

<p>1 Tuesday, 29 June 2021 2 (10.00 am) 3 MR CRAIG TURNER (continued) 4 Questions from MS BLACKWELL (continued) 5 THE CHAIRMAN: Good morning, everyone. 6 Yes, Ms Blackwell. 7 MS BLACKWELL: Good morning, sir. 8 Good morning, Mr Turner. 9 <b>A. Good morning.</b> 10 Q. We had reached a stage in your evidence yesterday 11 afternoon where we were about to turn to your FA3 form 12 and I am going to go immediately to the form that you 13 completed on 10 December, so the day before the 14 interception. 15 Mr Coates, please could we display IPC1085. 16 I think you should have a paper copy of this at 17 tab 14, Mr Turner. 18 <b>A. That's correct, thank you.</b> 19 Q. Thank you. 20 Could we go to the next page, please. Thank you. 21 And the next page. And the next page. 22 I think we established yesterday that the 23 intelligence and information that you received from 24 Mr Williams on the FA2 form was pasted by you into your 25 form, because that was an appropriate and shorthand way</p> <p style="text-align: center;">Page 1</p>	<p>1 of dealing with this information which you were not 2 intending to alter in any way? 3 <b>A. That's correct, sir, yes.</b> 4 Q. Thank you. 5 Could we go to the next page, please. And the next 6 page. And the next page. Thank you. 7 Again, these matters of intelligence that you 8 received from the FA2 form, were those in a similar way 9 cut and pasted onto your FA3 form? 10 <b>A. Correct, yes, sir.</b> 11 Q. Thank you. 12 Could we go to page 9, please, which should be the 13 next page. Thank you. 14 This is the page where we see the beginning of the 15 threat and risk section and at the bottom of page 9 we 16 can see that the first organisation or individuals which 17 you have assessed, the first ones are the general 18 public. We can see that there is a red L there. Does 19 that denote that at the time that you completed this 20 form, as far as the general public were concerned, your 21 assessment of the threat and risk which they faced was 22 low? 23 <b>A. Correct, sir, but that was at the actual at the actual 24 time of deployment. That would alter obviously as we 25 progressed through the operation.</b></p> <p style="text-align: center;">Page 2</p>
<p>1 Q. Thank you. 2 Can we go to the following page, please. 3 You have set out here: 4 "It is not envisaged that any such offence will be 5 committed in the direct presence of members of the 6 public and as such the threat to potential victims is 7 currently low. There is no current intelligence to 8 suggest that any member of the public will be targeted 9 to facilitate this activity." 10 Was it your belief that in relation to the attempt 11 to spring Izzet Eren from the prison van, that that 12 wouldn't take place in the presence of members of the 13 public? 14 <b>A. It was difficult to say. It was our belief but, once 15 again, this was a crime in action, there are many 16 a variable, hence why obviously we use the 17 contingencies, we use the MASTS platform which as I have 18 explained before, as we know, has obviously got that 19 flexibility in relation to dealing with such proactive 20 operations.</b> 21 Q. Is there any assessment of the level of threat or risk 22 posed to the general public following the surveillance 23 phase of the operation and going into the phase of 24 interception? 25 <b>A. So not that we would see, sir, within these forms but</b></p> <p style="text-align: center;">Page 3</p>	<p>1 <b>within C3000, the TFC in relation to the tactical 2 deployments would have had that running threat and risk 3 assessment that changed, as I mentioned, as we go 4 through the different stages of the operation.</b> 5 THE CHAIRMAN: Documented? 6 <b>A. Documented and handwritten by DCI Neil Williams, which 7 I don't know whether you have seen.</b> 8 MS BLACKWELL: From your experience of these forms, was it 9 ever appropriate to perform what I am going to describe 10 as a multidimensional threat and risk assessment, at 11 different stages of an operation, or was it always your 12 experience that the only stage at which the threat and 13 risk is assessed is during the course of the 14 surveillance phase of the operation? 15 <b>A. That would be correct, sir. The threat and risk it 16 obviously would be the here and now but not obviously 17 how we develop through a crime in action, such as 18 obviously what we had. It was very much seen that the 19 methodology -- and I have mentioned before, yesterday -- 20 that DCI Neil Williams put in place was good practice. 21 It was identified through one of the reports that it was 22 good practice in order to identify those different 23 points of where police officers would come into contact 24 with the different subject groups.</b> 25 Q. But that would not be assessed on this form?</p> <p style="text-align: center;">Page 4</p>

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<p>1 <b>A. Correct, sir, yes.</b></p> <p>2 Q. Right, thank you.</p> <p>3 Again, just to confirm, please, Mr Turner, were</p> <p>4 these groups of people or organisations set out here in</p> <p>5 order of priority?</p> <p>6 <b>A. In this threat and risk assessment I agreed it with the</b></p> <p>7 <b>TFC and the order priority matches DCI Neil Williams, as</b></p> <p>8 <b>on the FA2.</b></p> <p>9 Q. We can see the second set of individuals or</p> <p>10 organisations is the Serco custodians or prisoners. At</p> <p>11 this stage, the operational team have control of the</p> <p>12 subject vehicle. Again, just to confirm, please,</p> <p>13 Mr Turner, that was the stage of surveillance -- that</p> <p>14 was the surveillance phase?</p> <p>15 <b>A. Correct, yes, your Honour.</b></p> <p>16 Q. "It is intended that this will not reach the vicinity of</p> <p>17 the prisoner van and will be intercepted before the</p> <p>18 commission of any offence. If control of the subjects'</p> <p>19 vehicle occurs and over and covert armed contingency is</p> <p>20 available ..."</p> <p>21 Should that be "overt" and "covert"?</p> <p>22 <b>A. Overt and covert, apologies, yes.</b></p> <p>23 Q. "... armed contingency is available to the TFC, to</p> <p>24 maximise the security of both staff and prisoners."</p> <p>25 We see your assessment of the level of threat and</p> <p style="text-align: center;">Page 5</p>	<p>1 risk posed to the Serco custodians and prisoners is low.</p> <p>2 Then:</p> <p>3 "Armed police officers. The threat to both armed</p> <p>4 and unarmed police during general surveillance phase is</p> <p>5 low. The threat is managed by the use of fully trained</p> <p>6 surveillance officers to conduct the operation, who will</p> <p>7 use their tradecraft to remain covert."</p> <p>8 Then armed officers:</p> <p>9 "The threat to both armed and unarmed police during</p> <p>10 general surveillance phase is low. The threat is</p> <p>11 managed by the use of fully trained surveillance</p> <p>12 officers to conduct the operation, who will use their</p> <p>13 tradecraft to remain covert."</p> <p>14 Finally unknown subjects:</p> <p>15 "The subjects may be subjected to an armed</p> <p>16 interception/intervention if circumstances dictate.</p> <p>17 Those chosen location, tactics and the use of trained</p> <p>18 personnel who will be in possession of appropriate</p> <p>19 equipment, including less-lethal options, will reduce</p> <p>20 the threat posed to the subjects. The subjects own</p> <p>21 actions will dictate the level of police response which</p> <p>22 will be directly proportional to the threat they pose to</p> <p>23 the public and/or police."</p> <p>24 Here it looks as if you are moving beyond the</p> <p>25 surveillance phase and you are assessing the level of</p> <p style="text-align: center;">Page 6</p>
<p>1 risk that the subjects may be subjected to in an armed</p> <p>2 interception or intervention, is that right?</p> <p>3 <b>A. It is, but because there are so many different variables</b></p> <p>4 <b>in relation to what this could actually look like, it</b></p> <p>5 <b>would be difficult to say. But it is obviously</b></p> <p>6 <b>something that we have to bear in mind obviously when we</b></p> <p>7 <b>are putting this together, but it is very much at the</b></p> <p>8 <b>here and now, as I was actually putting obviously the</b></p> <p>9 <b>threat and risk assessment, and agreeing the threat and</b></p> <p>10 <b>risk assessment with the TFC.</b></p> <p>11 Q. Could we go back to the previous page, please.</p> <p>12 The unknown subjects, the threat and risk to the</p> <p>13 unknown subjects has been assessed as low. Could we go</p> <p>14 to page 11, please. Even when they may be subjected to</p> <p>15 an armed interception or intervention.</p> <p>16 <b>A. So, no, that wouldn't be the case.</b></p> <p>17 Q. Right.</p> <p>18 <b>A. But that was really captured through the tactical</b></p> <p>19 <b>firearms commander in this case, that obviously plotted</b></p> <p>20 <b>and monitored that throughout, which is documented by</b></p> <p>21 <b>DCI Neil Williams. But I agree that would have changed</b></p> <p>22 <b>at that point.</b></p> <p>23 Q. Right.</p> <p>24 Then we have Izzet Eren and any other prisoners on</p> <p>25 the Serco transportation. They are listed as the final</p> <p style="text-align: center;">Page 7</p>	<p>1 group of individuals or organisations at number 6. You</p> <p>2 have put here:</p> <p>3 "At this stage the operational team have control of</p> <p>4 the subject vehicle. It is intended that this will not</p> <p>5 reach the vicinity of the prisoner van and will be</p> <p>6 intercepted before the commission of any offence. If</p> <p>7 control of the subjects' vehicle occurs and overt and</p> <p>8 covert armed contingency is available to the TFC to</p> <p>9 maximise the security of both staff and prisoners."</p> <p>10 There doesn't appear to be, or have been, any</p> <p>11 assessment as to the level of threat or risk that is</p> <p>12 posed to them.</p> <p>13 <b>A. So my assessment, that would come into the same, if you</b></p> <p>14 <b>go back to the previous page, if you wouldn't mind,</b></p> <p>15 <b>please, sorry. That is according to Serco custodians</b></p> <p>16 <b>and prisoners, because they are one and the same.</b></p> <p>17 Q. Why does it appear twice?</p> <p>18 <b>A. It is duplication, I can't explain it but it is</b></p> <p>19 <b>duplication, they are part of that same group.</b></p> <p>20 THE CHAIRMAN: Yes. So you have no explanation as to why it</p> <p>21 appears twice?</p> <p>22 <b>A. It is duplication.</b></p> <p>23 THE CHAIRMAN: I know it is duplication, you are being asked</p> <p>24 why there is duplication?</p> <p>25 <b>A. I can't explain why. It was a consideration that it was</b></p> <p style="text-align: center;">Page 8</p>

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<p>1 <b>a separate group.</b></p> <p>2 THE CHAIRMAN: It is your document. If we cannot ask you,</p> <p>3 who can we ask?</p> <p>4 <b>A. I agree, sir, I can't explain why it has appeared twice.</b></p> <p>5 MS BLACKWELL: Could we go to page 12, please.</p> <p>6 Thank you. Mr Coates, please could we display</p> <p>7 alongside this document IPC1086.</p> <p>8 THE CHAIRMAN: Sorry, can we just go back, you have</p> <p>9 indicated that these classes of individuals are in order</p> <p>10 of priority.</p> <p>11 <b>A. Correct, sir, yes.</b></p> <p>12 THE CHAIRMAN: Well, accepting that there is duplication,</p> <p>13 should the prisoners be in the category that they were</p> <p>14 in when put with Serco and custodians or should they be</p> <p>15 in the lowest category?</p> <p>16 <b>A. Sir, they should be in the highest category with Serco</b></p> <p>17 <b>and the custodians, they are all in the same vehicle, so</b></p> <p>18 <b>they would have been considered --</b></p> <p>19 THE CHAIRMAN: So there was absolutely no point in creating</p> <p>20 a --</p> <p>21 <b>A. No, there was not, sir.</b></p> <p>22 THE CHAIRMAN: -- separate group who had been wrongly</p> <p>23 categorised in any event?</p> <p>24 <b>A. No, sir, there wasn't, because they were in the same</b></p> <p>25 <b>vehicle, so they would have been in that same category,</b></p> <p style="text-align: center;">Page 9</p>	<p>1 <b>if that makes sense, and that is why there is no</b></p> <p>2 <b>category number obviously alongside it, but they are of</b></p> <p>3 <b>the same group and the same considerations would have</b></p> <p>4 <b>been had by all.</b></p> <p>5 THE CHAIRMAN: Yes.</p> <p>6 MS BLACKWELL: Thank you.</p> <p>7 What we have here, Mr Turner, on the left-hand side</p> <p>8 of the page is your document, the FA3, which has a list</p> <p>9 of five categories of organisations and individuals in</p> <p>10 relation to whom we have just seen you perform a threat</p> <p>11 and risk assessment. On the right-hand page we have the</p> <p>12 same list from the FA2 document, and we can see that, in</p> <p>13 relation to the priority order of your list, it is</p> <p>14 different to the priority order of the list on the</p> <p>15 right-hand side document, which comes from the FA2.</p> <p>16 Your detailed threat and risk assessments, which we</p> <p>17 have just been through, are in the same order of</p> <p>18 priority as the list that we see in the FA2 document.</p> <p>19 But your summary is in a different order, isn't it, and</p> <p>20 in fact it only runs to five rather than six categories?</p> <p>21 <b>A. Correct, yes.</b></p> <p>22 Q. Can you explain to us, please, why your order is</p> <p>23 different to that in the FA2, and different to the</p> <p>24 detailed threat and risk assessments that we have just</p> <p>25 been through?</p> <p style="text-align: center;">Page 10</p>
<p>1 <b>A. So was it in hierarchical order in that box, for the</b></p> <p>2 <b>sake of completeness? It should have been. The agreed</b></p> <p>3 <b>hierarchical order is from the threat and risk</b></p> <p>4 <b>assessment, as agreed with the TFC.</b></p> <p>5 Q. Why is this list different?</p> <p>6 <b>A. I didn't put it in hierarchical order.</b></p> <p>7 THE CHAIRMAN: You are being asked why you didn't put it</p> <p>8 in --</p> <p>9 <b>A. I can't explain why I didn't. I took the threat and</b></p> <p>10 <b>risk assessment with the column with agreed order as</b></p> <p>11 <b>being my final list, as per my statement on 16 December,</b></p> <p>12 <b>where it was also articulated this way.</b></p> <p>13 MS BLACKWELL: Do you remember creating this list of five</p> <p>14 different identifiable organisations or individuals on</p> <p>15 page 12 of your document? Do you remember creating</p> <p>16 that, typing it out?</p> <p>17 <b>A. No, I don't remember typing it out. Just for clarity,</b></p> <p>18 <b>it was not in priority order. As I have stated. The</b></p> <p>19 <b>priority order would be back on to the threat and risk</b></p> <p>20 <b>assessment, which was the agreed one with the tactical</b></p> <p>21 <b>firearms commander.</b></p> <p>22 Q. But it should be in priority order, shouldn't it?</p> <p>23 <b>A. It should be in priority order for absolute clarity.</b></p> <p>24 Q. Is it a question of you having transposed it from</p> <p>25 another document?</p> <p style="text-align: center;">Page 11</p>	<p>1 <b>A. I can't recall.</b></p> <p>2 Q. All right, thank you.</p> <p>3 THE CHAIRMAN: That may be the case?</p> <p>4 <b>A. It may be the case, sir, yes.</b></p> <p>5 THE CHAIRMAN: Yes.</p> <p>6 MS BLACKWELL: Could we take down the document on the</p> <p>7 right-hand side, please, Mr Coates and, could we go to</p> <p>8 page 15 of the document, IPC1085.</p> <p>9 Here we have your powers and policy considerations.</p> <p>10 Again, I think this has been copy and pasted from the</p> <p>11 previous FA3, and there is no criticism about that.</p> <p>12 <b>A. No, sir, yes, I mean they are quite generic powers and</b></p> <p>13 <b>policies that would appear, but relevant and specific to</b></p> <p>14 <b>this operation.</b></p> <p>15 Q. Do you remember considering each of them in relation to</p> <p>16 this application?</p> <p>17 <b>A. Yes, sir. I mean I would have gone round the national</b></p> <p>18 <b>decision model in relation to it, considered that these</b></p> <p>19 <b>are relevant to this specific operation.</b></p> <p>20 Q. Right.</p> <p>21 Could we go to page 17, please. Thank you.</p> <p>22 This is your description of the planned tactics and</p> <p>23 contingencies that are proposed by the TFC. It is the</p> <p>24 intention of the operational team to conduct three</p> <p>25 surveillance operations, which you set out, on the Audi,</p> <p style="text-align: center;">Page 12</p>

