></p> <p>12 <b>that was the position we were moving towards.</b></p> <p>13 THE CHAIRMAN: It was more than that, wasn't it, because</p> <p>14 when you left Governor Nicholls, your understanding had</p> <p>15 then been that it wasn't an option at all actually?</p> <p>16 <b>A. Yes, that is a valid point, yes.</b></p> <p>17 THE CHAIRMAN: It was important, that piece of information,</p> <p>18 wasn't it, because it took out of the equation a reason</p> <p>19 for not taking him to court?</p> <p>20 <b>A. Yes.</b></p> <p>21 THE CHAIRMAN: You didn't have that option, as far as you</p> <p>22 were concerned, did you?</p> <p>23 <b>A. No.</b></p> <p>24 <b>THE CHAIRMAN: No.</b></p> <p>25 <b>Yes.</b></p> <p style="text-align: center;">Page 150</p>
<p>1 MS BLACKWELL: Thank you.</p> <p>2 Let's look and see, Mr Murray, whether or not there</p> <p>3 are notes in your notebook about this, because I know</p> <p>4 that you have suggested that there may well have been</p> <p>5 and I think that there are.</p> <p>6 If we go to MPS3712, which I think is behind your</p> <p>7 divider 10, sir. We need to go to page 14.</p> <p>8 THE CHAIRMAN: Yes.</p> <p>9 MS BLACKWELL: There we are, at the bottom of the page, we</p> <p>10 can see your notes for Monday, 7 December, and could you</p> <p>11 read them out to us, please, Mr Murray?</p> <p>12 Do you have them?</p> <p>13 <b>A. I've got them on the screen, I can read it out:</b></p> <p>14 <b>"Further meeting, Monday, 7 December, prison special</b></p> <p>15 <b>schemes CAD, prison future, Wood Green's Crown Court and</b></p> <p>16 <b>then court manager Zeb Johnson [an extension] resident</b></p> <p>17 <b>judge, His Honour ? Access to SCO19 on the day.</b></p> <p>18 <b>Approval authority armed police at CC."</b></p> <p>19 Q. Could we go to page 17, please, Mr Coates. Right,</p> <p>20 I think that we can see there are more notes at the top</p> <p>21 of the page under the heading "Court" which may well be</p> <p>22 a checklist for you, and then what appears to be the</p> <p>23 notes of the meeting between 11.00 am and 12 noon at the</p> <p>24 Crown Court.</p> <p>25 <b>A. Yes, that's correct.</b></p> <p style="text-align: center;">Page 151</p>	<p>1 Q. Right. Could you read through, first of all, your notes</p> <p>2 and then the notes of the meeting?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Thank you.</p> <p>5 <b>A. "Court, background and intelligence. Informing of</b></p> <p>6 <b>planned armed op. Authority for armed officers to enter</b></p> <p>7 <b>court. Access for armed officers into/out of court.</b></p> <p>8 <b>Rece for armed officers. Secure dock court."</b></p> <p>9 Q. That was a list of information that you expected to be</p> <p>10 provided by you and provided to you during the course of</p> <p>11 the meeting?</p> <p>12 <b>A. That was bullet points that I was going to speak to the</b></p> <p>13 <b>judge and the court manager with, so it was a reminder</b></p> <p>14 <b>of bullet points and questions I was going to ask to</b></p> <p>15 <b>secure what access for example and being able to get</b></p> <p>16 <b>officers to go there and recee the building and extended</b></p> <p>17 <b>area.</b></p> <p>18 Q. Can we have a look at what took place at the meeting,</p> <p>19 please.</p> <p>20 <b>A. So that is 7/12/15 meeting, 11.00 am to 12 noon Wood</b></p> <p>21 <b>Green Crown Court. RM and then Zeb Johnson the court</b></p> <p>22 <b>manager. Anthea Rodgers facilities acomm manager.</b></p> <p>23 <b>Zeb Johnson approves and will consult His Honour Judge</b></p> <p>24 <b>Pawlak, the resident judge, for two armed officers</b></p> <p>25 <b>covert. His Honour Judge Pawlak approves for two armed</b></p> <p style="text-align: center;">Page 152</p>

<p>1 <b>officers covert. Wood Green Crown Court need to [then</b>  2 <b>a space] presiding judge for final approval. No issues</b>  3 <b>foreseen. Recce carried with at Wood Green Crown Court</b>  4 <b>with two SA officers, court entrance, van entrance."</b>  5 Q. You had told us I think that you didn't get to meet  6 Judge Pawlak?  7 <b>A. That's correct.</b>  8 Q. But that you did have the meeting with the two people  9 who are identified towards the top of the note?  10 <b>A. That's correct.</b>  11 Q. Zeb and Anthea?  12 <b>A. That's correct, yes.</b>  13 Q. Was it Zeb Johnson that was telling you that  14 Judge Pawlak, the resident judge, had approved two armed  15 officers?  16 <b>A. Yes.</b>  17 Q. But that the approval of that judge had to be sanctioned  18 by or approved itself by the presiding judge, who was  19 Mr Justice Sweeney?  20 <b>A. That's correct, she didn't give me a name, that is why</b>  21 <b>I have left a gap there, which I intend to fill in later</b>  22 <b>on, which I have not.</b>  23 Q. Sorry, you hadn't finished --  24 <b>A. Sorry, no.</b>  25 Q. You had.</p> <p style="text-align: center;">Page 153</p>	<p>1 What had been submitted by you prior to this meeting  2 that enabled Zeb Johnson to tell you that Judge Pawlak  3 had provided authority? Had you provided an application  4 in writing or a letter or an email or something?  5 <b>A. No, it was a verbal presentation.</b>  6 Q. So you provided the verbal presentation during the  7 meeting?  8 <b>A. Yes.</b>  9 Q. How was it then that Judge Pawlak was able to give his  10 approval when he wasn't at the meeting?  11 <b>A. I had spoke to Zeb Johnson, she went off to speak to</b>  12 <b>Judge Pawlak. While she was speaking to Judge Pawlak,</b>  13 <b>there was then another member of staff, I think it was</b>  14 <b>Anthea Rodgers, took the firearms officers and I around</b>  15 <b>the court building. Whilst we were doing that</b>  16 <b>reconnaissance, we came back and then we spoke to</b>  17 <b>Zeb Johnson, once she had spoke to Judge Pawlak.</b>  18 THE CHAIRMAN: You are saying Judge Pawlak approved this  19 application without seeing the officer in charge of the  20 application?  21 <b>A. Yes.</b>  22 MS BLACKWELL: Or indeed without seeing any written  23 application?  24 <b>A. Yes.</b>  25 Q. What you have described about you and others, the other</p> <p style="text-align: center;">Page 154</p>