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<p>1 on the Serco van, on Ozcan Eren and then a fourth:  2 "Overt/covert security of Serco prison vehicle and  3 court if control of subjects' vehicle is not  4 established. This is with a view to gather  5 intelligence/evidence in relation to the planned offence  6 as outlined or other opportunities to arrest or disrupt  7 the escape plan. The TFC has also considered other  8 options such as do nothing, arrest now, take mitigating  9 action, wait for further intelligence, conduct unarmed  10 surveillance and conducting static OPs. However in the  11 circumstances as outlined in this application and on  12 applying the NDM, these options do not meet the threat  13 assessment of the operational aims. The proposed  14 tactics meet the threat assessment, the working strategy  15 and are proportionate given the threats posed. All  16 actions are legal as documented in this document.  17 "These options will provide me with the flexibility  18 necessary for this type of operation. It is  19 proportionate to the threat faced and follows best  20 practice. SCO7, SCO35 and SCO19 work regularly together  21 and is my recommendation for this operation.  22 "The rationale is completed after consideration of  23 the following factors.  24 "1. The current intelligence and information about  25 the operation and subjects.</p> <p style="text-align: center;">Page 13</p>	<p>1 2. The strategic intention, operation policing  2 objectives and threat assessment.  3 "3. The resources available at the time.  4 "4. Guidance contained in the authorised  5 professional practice armed policing module.  6 "5. MPS policy."  7 In setting out the five aspects of the rationale,  8 was that copy and pasted from the FA2 document?  9 <b>A. Yes, it would have been because it is proposed by the</b>  10 <b>TFC, so it is exactly the conversations and the</b>  11 <b>recollection of obviously the proposed tactical plan.</b>  12 Q. When you created this page of options in your FA3 form,  13 did you consider each in turn, the five aspects of the  14 rationale that had been set out in the FA2 document?  15 <b>A. Yes.</b>  16 Q. "No intervention is to take place within premises unless  17 to prevent immediate loss to life or serious harm to any  18 individual."  19 As we established yesterday, although that appears  20 there, it wasn't expected that there would be any  21 intervention in any premises?  22 <b>A. No, it is not. But obviously as once again it is</b>  23 <b>a proactive operation with many variables, so it was</b>  24 <b>a consideration of a parameter.</b>  25 Q. Thank you.</p> <p style="text-align: center;">Page 14</p>
<p>1 Could we go to page 21, please.  2 Here you set out the fact that you have discussed  3 the operation with Mr Williams and the deployment is  4 necessary and proportionate. And you talk about:  5 "SCO19 will be armed for the purpose of  6 intervention/interception against an unidentified threat  7 during the transportation of serving prisoner. SCO35  8 will be armed for the purpose of self protection whilst  9 conducting surveillance."  10 And that you are satisfied:  11 "There is insufficient evidence to arrest and charge  12 the unidentified subjects to date for any offences."  13 You are also satisfied:  14 "Disrupting the offence at this time will not fulfil  15 the strategy. That the proposed plan provides the  16 flexibility necessary for this type of operation and it  17 is proportionate to the threat and follows best  18 practice."  19 You go on to describe the fact that the officers  20 will be armed in a MASTS configuration. I am moving  21 through the form now:  22 "I have reviewed the threat assessment, tactical  23 advice and working strategy in line with the national  24 decision model."  25 Having applied that model you authorise firearms to</p> <p style="text-align: center;">Page 15</p>	<p>1 be deployed on 11 December.  2 You have reviewed the tactical advice and you are  3 satisfied that it is capable of meeting the strategic  4 aims of the operation. You then go on to say that  5 Mr Williams has completed the FA2, and that he will act  6 as TFC for the deployment, that you will be kept abreast  7 of developments and you talk towards the bottom in the  8 final paragraph that you will remain responsible for the  9 resources deployed on the operation, and will ensure  10 that they are adequate to fulfil the strategy.  11 Could we go over to the next page, please. That you  12 have considered the suitability of Mr Williams to act as  13 the TFC, and you are satisfied that he is not the SIO,  14 and that you are satisfied with the command and control  15 function of C3000 and that that will be the central  16 point for all intelligence and communication to the two  17 ground-assigned TFCs.  18 Are you able to help us with this, Mr Turner, to  19 show us where on this form we see a description of what  20 happens once the AFOs have the vehicle isolated and are  21 ready to perform either a dynamic extraction or to in  22 some other way get the conspirators out of the vehicle?  23 <b>A. No, that does not appear in the authority. On the</b>  24 <b>authority I was obviously with my reason to suppose that</b>  25 <b>they may have access to firearms and that was my actual</b></p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 authority. I wouldn't have been authorising any 2 particular option or tactic. Once again I go back to 3 this is a live crime in action, a proactive operation, 4 and obviously you would have to bear in mind all 5 variables that could possibly happen within a very fluid 6 operation.</p> <p>7 Q. So that is not the role of this document?</p> <p>8 A. The role of the document is to outline obviously my 9 authority. But, as I stated, I would not be ...</p> <p>10 Q. Carry on, please.</p> <p>11 A. I would not be authorising any particular option or 12 tactics within that. That is within the tactical 13 firearms commander's domain, along with the OFC, as 14 well.</p> <p>15 Q. Right.</p> <p>16 Do you think that it would have been helpful for 17 this form to have the capability of providing 18 a multidimensional risk assessment, so not just at the 19 time of surveillance but throughout the course of the 20 proposed operation?</p> <p>21 A. I do. I do think that would be helpful. I know it has 22 been conversation with the College of Policing to have 23 this within the form. I think that through the 24 deployment, and as I have mentioned before, best 25 practice by DCI Neil Williams was to put that in place,</p> <p style="text-align: center;">Page 17</p>	<p>1 whilst in C3000, and to see that -- if we were to bring 2 it up, it would be quite a comprehensive threat and risk 3 dynamic assessment, as the operation unfolded.</p> <p>4 Q. Yes.</p> <p>5 I would like to look, before we move away from the 6 forms and to the briefing at New Scotland Yard on 7 10 December, I would like to just look again, as we did 8 yesterday, at the difference between intervention and 9 interception. It may help us to consider the definition 10 as set out in the College of Policing documentation. 11 Can we take this down, please, Mr Coates and can we put 12 up COP4. Thank you, page 6.</p> <p>13 We can see the definition here of, first of all, 14 intervention:</p> <p>15 "Dealing with a subject whilst they are in the act 16 of committing an offence where potential victims are 17 present at that location and the subject is physically 18 in a position to carry out the threat. In summary, 19 interventions are implemented during the commission of 20 an offence which directly presents a threat to a victim, 21 and the victim is present, and the police interaction 22 interrupts or intervenes to mitigate the threat."</p> <p>23 Interception is defined as:</p> <p>24 "Dealing with a subject prior to the actual 25 commission of an offence and any potential threat being</p> <p style="text-align: center;">Page 18</p>
<p>1 realised, for example en route to or from an armed 2 robbery. In summary, interceptions are implemented: 3 prior to the commission of an offence, and not in the 4 presence of an intended victim.</p> <p>5 "Where the tactical plan or contingencies requires 6 intervention, consideration should be given to the use 7 of MASTS officers who are also trained in module D9, 8 dynamic intervention. Dynamic intervention training 9 better prepares officers for dynamic operations where 10 subjects and potential victims may be in close proximity 11 and an imminent threat exists."</p> <p>12 Does that set out your understanding of the 13 definition of each of those types of contingency and 14 also the differences between them?</p> <p>15 A. Yes, it does, sir, yes.</p> <p>16 Q. Other than the definitions, once the armed firearms 17 officers had contained the Audi vehicle, what in 18 practical terms was the difference between their dynamic 19 extraction of the occupants of the vehicle, by way of 20 an intervention or an interception, or in fact at that 21 stage was it the same?</p> <p>22 A. No, to be really clear, yes, this is an interception on 23 the basis of contingencies and managing the risk that we 24 put in place, because the victim, and we are taking the 25 victim being the Serco van, would never --</p> <p style="text-align: center;">Page 19</p>	<p>1 Q. Was not there?</p> <p>2 A. -- be allowed to actually be there. We had strict 3 parameters and the TFC was extremely clear and, as 4 I said before, I think it was the A406 junction with the 5 A1 that the van would not be able to cross over. Now, 6 bearing in mind this is London in heavy traffic as well, 7 so the collapsing timeframe, the van would not be able 8 to come into contact with that mission car. So meeting 9 that criteria and the number of points on it, being very 10 clear the victim would have never have been there.</p> <p>11 Q. If you remove for a moment the victim aspect of what 12 was -- what is present in the intervention but absent in 13 the interception, is the dynamic extraction the same in 14 both?</p> <p>15 The removal of the occupants of the Audi, is that 16 going to take place in the same circumstances if you put 17 aside for a moment the aspect of the victim being 18 present or absent?</p> <p>19 A. I would say it would be very difficult to tell in 20 relation to -- once again I go back to the variables, 21 the crime in action, the movement of the vehicle. Once 22 again it is a tactical option to take at that particular 23 point. I think it is really critical to understand that 24 the environment, yeah, where the car obviously could be 25 parked could alter at any particular point, the</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 <b>intelligence could alter at any particular point, either</b>                  2 <b>from the probe or from other sources.</b>                  3 Q. Yes.                  4 <b>A. So therefore it was critical to be flexible and to</b>                  5 <b>obviously allow the TFC, OFC, along obviously with the</b>                  6 <b>TAC advice within C3000 to make those tactical</b>                  7 <b>decisions.</b>                  8 Q. Thank you.                  9 Let's take that down, please. Can we go to COP10,                  10 please, Mr Coates, page 21. Let's look at the                  11 definition of the term "Victim:                  12 "The term victim in this context can be applied to                  13 any individuals or groups identified as being at                  14 specific risk as a consequence of the subjects'                  15 intentions or those who may already have been subjected                  16 to harm and are requiring medical care. The urgency for                  17 medical attention will dictate whether this is a need to                  18 act immediately to save life or whether it is possible                  19 to wait whilst the information and intelligence is                  20 developed. The presence of a victim will focus activity                  21 and is key consideration for the TFC. The ability to                  22 formulate limited information and intelligence into                  23 a briefing product to allow AFOs to deploy in                  24 time-critical situations is a core requirement of the                  25 role of commanders:</p> <p style="text-align: center;">Page 21</p>	<p>1 "It is important to identify relevant locations,                  2 which may include the location of injured victims,                  3 intended victims and the subject. The following                  4 information relating to the location will impact on the                  5 decision-making process; is the area quiet or busy with                  6 members of the public? Is there a local propensity for                  7 certain types of criminal activity? Have there been                  8 other previous similar occurrences in the locality? The                  9 physical nature of the location (eg the structure of                  10 a building or the extent of an open country area). Are                  11 there any known hazards specific to the area? The TFC                  12 will frequently be operating from a remote location and                  13 therefore reliant on information gathered at the scene                  14 or location. The OFC by providing such factual updates                  15 from the scene will allow the TFC to review their                  16 initial assumptions:                  17 "With regards to the subject, consideration of their                  18 identity, capability and intent will assist in the                  19 formulation of a threat assessment focused on the                  20 various individuals and groups who may be at risk of                  21 harm."                  22 The victim has been assessed as the Serco van and                  23 the occupants therein. But is it also possible in this                  24 scenario that the victim could be members of the public?                  25 <b>A. There was no indication from intelligence at all, yes,</b></p> <p style="text-align: center;">Page 22</p>
<p>1 <b>that they were to use a member of the public, but</b>                  2 <b>obviously the backdrop which would be obviously known by</b>                  3 <b>the ground-assigned TFC, and obviously those on the</b>                  4 <b>ground, would identify any possible risk to members of</b>                  5 <b>the public, which is at the foremost of the working</b>                  6 <b>strategy that we set out and obviously agreed with the</b>                  7 <b>TFC. Hopefully that makes sense.</b>                  8 Q. Thank you.                  9 We are going to look now at some of the conclusions                  10 from the expert relied upon in the IPCC report,                  11 Mr Hartley. Can we take this down, please, Mr Coates                  12 and replace it with IPC385 and look at some of his                  13 findings, firstly at page 12, please.                  14 Here Mr Hartley is providing his opinion on the SFC                  15 strategy, so your strategy. We can see in the findings                  16 box the following opinion:                  17 "The threat [this is the threat in your strategy] is                  18 accurately defined and the assumption regarding the                  19 potential for firearms and weapons to be encountered is                  20 fair and proportionate.                  21 "SFC strategy sets clear, hierarchical purpose to be                  22 achieved and is a suitable foundation to drive the                  23 planning and deployments.                  24 "The SFC and TFC clearly do consider timescales,                  25 implications and some elements of multidimensional</p> <p style="text-align: center;">Page 23</p>	<p>1 assessment as recorded in their written considerations.                  2 However, an absence of a thorough multidimensional                  3 assessment leads to some groups absent from the final                  4 strategy. This does not undermine the overall                  5 operation. The strategy does not have investigative                  6 priorities included."                  7 Can we go back to the full document, please.                  8 Mr Hartley recommends that the national forms of TFC                  9 and SFC logs be updated to prompt the consistent use of                  10 multidimensional and THR assessment. That is what we                  11 have already discussed, isn't it?                  12 <b>A. Yes, it is.</b>                  13 Q. That it would be helpful on these forms to prompt                  14 a multidimensional, multi time and multi level of                  15 planning at different stages of the plan, threat and                  16 risk assessment?                  17 <b>A. Sir, I agree and I think a review of the forms would be</b>                  18 <b>extremely helpful for TFC/SFCs involved in these types</b>                  19 <b>of operations.</b>                  20 Q. Thank you.                  21 Could we go to page 14, please.                  22 Here we are looking at the considerations of the                  23 range of options to remove the threat prior to any                  24 police deployments and they are set out in a series of                  25 bullet points and Mr Hartley's findings are:</p> <p style="text-align: center;">Page 24</p>

<p>1 "Advance opportunities were explored and the correct 2 decisions were made to maintain the current operation as 3 the best method to achieve strategy. There was no early 4 intervention option available consistent with the 5 strategy. Having exhausted any advance opportunities to 6 act, the TFC then reviews all relevant tactical options 7 for the day of the anticipated attack and records, 8 'I have also considered other options such as do 9 nothing, arrest now, take mitigating action, wait for 10 further intelligence, conduct unarmed surveillance and 11 conducting static OPs, however in the circumstances as 12 outlined in this application and on applying the NDM, 13 these options do not meet the threat assessment or the 14 operational aims'."</p> <p>15 "The recommended option is then presented as ..." 16 He sets out what that is. 17 Can we go over the page, please. 18 Again, there is a recreation of what occurs in your 19 form and the finding at the bottom is: 20 "The authority for a three-element surveillance 21 MASTS operation was well founded and the most 22 appropriate tactic to give best chance of achieving the 23 strategy as set." 24 Then Mr Hartley sets out that the MASTS tactic falls 25 under D8.2 and D8.3 of the national police firearms</p> <p style="text-align: center;">Page 25</p>	<p>1 training curriculum, a document which is owned by the 2 College of Policing." 3 Can we go to the following page, please, and the 4 following page, and we can see in relation to the 5 command structure, in the middle of the page there, 6 a clear command structure for the operation was in place 7 and that is his finding: 8 "A clear and effective command structure was in 9 place for the operation." 10 Finally, to page 25, please: 11 "the TFC [Mr Williams] had considered the risk 12 associated with pursuit and the risk to the public in 13 the planning phase. He had also defined the parameter 14 that the prison van would not come into contact with the 15 Audi. The finding is the maintenance of the armed 16 operation and MASTS armed intervention on the parked 17 Audi with extraction is the correct tactic to achieve 18 strategy and sustained public protection and is least 19 intrusive, proportionate and justified. In reflecting 20 the decisions made against the central pentagon of the 21 NDM and the question: what would a member of the public 22 expect of their police in these circumstances? I find 23 that the decision making is based on sound rationale. 24 It is objective, fair and has integrity. When 25 considering what the public would expect, I find the</p> <p style="text-align: center;">Page 26</p>
<p>1 following: 2 "The police were facing an organised crime group 3 with extensive history of murder, extreme violence and 4 the possession and use of many viable firearms and 5 automatic machine guns. The intent was to spring the 6 gang leader facing custodial sentence for recent armed 7 crime. The police did not know the location of the 8 weapons or the team recruited to assault the prison van, 9 but had opportunity to intervene and secure long-term 10 convictions for conspiracy and possession of firearms 11 offences whilst still keeping the prison van safe. With 12 the passage of the conversations in the Audi in the lead 13 up to the police intervention, would a general member of 14 the public expect this to be an armed intervention? 15 I believe they would." 16 Does it seem from your reading of that final 17 paragraph, Mr Turner, that what Mr Hartley is describing 18 as having taken place is an armed intervention, rather 19 than an armed interception? 20 <b>A. I would say that is the correct -- incorrect use of the</b> 21 <b>word, it should be an interception and it is not</b> 22 <b>an intervention.</b> 23 Q. Right. 24 <b>A. I think I have been quite clear in relation to the</b> 25 <b>definitions of both.</b></p> <p style="text-align: center;">Page 27</p>	<p>1 Q. Are you suggesting that he is in error there by 2 describing it as an "armed intervention"? 3 <b>A. It should be an "armed interception".</b> 4 Q. Right, thank you. 5 Can we take that down, please, and let's turn, 6 please, to the briefing at New Scotland Yard that took 7 place on 10 December. Mr Turner. 8 You very helpfully deal with this briefing in your 9 witness statement that we can see behind our divider 2 10 in the hard copy bundle. You begin to deal with it at 11 page 2 of your witness statement, and it is 12 paragraph 10, sir, for your record. 13 Whose idea was it to have this briefing the day 14 before the incident on 11 December? 15 <b>A. In line with APP with the TFC, and generally thought as</b> 16 <b>a command group that it would be good practice to</b> 17 <b>deliver a briefing, generic briefing, tactical briefing</b> 18 <b>before that night.</b> 19 Q. In your witness statement, at paragraph 11, you suggest 20 that you required Mr Williams as the TFC to give the 21 briefing. He told the inquiry that it was his idea, 22 because he was impressed by attending such a briefing. 23 Are you able to say now whether it was your idea or his 24 idea or perhaps it was a joint decision made by the two 25 of you?</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 <b>A. It was on the direction of Mr Williams, as I said</b>  2 <b>identified as good practice by all of us and I think it</b>  3 <b>was the correct course of action in order to obviously</b>  4 <b>identify any issues the night before, which would then</b>  5 <b>roll on to other briefings early that morning.</b>  6 Q. Early on morning of 11 December?  7 <b>A. Correct, yes.</b>  8 Q. What was the purpose and objective of it?  9 <b>A. The purpose and objectives were tactical in relation to</b>  10 <b>Mr Williams being -- and obviously me being available to</b>  11 <b>identify obviously communication methods, the different</b>  12 <b>obviously plots that would be present on those days, to</b>  13 <b>identify any comms issues that may have taken place and</b>  14 <b>to give an idea about how the day would actually be run</b>  15 <b>on a very tactical basis.</b>  16 Q. At paragraph 12 of your witness statement you talk about  17 the purpose being a tactical overview and  18 an identification of objectives of the operation as you  19 have set out. At paragraph 13 you identify that the  20 briefing was directed to supervisors and representatives  21 from each unit that was expected to be involved the  22 following morning.  23 <b>A. That's correct, sir. There wasn't any expectation that</b>  24 <b>everyone would be involved, because there were possibly</b>  25 <b>100 plus people that would be involved. So the idea was</b></p> <p style="text-align: center;">Page 29</p>	<p>1 <b>that that information would be cascaded to those</b>  2 <b>relevant individuals.</b>  3 Q. Can you confirm that only one attendee from SCO19 was  4 there?  5 <b>A. I can confirm now, but was not aware at the time.</b>  6 Q. Do you know why that was?  7 <b>A. I believe it was because of operational commitments, to</b>  8 <b>give a bit of perspective in relation to the workings of</b>  9 <b>one -- obviously the Metropolitan Police but also SCO7,</b>  10 <b>there would have been numerous armed operations that</b>  11 <b>were running throughout the whole of that period.</b>  12 Q. Right, so availability?  13 <b>A. It was availability, yes.</b>  14 Q. Or lack of availability?  15 <b>A. Due to operational commitments, yes.</b>  16 Q. Yes.  17 Were you involved in presenting any of the briefing?  18 <b>A. No, I wasn't. No.</b>  19 Q. Right, do you think in hindsight that would have been  20 useful or was it really Mr Williams who was focusing his  21 role as a tactical firearms commander?  22 <b>A. So it is absolutely critical is that Mr Williams, yeah,</b>  23 <b>was the point of contact on that day. I didn't want to</b>  24 <b>cause any confusion whatsoever, who was running the</b>  25 <b>tactical approach of Operation Ankaa and the start of</b></p> <p style="text-align: center;">Page 30</p>
<p>1 <b>that was going to be the briefing the night before.</b>  2 <b>I do think it is good practice, it has been highlighted</b>  3 <b>as good practice and really does set out the command</b>  4 <b>structure on the day, as per APP, always available to</b>  5 <b>Neil, showing leadership throughout.</b>  6 Q. Given the importance of everyone knowing how each strand  7 was to sit in relation to the overall operational  8 objective, do you think that it might have been useful  9 for you to have been involved in presenting or were you  10 happy to pass that responsibility to the TFC?  11 <b>A. Every confidence in relation to Mr Williams as a TFC,</b>  12 <b>his leadership, but critical that I am there as --</b>  13 <b>present as the SFC having overall command and</b>  14 <b>responsibility to show that visible leadership, but this</b>  15 <b>was a tactical briefing.</b>  16 Q. Right. Was it recorded?  17 <b>A. As I believe it was, yes.</b>  18 Q. Right, and did you make any notes of it?  19 <b>A. No, because it was being recorded.</b>  20 Q. Right, thank you.  21 Just for the sake of completeness, by the end of the  22 briefing, were you able to establish that there were no  23 additional resources required for the following day?  24 <b>A. Correct, yes, sir.</b>  25 Q. Thank you.</p> <p style="text-align: center;">Page 31</p>	<p>1 Just before we turn to the morning of 11 December,  2 I would like to ask you some more questions around  3 intelligence if I may.  4 How much intelligence should the SFC receive in  5 an operation such as this?  6 <b>A. The intelligence to be received by the SFC would be</b>  7 <b>obviously relevant intelligence that would obviously</b>  8 <b>change the working strategy, or change the -- my reasons</b>  9 <b>to suppose an authority to deploy firearms.</b>  10 Q. Are you describing a need-to-know basis?  11 <b>A. No, not on a need-to-know basis but it is in the</b>  12 <b>judgment of the TFC.</b>  13 Q. Right.  14 Could I ask you to look, please, in the same witness  15 statement, back to paragraph 5 which appears at page 1.  16 In fact it might help if we could display this,  17 please, Mr Coates, it is MPS3854 and it is paragraphs 3,  18 4 and 5, which I would like to look at.  19 We are going back to 7 December. At 1946 you  20 confirm that on that day Mr Williams sent you a number  21 of intelligence profiles of the subjects believed to be  22 involved in the investigation. The profiles were sent  23 to you, S48 and the TFCs involved in Operation Ankaa.  24 Just pausing there, is that the ground TFCs who had  25 been identified for 11 December?</p> <p style="text-align: center;">Page 32</p>



<p>1 <b>A. I have looked on the emails and I think on the email</b>  2 <b>train I think FE1 was -- I can't remember the cipher of</b>  3 <b>the other officer --</b>  4 Q. That is Keely Smith, isn't it?  5 <b>A. That is Keely Smith, yes.</b>  6 Q. "These profiles contained information and intelligence  7 of the subject's criminality and their involvement in  8 firearms and violence."  9 Just to remind ourselves, there were three profiles,  10 weren't there, there was Sinan Ozger, Ozcan Eren and  11 Izzet Eren?  12 <b>A. From memory, yes.</b>  13 Q. All right:  14 "I did not receive any further intelligence relating  15 to firearms relating to the named subjects, apart from  16 the information presented to me in these documents."  17 Then you say this:  18 "As SFC and in accordance with my role, I was not  19 aware of the exact intelligence picture given to  20 officers on 8 and 11 December during any recorded  21 briefing."  22 I would like you to help us with what you meant by  23 as SFC and in accordance with your role, you were not  24 aware of the exact intelligence given at the briefings.  25 <b>A. So in line with APP, the TFCs are responsible for</b></p> <p style="text-align: center;">Page 33</p>	<p>1 <b>obviously giving those briefs out, I was aware of the</b>  2 <b>generic intelligence picture and that they would have</b>  3 <b>been aware of my actual working strategy, but the actual</b>  4 <b>intelligence -- which could obviously change at any</b>  5 <b>particular point, but subsequently didn't -- would have</b>  6 <b>been given out. So I was unaware of the exact words,</b>  7 <b>yeah, which were given in each one of those briefing.</b>  8 Q. What you were here describing was that because you were  9 not tactical firearms commander, you were a strategic  10 firearms commander, you would not expect to be in  11 receipt of the exact intelligence, whereas the tactical  12 firearms commander would?  13 <b>A. As agreed with the TFC, yes. Yes, sir.</b>  14 Q. Yes.  15 When you looked at the intelligence profiles that  16 you were sent on 7 December, did you notice that they  17 were not recent in terms of I think two of them were  18 dating back to April 2015 and in relation to Ozcan Eren,  19 his intelligence profile dated back to October 2014?  20 <b>A. Sir, I do remember looking at those profiles and they</b>  21 <b>were dated, there was a chronological order there, but</b>  22 <b>there was intelligence within that that was dated across</b>  23 <b>the board, so I do remember that, yes.</b>  24 THE CHAIRMAN: You are being asked if you remembered that it  25 was old intelligence?</p> <p style="text-align: center;">Page 34</p>
<p>1 <b>A. Dated, sir, yes, and it was old, yes.</b>  2 THE CHAIRMAN: Yes.  3 MS BLACKWELL: Did it cross your mind to contact Mr Williams  4 and ask whether there was any more up-to-date  5 intelligence than that which you had been provided with?  6 <b>A. That was the purpose in the FA3, when I had that</b>  7 <b>distinct conversation with Mr Williams, when the</b>  8 <b>authority was obviously authorised, on the 10th, when</b>  9 <b>I asked and he put a further entry obviously saying that</b>  10 <b>there was no further intelligence updates. I was really</b>  11 <b>mindful, as I have mentioned before yesterday morning in</b>  12 <b>relation to this collapsing timeframe of when the</b>  13 <b>conspiracy was obviously -- we were aware of it, to give</b>  14 <b>a maximum opportunity to develop the intelligence, to</b>  15 <b>develop the gaps, to close the gaps, to give the</b>  16 <b>operational team once again more options to disrupt this</b>  17 <b>criminal conspiracy. Instead of going and putting</b>  18 <b>a firearms job on the road on 11 December.</b>  19 Q. Just to confirm, when you received these intelligence  20 profiles on 7 December, your evidence is you contacted  21 Mr Williams, asked him whether there was any further  22 update, or to provide a further update, and he did that  23 on 10 December when he sent you the updated FA2 form?  24 <b>A. Correct, yes.</b>  25 Q. Right.</p> <p style="text-align: center;">Page 35</p>	<p>1 Let's just remind ourselves, please of what was  2 updated on that form.  3 I think it is IPC1086, please Mr Coates.  4 If we look at page 4, we can see, over the page,  5 please, and the next page, there we are, it is page 6,  6 at the bottom there, we can see, "Updated  7 10 December 2015":  8 "There have been no intelligence updates since  9 7 December 2015 to indicate any change in the intentions  10 of the conspirators. The identities of the team  11 recruited for this task remains unknown."  12 Then he goes on to talk about authorities granted.  13 This deals with an update of whether or not there  14 has been any intelligence between 7 December and  15 10 December.  16 <b>A. Correct, yes.</b>  17 Q. But it doesn't deal with whether or not there has been  18 any update from the time that the intelligence profiles  19 were printed, which was, in relation to Ozcan Eren,  20 October 2014 and in relation to the other two,  21 April 2015, and the present day.  22 <b>A. I would have expected that intelligence update to be</b>  23 <b>included when I have actually asked for it. I mean it</b>  24 <b>is quite a specific ask that I had of the TFC, "Are</b>  25 <b>there any intelligence updates?" And that is clearly</b></p> <p style="text-align: center;">Page 36</p>