<p>1 officers, going around to have a look at the court, that  2 reconnaissance was always expected to take place at some  3 time, wasn't it?  4 <b>A. Yes, obviously the officers were unarmed whilst we were</b>  5 <b>walking round, but we just walked round the outside of</b>  6 <b>the building and we were shown doors and approach ways</b>  7 <b>to assist mine and their understanding of the area.</b>  8 Q. Thank you.  9 When you left Wood Green Crown Court that day, it  10 was apparent to you that whatever Judge Pawlak had  11 approved, needed itself to be further approved by the  12 presiding judge?  13 <b>A. Yes, that's right. It was provisional approval. It had</b>  14 <b>not been ratified yet, it needed the next step and then</b>  15 <b>she provided the information in that email that we saw,</b>  16 <b>and that then caused the next step for the formal</b>  17 <b>application and then the meeting at the Royal Courts of</b>  18 <b>Justice.</b>  19 Q. During this meeting and before you received the email at  20 around 4.00 pm, was there any discussion between you and  21 Zeb Johnson about the fact that Wood Green Crown Court  22 was not a designated firearms court?  23 <b>A. I can't recall that.</b>  24 Q. Because if she had told you that, it would seem unusual,  25 wouldn't it, that Judge Pawlak had authorised the</p> <p style="text-align: center;">Page 155</p>	<p>1 application without seeing you or without seeing any  2 documentation, when the Crown Court itself was not one  3 that had been designated for such an application to  4 succeed?  5 <b>A. Yes, I understand that, but because it is such a rare</b>  6 <b>event, my understanding was I had to ask someone and get</b>  7 <b>somebody's advice on it and my interpretation was</b>  8 <b>Judge Pawlak was probably not experienced in doing those</b>  9 <b>sorts of authorities, because they are so rare, and that</b>  10 <b>it needed ratification and wanted to check -- that was</b>  11 <b>my understanding.</b>  12 Q. Were you involved in preparing the documentation then  13 that went to judge Sweeney with DCI Williams the  14 following day?  15 <b>A. I can't remember.</b>  16 THE CHAIRMAN: Sorry, what was the question, please, was he  17 involved in the preparation of the documentation?  18 MS BLACKWELL: Yes.  19 THE CHAIRMAN: Yes.  20 MS BLACKWELL: Sir, would you like me to take this witness  21 to the documentation or are you happy for me to deal  22 with it when DCI Williams comes to give evidence?  23 THE CHAIRMAN: Well, what I would just like to know is this.  24 It is reasonable to assume, isn't it, that when you  25 left the prison, on 13 November, that you would have</p> <p style="text-align: center;">Page 156</p>

<p>1 shared with your strategic and tactical fire commanders 2 the fact that prison video-link on 11 December wasn't 3 an option? 4 <b>A. Yes.</b> 5 THE CHAIRMAN: Because they would have needed to know? 6 <b>A. Yes, I would suspect they would have done, yes.</b> 7 THE CHAIRMAN: I think you have already agreed it was 8 important, because the fact that there was no prison 9 video-link option as far as Wormwood Scrubs was 10 concerned, removed from the equation an alternative 11 which those who were making the plan had otherwise to 12 consider. Is that a fair way of putting it? 13 <b>A. That is a fair way of putting it.</b> 14 MS BLACKWELL: Thank you sir. 15 THE CHAIRMAN: You can deal with the rest of it with 16 Mr Williams. 17 MS BLACKWELL: I will, thank you very much. 18 Mr Coates, could we turn to the following page, 19 please, because I think there are some helpful notes, 20 Mr Murray, about your update call with Zeb Johnson. 21 I think this is when you were given the identity of 22 Mr Justice Sweeney, who you referred to as His Honour 23 Judge Sweeney, but I am he will not take offence. 24 THE CHAIRMAN: I don't know about that. 25 MS BLACKWELL: I would like to ask you first of all about</p> <p style="text-align: center;">Page 157</p>	<p>1 the update call -- 2 THE CHAIRMAN: I hope he is not watching the livestream. 3 MS BLACKWELL: -- on the top half of the page and then we 4 are going to move on to your second prison meeting at 5 Wormwood Scrubs with Governor Nicholls the following 6 day, on the 8th. Could you read out, please, the 7 content of the update call note? 8 <b>A. So it is approximately 1.30 pm:</b> 9 <b>"Update call Zeb Johnson, His Honour Judge Sweeney</b> 10 <b>considered this.</b> 11 <b>"Option 1, approve the request or refuse, move the</b> 12 <b>prisoners to HMP Belmarsh and have the hearing at</b> 13 <b>Woolwich Crown Court."</b> 14 <b>"2. Conduct the hearing by video-link."</b> 15 <b>Then the update, "Will await final decision".</b> 16 Q. Then finally? 17 <b>A. "To complete, armed police at Crown Court pro forma,</b> 18 <b>form by ACPO, presentation by ACPO plus SIO."</b> 19 MS BLACKWELL: That final point, presentation by ACPO and 20 SIO, that reflects, doesn't it, the email that you were 21 sent, because the request was that an ACPO officer and 22 an officer in the case attend to present the application 23 to Mr Justice Sweeney? 24 <b>A. Yes.</b> 25 Q. That wasn't you, it was the tactical firearms commander,</p> <p style="text-align: center;">Page 158</p>
<p>1 DCI Williams, and FE19, is that right is it FE19 -- FE19 2 was the officer to whom you forwarded the email, wasn't 3 it? 4 No, that was FE16. 5 THE CHAIRMAN: Mr Williams. 6 <b>A. I think it was FE16.</b> 7 THE CHAIRMAN: Mr Williams, who prepared the application for 8 the following day. 9 MS BLACKWELL: He did. Do you know who accompanied him to 10 the presentation? 11 <b>A. Yes, I believe it was Detective Chief Superintendent</b> 12 <b>Manson I think. I think it was due to be</b> 13 <b>Commander Ball, and then it got -- and then Mr Manson</b> 14 <b>went in his place, I think, but that is from memory.</b> 15 Q. Mr Manson was fulfilling the role of the ACPO officer? 16 <b>A. Yes.</b> 17 Q. Why was DCI Williams attending as the tactical firearms 18 commander? And, follow-up question, do you agree that 19 it should have been an officer in the case rather than 20 a firearms commander? 21 <b>A. Well, there are two reasons. I would have probably gone</b> 22 <b>to that meeting on the 8th, the next day, so we are just</b> 23 <b>about to hear about, I was at Wood Green Crown Court --</b> 24 <b>sorry I was at Wormwood Scrubs prison with a further</b> 25 <b>review meeting with Pete Nicholls.</b></p> <p style="text-align: center;">Page 159</p>	<p>1 Q. Yes. 2 <b>A. So the -- I assume that because Mr Justice Sweeney may</b> 3 <b>wish to know about any of the tactics at all, it may</b> 4 <b>well be that DCI Williams, who is the tactical firearms</b> 5 <b>commander, may be in a better position to assist with</b> 6 <b>the proposed tactics.</b> 7 Q. All right, so that is your understanding? 8 <b>A. That is my understanding.</b> 9 Q. That is helpful. 10 <b>A. I was due to go to see Mr Nicholls, and that would have</b> 11 <b>been helpful, I believe, in that regard.</b> 12 Q. Right. But in fact, strictly speaking, he wasn't 13 an officer in the case was he? He was part of the 14 firearms deployment rather than the investigative side 15 of Operation Ankaa, which we established before? 16 <b>A. Strictly speaking, yes.</b> 17 Q. Thank you. 18 Let's just look at the subject of the update call 19 and what you and Zeb Johnson discussed. 20 There were two options. If the application was 21 approved by Mr Justice Sweeney, then everything was 22 going to go to plan and there would be a firearms 23 presence at the Crown Court during the course of the 24 sentencing hearing? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 160</p>