<p>1 articulated on page 6.</p> <p>2 Q. Did you take that to mean there was no further</p> <p>3 intelligence that could be of assistance to you, by</p> <p>4 10 December?</p> <p>5 A. Correct, sir, yes.</p> <p>6 Q. Thank you.</p> <p>7 You have talked in the course of your evidence about</p> <p>8 trying to fill the intelligence gaps, and we know that,</p> <p>9 although there was information by way of intelligence,</p> <p>10 that IC3 males had been recruited to carry out the event</p> <p>11 on 11 December, it had not been possible to identify who</p> <p>12 those males were?</p> <p>13 A. Correct, sir, yes.</p> <p>14 Q. Nor had it been possible to identify whether weapons</p> <p>15 were going to be used, firearms were going to be used,</p> <p>16 or where they might be because, as you explained</p> <p>17 yesterday, if that information had come into your</p> <p>18 possession, you would have sought to have taken those</p> <p>19 firearms off the street?</p> <p>20 A. Correct.</p> <p>21 Q. As of 10 December, was it in your mind to attempt to</p> <p>22 continue to try and fill the intelligence gaps overnight</p> <p>23 into 11 December or were you drawing a line really and</p> <p>24 accepting that there was unlikely to be any further</p> <p>25 intelligence of any assistance?</p> <p style="text-align: center;">Page 37</p>	<p>1 A. Intelligence gathering continues right up until the</p> <p>2 point of deployment and absolutely throughout. I mean</p> <p>3 in line with APP, I can rescind -- and have done before,</p> <p>4 as well -- any firearms operation as a result of being</p> <p>5 able to disrupt.</p> <p>6 Q. Did the failure to fill those intelligence gaps that we</p> <p>7 have just identified have an effect on the risk</p> <p>8 assessment or planning for the operation the following</p> <p>9 day?</p> <p>10 A. It did on the basis, I have always spoken about we</p> <p>11 didn't know who the who was.</p> <p>12 Q. Yes.</p> <p>13 A. So we were not able to assess obviously individuals that</p> <p>14 would be in the car. In a perfect situation, we would</p> <p>15 have known the profiles of those individuals that would</p> <p>16 have been in the car, which would have been -- it would</p> <p>17 have been a platform to be able to assess opportunities,</p> <p>18 options and also individual needs and threat and risk</p> <p>19 assessment of the subjects that were causing a risk to</p> <p>20 themselves by actually being there, but it would have</p> <p>21 been a really -- it would have put us in a different</p> <p>22 position.</p> <p>23 Q. As of 10 December, the most up-to-date intelligence as</p> <p>24 to the who was going to be in the Audi, was IC3 males?</p> <p>25 A. Correct, sir, yes.</p> <p style="text-align: center;">Page 38</p>
<p>1 Q. In your mind, on 10 December, did you expect, in the</p> <p>2 absence of any further intelligence overnight, any of</p> <p>3 the OCN Tottenham Turks members to be in the Audi?</p> <p>4 A. We didn't know.</p> <p>5 THE CHAIRMAN: Well, you had no intelligence to believe that</p> <p>6 there would be?</p> <p>7 A. We had no intelligence to say whether they were going to</p> <p>8 be there or not going to be there. We did not know the</p> <p>9 identity of the individuals.</p> <p>10 MS BLACKWELL: Thank you.</p> <p>11 Could we take that down, please, and could we look</p> <p>12 at IPC80, which is the MPS SOP.</p> <p>13 At page 8, please, Mr Coates. Let's look at</p> <p>14 paragraphs 6.76 and 6.77:</p> <p>15 "An SFC or TFC's ability to effectively perform</p> <p>16 their respective command function depends on them</p> <p>17 having.</p> <p>18 "Knowledge of the circumstances and available</p> <p>19 intelligence.</p> <p>20 "The ability to communicate.</p> <p>21 "Appropriate tactical advice being available.</p> <p>22 "A suitable environment from which to exercise the</p> <p>23 command function.</p> <p>24 "It is the responsibility of the officer accepting</p> <p>25 command to ensure the above conditions are met."</p> <p style="text-align: center;">Page 39</p>	<p>1 Moving into 11 December, do you accept that it was</p> <p>2 your responsibility to ensure that these four aspects of</p> <p>3 the plan were in place?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Were you content, as we move into 11 December, that</p> <p>6 those four aspects of the plan were in place, that you</p> <p>7 had appropriate facilities available?</p> <p>8 A. Yes, definitely.</p> <p>9 I think that has been acknowledged by the</p> <p>10 independent report that you brought together in relation</p> <p>11 to how we command and control. I have mentioned in the</p> <p>12 past it was not commonplace to use a command and control</p> <p>13 function as we did. But we chose to do this, yeah, in</p> <p>14 order to obviously satisfy obviously these points.</p> <p>15 Q. Right, thank you.</p> <p>16 Can we take that down, please, Mr Coates.</p> <p>17 What time did you get to C3000 on 11 December?</p> <p>18 A. Sorry, if I just may refer to my statement, apologies.</p> <p>19 Q. Yes, please do.</p> <p>20 A. I was present in the control room from about 7.00 in the</p> <p>21 morning.</p> <p>22 Q. So you were not present for the briefing at 5.00 am?</p> <p>23 A. No, I wasn't.</p> <p>24 Q. Had you planned to be there for the briefing at 5.00 am?</p> <p>25 A. No, I hadn't.</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 Q. Why was it that you didn't feel it necessary to attend 2 the briefing?</p> <p>3 <b>A. I needed to give Mr Williams, DCI Neil Williams, space, 4 he was in tactical command, yeah for that actual 5 operation, there was no requirement, yeah, for me to be 6 actually present at that briefing. And it was to give 7 Neil space in order to run the operation.</b></p> <p>8 Q. Does that suggest that he would find your presence 9 oppressive?</p> <p>10 <b>A. Not at all, no.</b></p> <p>11 Q. What do you mean by "giving him space"?</p> <p>12 <b>A. Because it was Neil's decisions on the day, yeah, that 13 he was going to obviously run the operation. There is 14 no requirement -- I should be accessible to Mr Williams, 15 normally SFCs would not go into a control room function 16 but they would be available to obviously the TFC in 17 relation to a change of circumstance or a change of 18 situation.</b></p> <p>19 Q. You have just said that it wouldn't be normal for an SFC 20 to go into the control room; is that right?</p> <p>21 <b>A. No, it wouldn't be. It is a tactical -- the deployment 22 and tactical deployment of the day is very much in the 23 TFC's domain, but as per APP, I need to be available, 24 I need to be supportive, I need to be intrusive, in 25 relation to Mr Williams's role.</b></p> <p style="text-align: center;">Page 41</p>	<p>1 Q. You cannot assist us in relation to whether or not 2 individual roles were allocated to specific individuals 3 during the course of that briefing?</p> <p>4 <b>A. No, as per APP, the briefing is obviously subject to the 5 TFC domain and it was in Mr Williams's role on that day.</b></p> <p>6 Q. Did you meet with Mr Gilmour before you went into the 7 control room that morning?</p> <p>8 <b>A. Yes, I did. Just to give a little bit of context, that 9 my office sits directly under the control room. So --</b></p> <p>10 Q. It is in the same building?</p> <p>11 <b>A. It is within the same building.</b></p> <p>12 Q. Right.</p> <p>13 <b>A. So, yes, to answer the question, yes I did meet 14 Mr Gilmour on that morning, because we share an office.</b></p> <p>15 Q. I think he said to us in his witness statement that you 16 and he had breakfast together?</p> <p>17 <b>A. I believe, so a cup of tea beforehand, yes.</b></p> <p>18 Q. Nothing more glamorous than that?</p> <p>19 <b>A. Definitely not there, no.</b></p> <p>20 Q. Did you and he go to the control room together?</p> <p>21 <b>A. Yes, we did.</b></p> <p>22 Q. Had you and he spoken about your role as SFC and what 23 you were expecting to do over the course of the morning? 24 I am asking you that because of course I am conscious 25 that he was shadowing you, and I would like you to</p> <p style="text-align: center;">Page 42</p>
<p>1 explain to us, as the person he was shadowing, how you 2 sought to assist him in teaching him your role on that 3 day?</p> <p>4 <b>A. To make it really clear and put it into context, 5 Mr Gilmour is an extremely experienced detective, then 6 and now.</b></p> <p>7 Q. Yes.</p> <p>8 <b>A. So it is really and truly probably conversations -- and 9 I can't recall the conversations -- about obviously how 10 we managed the investigation and the deployment from the 11 10th all the way through. Obviously that was 12 a continual process for Mr Gilmour anyway, because he 13 was aware of obviously the circumstances.</b></p> <p>14 <b>But it was a passive role for Mr Gilmour that he 15 actually played, but it was for me to show him the 16 workings of how C3000 would work, and to give him 17 a flavour of how this job would actually be run.</b></p> <p>18 Q. Did that include you discussing with him aspects of your 19 strategy or was it a matter of him just following you 20 round?</p> <p>21 <b>A. He would have been aware of the strategy, but I can't 22 recall -- almost six years ago, I can't recall the exact 23 conversation that took place between us.</b></p> <p>24 Q. Right.</p> <p>25 When you got to the room, did Mr Williams give you</p> <p style="text-align: center;">Page 43</p>	<p>1 a briefing about the intelligence that he had received 2 that morning from FE19?</p> <p>3 <b>A. No, he didn't.</b></p> <p>4 Q. Would you have expected him to tell you that?</p> <p>5 <b>A. It would depend what the intelligence and information 6 was. Obviously very much with the TFC, if they thought 7 it would impact on the authority, yeah, or my reason to 8 suppose that firearms would have been carried, I would 9 have expected a briefing but very much in the TFC's 10 judgment of what I was told.</b></p> <p>11 THE CHAIRMAN: If it related to whether or not firearms were 12 likely to be carried by the conspirators, you would have 13 expected to know?</p> <p>14 <b>A. Yes, sir, but under the circumstances here, there was 15 complete ambiguity of whether they would.</b></p> <p>16 THE CHAIRMAN: Well, that depends on the intelligence, 17 doesn't it?</p> <p>18 <b>A. Yes, it does.</b></p> <p>19 THE CHAIRMAN: So if there had been any intelligence that 20 was relevant to the likelihood or otherwise of firearms 21 being carried, you would have expected to be told?</p> <p>22 <b>A. If it would have absolutely been defined, yeah, either 23 or, which would have obviously impacted upon my reason 24 to suppose and the deployment on this day, then I would 25 have been expected to be told.</b></p> <p style="text-align: center;">Page 44</p>

1 MS BLACKWELL: Did he give you any information about whether  
2 or not he had been told that the group had only managed  
3 to obtain an imitation firearm?  
4 **A. No, I was not aware.**  
5 Q. Are you aware now that there was an item of intelligence  
6 in those terms?  
7 **A. I am aware that there was conflicting intelligence and  
8 evidence from the probe compared to that of intelligence  
9 being received from him.**  
10 Q. I am talking about something which came to him from  
11 FE19. That morning, were you made aware that, according  
12 to information that had been provided to him by FE19,  
13 that the gang had only been able to obtain an imitation  
14 firearm?  
15 **A. No, I was not aware specifically of -- I was unaware of  
16 that information at the time. I was not told that  
17 information that morning.**  
18 Q. Right, so you were told nothing of that exchange between  
19 Mr Williams and FE19?  
20 **A. No, I was not.**  
21 Q. Right.  
22 THE CHAIRMAN: Was that something that you would have  
23 expected to be told?  
24 **A. If there was something in that intelligence that would  
25 specifically impact on my authority --**

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1 THE CHAIRMAN: You have been told what the intelligence was,  
2 that FE19 is said to have told your tactical firearms  
3 commander about. Would you have expected your tactical  
4 firearms commander to tell you? Share it with you?  
5 **A. Yes, sir, if it would have impacted on my authority, so  
6 yes.**  
7 THE CHAIRMAN: So the answer is yes, thank you.  
8 MS BLACKWELL: As you went into C3000 that morning, what  
9 were you expecting your responsibilities to be?  
10 **A. So I was not required to be in C3000.**  
11 Q. Right.  
12 **A. So I was there to be on hand to show leadership to the  
13 TFC, and to be available to them.**  
14 Q. So you didn't -- I am suggesting this, please tell me if  
15 you don't agree, you didn't have a proactive role, but  
16 you were there to be consulted if the TFC required?  
17 **A. Yes, correct.**  
18 Q. How big is the room?  
19 **A. It is a room that could be split into two, I can't  
20 remember whether it was split into two on the day,  
21 I don't think so. It is about 12 metres by 12 metres,  
22 I would suggest, it is quite a big room.**  
23 Q. At its most full, how many people were in there that  
24 morning?  
25 **A. I really can't recall. I would say 15 people?**

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1 Q. All right, excuse me.  
2 Were you aware of where the Covert Monitoring Post  
3 was?  
4 **A. I am -- I know where the Covert Monitoring Post would  
5 have been, yes.**  
6 Q. Did you know where it was that morning?  
7 **A. Yes.**  
8 Q. Were you aware of information coming in from the Covert  
9 Monitoring Post to the control room?  
10 **A. No, no, I was not. I was aware information was, but  
11 I was unaware of specific information that morning.**  
12 Q. Did you have a seat in the room, did you base yourself  
13 somewhere?  
14 **A. No.**  
15 Q. Were you not present for the whole of the time between  
16 you getting there at about 7.00 am and the incident  
17 happening?  
18 **A. No, I wasn't. It was literally in a shadowing capacity  
19 with Mr Gilmour, just to show him the outline of the  
20 room and the workings of it. I was in so close  
21 proximity to Mr Williams, within the building, I was  
22 fulfilling my role as the SFC in relation to being on  
23 hand. But to be absolutely clear, and clear lines of  
24 command and communication, there was no need for me to  
25 sit on the shoulder of a really experienced tactical**

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1 **firearms commander in the decisions that he was more  
2 than capable of being able to make.**  
3 Q. Did you pop in and then go back to your office?  
4 **A. From recollection, yes, I did.**  
5 Q. How many times do you think you popped into the room?  
6 **A. I can't recall, I think I went there and I stayed there  
7 for a period of time. I was certainly there at the  
8 point of -- at 9.00.**  
9 Q. Right. Do you know whether or not you had been called  
10 back to the room or had you gone there at 7.00, then  
11 left to your office and then, of your own volition, gone  
12 back in?  
13 **A. No, it was my own volition. The operation -- I didn't  
14 get any calls from Neil, I saw Mr Williams there at that  
15 particular time, but he was in charge, he was running  
16 that room, as I said before, a very competent detective  
17 and TFC.**  
18 Q. Were there any discussions between yourself and  
19 Mr Williams about the developing situation over the  
20 course of that morning?  
21 **A. As stated before, no, there wasn't.**  
22 Q. Right.  
23 Just so that I am clear then, were you aware that by  
24 8.00 am the Audi vehicle, which had been driving around  
25 the streets, had by 8.00 am parked in Bracknell Close?

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12 (Pages 45 to 48)

<p>1 <b>A. No, I was not aware. I was not aware of the position of</b>  2 <b>that vehicle at that particular time. I was in the</b>  3 <b>room. It is a really busy -- to put some context around</b>  4 <b>it, it is very busy, it is very busy. People have got</b>  5 <b>their own functions but it is extremely busy in relation</b>  6 <b>to people's roles and also there is a necessity for the</b>  7 <b>TFC and other roles to be completely focused in dealing</b>  8 <b>with this live crime in action.</b></p> <p>9 Q. When you got back to the room, before the interception  10 at 9.00, how long had you been in the room at the time  11 that the interception took place?</p> <p>12 <b>A. Exactly, sir, I cannot remember. It may have been</b>  13 <b>40 minutes. It was for a period of time. There was</b>  14 <b>a general discussion between myself and Mr Gilmour, but</b>  15 <b>I can't recall the exact timings.</b></p> <p>16 Q. Thank you. But there was no discussion at any stage  17 between yourself and Mr Williams?</p> <p>18 <b>A. Correct, yes.</b></p> <p>19 Q. At all, over the course of the morning?</p> <p>20 <b>A. Not in relation to any intelligence, or operational</b>  21 <b>update. As I stated in my statements and also in the FA</b>  22 <b>forms, there had been no update in relation to any</b>  23 <b>intelligence or information.</b></p> <p>24 Q. I am going to press you on this. Was there any  25 discussion about anything between you and Mr Williams</p> <p style="text-align: center;">Page 49</p>	<p>1 that morning?</p> <p>2 <b>A. No, there was not.</b></p> <p>3 Q. Thank you.</p> <p>4 <b>A. Sorry to interrupt, to put it into context, Mr Williams</b>  5 <b>was extremely busy, yeah, running that operation.</b></p> <p>6 THE CHAIRMAN: Thank you.</p> <p>7 MS BLACKWELL: Were you present to hear Mr Williams issuing  8 state amber?</p> <p>9 <b>A. Yes, I do remember at that time state amber being</b>  10 <b>stated. Yes.</b></p> <p>11 Q. Were you aware of Mr Williams issuing any instructions  12 to any officers at that time?</p> <p>13 <b>A. No, I was not.</b></p> <p>14 MS BLACKWELL: Thank you, Mr Turner.</p> <p>15 Sir, those are questions which I have. I am going  16 to invite you to put any questions you have, sir, before  17 I will ask for a short break whilst I can consult with  18 the other core participants.</p> <p>19 THE CHAIRMAN: Yes, sure.</p> <p>20 Questions from THE CHAIRMAN</p> <p>21 THE CHAIRMAN: I would like to ask you, please, about three  22 matters. Principally in your capacity as the senior  23 officer in the hierarchy of Operation Ankaa.</p> <p>24 First of all, the completions of the FA1 and FA2  25 forms. Am I right in thinking that -- this is not to</p> <p style="text-align: center;">Page 50</p>
<p>1 suggest that you are being in any way flippant -- you  2 regard as an unnecessary level of bureaucracy, which  3 achieves nothing, the requirement for an FA1 as well as  4 an FA2 to be completed where the left hand is merely  5 communicating with the right hand?</p> <p>6 <b>A. Sir, yes, not being flippant, it would mean the officer</b>  7 <b>actually briefing himself, so exactly as you said there.</b>  8 <b>So in agreement, yes, sir.</b></p> <p>9 THE CHAIRMAN: Would you go as far as to say that in such  10 cases, there should in fact be no such requirement at  11 all and that should be made clear?</p> <p>12 <b>A. I think so, sir, yes, within our policy and guidance it</b>  13 <b>should be because, as I said before, it would be</b>  14 <b>duplication.</b></p> <p>15 THE CHAIRMAN: You would say it is an oversight that it has  16 never been spelt out before?</p> <p>17 <b>A. And it is not -- yes, yes, sir, exactly.</b></p> <p>18 THE CHAIRMAN: No, I'm not saying it is an oversight  19 necessarily, that is up to me to decide, but your case  20 is that, whatever the protocols may spell out, the  21 requirement for you to tell yourself is pointless?</p> <p>22 <b>A. Correct, sir, yes.</b></p> <p>23 THE CHAIRMAN: That is the way you put it. That is why  24 I prefaced my enquiry by saying that, whether it was  25 a valid point or not, it was not one which was made</p> <p style="text-align: center;">Page 51</p>	<p>1 flippantly.</p> <p>2 <b>A. Thank you, sir.</b></p> <p>3 THE CHAIRMAN: I want, please, to ask you about the  4 importance of knowing what the CPS were going to do.  5 Do you know whether there was any liaison between  6 the Met and the CPS, or vice versa, as to the strength  7 of evidence to support a charge of conspiracy to murder?</p> <p>8 <b>A. Sir, as my role as the SFC, no, I did not know the</b>  9 <b>communication. And apologies in relation to --</b></p> <p>10 THE CHAIRMAN: Don't apologise. I am asking you, I have  11 already indicated, because you are at the top of the  12 tree. But whether it was with you or not, would you  13 have expected the Met to have an input in the decision  14 that was ultimately taken by the CPS, although of course  15 it was their decision?</p> <p>16 <b>A. Yes, sir, an active input.</b></p> <p>17 THE CHAIRMAN: Yes.</p> <p>18 We know that the prosecution were given four weeks  19 on 29 October to serve a perfected indictment.  20 So that if there was no news by 26 November, it was  21 important for that decision to be chased.</p> <p>22 <b>A. Yes, sir.</b></p> <p>23 THE CHAIRMAN: We have yet to hear from or indeed of the  24 existence of any officer who chased this up or who  25 appreciated the importance of knowing what the decision</p> <p style="text-align: center;">Page 52</p>

<p>1 was. But if the indictment was going to be amended, and 2 it was known in advance that 11 December was not going 3 to be a sentence hearing, then even if the plan to allow 4 the conspiracy to spring Izzet Eren to run had no 5 potential downside, it would have been appreciated that 6 the opportunity might just not arise.</p> <p>7 <b>A. Sir, in those circumstances, yes, I agree with you, that 8 may not have arisen, yes.</b></p> <p>9 THE CHAIRMAN: Do you know why no one appears to have picked 10 this up?</p> <p>11 <b>A. Sir, no, I do not. In my role as the SFC, I could have 12 obviously asked the question but I was unaware of that 13 detail of liaising between the CPS and the police.</b></p> <p>14 THE CHAIRMAN: The application to Mr Justice Sweeney was 15 made on 8 December.</p> <p>16 <b>A. As I understand, sir, yes.</b></p> <p>17 THE CHAIRMAN: Clearly, you would agree, I suspect, that he 18 should not have been told that Izzet Eren was being 19 produced for sentence on the 11th, without reference 20 being made to the possibility that the sentence hearing 21 might not go ahead.</p> <p>22 <b>A. That would follow from your previous – yes, sir.</b></p> <p>23 THE CHAIRMAN: Yes, so it is important for us to find out 24 what the state of knowledge was as at 8 December?</p> <p>25 <b>A. Yes, sir, and obviously with the information given to me</b></p> <p style="text-align: center;">Page 53</p>	<p>1 <b>as the SFC in that particular role, yeah, I was not 2 aware, I was only aware of the information that was 3 given to me.</b></p> <p>4 THE CHAIRMAN: Yes.</p> <p>5 I suspect I know the answer to this question, but 6 I am going to ask it anyway.</p> <p>7 Are questions about the communication of up-to-date 8 intelligence to the AFOs questions which should be 9 directed to your tactical firearms commander?</p> <p>10 <b>A. Correct, sir, yes, it is a tactical decision, not in the 11 role of the SFC.</b></p> <p>12 THE CHAIRMAN: Are questions about the safety of those 13 acting firearms officers also, and protection of those 14 acting firearms officers, also questions which should be 15 directed to the tactical firearms commander?</p> <p>16 <b>A. To the TFC and also the OFC that are on the ground, sir, 17 because they have obviously the overarching 18 responsibility within their role.</b></p> <p>19 THE CHAIRMAN: Yes.</p> <p>20 I think that deals with all the matters that I wish 21 to raise.</p> <p>22 MS BLACKWELL: Thank you, sir.</p> <p>23 Perhaps it might be convenient for us to take our 24 mid-morning break.</p> <p>25 THE CHAIRMAN: Yes, shall we break until 11.30?</p> <p style="text-align: center;">Page 54</p>
<p>1 MS BLACKWELL: Thank you.</p> <p>2 THE CHAIRMAN: Thank you. 3 (11.15 am) 4 (A short adjournment) 5 (11.36 am)</p> <p>6 THE CHAIRMAN: Thank you.</p> <p>7 MS BLACKWELL: Thank you, sir. 8 Mr Turner, I just have two questions remaining to 9 put to you. 10 Further questions from MS BLACKWELL</p> <p>11 MS BLACKWELL: Before the break I asked you whether or not 12 you had received any intelligence from Mr Williams when 13 you reached room C3000 on the morning of 11 December, 14 about whether or not the gang had managed to obtain 15 a real or an imitation firearm, and you indicated that 16 you were not given any information of that nature.</p> <p>17 <b>A. That's correct, sir, yes.</b></p> <p>18 Q. Had you been told at 7.00 am when you arrived in the 19 room that intelligence from the night before indicated 20 that the gang had only managed to obtain an imitation 21 firearm, would that have altered your decision to 22 authorise deployment in relation to the AFOs?</p> <p>23 <b>A. No, that wouldn't have done. I still would have had 24 reason to suppose that there was access to firearms, 25 because of the whole and broader intelligence picture</b></p> <p style="text-align: center;">Page 55</p>	<p>1 <b>across the board.</b></p> <p>2 Q. Right. If that had been followed a few minutes later by 3 evidence from the probe that could suggest there was 4 a real firearm in the vehicle, would your decision to 5 authorise deployment have remained?</p> <p>6 <b>A. Absolutely clear, my authority would have remained. 7 I had reason to suppose that access to firearms would 8 have been present.</b></p> <p>9 <b>And to note obviously I think that is noted by, 1, 10 the College of Policing, also Mr Hartley and also 11 Mr Burrows and Mr Arundale's report as well. So, 12 absolutely, the firearms authority would have remained.</b></p> <p>13 Q. For the avoidance of doubt, you were not given any 14 information about intelligence from the night before?</p> <p>15 <b>A. Absolutely clear, no.</b></p> <p>16 Q. And neither were you aware of what was or wasn't heard 17 on the probe?</p> <p>18 <b>A. Absolutely correct.</b></p> <p>19 MS BLACKWELL: Thank you.</p> <p>20 THE CHAIRMAN: So, in fact, it was the history of this gang 21 and the fact that they used weapons to exercise their 22 influence in the way in which they did, was far more of 23 a governing factor in your decision making than whether 24 there was intelligence about the absence of any live 25 firearms on the morning?</p> <p style="text-align: center;">Page 56</p>

<p>1 <b>A. Correct, sir, and also added with the criminality that</b>  2 <b>they were about to undertake.</b>  3 THE CHAIRMAN: Yes.  4 So it really wasn't about up-to-date intelligence,  5 as far as you were concerned, it was about the overall  6 background to their activities and the criminality that  7 they were undertaking that day?  8 <b>A. Correct, sir, and that is obviously highlighted in all</b>  9 <b>the independent reports as well.</b>  10 THE CHAIRMAN: Yes, well, I am asking you, I am not at the  11 moment concerned with the reports, I am asking for your  12 evidence.  13 <b>A. That would be correct, sir, yes.</b>  14 THE CHAIRMAN: Thank you very much.  15 MS BLACKWELL: Thank you, that completes Mr Turner's  16 evidence.  17 THE CHAIRMAN: Mr Turner, I say to you as, please don't take  18 it amiss, because where there are issues yet to be  19 covered by other witness it has to be said, please do  20 not discuss any of your evidence with anyone who might  21 yet be giving evidence about those matters.  22 <b>A. Yes, sir.</b>  23 THE CHAIRMAN: Thank you.  24 Yes.  25 MS BLACKWELL: There will just be a short pause while the</p> <p style="text-align: center;">Page 57</p>	<p>1 next witness is brought into the witness box, sir.  2 THE CHAIRMAN: Thank you very much.  3 (Pause)  4 MS BLACKWELL: Sir, the gentleman in the witness box is S48,  5 may he be sworn, please.  6 THE CHAIRMAN: Thank you. Good morning.  7 THE WITNESS: Good morning.  8 S48 (sworn)  9 Questions from MS BLACKWELL  10 THE CHAIRMAN: Please sit down.  11 MS BLACKWELL: For the purposes of this inquiry, you are  12 known by the cipher S48?  13 <b>A. That's correct, yes.</b>  14 Q. At the end of 2015, were you a serving police inspector?  15 <b>A. I was, yes.</b>  16 Q. You are now retired, I understand?  17 <b>A. Yes, I am.</b>  18 Q. You had previously served in a borough policing role?  19 <b>A. I had, yes.</b>  20 Q. Since 1995, you were attached to the force firearms  21 unit, namely the Specialist Crime Operation 19?  22 <b>A. Specialist firearms command.</b>  23 Q. Right. And you were also a counter terrorist specialist  24 firearms office manager, as well as an inspector?  25 <b>A. I was a nationally qualified CTSFO, and also performed</b></p> <p style="text-align: center;">Page 58</p>
<p>1 <b>the role as manager of CTSFOs as well.</b>  2 Q. Thank you.  3 Do you have a file before you, S48?  4 <b>A. Yes, I do, yes.</b>  5 Q. I am reading from your witness statement of  6 14 December 2015, which lies behind divider 3.  7 At the bottom of page 1, you say:  8 "I have since 1995 been attached to the force  9 firearms unit, namely Specialist Crimes Operations 19,  10 I am currently a counter terrorist specialist firearms  11 office manager and inspector and also a CTSFO, tactical  12 adviser and tactical firearms commander."  13 This statement was made on 14 December 2015. Is  14 what I have just read out accurate as of that date?  15 <b>A. Yes, it is, yes.</b>  16 Q. Thank you.  17 You continue, over the page:  18 "I am also a firearms instructor."  19 <b>A. That's correct.</b>  20 Q. That is a position that you held in December 2015?  21 <b>A. That's correct, yes.</b>  22 Q. Thank you.  23 You say that you were frequently engaged in  24 providing tactical advice and also firearms command for  25 operational deployments of police firearms assets.</p> <p style="text-align: center;">Page 59</p>	<p>1 <b>A. That's correct.</b>  2 Q. By December 2015, roughly speaking, on how many  3 operations had you acted in the role of tactical  4 adviser?  5 <b>A. As tactical adviser, I would say several hundred.</b>  6 <b>I can't be more specific than that, I have thought about</b>  7 <b>that answer. That is the best I can come up with, I am</b>  8 <b>afraid.</b>  9 Q. Thank you.  10 You say that in early November 2015, whilst you were  11 on duty as a specialist tactical adviser, you were  12 invited to attend a preliminary meeting for a potential  13 firearms operation.  14 <b>A. That's correct.</b>  15 Q. Who invited you to the meeting?  16 <b>A. It was officers from SCD7, which is the specialist crime</b>  17 <b>command.</b>  18 Q. Do you know the identity of anybody who was involved in  19 issuing that invitation for you to join the meeting?  20 <b>A. I can't actually remember -- no, I can't.</b>  21 Q. All right.  22 Before we deal with that meeting, and I can tell you  23 that it took place on 10 November, and when we get to it  24 we will look at the notes you made during the course of  25 that meeting.</p> <p style="text-align: center;">Page 60</p>