<p>1 Q. Yes.</p> <p>2 If the application was refused by</p> <p>3 Mr Justice Sweeney, then there were two options.</p> <p>4 The first would involve a prison move from Wormwood</p> <p>5 Scrubs to Belmarsh, which would have allowed for</p> <p>6 a secure transfer of Izzet Eren to Woolwich Crown Court</p> <p>7 using the underground passage, in the way in which we</p> <p>8 have already discussed?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. The second option was to conduct the hearing by</p> <p>11 video-link.</p> <p>12 Did you, during that conversation, inform</p> <p>13 Zeb Johnson that video-link wasn't an option because of</p> <p>14 what you have been told at Wormwood Scrubs?</p> <p>15 <b>A. No, I don't think I did, no.</b></p> <p>16 Q. Is there any reason why you wouldn't have done?</p> <p>17 <b>A. No, I was just waiting for the options and the result</b></p> <p>18 <b>and I can't recall having any discussion about the</b></p> <p>19 <b>video-link with Zeb Johnson.</b></p> <p>20 Q. All right, do you agree from the options that were being</p> <p>21 discussed by you and Zeb Johnson during this meeting,</p> <p>22 that if Mr Justice Sweeney had refused the application</p> <p>23 for firearms presence at the Crown Court, then the</p> <p>24 hearing could not have gone ahead at Wood Green Crown</p> <p>25 Court?</p> <p style="text-align: center;">Page 161</p>	<p>1 <b>A. Yes, in line with the strategy and the tactics that was</b></p> <p>2 <b>being implemented, yes.</b></p> <p>3 Q. So it was vital to the conspiracy being allowed to run,</p> <p>4 that Mr Justice Sweeney approved the application for the</p> <p>5 firearms presence?</p> <p>6 <b>A. Yes, it is important, yes.</b></p> <p>7 Q. Thank you.</p> <p>8 Let's move then, please, to your second meeting that</p> <p>9 you had with Governor Pete Nicholls at Wormwood Scrubs</p> <p>10 on 8 December.</p> <p>11 We have some notes that were prepared by you, that</p> <p>12 we can look at together on the screen. Mr Coates, it is</p> <p>13 IPC408.</p> <p>14 Sir, it is our red page 17.</p> <p>15 THE CHAIRMAN: Thank you.</p> <p>16 MS BLACKWELL: If you can move through these pages please,</p> <p>17 until we get to one that has the word "Prison" at the</p> <p>18 top. Keep going.</p> <p>19 Keep going, please. Thank you, it is page 17, I am</p> <p>20 grateful.</p> <p>21 Thank you.</p> <p>22 THE CHAIRMAN: Yes.</p> <p>23 MS BLACKWELL: This appears to be a record of what you</p> <p>24 discussed during the course of the meeting, and, again,</p> <p>25 we seem to have a checklist, is this your usual</p> <p style="text-align: center;">Page 162</p>
<p>1 practice, that before a meeting, you will make a list of</p> <p>2 what you want to achieve and then we have the notes of</p> <p>3 the meeting.</p> <p>4 <b>A. Yes, those were the key things that I wanted to speak</b></p> <p>5 <b>about, or points I wanted to raise with Mr Nicholls.</b></p> <p>6 Q. Can we deal with that list first, please.</p> <p>7 If you could read it out, thank you?</p> <p>8 <b>A. "Prison, availability of Pete Nicholls on Friday morning</b></p> <p>9 <b>(6.00 am)."</b></p> <p>10 <b>I have ticked that as yes:</b></p> <p>11 <b>"Obtaining details of prison van, in depth</b></p> <p>12 <b>description of route stops."</b></p> <p>13 <b>I've put 6.00 am next to that, which I think is when</b></p> <p>14 <b>the information would be available.</b></p> <p>15 Q. Yes.</p> <p>16 <b>A. "Confirming lift/off of IE [Izzet Eren] leaving in</b></p> <p>17 <b>prison van."</b></p> <p>18 <b>Then I've got "obtaining", and then I've got:</b></p> <p>19 <b>"Contact telephone number for Serco officers onboard</b></p> <p>20 <b>prison van."</b></p> <p>21 <b>Then I've got:</b></p> <p>22 <b>"PA4, Eren and Erwin, requested 8/12/15."</b></p> <p>23 Q. Right.</p> <p>24 Could we read through the notes of the meeting?</p> <p>25 <b>A. Yes, so:</b></p> <p style="text-align: center;">Page 163</p>	<p>1 <b>"Prison meeting, 8.12.15, 11.30. RM [that is me],</b></p> <p>2 <b>Lynn Shepherd [who is a detective inspector from the</b></p> <p>3 <b>Prison Intelligence Unit] and Pete Nicholls. Serco</b></p> <p>4 <b>drivers on the van have a Serco phone and a BlackBerry</b></p> <p>5 <b>type radio. Serco control room [there is a telephone</b></p> <p>6 <b>number that was given]. The van route from the Scrubs</b></p> <p>7 <b>and the name and number of prisoners and all the</b></p> <p>8 <b>locations."</b></p> <p>9 <b>There is a fax comes into the Scrubs by 5.30 am.</b></p> <p>10 <b>Pete Nicholls comes in by 6.00 am, the first prison van</b></p> <p>11 <b>leaves at 7.30 am. The last van leaves by 8.30 am.</b></p> <p>12 <b>Then type of van:</b></p> <p>13 <b>"It could either be a four- or a six-cell van or</b></p> <p>14 <b>a large 12-seat [maybe that should be cell] van."</b></p> <p>15 <b>Then:</b></p> <p>16 <b>"OP [I think that is officer] watch van give off and</b></p> <p>17 <b>CCTV needs officers."</b></p> <p>18 <b>Then:</b></p> <p>19 <b>"Officer access to prison office, view of van and</b></p> <p>20 <b>access CCTV."</b></p> <p>21 <b>Then:</b></p> <p>22 <b>"Access to car park opposite."</b></p> <p>23 Q. Could we just go over to the following page to see</p> <p>24 whether there are any further notes, thank you.</p> <p>25 You will be able to tell us, Mr Murray, are the</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

<p>1 notes that we see thereafter relating to the meeting</p> <p>2 that took place at the prison or not?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. They are? Could we read then to the end of that page,</p> <p>5 which appears to be the remaining details in relation to</p> <p>6 the meeting and then a to do list.</p> <p>7 <b>A. Sorry, the notes -- the final notes at the end there</b></p> <p>8 <b>are -- yes, sorry, I understand so:</b></p> <p>9 <b>"Audi TFC MASTS surveillance team. Prison van TFC</b></p> <p>10 <b>MASTS surveillance team. Covert to overt and can call</b></p> <p>11 <b>on ARVs. Tipping points, loss of surveillance on Audi.</b></p> <p>12 <b>"Point 2 no movement on Audi but indications prison</b></p> <p>13 <b>break is on and prison van on move. Briefing Thursday,</b></p> <p>14 <b>3 pm at New Scotland Yard. Then Friday? Am."</b></p> <p>15 Q. I think those are the three areas where the Friday</p> <p>16 briefings took place?</p> <p>17 <b>A. Yes, I am struggling to read one of my words, I think it</b></p> <p>18 <b>is Alperton, Holborn and Quicksilver, and then C3000</b></p> <p>19 <b>familiarisation 12 noon Thursday."</b></p> <p>20 Q. Do you think that those are matters that you discussed</p> <p>21 with Governor Nicholls?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. Your to do list at the bottom appears to be arrange</p> <p>24 meeting with Governor Nicholls and Lynne Shepherd, is</p> <p>25 that an additional meeting to the one that was taking</p> <p style="text-align: center;">Page 165</p>	<p>1 place on 8 December?</p> <p>2 <b>A. No, that is the meeting.</b></p> <p>3 Q. All right.</p> <p>4 <b>A. That is like a bit of a -- so not unless that second bit</b></p> <p>5 <b>of the page there is not referring to the meeting linked</b></p> <p>6 <b>to Paul Nicholls and it refers to a different day and</b></p> <p>7 <b>that is the to do list that I've got at the bottom of</b></p> <p>8 <b>that page, which I have subsequently done.</b></p> <p>9 Q. Let's go back to the first page then, please.</p> <p>10 During the course of this meeting did anything</p> <p>11 change as far as your proposed armed deployment was</p> <p>12 concerned?</p> <p>13 <b>A. No.</b></p> <p>14 Q. Right. So what was the purpose of the meeting?</p> <p>15 <b>A. It was to confirm the planning and the arrangements for</b></p> <p>16 <b>the day in question and that was questions in relation</b></p> <p>17 <b>to which van he would be on, when would we know the van,</b></p> <p>18 <b>description, type, index number, when the van in</b></p> <p>19 <b>question that he would be put into, when the earliest</b></p> <p>20 <b>point would be notified and if we could have an officer</b></p> <p>21 <b>to come into prison to be in a position to liaise with</b></p> <p>22 <b>Pete Nicholls, who was in at 6.00 am to assist this</b></p> <p>23 <b>process. So that officer could then relay information,</b></p> <p>24 <b>as I have discussed, to the rest of the team to confirm</b></p> <p>25 <b>exactly which van -- because it was vitally important we</b></p> <p style="text-align: center;">Page 166</p>
<p>1 <b>followed the correct van.</b></p> <p>2 Q. So you are getting out of this meeting additional</p> <p>3 information that allows your operation on 11 December to</p> <p>4 go ahead, you are being told timings and details and</p> <p>5 without which your operation wouldn't get off the</p> <p>6 ground?</p> <p>7 <b>A. Absolutely, without his assistance, the operation would</b></p> <p>8 <b>not happen.</b></p> <p>9 Q. There is mention of Serco, during the course of this</p> <p>10 note.</p> <p>11 Was it your understanding that up until this point,</p> <p>12 Serco had not been told about your proposed operation?</p> <p>13 <b>A. That's correct, yes.</b></p> <p>14 Q. Was it your intention that, until the time at which the</p> <p>15 prison van left the prison, Serco would not be told of</p> <p>16 the operation?</p> <p>17 <b>A. That's correct.</b></p> <p>18 Q. Was there any discussion between yourself and</p> <p>19 Governor Nicholls about whether or not NOMS, the</p> <p>20 National Offender Management Service, would be told</p> <p>21 about your operation?</p> <p>22 <b>A. Not to my knowledge, no.</b></p> <p>23 Q. There was no discussion or they wouldn't be told?</p> <p>24 <b>A. Not to my knowledge, there wasn't, no. I can't recall</b></p> <p>25 <b>anything about NOMS. If there had been, I suspect</b></p> <p style="text-align: center;">Page 167</p>	<p>1 <b>I would have written it down.</b></p> <p>2 Q. Was it your understanding that NOMS did know about your</p> <p>3 operation or not? You didn't know?</p> <p>4 <b>A. I can't answer that, I didn't know.</b></p> <p>5 Q. Right.</p> <p>6 Are you aware that, since 11 December, there have</p> <p>7 been, internal investigations in both organisations</p> <p>8 about the fact that protocols were breached by NOMS and</p> <p>9 Serco not being told that this was afoot?</p> <p>10 <b>A. Yes, I am aware. I was given a report a couple of</b></p> <p>11 <b>months ago and that was the first time I saw that, yes.</b></p> <p>12 Q. I am going to ask us to look, please, at both reports.</p> <p>13 First of all, could we look at a letter that</p> <p>14 accompanied the NOMS report that was sent by DAC</p> <p>15 Maxine de Brunner in relation to the NOMS report, it is</p> <p>16 dated 17 December, 2015, and we can see it, Mr Coates,</p> <p>17 please, at HMP25.</p> <p>18 Thank you.</p> <p>19 This is the first page of the report, in fact, and</p> <p>20 we can see that this internal report was prepared by two</p> <p>21 people, Brian Pollett and Carolyn Lund. If we go to</p> <p>22 what I hope is page 21 of this document -- no.</p> <p>23 Let's go back to the beginning of the report,</p> <p>24 please, and I can read out the letter that DAC</p> <p>25 Maxine de Brunner sent to Mr Pollett, who is the author</p> <p style="text-align: center;">Page 168</p>

42 (Pages 165 to 168)

<p>1 of this report. She writes on 17 December:  2 "Thank you for your letter dated 16 December in  3 relation to the police operation on Friday, 11 December,  4 which resulted in the fatal shooting in Wood Green.  5 I can confirm that Peter Nicholls was given confidential  6 briefings about the forthcoming police operation. As  7 you are aware, the Independent Police Complaints  8 Commission are conducting an investigation into the  9 shooting and there is also an ongoing coronial process.  10 I am sure that you will understand that, due to the  11 ongoing investigation, I am unable to provide any more  12 information in relation to the briefings to Mr Nicholls.  13 I will, however, ensure that the senior officer  14 coordinating the police cooperation with the IPCC is  15 made aware of your interest. Please rest assured that  16 the Metropolitan Police Service remains committed to the  17 excellent relationship we have with NOMS. I note the  18 objective set by Mr Mulholland to establish facts in  19 order to enable NOMS to prevent or better manage this  20 incident and make recommendations. We will willingly  21 assist you in achieving this objective, but must first  22 serve the IPCC and coroner's investigations to take  23 primacy over other matters."  