<p>1 <b>A. Okay.</b></p> <p>2 Q. I would just like to set out the role of tactical</p> <p>3 adviser, your understanding of it, and what we know of</p> <p>4 the national and local policies in relation to it.</p> <p>5 Mr Coates, please can we display IPC80, at page 12.</p> <p>6 We are starting here at paragraph 6.87.</p> <p>7 <b>A. Sorry, can we increase the size of that slide, please?</b></p> <p>8 Q. Yes, can we do that, please, Mr Coates. Thank you.</p> <p>9 <b>A. Thank you.</b></p> <p>10 Q. The function of tactical adviser is provided by</p> <p>11 an officer who:</p> <p>12 "Advises on the capabilities and limitations of the</p> <p>13 AFOs and other police resources being deployed.</p> <p>14 "Advises the SFC or TFC on the implication of any</p> <p>15 tactical parameters which have been set.</p> <p>16 "Advises on the available tactical options for</p> <p>17 consideration by the SFC and the TFC within the existing</p> <p>18 strategy and any tactical parameters set.</p> <p>19 "Advises the firearms commanders on the tactical</p> <p>20 considerations, contingencies and implications for each</p> <p>21 tactical option.</p> <p>22 "Should be in a position to assist and advise the</p> <p>23 TFC at all stages of the operation.</p> <p>24 "Provides tactical advice reflecting the existing</p> <p>25 threat assessment.</p> <p style="text-align: center;">Page 61</p>	<p>1 "Ensures that advice given is recorded (form FA5)."</p> <p>2 This is the guidance that is provided by the MPS in</p> <p>3 their SOP?</p> <p>4 <b>A. Yes, it is replicated in authorised professional</b></p> <p>5 <b>practice as well.</b></p> <p>6 Q. Yes, we will turn to look at that in a moment.</p> <p>7 Can we continue through this page, please.</p> <p>8 At the bottom, at paragraph 6.88:</p> <p>9 "The role of a tactical adviser is to advise and not</p> <p>10 to make command decisions. The responsibility for the</p> <p>11 validity and reliability of the advice lies with the</p> <p>12 adviser but the responsibility for the use of the advice</p> <p>13 lies with the commander."</p> <p>14 Were you aware of the divergence between your role</p> <p>15 as tactical adviser and as we now know Mr Williams's</p> <p>16 role as the tactical firearms commander?</p> <p>17 <b>A. Yes, I was, yes.</b></p> <p>18 Q. Thank you.</p> <p>19 Can we go to the next page, please.</p> <p>20 Can we highlight the first half -- in fact, thank</p> <p>21 you:</p> <p>22 "All spontaneous and authorised operations require</p> <p>23 the provision of tactical advice. The only role</p> <p>24 profiles which have the capability (by virtue of their</p> <p>25 occupational competence) and are accredited to provide</p> <p style="text-align: center;">Page 62</p>
<p>1 this within the MPS are ARV, TST and CTSFOs."</p> <p>2 You were, as we have established, a CTSFO?</p> <p>3 <b>A. I was, yes.</b></p> <p>4 Q. Thank you:</p> <p>5 "The function of the SCO19 pod within CCC enables</p> <p>6 this function to be carried out 24/7 for all spontaneous</p> <p>7 deployments of AFOs with recourse to an on-call CTSFO</p> <p>8 firearms tactical adviser (FTA) for either developed</p> <p>9 incidents or authorised operations. Occupational</p> <p>10 competence as an FTA is achieved through the successful</p> <p>11 completion of a two-week spontaneous FTA course as</p> <p>12 accredited by the College of Policing."</p> <p>13 Had you attended that course and were you accredited</p> <p>14 as an FTA?</p> <p>15 <b>A. I was nationally accredited as a firearms tactical</b></p> <p>16 <b>adviser, yes.</b></p> <p>17 Q. Thank you:</p> <p>18 "An FTA can only give advice on a tactic that they</p> <p>19 either are or have been tactically competent, ie passed</p> <p>20 a course based on the relevant NPFTC training module for</p> <p>21 the tactic. If they have previously been but are no</p> <p>22 longer operationally competent, ie due to injury</p> <p>23 preventing them undertaking refresher training, they</p> <p>24 must have maintained their proficiency in the given</p> <p>25 tactics. Within the MPS, firearms tactical advice will</p> <p style="text-align: center;">Page 63</p>	<p>1 be sought through the SCO19 pod at CCC. Tactical advice</p> <p>2 for authorised operations will be sought from the</p> <p>3 on-call CTSFO tactical adviser, again via the SCO19 pod</p> <p>4 in CCC.</p> <p>5 "When tactical advice is given, the TA will complete</p> <p>6 the form FA5, tactical advice form. A copy of this will</p> <p>7 be kept in the SCO19 pod, one emailed/faxed to the</p> <p>8 enquirer and one posted on the SCO19 daily events forum.</p> <p>9 Form FA5 is for authorised operations and FA5A is for</p> <p>10 spontaneous operations."</p> <p>11 All right, were you aware of that local policy?</p> <p>12 <b>A. Yes, I was. A point of note that I also qualified in</b></p> <p>13 <b>2011 as a pre-planned firearms tactical adviser as well.</b></p> <p>14 Q. Thank you.</p> <p>15 Can we take that down and have a look at the</p> <p>16 national guidance, the APP AP, and we can find this,</p> <p>17 Mr Coates, at COP24. If we turn to page 6, please, the</p> <p>18 bottom of the page, can we highlight that, please.</p> <p>19 Tactical adviser:</p> <p>20 "This role advises on the capabilities and</p> <p>21 limitations of the AFOs and other police resources being</p> <p>22 deployed, advises the strategic or tactical firearms</p> <p>23 commander on the implication of any tactical parameters</p> <p>24 that have been set ..."</p> <p>25 Can we go over to the following page and simply</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



<p>1 confirm that this mirrors, doesn't it, the advice that</p> <p>2 we have just looked at in terms of the local guidance?</p> <p>3 <b>A. It does, local guidance follows APP.</b></p> <p>4 Q. Thank you.</p> <p>5 We can take that down now, please.</p> <p>6 With that in mind, please, let's turn to the meeting</p> <p>7 on 10 November.</p> <p>8 Before we look at your notes, do you have</p> <p>9 an independent recollection of the meeting?</p> <p>10 <b>A. Yes, I think I provided statements for -- to that</b></p> <p>11 <b>effect.</b></p> <p>12 Q. You have, yes.</p> <p>13 If it helps, you can have a look, please, at the</p> <p>14 document that lies behind tab 3, which is your witness</p> <p>15 statement of 14 December, which is the one that we were</p> <p>16 looking at a few moments ago.</p> <p>17 <b>A. Okay.</b></p> <p>18 Q. That is at the top of page 2. We have confirmed that</p> <p>19 you were invited to the meeting. You have confirmed the</p> <p>20 invite was from SCO7. FE16, who we know is Mr Williams,</p> <p>21 and the SIO for the operation, who we know is Mr Murray,</p> <p>22 and FE14, who we know is Mr Turner, were all present at</p> <p>23 the meeting.</p> <p>24 Can you confirm that, please?</p> <p>25 <b>A. That's correct, yes.</b></p> <p style="text-align: center;">Page 65</p>	<p>1 Q. Right. What were you told at the meeting of the overall</p> <p>2 intelligence in relation to the proposed operation that</p> <p>3 was discussed?</p> <p>4 <b>A. I was informed that there was a potential escape attempt</b></p> <p>5 <b>being planned by an organised crime group.</b></p> <p>6 Q. Were you told that there had been a previous but aborted</p> <p>7 attempt at an escape in the same circumstances on</p> <p>8 29 October?</p> <p>9 <b>A. I can't remember if I was informed in relation to that,</b></p> <p>10 <b>but I certainly became aware of that throughout the</b></p> <p>11 <b>period of events.</b></p> <p>12 Q. Right. So you did become aware of it but you can't</p> <p>13 remember when?</p> <p>14 <b>A. I'm sorry, I can't.</b></p> <p>15 Q. Not at all, thank you.</p> <p>16 Did the intelligence provided to you in that meeting</p> <p>17 indicate that the attempt would include firearms used</p> <p>18 towards the prison transport vehicle and occupants?</p> <p>19 <b>A. That was the impression, yes.</b></p> <p>20 Q. Who provided the detail of that intelligence in the</p> <p>21 meeting?</p> <p>22 <b>A. I can't be specific around who in particular, but it</b></p> <p>23 <b>came from one of the SCD7 officers.</b></p> <p>24 Q. All right. Did you provide some initial verbal tactical</p> <p>25 advice during the course of the meeting, in particular</p> <p style="text-align: center;">Page 66</p>
<p>1 around future technical deployments?</p> <p>2 <b>A. That is likely I would have done, yes.</b></p> <p>3 Q. Again I am reading from your statement, that says:</p> <p>4 "I explained the need for suitable command and</p> <p>5 control and the suggestion of use of covert operations</p> <p>6 suite, I provided initial verbal tactical advice in</p> <p>7 relation to future technical deployments at the known</p> <p>8 vehicle and also for a covert firearms deployment for</p> <p>9 the prisoner van escort transfer to court."</p> <p>10 <b>A. Yes, I can see that, yes, that's correct.</b></p> <p>11 Q. Thank you. Having established that, could we please</p> <p>12 take a look at the notes you made during the course of</p> <p>13 the meeting and you will find these behind divider 8.</p> <p>14 Do you have those?</p> <p>15 <b>A. I do, yes.</b></p> <p>16 Q. Thank you.</p> <p>17 We can see that these notes, which I am going to ask</p> <p>18 that we look at together, please, Mr Coates, at IPC515,</p> <p>19 these notes are recorded on what looks like perhaps</p> <p>20 a piece of A4 paper. Were they recorded in a notebook?</p> <p>21 <b>A. Right, no, unfortunately, I had forgotten my daybook.</b></p> <p>22 <b>I had either left it in the vehicle or left it in my</b></p> <p>23 <b>office on that particular occasion, and this is a piece</b></p> <p>24 <b>of paper that I had with me at the time.</b></p> <p>25 Q. Right. Is what we see on this page the extent of the</p> <p style="text-align: center;">Page 67</p>	<p>1 notes that were made throughout the course of the</p> <p>2 meeting?</p> <p>3 <b>A. That's correct, yes. Preliminary meeting, yes, that's</b></p> <p>4 <b>right.</b></p> <p>5 Q. How long did the meeting last?</p> <p>6 <b>A. Certainly in excess of an hour. There was a lot of</b></p> <p>7 <b>things discussed in that meeting. So it was -- I would</b></p> <p>8 <b>suggest certainly in excess of an hour.</b></p> <p>9 Q. Right. Was there anybody else making a note during the</p> <p>10 course of the meeting?</p> <p>11 <b>A. I am not aware.</b></p> <p>12 THE CHAIRMAN: Were you aware -- sorry -- were you aware</p> <p>13 that it was the responsibility of the strategic firearms</p> <p>14 commander to make a note of the meeting?</p> <p>15 <b>A. It is a habit of mine to make notes --</b></p> <p>16 THE CHAIRMAN: I am not criticising you for one moment for</p> <p>17 making a note. Nobody asked you to, but it was your</p> <p>18 habit, but were you aware that it was in fact part of</p> <p>19 the task that was supposed to be discharged by the SFC.</p> <p>20 <b>A. No, I wasn't sir, no.</b></p> <p>21 THE CHAIRMAN: Thank you.</p> <p>22 MS BLACKWELL: I would like you to help us navigate our way</p> <p>23 through your notes, please, if you will.</p> <p>24 I don't know if you were able to follow proceedings</p> <p>25 yesterday over the live link?</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 <b>A. No, not on live link. I have looked at the transcript.</b></p> <p>2 Q. Have you, you will see that we didn't do a particularly</p> <p>3 successful job.</p> <p>4 <b>A. No, I apologise for my handwriting.</b></p> <p>5 Q. Could you take us, please, through the notes. Please,</p> <p>6 as we are going through them, if you want to pause and</p> <p>7 add any additional information that you remember being</p> <p>8 discussed, do that as well. Thank you.</p> <p>9 <b>A. Again, could we just increase the size of that, please.</b></p> <p>10 <b>The top line refers to "Op Utara".</b></p> <p>11 Q. Yes.</p> <p>12 <b>A. I have indicated the persons present along the top line.</b></p> <p>13 Q. Yes, one person that I haven't made reference to yet is</p> <p>14 FE15, who we know is Detective Superintendent Gilmour.</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Do you remember him being there?</p> <p>17 <b>A. Yes, if I remember rightly he was shadowing the SFC,</b></p> <p>18 <b>because he had a forthcoming SFC course.</b></p> <p>19 Q. Right, thank you.</p> <p>20 <b>A. The second line refers to an outline of the operation,</b></p> <p>21 <b>with a number of Turkish associates, including the Erens</b></p> <p>22 <b>and Armagans ... Armagans.</b></p> <p>23 Q. Armagans?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 69</p>	<p>1 <b>A. That is the second line.</b></p> <p>2 <b>The third line is times two, which refers to the</b></p> <p>3 <b>number of subjects on a motorcycle.</b></p> <p>4 Q. Yes.</p> <p>5 <b>A. Whom were armed with a 9mm handgun and a Skorpion.</b></p> <p>6 Q. Yes.</p> <p>7 <b>A. And that "Skorpion" refers to -- I have a little bit of</b></p> <p>8 <b>knowledge of firearms, that's a Skorpion machine pistol,</b></p> <p>9 <b>so that's an automatic weapon and that is a weapon of</b></p> <p>10 <b>significant firepower.</b></p> <p>11 Q. Yes.</p> <p>12 <b>A. The next is a hyphen, and then it says -- I can't read</b></p> <p>13 <b>my own writing there, I am afraid, plus one car.</b></p> <p>14 <b>Then on the next line I refer to the names of</b></p> <p>15 <b>an Eren, within brackets there "(Brother)".</b></p> <p>16 Q. Is that Ozcan Eren?</p> <p>17 <b>A. Yes, Ozcan Eren, yes, that's right.</b></p> <p>18 Q. What appears below the name?</p> <p>19 <b>A. "Cat B".</b></p> <p>20 Q. What is that a reference to?</p> <p>21 <b>A. That is a reference to his prison status or his security</b></p> <p>22 <b>status within prison.</b></p> <p>23 Q. Were you being told that he was in prison at the time?</p> <p>24 <b>A. Well, I think that is a reference to whom was ultimately</b></p> <p>25 <b>in prison.</b></p> <p style="text-align: center;">Page 70</p>
<p>1 Q. Right, so that would be Izzet Eren in fact?</p> <p>2 <b>A. Sorry, yes, my apologies.</b></p> <p>3 Q. Please don't apologise.</p> <p>4 In any event, the Eren who was in prison, you were</p> <p>5 being told was a cat B prisoner?</p> <p>6 <b>A. That's right, that's what it refers to, yes.</b></p> <p>7 Q. Thank you.</p> <p>8 <b>A. Then I've got a hyphen, a possession of firearm, "FA" is</b></p> <p>9 <b>short for firearm, and then I've got:</b></p> <p>10 <b>"Unknown whether premises or transit."</b></p> <p>11 Q. What was that a reference to?</p> <p>12 <b>A. So that is a general discussion around the potential</b></p> <p>13 <b>attempt, and it was unknown whether the attempt would be</b></p> <p>14 <b>made within premises or whilst the Eren that was in</b></p> <p>15 <b>custody was in transit.</b></p> <p>16 Q. Was it being suggested that the attempt might be made</p> <p>17 whilst he was in prison or at the court?</p> <p>18 <b>A. Well, my notes are that it was unknown whether premises</b></p> <p>19 <b>or in transit.</b></p> <p>20 Q. Nothing more than that?</p> <p>21 <b>A. I am afraid not.</b></p> <p>22 Q. Thank you, please continue.</p> <p>23 THE CHAIRMAN: If it was premises, it could only be prison</p> <p>24 or court.</p> <p>25 <b>A. That is my understanding, sir, yes.</b></p> <p style="text-align: center;">Page 71</p>	<p>1 THE CHAIRMAN: Thank you.</p> <p>2 <b>A. I think this is sensitive information, I think, which</b></p> <p>3 <b>I have rather clumsily written there as "Corruption</b></p> <p>4 <b>issue as HMP", a hyphen then a further reference to</b></p> <p>5 <b>sensitive intelligence.</b></p> <p>6 MS BLACKWELL: Right. What were you being told about</p> <p>7 a corruption issue in relation to HMP?</p> <p>8 <b>A. I really cannot remember in relation to that, to be</b></p> <p>9 <b>honest. But clearly I have made a note of some issue</b></p> <p>10 <b>around Wormwood Scrubs.</b></p> <p>11 Q. Right. There is then a reference to "Phone in prison"?</p> <p>12 <b>A. That's right, yes.</b></p> <p>13 Q. Were you being told that the Eren who was in prison was</p> <p>14 thought to have access to a phone?</p> <p>15 <b>A. Yes, that is what -- yes.</b></p> <p>16 Q. Thank you.</p> <p>17 THE CHAIRMAN: You are perfectly right to be cautious, but</p> <p>18 in fact if it is here, in print, and it has not been</p> <p>19 pixelated out or otherwise concealed, you can talk about</p> <p>20 it.</p> <p>21 <b>A. Okay, sir, thank you.</b></p> <p>22 THE CHAIRMAN: Thank you.</p> <p>23 MS BLACKWELL: Thank you.</p> <p>24 What is the next entry, please, below corruption</p> <p>25 issue HMP?</p> <p style="text-align: center;">Page 72</p>