24 Thank you very much, Mr Coates.  25 Could we put that back up, please.</p> <p style="text-align: center;">Page 169</p>	<p>1 This is the letter that I have just read out.  2 At the end of the first paragraph, sorry, it states:  3 "I can confirm that Peter Nicholls was given  4 confidential briefings about the forthcoming police  5 operation."  6 Did you speak to DAC de Brunner?  7 <b>A. No.</b>  8 Q. You didn't? Are you able to assist the inquiry with how  9 she became aware that Peter Nicholls was given  10 confidential briefings?  11 <b>A. I can't -- I don't know.</b>  12 Q. So you were not asked to speak to her?  13 <b>A. No.</b>  14 Q. Or to provide a report to her about the interaction that  15 you had had with Governor Nicholls?  16 <b>A. Not to my knowledge -- recollection, no.</b>  17 Q. Right.  18 THE CHAIRMAN: I suppose it is not every day that you would  19 be asked to see the deputy assistant commissioner, you  20 would probably remember it if it happened, wouldn't you?  21 <b>A. Yes, I think I would, yes.</b>  22 MS BLACKWELL: Can we now go to the report, please. Go back  23 to page 1 of this document, Mr Coates.  24 I would like to look at the page which has the  25 number 2 at the bottom, it is our third page, I think.</p> <p style="text-align: center;">Page 170</p>
<p>1 You have seen this report?  2 <b>A. I have read it.</b>  3 Q. Recently?  4 <b>A. Yes, I read it in the last couple of days and I saw it  5 for first time I think two months ago.</b>  6 Q. Thank you. I am not going to go through the whole of  7 the executive summary, but if we can concentrate,  8 please, on paragraph 1.6. Where we see the following:  9 "The protocols for the sharing of intelligence  10 between the Metropolitan Police and NOMS were not used  11 on this occasion. NOMS' approval for the police  12 operation was not sought at a senior HQ level in advance  13 of 11 December."  14 Just looking at the information that we see there,  15 were you aware that there were protocols for the sharing  16 of intelligence between your organisation and NOMS?  17 <b>A. No.</b>  18 Q. Have you since become aware that such protocols did  19 exist?  20 <b>A. Yes.</b>  21 Q. Bearing in mind that this was a discussion between you  22 and -- I am talking about the meeting on 8 December,  23 a discussion that had taken place between you and  24 Governor Nicholls, relating to the firearms operation  25 and the protection of the police van as part of that</p> <p style="text-align: center;">Page 171</p>	<p>1 operation, do you consider that you were the right  2 person to attend that meeting? What I am thinking of  3 is, Mr Murray, whether or not it should have been the  4 tactical firearms commander, DCI Williams, rather than  5 you?  6 THE CHAIRMAN: Which meeting is this, please?  7 MS BLACKWELL: This is 8 December.  8 THE CHAIRMAN: Thank you.  9 <b>A. No, I think I was the right person to go to the meeting.  10 I had met him previously, I think he trusted me,  11 I trusted him. I shared sensitive information with him.  12 And I built up a good relationship with him and I was  13 happy to go and meet him, I think. I could perform the  14 function, answer the questions that he had and hopefully  15 he could answer the questions that I had following  16 a successful first meeting.</b>  17 MS BLACKWELL: All right.  18 <b>A. As I said, I think earlier, it was absolutely vital to  19 secure his support, otherwise without that, this  20 operation would not have been able to progress.</b>  21 Q. Thank you.  22 Could we go to page 7 of this document, please,  23 Mr Coates.  24 Next page. Thank you.  25 This deals with your meeting on 13 November, so the</p> <p style="text-align: center;">Page 172</p>

<p>1 first meeting. We can see at 5.1, on 13 November, 2 Inspector Steve Mayes, London regional Prison 3 Intelligence Unit and Detective Inspector Rob Murray, 4 met Peter Nicholls, head of security at HMP Wormwood 5 Scrubs at the prison: 6 "Mr Murray told Mr Nicholls that the Met Police had 7 credible intelligence that an attempt would be made to 8 free Mr Eren either from the prison escort vehicle or 9 from court on 11 December. Mr Nicholls has stated that 10 Mr Murray stressed that the intelligence had been 11 obtained from a covert source and should not be shared 12 with anybody else." 13 Pausing there, remind us, Mr Murray, was it your 14 evidence that you hadn't shared with Governor Nicholls 15 the fact that there had been an aborted attempt on 16 29 October or you cannot remember? 17 <b>A. I can't remember.</b> 18 Q. Thank you. 19 Thank you, 5.2: 20 "Mr Murray explained to Mr Nicholls that he was 21 developing a plan for both the prisoner escort vehicle 22 and the suspects to be under constant covert 23 surveillance during the journey from prison to court on 24 11 December and for the suspects to be arrested without 25 causing any risk to the prisoner escort vehicle.</p> <p style="text-align: center;">Page 173</p>	<p>1 "The plan would be submitted to senior 2 Metropolitan Police staff for approval and he would 3 brief Mr Nicholls again before the escort took place." 4 5.3: 5 "Mr Nicholls has stated that he asked Mr Murray if 6 his intelligence or plans had been shared with any 7 senior staff in NOMS HQ. Mr Murray replied that the 8 information had not been shared because the matter was 9 a sensitive covert operation which he wanted to 10 carefully protect. This was unlikely to change but 11 would be a matter for his assistant commissioner. He 12 went on to state that the only reason that he had told 13 Mr Nicholls was because on 11 December the police would 14 need to know the registration number of the prisoner 15 escort vehicle which would take Mr Eren from the prison 16 to the court." 17 Just pausing there. 18 Did you consult your assistant commissioner about 19 whether or not it was appropriate to share this 20 information with NOMS? 21 <b>A. No.</b> 22 THE CHAIRMAN: That is a no -- you shook your head, but of 23 course. 24 MS BLACKWELL: He did say "no" in fact. 25 THE CHAIRMAN: Fine.</p> <p style="text-align: center;">Page 174</p>
<p>1 MS BLACKWELL: Did you tell Mr Nicholls that the sharing of 2 such information with NOMS may change dependent on the 3 opinion of your assistant commissioner? 4 <b>A. No.</b> 5 <b>If I could assist there?</b> 6 Q. Yes, please. 7 <b>A. It may be, and I am not suggesting -- this was five</b> 8 <b>years ago -- that NOMS may have been brought up to the</b> 9 <b>equation, but I can't honestly say whether NOMS was</b> 10 <b>mentioned or not, but what I am convinced about is</b> 11 <b>saying this that at no stage I was told by either</b> 12 <b>Mr Nicholls or indeed by DI Mayes or subsequently</b> 13 <b>DI Shepherd, "There are protocols in place and you must</b> 14 <b>get authority from NOMS to progress this operation".</b> 15 Q. Right. 16 <b>A. If I can just clarify that.</b> 17 Q. Thank you for that. 18 May we look at the following page, please, and to 19 the record of the second meeting or certainly the report 20 as far as the second meeting is concerned, and can we 21 concentrate on paragraph 5.9, there is no need to 22 enlarge it. 23 Mr Nicholls has stated: 24 "At this meeting he asked Mr Murray if senior NOMS 25 staff had been informed of the plan. Mr Murray replied</p> <p style="text-align: center;">Page 175</p>	<p>1 that they had not as it was the culmination of 2 a long-term police-led operation which he wished to 3 protect. Mr Nicholls also asked if Serco Wincanton had 4 been told about the plan and Mr Murray replied no 5 contact had been made with the company, because he did 6 not want to risk any information leaks." 7 It looks as if, certainly according to 8 Governor Nicholls's recollection, in the second meeting 9 of 8 December you confirmed that neither Serco nor NOMS 10 had been told? 11 <b>A. That's correct.</b> 12 Q. Right. 13 <b>A. I mean, again, sorry, I definitely confirm in relation</b> 14 <b>to Serco. In relation to the NOMS part, I cannot</b> 15 <b>remember any discussions about NOMS, I am not saying</b> 16 <b>that didn't happen but it certainly wasn't on the back</b> 17 <b>of not following any protocol that I was told we had to</b> 18 <b>follow.</b> 19 <b>I hope that assists.</b> 20 Q. Thank you, it does. 21 Could we go to our page 10, please, page 10 at the 22 bottom. Thank you. 23 It is 6.1: 24 "Protocols are in place for the sharing of 25 intelligence between the Metropolitan Police and staff</p> <p style="text-align: center;">Page 176</p>

<p>1 at Wormwood Scrubs." 2 This is the staff at the prison: 3 "Mr Monaghan, Ms Martin and Mr Nicholls have all 4 reported that these arrangements are good and normally 5 well used. The working relationship between police and 6 prison staff is also good, with high levels of trust on 7 both sides. However, these protocols and working 8 relationships were completely bypassed in this case and 9 were not invoked at any time." 10 Were you aware of the protocols in place between 11 your organisation and the prison staff at the time that 12 you had these meetings? 13 <b>A. No.</b> 14 Q. 6.2: 15 "Protocols are also in place for the sharing of 16 intelligence between the Metropolitan Police and NOMS at 17 regional and national levels. In addition, the police 18 National Prison Intelligence Coordination Centre was 19 established in November 2015 with the specific purpose 20 of sharing intelligence between the two organisations, 21 the protocols and the NPICC were also completely 22 bypassed in this case." 23 You have already confirmed, Mr Murray, that you were 24 not aware of the protocols between your organisation and 25 NOMS.</p> <p style="text-align: center;">Page 177</p>	<p>1 <b>A. Yes.</b> 2 Q. Did you know that only a month before -- in fact the 3 month during the first meeting and the month before the 4 second meeting, so within weeks, really, or it could 5 have been even days, that this coordination centre had 6 been established for the sharing of such information? 7 <b>A. I didn't, no.</b> 8 Q. Nobody had told you that? 9 <b>A. No.</b> 10 <b>Can I just add, at each stage when any authority was</b> 11 <b>required, whether by a directed surveillance authority,</b> 12 <b>property interference authority, intrusive surveillance</b> 13 <b>authority, authority to deploy officers, we followed</b> 14 <b>each of the step notice to seek the appropriate</b> 15 <b>authority to do so. Had I known this was the case, then</b> 16 <b>we would have followed that steps.</b> 17 THE CHAIRMAN: Where and in what circumstances would you 18 expect now to have found out about those protocols that 19 you knew nothing about, despite your senior position? 20 <b>A. On reflection, I suppose I could have asked or hoped to</b> 21 <b>be informed by the Prison Intelligence Unit DI, who</b> 22 <b>I was with and visited on the two visits on both</b> 23 <b>occasions. Who specifically deal with prison matters.</b> 24 <b>I deal with -- did deal with serious and organised</b> 25 <b>crime. They are specialists in prison intelligence and</b></p> <p style="text-align: center;">Page 178</p>
<p>1 <b>prison matters.</b> 2 MS BLACKWELL: Is that the PIU? 3 <b>A. Correct.</b> 4 Q. Yes. 5 Sir, I am not going to take this witness to these 6 protocols because his evidence is he was unaware of them 7 at the time. 8 THE CHAIRMAN: Yes, I appreciate that. 9 MS BLACKWELL: But I will take Governor Nicholls to them, 10 who will be able to assist us, I hope. 11 Before we leave this document, may we consider what 12 should have happened and the conclusions that are 13 reached. 14 First of all, then, go, please, to page 12, 15 Mr Coates. 16 What should have happened starts at 7.1: 17 "There should have been a recognition by the senior 18 investigating officer in charge of the 19 Metropolitan Police operation and by those aware at the 20 London region Prison Intelligence Unit that the possible 21 use of firearms made this incident both high profile and 22 high risk, which would require briefing to those of 23 sufficient seniority within NOMS. This would have 24 ensured that the existing protocols for sharing and 25 managing intelligence between the Metropolitan Police</p> <p style="text-align: center;">Page 179</p>	<p>1 and NOMS were followed." 2 Considering that paragraph now, with the benefit of 3 hindsight, Mr Murray, do you regret the fact that NOMS 4 were not told of your plan? 5 <b>A. If I had known that I had to follow that, then, yes,</b> 6 <b>I should have followed that.</b> 7 Q. Can you understand that the reason why that should have 8 happened, according to this report, was because the 9 possible use of firearms made this incident both high 10 profile and high risk? 11 <b>A. Yes.</b> 12 Q. 7.2: 13 "The police SIO should have followed up the initial 14 meeting with the head of security at HMP Wormwood Scrubs 15 with a full briefing for the governing governor. This 16 should have included details of both the background to 17 the case and of any previous police adviser section 18 applications. The full briefing would have enabled the 19 potential risks for NOMS and their associated partners, 20 in this case the escort contractor [Serco], to be 21 properly recognised and appropriately managed both in 22 the short and the long term." 23 Q. Do you accept that that would have been a consequence of 24 a proper briefing? 25 <b>A. Well, I provided a proper briefing to Mr Nicholls. Yes,</b></p> <p style="text-align: center;">Page 180</p>