<p>1 <b>A. So I have talked about the phone in prison, the full</b>  2 <b>stop. Then the next line is, "Transit via either G4S or</b>  3 <b>Serco".</b>  4 Q. What is that a reference to?  5 <b>A. Yes, that is a reference to the security company that</b>  6 <b>would be providing the transport from prison to court.</b>  7 Q. Right.  8 That was simply an identification of who that might  9 be?  10 <b>A. Yes.</b>  11 Q. Just pausing there, if we may, was it being suggested to  12 you that there was intelligence suggesting that the  13 attempt to spring Izzet Eren might take place during the  14 journey from prison to court?  15 <b>A. Well, I have noted there that it is "Unknown whether</b>  16 <b>premises or transit", but I have indicated there transit</b>  17 <b>via G4S or Serco. That statement there suggests to me</b>  18 <b>that that was the more likely scenario.</b>  19 Q. Right.  20 <b>A. My thinking would have been, as well, that is the more</b>  21 <b>likely scenario, because clearly that is</b>  22 <b>a vulnerability.</b>  23 Q. And it would have been easier to arrange than breaking  24 somebody out of prison?  25 <b>A. Of course. Of course.</b></p> <p style="text-align: center;">Page 73</p>	<p>1 Q. There then appears to be a reference to "Body cam", what  2 is that please?  3 <b>A. That is body-worn video, in relation to the actual</b>  4 <b>arrest of those subjects, which was performed by armed</b>  5 <b>response vehicles, so that the body cam is body-worn</b>  6 <b>video and it captures a motorcycle, which is "M/C", and</b>  7 <b>then I've got "ARV supports", so that was in relation to</b>  8 <b>the original arrest in October, I think that was. Where</b>  9 <b>the ARV has conducted a stop on the imprisoned subjects</b>  10 <b>and that was captured on body-worn video by police.</b>  11 Q. Thank you.  12 What is the next reference, please?  13 <b>A. Then I've got, "Intention to break out brother".</b>  14 Q. Right.  15 There is then a reference to a vehicle, I think?  16 <b>A. Yes, a black Audi A6 which then says "located", then it</b>  17 <b>is "-Ozcan".</b>  18 Q. Yes.  19 <b>A. "False plates, Wood Green-LOS."</b>  20 <b>Lost or stolen.</b>  21 Q. Thank you.  22 <b>A. Then I've got a small line indicating:</b>  23 <b>"Spare key (technical insertion)-technical op on the</b>  24 <b>car."</b>  25 Q. What is that a reference to, please?</p> <p style="text-align: center;">Page 74</p>
<p>1 <b>A. That is a reference to a potential technical deployment</b>  2 <b>on that lost or stolen vehicle.</b>  3 Q. Thank you.  4 <b>A. The next line indicates, "11 December -- for sentence at</b>  5 <b>Wood Green Crown Court".</b>  6 <b>Full stop.</b>  7 <b>The next line is:</b>  8 <b>"A form of words to HMP for hospital visit."</b>  9 Q. Yes.  10 <b>A. "Special scheme??? ARVs."</b>  11 Q. What does that mean?  12 <b>A. We discussed the number of risks in that meeting in</b>  13 <b>relation to the operation that was potentially going to</b>  14 <b>take place.</b>  15 Q. Yes.  16 <b>A. And those risks were in the short term and long term --</b>  17 <b>Q. Yes.</b>  18 <b>A. -- around that.</b>  19 <b>So there was immediate risks around the potential</b>  20 <b>deployment on 11 December, the known potential event.</b>  21 Q. Yes.  22 <b>A. And there was also risks around the potential of a ruse</b>  23 <b>or subversion tactic used by the subjects for an escape</b>  24 <b>attempt, and that would be in the form of a feigned</b>  25 <b>medical problem.</b></p> <p style="text-align: center;">Page 75</p>	<p>1 Q. Yes.  2 <b>A. Whereupon they could utilise that episode to formulate</b>  3 <b>an escape.</b>  4 Q. So what the does reference to special scheme --  5 <b>A. Sorry, "Special schemes", so there was a short</b>  6 <b>discussion around a special scheme being developed</b>  7 <b>around a response, if that feigned medical scenario was</b>  8 <b>enacted, and I have hyphenated that with ARV, so that</b>  9 <b>would be an ARV response around that, but that therein</b>  10 <b>presents a number of risks as well, and also collateral</b>  11 <b>risks around that.</b>  12 Q. Yes.  13 <b>A. So in relation to that, we were discussing all the risks</b>  14 <b>around this event and that also related to risks of</b>  15 <b>either of those events being successful, whether the</b>  16 <b>11 December breakout or a feigned medical success,</b>  17 <b>prison escape.</b>  18 Q. Yes.  19 <b>A. And the subsequent risk around the Erens regrouping and</b>  20 <b>carrying out their original attempt in relation to</b>  21 <b>whereupon they were arrested with the Skorpion --</b>  22 Q. On 13 October?  23 <b>A. -- and the Tokarev.</b>  24 <b>Also, if I may, also the overriding risk around them</b>  25 <b>regrouping -- if they were successful, regrouping around</b></p> <p style="text-align: center;">Page 76</p>

1 **their command element and re-establishing their**  
 2 **organised criminal network. So it was -- there were**  
 3 **risks that were discussed in that meeting -- risks were**  
 4 **discussed in that meeting.**  
 5 Q. What you are setting out there is a reference to  
 6 sustained public protection?  
 7 **A. Yes, I am. And you will see on the next line, I have**  
 8 **sort of preempted that, as such, because I write,**  
 9 **"Public safety and the issues around that". So I have**  
 10 **highlighted some of those risks that were discussed.**  
 11 Q. I would like to ask you go back to the phrase "Special  
 12 scheme", does that phrase mean anything in particular to  
 13 you?  
 14 **A. There was a process within the MPS at that time where**  
 15 **a CAD reference could be established where support,**  
 16 **specialist support, is given around a particular event.**  
 17 Q. Right.  
 18 So was that you noting that, if there had been the  
 19 need for a hospital visit, then that special scheme  
 20 could be implemented?  
 21 **A. It was a consideration. It was a consideration but it**  
 22 **wasn't developed. Because in relation to that, ARVs**  
 23 **don't have sufficient training to conduct that role.**  
 24 Q. What of the reference just prior to that, "Form of words  
 25 to HMP for hospital visit", what does that mean?

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1 Q. Okay, thank you.  
 2 Was it being suggested that that might be something  
 3 to organise?  
 4 **A. That was something to potentially take forward, yes.**  
 5 Q. All right, thank you.  
 6 Can we take that down, please, and can we have  
 7 a look at the APP in relation to sustained public  
 8 protection and it is at COP24, please, Mr Coates, at  
 9 page 10.  
 10 We have looked at this before throughout the course  
 11 of the inquiry's evidence. Could you explain to us,  
 12 please, what you understood by the phrase "sustain  
 13 public protection", and how this was discussed during  
 14 the course of your meeting?  
 15 **A. It was certainly referred to --**  
 16 Q. Yes.  
 17 **A. -- during that meeting. And in relation to this, it**  
 18 **gives police an opportunity to not only develop**  
 19 **intelligence but also develop mitigations around**  
 20 **long-term risks in relation to particular types of**  
 21 **offenders, those being organised criminals --**  
 22 Q. Yes.  
 23 **A. -- and recidivist offenders, and those with significant**  
 24 **capability and capacity, and those long-term risks. And**  
 25 **the balance of those long-term risks in between the**

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1 **A. I think that is in relation to sensitive intelligence,**  
 2 **and how that would be incorporated with the special**  
 3 **scheme. I can't really help out a great deal more than**  
 4 **that, to be honest with you.**  
 5 Q. All right.  
 6 Finally, "C + C = suite" is that?  
 7 **A. There is a date stamp, exhibit stamp, and then "C + C =**  
 8 **suite". That relates to the command and control suite**  
 9 **and we discussed the establishment of command protocols**  
 10 **in relation to the command and control suite at a London**  
 11 **venue.**  
 12 Q. So if the intelligence remained that the attempt would  
 13 take place on 11 December, we can see that what was  
 14 being planned was that there would be a technical  
 15 insertion into the Audi, and that there would be use  
 16 made on that day of the command and control suite that  
 17 we know as C3000?  
 18 **A. Yes, that's right. So there was potential developments**  
 19 **available for police action. Yes, that's right.**  
 20 Q. Thank you.  
 21 Then what is the final reference on that page,  
 22 please?  
 23 **A. So that refers to team leaders SCD11, which is the**  
 24 **surveillance department, and that was a suggested**  
 25 **meeting. Question marks around that.**

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1 **short-term risks, and likewise the long-term element**  
 2 **around achieving sustained public protection around**  
 3 **those risks.**  
 4 Q. Right, thank you.  
 5 What, in your view, were the short-term risks and,  
 6 follow-on question, were they also discussed during the  
 7 course of this meeting?  
 8 **A. So the short-term risks, which are on that note, are the**  
 9 **events of 11 December and the short-term risks around**  
 10 **a feigned medical escape attempt and the collateral**  
 11 **risks around both of those.**  
 12 **And the long term risks, I think I have previously**  
 13 **mentioned, in relation to the subjects subsequently**  
 14 **carrying out their intended action on that night of**  
 15 **October ... late October, and likewise the regrouping of**  
 16 **that command element within the OCN, to further their**  
 17 **cause of high-level criminality of drug supply and**  
 18 **firearm supply in north London and the -- all the**  
 19 **collateral risks that are associated with that. And**  
 20 **there are many people better at being able to articulate**  
 21 **that than myself.**  
 22 Q. Was there a discussion about the risks inherent in  
 23 allowing the conspiracy to continue until 11 December,  
 24 and the conspiracy being stopped on that date by armed  
 25 firearms officers?

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<p>1 <b>A. Yes, we discussed the potential avenues where we could</b>  2 <b>mitigate those risks in relation to tactical options</b>  3 <b>around those, yes.</b>  4 Q. That was discussed in this meeting?  5 <b>A. To some extent, yes, it was, and bearing in mind this is</b>  6 <b>a preliminary meeting.</b>  7 Q. Yes, but there doesn't seem to be any reference to that  8 in the note?  9 <b>A. There may well not be, no.</b>  10 Q. All right.  11 Could we take this down, please, and replace it with  12 IPC79, at page 24, and we are looking again now at the  13 MPS SOP, paragraph 6.9, just in the middle:  14 "Where AFOS are being deployed, the provisions of  15 Article 2 ECHR and the positive obligation to protect  16 life must take precedent over any other imperative."  17 Were you aware of that.  18 <b>A. I am aware of Article 2, yes.</b>  19 Q. Do you agree that that is something, Article 2 is  20 something which provides a positive obligation to  21 protect life and must take precedent over any other  22 imperative in an operation?  23 <b>A. Yes, yes, I am aware of that. And that is</b>  24 <b>a consideration contained within sustain public</b>  25 <b>protection.</b></p> <p style="text-align: center;">Page 81</p>	<p>1 Q. Are you familiar with the McCann principles?  2 <b>A. I am aware of those, but clearly I am not an expert.</b>  3 Q. Pardon?  4 <b>A. I am cleared not an expert on it, I am aware.</b>  5 Q. But you are aware that, according to the McCann  6 principles, what is important is whether the operation  7 as a whole, not just the potential armed encounter, is  8 controlled and organised in a manner which respects the  9 requirements of Article 2?  10 <b>A. I am aware of that, yes.</b>  11 Q. All right.  12 Were those principles discussed during the course of  13 this meeting?  14 <b>A. Yes, and it all relates to the balance around those</b>  15 <b>risks, and there were discussions around those balance</b>  16 <b>of risks?</b>  17 Q. Again, there is not a record of that but you have  18 a recollection of that being discussed?  19 <b>A. Yes, I think I made a future note of that somewhere in</b>  20 <b>my statements.</b>  21 Q. You made what, sorry?  22 <b>A. A note of that in my statements, I recorded that in my</b>  23 <b>statements at some point.</b>  24 Q. Right, in relation to this meeting?  25 <b>A. Yes, during the meeting there was a number of things</b></p> <p style="text-align: center;">Page 82</p>
<p>1 <b>discussed.</b>  2 Q. Forgive me for a moment.  3 The note of the meeting that is in your statement,  4 dated 14 December, confirms:  5 "Also discussed were potential public safety issues  6 in relation to an attempt in the near future and also  7 the risks to public safety in the long term and in  8 circumstances when not under police control."  9 Which you have set out?  10 <b>A. Yes.</b>  11 Q. "Overt action and options were also discussed, along  12 with covert options and arrest of offenders, again with  13 considerations for public safety in the short and the  14 long term."  15 There is then a reference to the use of C3000. You  16 providing initial verbal tactical advice about the  17 future technical deployment to the vehicle and covert  18 firearms deployment for the prisoner van escort transfer  19 to the Crown Court.  20 You agreed:  21 "Further intelligence updates were likely prior to  22 the known date in December."  23 I don't think there is reference to this meeting in  24 any of your subsequent statements.  25 <b>A. I think you are referring to the question around</b></p> <p style="text-align: center;">Page 83</p>	<p>1 <b>Article 2, so contained within those public safety</b>  2 <b>issues is a discussion around --</b>  3 Q. Right, okay, so there is no reference to Article 2 --  4 <b>A. No, there isn't.</b>  5 Q. -- but what you are telling the inquiry is that by  6 referring to public safety issues, that is what you  7 mean?  8 <b>A. Yes.</b>  9 Q. And that is included within it? Thank you.  10 Were risks to members of the public discussed?  11 <b>A. Yes, they were.</b>  12 Q. And risks to the conspirators?  13 <b>A. Yes, they were.</b>  14 Q. What about risks to the Serco staff?  15 <b>A. Yes, they were as well, yes.</b>  16 Q. Could we just put up your note again for a moment.  17 Mr Coates, it is IPC515.  18 If we just look for a moment at the corruption  19 issue, your note records, "Corruption issue HMP" and  20 then, "Phone in prison" and below that, "Transit van  21 G4S/Serco"?  22 <b>A. That's correct.</b>  23 Q. From your recollection, was the corruption issue with  24 the HMP rather than any corruption issue raised in  25 relation to Serco?</p> <p style="text-align: center;">Page 84</p>