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<p>1 <b>whilst it would certainly have been helpful, and I have</b>  2 <b>seen this policy, the request for me to brief the</b>  3 <b>governor and the deputy governor, by Mr Nicholls could</b>  4 <b>have been requested and I would have willingly did that.</b>  5 Q. Didn't you tell Mr Nicholls to keep the information that  6 you provided to him confidential?  7 <b>A. Yes. But if I recall I think, and I have read, I think</b>  8 <b>he spoke to the deputy governor and the governor.</b>  9 Q. He indeed did speak to the governor, but there was  10 a misunderstanding in the governor's mind as to whether  11 or not NOMS and consequently Serco had approved the  12 plan. I am not suggesting that that misunderstanding is  13 to be laid at your door, but I inform you of it to  14 highlight the danger of a lack of open sharing of  15 information in this situation?  16 <b>A. Okay. In relation to my email, in relation to the</b>  17 <b>second point there, that the SIO should have arranged</b>  18 <b>these meetings with the prison governor, equally so</b>  19 <b>I would suggest it would be open on the email that</b>  20 <b>I sent Mr Nicholls, where I bullet point and set out</b>  21 <b>exactly what the tactics are and how we are going to</b>  22 <b>protect the staff and everyone involved, that I put my</b>  23 <b>details on there and say if there are any questions at</b>  24 <b>all or any further information required just contact me</b>  25 <b>and I would have been willing to assist in that.</b></p> <p style="text-align: center;">Page 181</p>	<p>1 Q. I accept your evidence on that point.  2 <b>A. Thank you.</b>  3 Q. Page 14, please, we come to the conclusions.  4 THE CHAIRMAN: Before you move on, you have just said that  5 you gave Mr Nicholls a what you described as a proper  6 briefing.  7 <b>A. Yes.</b>  8 THE CHAIRMAN: If it were the case that you did not tell him  9 about the abortive attempt to escape on 29 October,  10 would you agree that that would not have constituted  11 a proper briefing?  12 <b>A. If I hadn't mentioned 29 October, then, yes, that would</b>  13 <b>have been something missing that I should have said.</b>  14 <b>I would accept that.</b>  15 THE CHAIRMAN: Thank you. Yes.  16 MS BLACKWELL: Thank you.  17 We are at page 14, thank you Mr Coates.  18 If we --  19 THE CHAIRMAN: My page 87.  20 MS BLACKWELL: It is, sir.  21 If we go down to 8.6, the conclusion of this  22 investigation:  23 "The request by the police on 13 November for the  24 information provided to Mr Nicholls to remain secret was  25 unreasonable and did not take account of NOMS'</p> <p style="text-align: center;">Page 182</p>
<p>1 responsibility to manage risk appropriately. The London  2 RIU in particular should have understood that any risk  3 requirement to prevent the use of specific intelligence  4 for risk management purposes was unhelpful. The  5 intelligence should have been disclosed in a sanitised  6 format and the prison should have been allowed to take  7 adequate steps to deal with the heightened risk."  8 Do you accept that conclusion, Mr Murray?  9 <b>A. On reflection now and in hindsight, yes.</b>  10 Q. Thank you.  11 At 8.7:  12 "Discussions should have taken place between senior  13 police and NOMS staff about whether disruption to the  14 escape threat was possible, either by using a secure  15 vehicle to escort Mr Eren to court on 11 December or by  16 arranging for Mr Eren to be sentenced via video-link.  17 Both options would have reduced the risk of firearms  18 being deployed in the community."  19 It appears from this conclusion that the result of  20 the internal investigation was to find that those  21 discussions did not take place, and whilst you accept  22 that there was discussion of that nature between  23 yourself and Governor Nicholls, I think that you also  24 accept that there were not those discussions between  25 yourself and NOMS?</p> <p style="text-align: center;">Page 183</p>	<p>1 <b>A. There wasn't that discussion with NOMS, no, but the part</b>  2 <b>in relation to 8.7 that you have just read out, that</b>  3 <b>scenario does not -- that is focused on the short term,</b>  4 <b>dealing with this issue of preventing ... it does not</b>  5 <b>deal with the long-term risk to the public of people</b>  6 <b>committing offences and guns being in the street and our</b>  7 <b>duty to try and keep London safe and recover firearms.</b>  8 <b>So that doesn't take -- doesn't consider the wider</b>  9 <b>operational strategy that was in place.</b>  10 Q. Thank you.  11 At 8.8, I am reading this out for completeness,  12 although it does not relate to you, Mr Murray, but in  13 fairness to you it is the point that you have made:  14 "The information provided to HMP Wormwood Scrubs by  15 DI Murray should have been more formally discussed  16 between the head of security, the deputy governor and  17 the governing governor to ensure the prison risk and  18 liabilities were adequately considered."  19 That is the point that you made, isn't it?  20 <b>A. Yes.</b>  21 MS BLACKWELL: I don't intend, sir, to deal with the  22 recommendations at this point.  23 THE CHAIRMAN: No.  24 MS BLACKWELL: But before we conclude today's business,  25 I think out of a sense of completeness, I should take</p> <p style="text-align: center;">Page 184</p>

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<p>1 this witness to the Serco report, which is also I think 2 in our reports bundle. 3 THE CHAIRMAN: Yes. 4 MS BLACKWELL: If you will just give me a moment, please, 5 sir. (Pause) 6 It is in your larger bundle for this witness, sir, 7 and it is at red 1143. 8 THE CHAIRMAN: Thank you very much. 9 MS BLACKWELL: Mr Coates, if we could put up, please, 10 document SRC21. 11 Have you seen this before? 12 <b>A. I have read this in the last couple of days, yes.</b> 13 Q. You have been provided this in similar circumstances? 14 <b>A. Yes.</b> 15 Q. I don't intend to take you through the main body of the 16 investigation report but I would like us, please, to 17 look at the conclusions in section 5. 18 This should appear at page 20. If we look at the 19 numbers in the top right-hand corner, Mr Coates, it is 20 page 20, thank you very much. 21 General conclusions: 22 "No injuries were sustained by any staff member or 23 prisoner during the police operation on the morning of 24 11 December 2015. Serco PECS management were not made 25 aware of the intended police operation and to date Serco</p> <p style="text-align: center;">Page 185</p>	<p>1 are unaware what contingencies were put in place by the 2 police to ensure the safety of employees and prisoners 3 onboard vehicle BX11 TXM that morning. 4 "Had Serco been aware of the intended operation, 5 management could have been involved in risk assessment 6 and may have been decided to abort the escort. 7 "It is anticipated the IPCC will examine the issues 8 of risk assessments and the decision making by the 9 police not to inform Serco about the police operation, 10 although there has been no contact with the head of 11 corporate investigations since acknowledgment that he 12 was the point of contact between Serco and the IPCC. 13 Although there were various management actions taken 14 locally and at the OCC, there appeared to have been 15 an absence of any incident log or the instigation of any 16 contingency plan to deal with the situation faced on 17 11 December 2015. There is no specific standard 18 operating procedure covering the type of incident 19 experienced and there is an opportunity for the PECS 20 management to review current procedures, contingency 21 plans, exercises and training of managers and 22 appropriate staff. The application for prisoners to be 23 handcuffed in court on 11 December was rejected by the 24 judge, but it is not clear if the judge gave reasons for 25 declining the application."</p> <p style="text-align: center;">Page 186</p>
<p>1 Pausing there, were you aware that an application 2 for handcuffs had been made on 11 December and had been 3 refused? 4 <b>A. I can't remember.</b> 5 Q. Thank you: 6 "The Metropolitan Police have now concluded their 7 criminal investigation and obtained convictions against 8 all persons concerned in the attempted escape of 9 prisoners A and B, and prisoner B has been convicted and 10 all persons are likely to be sentenced on 20 June 2016." 11 This report, it would appear, was commissioned and 12 concluded within the first half of 2016. 13 Sir, we can deal at a future time with the 14 objectives which follow these conclusions and whether or 15 not those were followed up. 16 THE CHAIRMAN: Yes. 17 MS BLACKWELL: Having looked at the conclusions, do you 18 accept that, if Serco had been made aware of your 19 intended operation, they would have had to have 20 undertaken their own risk assessment and may well have 21 decided to abort the escort? 22 <b>A. That is what they have written, yes, that is what they 23 have said.</b> 24 Q. That would be a logical procedure to adopt by 25 an organisation charged with the transfer of Izzet Eren,</p> <p style="text-align: center;">Page 187</p>	<p>1 had they become aware that an armed operation or 2 an armed plan to escape, together with an armed police 3 operation, were going to take place on the morning of 4 11 December? 5 <b>A. Yes.</b> 6 MS BLACKWELL: Thank you. 7 Sir, it will not have escaped your notice that we 8 have not concluded Mr Murray's evidence. Mr Murray, 9 I am going to ask you to come back at a future time to 10 the inquiry to complete your evidence, please. 11 THE CHAIRMAN: There are matters which he cannot deal with 12 today because of the fact that the evidence in question 13 has only very recently been received. 14 MS BLACKWELL: Yes. 15 THE CHAIRMAN: It is not as though the evidence that he has 16 given today was expected to be concluded very much 17 earlier -- 18 MS BLACKWELL: No. 19 THE CHAIRMAN: -- it is that there is more evidence for him 20 to give. 21 MS BLACKWELL: That's right, but unfortunately we are not in 22 a position, for the reasons that you have outlined, sir, 23 to conclude Mr Murray's evidence tomorrow -- 24 THE CHAIRMAN: No. 25 MS BLACKWELL: -- as would be the usual way.</p> <p style="text-align: center;">Page 188</p>

1 THE CHAIRMAN: Yes.  
 2 Presumably the necessary arrangements will be made,  
 3 in accordance with hopefully Mr Murray's convenience, to  
 4 ask him to come back to court for him to complete his  
 5 evidence as I say at a time that is convenient to  
 6 everybody.  
 7 MS BLACKWELL: Thank you, sir, we will make those  
 8 arrangements.  
 9 THE CHAIRMAN: Thank you for your cooperation.  
 10 **A. Thank you, sir.**  
 11 MS BLACKWELL: Sir, may I invite you to rise now until 10.00  
 12 tomorrow morning?  
 13 THE CHAIRMAN: Yes, just before I do, can we just have  
 14 a stock take of what is going to happen tomorrow, just  
 15 so that everybody knows.  
 16 MS BLACKWELL: Yes.  
 17 Thank you very much.  
 18 We are going to begin tomorrow with evidence from  
 19 DC Jopling, who will deal with cell site analysis and  
 20 telephone analysis, as far as it relates to the issues  
 21 which you need to determine in this inquiry, sir. He  
 22 was the officer who prepared that evidence for the  
 23 criminal trial and we will only dip into certain aspects  
 24 of what he has prepared in relation to those two topics.  
 25 THE CHAIRMAN: Yes.

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1 (4.35 pm)  
 2 (The inquiry adjourned until 10.00 am the following day)  
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1 MS BLACKWELL: We will then hear from Detective Inspector  
 2 Mayes from the Prison Intelligence Unit, who will  
 3 provide you with assistance in relation to some of the  
 4 matters that we have touched upon today with Mr Murray.  
 5 THE CHAIRMAN: Yes.  
 6 MS BLACKWELL: And Governor Pete Nicholls, about whom we  
 7 have heard quite a lot today will also be giving  
 8 evidence.  
 9 If we have time there is some evidence to read and  
 10 DC Gary Smith may also be giving evidence tomorrow  
 11 afternoon, about the intelligence known or that should  
 12 have been known, by the Metropolitan Police at the time  
 13 of 11 December -- of those subjects who are known and  
 14 those who were in the vehicle, the mission vehicle,  
 15 including Jermaine Baker.  
 16 THE CHAIRMAN: Fine, thank you very much indeed.  
 17 MS BLACKWELL: Thank you.  
 18 MR BUTT: Sorry, sir --  
 19 MS BLACKWELL: Sorry, I should perhaps raise this matter  
 20 that Mr Butt quite properly raises, permission to speak  
 21 to Mr Murray before he comes back.  
 22 THE CHAIRMAN: Of course, yes.  
 23 MS BLACKWELL: Thank you.  
 24 THE CHAIRMAN: Thank you, all. I will see you in the  
 25 morning.

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