<p>1 <b>A. I am afraid I can't assist with that level of detail,</b>  2 <b>I am sorry.</b>  3 Q. Do you agree that that is what your note would suggest?  4 <b>A. That is what the note suggests, and whether that is</b>  5 <b>reference to the whole of the Wormwood Scrubs</b>  6 <b>environment or not, I really cannot help you out.</b>  7 Q. All right.  8 Was there any suggestion at the meeting that the  9 plan for the operation on 11 December be kept from the  10 Serco staff?  11 <b>A. It may have been. I can't recall. We had a number of</b>  12 <b>discussions around the Serco staff or the escorting</b>  13 <b>staff.</b>  14 Q. Yes.  15 <b>A. And there was there were some considerations around</b>  16 <b>those.</b>  17 Q. What were those discussions, please.  18 <b>A. In relation to those, it was the potential replacement</b>  19 <b>of those staff, those escorting staff, with police</b>  20 <b>assets.</b>  21 THE CHAIRMAN: This was actively discussed?  22 <b>A. That is my recollection, sir, yes, it was.</b>  23 THE CHAIRMAN: Yes.  24 <b>A. And I believe I made a later statement at some point</b>  25 <b>during this, in reference to that as well.</b></p> <p style="text-align: center;">Page 85</p>	<p>1 THE CHAIRMAN: Tell us why that would have been an obvious  2 matter for discussion where risks were being considered.  3 <b>A. Sir, because of the risk posed to those personnel, those</b>  4 <b>escorting staff, which could be collateral damage.</b>  5 THE CHAIRMAN: Thank you.  6 MS BLACKWELL: So that was discussed at this meeting but  7 rejected as an option?  8 <b>A. Yes, it was rejected as an option, yes.</b>  9 <b>There was risks around compromise of the operation.</b>  10 Q. Compromise in what way?  11 <b>A. Because if the subjects or any of the subjects were to</b>  12 <b>become aware of a police action around that, then it</b>  13 <b>would in effect be a disruption.</b>  14 Q. If you turn behind divider 7, please, to your statement  15 dated 12 April, and to page 2. Perhaps we can display  16 this, please, Mr Coates, it is MPS3870, page 2.  17 If we can highlight from "Consideration of tactical  18 options", please:  19 "I will now provide further requested detail into  20 the tactical options considered in relation to the  21 operation."  22 Pausing there, this statement prepared by you on  23 12 April of this year, was prepared at the request of  24 the inquiry, wasn't it?  25 <b>A. It was, yes.</b></p> <p style="text-align: center;">Page 86</p>
<p>1 Q. For you to deal with some specific elements of your  2 evidence?  3 <b>A. Yes, absolutely.</b>  4 Q. Paragraph 15:  5 "On 10 November, I attended a meeting in relation to  6 Operation Ankaa, I made notes in this meeting and have  7 described the events in a statement I provided later."  8 Which we have just been looking at:  9 "During this meeting a number of options were  10 discussed, including the disruption of criminal  11 activity."  12 Can we go over the page, please.  13 Thank you, can we highlight the first three  14 paragraphs, thank you:  15 "Potential disruption tactics included sentencing of  16 the subjects via remote means such as video-link,  17 sentencing without the presence of the subjects and  18 seeking an alternative but secure sentencing venue."  19 Just pausing there, again there is nothing in your  20 notes reflecting that, is there?  21 <b>A. No, there is not, no.</b>  22 Q. "We also discussed variation of the transportation  23 route, variation of the transportation methods and  24 replacing the prison guards with police officers. These  25 methods were considered but presented significant risks</p> <p style="text-align: center;">Page 87</p>	<p>1 in relation to compromise of the operation if this was  2 recognised as police activity by the subjects, other  3 inmates or potentially by prison employees."  4 Again, I don't think there is any reference in your  5 note to any of that?  6 <b>A. No, there isn't, no.</b>  7 Q. "If there was a disruption we discussed the risks that  8 would result from what would have been a spontaneous  9 firearms deployment in the event of an unexpected  10 hospital visit by the imprisoned subject, which could be  11 used at a later date to attempt an armed escape plot.  12 This would pose a significant risk to public safety."  13 Throughout the remaining part of that paragraph, you  14 do describe what we do see a note of in your notes, and  15 that is in relation to the spontaneous hospital visit?  16 <b>A. That's correct.</b>  17 Q. Right, so just focusing for a moment, if we may, on the  18 potential disruption tactics in relation to the  19 sentencing hearing, which you knew was scheduled to take  20 place on 11 December.  21 <b>A. Yes.</b>  22 Q. What was discussed about the prospect of arranging for  23 that to take place over video-link?  24 <b>A. I can't be specific around that, but these options were</b>  25 <b>discussed within that meeting, because --</b></p> <p style="text-align: center;">Page 88</p>

<p>1 Q. Right -- sorry, go on.</p> <p>2 <b>A. Because they were subsequently discounted in relation to</b></p> <p>3 <b>the risks posed around compromise.</b></p> <p>4 Q. When you say subsequently discounted, does that mean</p> <p>5 within the course of this meeting?</p> <p>6 <b>A. I think over the course of time, to be perfectly honest</b></p> <p>7 <b>with you around that. I can't honestly say that they</b></p> <p>8 <b>were discounted in that meeting or not, but they were</b></p> <p>9 <b>ultimately discounted.</b></p> <p>10 Q. What of seeking an alternative but secure sentencing</p> <p>11 venue?</p> <p>12 <b>A. So that is a different Crown Court.</b></p> <p>13 Q. Right.</p> <p>14 Do you know which Crown Court was discussed?</p> <p>15 <b>A. Not specifically, but I am aware of secure venues within</b></p> <p>16 <b>the MPS, or within London, but in relation to the</b></p> <p>17 <b>specifics around that, I can't help you out, no.</b></p> <p>18 Q. Do you think, for instance, that transferring Mr Eren to</p> <p>19 Belmarsh prison with the secure route that he would have</p> <p>20 had into Woolwich Crown Court might have been discussed?</p> <p>21 <b>A. It may have been discussed.</b></p> <p>22 Q. Right. Thank you.</p> <p>23 THE CHAIRMAN: At the meeting on 10 November?</p> <p>24 <b>A. It may have been discussed.</b></p> <p>25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 89</p>	<p>1 MS BLACKWELL: In relation to the discussion about the</p> <p>2 variation of the transportation route, was it</p> <p>3 appreciated that in order to identify the proposed</p> <p>4 transportation route there would have to be discussion</p> <p>5 with both the prison and the transportation company?</p> <p>6 <b>A. I wasn't aware of the detail around that and that is not</b></p> <p>7 <b>my area of expertise around that, so, no, I wasn't aware</b></p> <p>8 <b>of that.</b></p> <p>9 Q. All right.</p> <p>10 Then we come to the reference to replacing prison</p> <p>11 guards with police officers, which you record here in</p> <p>12 your statement presented a significant risk in relation</p> <p>13 to the compromise of the operation if it was recognised</p> <p>14 as police activity by the imprisoned subjects or inmates</p> <p>15 or potentially by prison employees.</p> <p>16 Was there a discussion around the possibility of</p> <p>17 replacing the prison guards with police officers at the</p> <p>18 last moment once the prisoners had been loaded on to the</p> <p>19 van?</p> <p>20 <b>A. The actual detail of that discussion I can't clarify,</b></p> <p>21 <b>but certainly we discussed replacing those escorting</b></p> <p>22 <b>guards with police officers, of various guises.</b></p> <p>23 Q. Right, but that was rejected?</p> <p>24 <b>A. Ultimately it was, yes.</b></p> <p>25 Q. Right.</p> <p style="text-align: center;">Page 90</p>
<p>1 Let's take that down, please, and can we just look</p> <p>2 for a final time at your note again at IPC515.</p> <p>3 Can we highlight the note, please, Mr Coates.</p> <p>4 Whilst it is your evidence that by the end of the</p> <p>5 meeting you were still some considerable time away from</p> <p>6 the sentencing hearing, so you were a matter of weeks,</p> <p>7 weren't you from the sentencing hearing?</p> <p>8 <b>A. Yes, we were, yes.</b></p> <p>9 Q. And you were aware, as you have said, that in the</p> <p>10 intervening period you would have expected further</p> <p>11 intelligence to be received?</p> <p>12 <b>A. Yes, that was the ideal circumstance, of course it was,</b></p> <p>13 <b>yes.</b></p> <p>14 Q. Yes.</p> <p>15 Nevertheless, as we look at your note of</p> <p>16 10 November, does it suggest that, in the absence of any</p> <p>17 intelligence to the contrary, the plan for what would</p> <p>18 take place on 11 December would be to allow the</p> <p>19 conspiracy to continue to run with the use of the</p> <p>20 command and control suite, a probe in the Audi and the</p> <p>21 use of armed officers to stop the attempt on the day?</p> <p>22 <b>A. No, I was aware that there was a significant amount of</b></p> <p>23 <b>police activity that was being directed, and</b></p> <p>24 <b>intelligence is included within that. So there was some</b></p> <p>25 <b>direction of travel towards the mitigation that would be</b></p> <p style="text-align: center;">Page 91</p>	<p>1 <b>put in place but which was significant and clearly had</b></p> <p>2 <b>to be planned for.</b></p> <p>3 Q. Can you explain what you mean by the mitigation which</p> <p>4 would be put in place?</p> <p>5 <b>A. The armed assets.</b></p> <p>6 Q. Right. So this was a plan, it wasn't necessarily the</p> <p>7 final plan. But if the conspiracy was allowed to</p> <p>8 continue, you had significant discussion during the</p> <p>9 course of this meeting as to how that might be managed?</p> <p>10 <b>A. We had discussion around some tactical options that may</b></p> <p>11 <b>manage, to an extent, risks.</b></p> <p>12 Q. Was there discussion about the possibility that the</p> <p>13 vehicle which had been identified and is recognised and</p> <p>14 recorded in your note, might be replaced with</p> <p>15 a different vehicle in the event?</p> <p>16 <b>A. I can't remember, sorry. Clearly that is a possibility,</b></p> <p>17 <b>and that possibility was all the way up until</b></p> <p>18 <b>11 December.</b></p> <p>19 Q. Yes, thank you.</p> <p>20 Can we take that down, please.</p> <p>21 You record in your first witness statement from</p> <p>22 December 2015:</p> <p>23 "Upon conclusion of the meeting, and allowing a few</p> <p>24 weeks to pass, I sent communications for updates so</p> <p>25 I could manage resourcing requirements and planning</p> <p style="text-align: center;">Page 92</p>

<p>1 needs."</p> <p>2 Is that right?</p> <p>3 <b>A. Yes. Yes.</b></p> <p>4 Q. Right. You say:</p> <p>5 "It was during this period that I informed S105 and</p> <p>6 another two CTSFOs of a future potential operation."</p> <p>7 <b>A. That's correct, yes.</b></p> <p>8 Q. Do you remember doing that -- sorry to interrupt you, at</p> <p>9 the end of the meeting on 10 November, had you been</p> <p>10 appointed as tactical adviser?</p> <p>11 <b>A. Officially, no, I don't think I had, because an armed</b></p> <p>12 <b>operation wasn't in place, but there was planning</b></p> <p>13 <b>processes commencing.</b></p> <p>14 Q. Did you expect the other people who were present at the</p> <p>15 meeting to be appointed as strategic firearms commander</p> <p>16 and tactical firearms commander?</p> <p>17 <b>A. It made entire sense to do so, yes.</b></p> <p>18 Q. What caused you to speak to S105 and two other CTSFOs</p> <p>19 about this future potential operation?</p> <p>20 <b>A. What date was that again, please?</b></p> <p>21 Q. Let's have a look together at your witness statement, it</p> <p>22 is behind divider 3 and it is the second page. It</p> <p>23 begins about eight lines up from the bottom of the</p> <p>24 second page, immediately after your record of the</p> <p>25 meeting of 10 November.</p> <p style="text-align: center;">Page 93</p>	<p>1 <b>A. Okay.</b></p> <p>2 Q. Just to repeat, it says:</p> <p>3 "Upon conclusion of the meeting, and allowing a few</p> <p>4 weeks to pass, I sent for communications for updates so</p> <p>5 I could manage resourcing requirements and planning</p> <p>6 needs."</p> <p>7 Let's just pause there, please.</p> <p>8 First of all, to whom did you send communications</p> <p>9 for updates?</p> <p>10 <b>A. That was back to SCD7.</b></p> <p>11 Q. Right. Any particular person?</p> <p>12 <b>A. I can't remember.</b></p> <p>13 Q. Did you receive any updates?</p> <p>14 <b>A. Again, I can't remember, I would have to refer to my</b></p> <p>15 <b>exhibits, sorry.</b></p> <p>16 Q. Were you able to manage resourcing requirements and</p> <p>17 planning needs?</p> <p>18 <b>A. Well, it was clearly going to be impactful in relation</b></p> <p>19 <b>to resources, so we were trying to manage potentially</b></p> <p>20 <b>resourcing issues around that date, 11 December.</b></p> <p>21 Q. Yes.</p> <p>22 When you say "we", who do you mean?</p> <p>23 <b>A. Well, myself, with my colleagues, the CTSFOs.</b></p> <p>24 Q. Are you describing a situation in which you have taken</p> <p>25 it upon yourself to make enquiries about resourcing</p> <p style="text-align: center;">Page 94</p>
<p>1 needs and to start to plan for your role as tactical</p> <p>2 adviser on 11 December?</p> <p>3 <b>A. Yes, at that point, I need to have a direction to take</b></p> <p>4 <b>things, because I need to plan resources accordingly.</b></p> <p>5 <b>There was significant impact upon our deployment at</b></p> <p>6 <b>that time and you will be aware of the developments on</b></p> <p>7 <b>mainland Europe and throughout the UK at that point, so</b></p> <p>8 <b>I needed to ensure that I would potentially have assets</b></p> <p>9 <b>available to supply to this operation should it go</b></p> <p>10 <b>ahead.</b></p> <p>11 Q. You needed to make yourself aware of what resources were</p> <p>12 available in terms of manpower?</p> <p>13 <b>A. Exactly.</b></p> <p>14 Q. Right.</p> <p>15 Returning to your statement, you say that it was:</p> <p>16 "During this period that you informed S105 and</p> <p>17 another two CTSFOs of a future potential operation."</p> <p>18 Is S105 somebody that you had worked with</p> <p>19 previously?</p> <p>20 <b>A. Yes, I had worked with all those officers, yes.</b></p> <p>21 Q. Who were the other CTSFOs that you approached?</p> <p>22 <b>A. I suspect they would have been sergeants, but I cannot</b></p> <p>23 <b>remember.</b></p> <p>24 Q. You informed them of the intelligence picture that you</p> <p>25 had to date. Is that the intelligence picture that you</p> <p style="text-align: center;">Page 95</p>	<p>1 have set out in relation to what you were told on</p> <p>2 10 November?</p> <p>3 <b>A. Yes, that's correct. I may have had some updates in</b></p> <p>4 <b>that, during that period, but would have to again refer</b></p> <p>5 <b>to other communications emails.</b></p> <p>6 Q. And, "The various options available and the confidential</p> <p>7 nature of the operation". Was it your role as tactical</p> <p>8 adviser to approach CTSFOs and to inform them of the</p> <p>9 intelligence picture and what was being proposed?</p> <p>10 <b>A. In relation to that, under APP it is to assist and</b></p> <p>11 <b>advise --</b></p> <p>12 Q. Yes.</p> <p>13 <b>A. -- the TFC, throughout the duration of the incident or</b></p> <p>14 <b>the operation.</b></p> <p>15 <b>This falls within the assist element of that. I am</b></p> <p>16 <b>tactically placed and I am with, in the same building,</b></p> <p>17 <b>those tactical assets.</b></p> <p>18 Q. Was this not you engaging in an organisation or</p> <p>19 potential organisation of the operation?</p> <p>20 <b>A. In relation to allocation of resources, no, it is not,</b></p> <p>21 <b>because I am better placed to understand the CTSFO</b></p> <p>22 <b>resources and the demand resources on the CTSFOs than</b></p> <p>23 <b>the TFC. The TFC would not have a picture of the CTSFO</b></p> <p>24 <b>demand.</b></p> <p>25 Q. Returning to your statement:</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)



<p>1 "Officers requested planning opportunities but these 2 I refused and awaiting developments from SCO7." 3 Is this a reference to the officers with whom you 4 had had conversations about the intelligence picture 5 themselves requesting opportunities to plan for 6 11 December but that you were saying, "Hold off, I need 7 to await developments from SCO7"?" 8 <b>A. That is pretty much it, but that was me going back to 9 the TFC, who would authorise or not those reconnaissance 10 opportunities. It is not for me to organise that, hence 11 why I went back to the TFC.</b> 12 Q. Did you discuss with Mr Williams, the TFC, the fact that 13 you had approached some of the firearms officers and 14 informed them of the intelligence picture and the plan 15 that was afoot? 16 <b>A. I think that was the expectation.</b> 17 Q. By him? 18 <b>A. Well, that is the normal expectation, because I am the 19 manager of CTSFO resources, so I understand their demand 20 and the resource allocation.</b> 21 Q. Did your role as manager of CTSFO resources impinge upon 22 your role as tactical adviser? 23 <b>A. Absolutely not.</b> 24 Q. Was it a separate role? 25 <b>A. Which?</b></p> <p style="text-align: center;">Page 97</p>	<p>1 Q. Managing of the resources was a separate role to acting 2 as tactical adviser on this operation? 3 <b>A. So I was tactical adviser on this operation and I am 4 aware of my impartiality requirements and I remained 5 impartial throughout that, throughout the duration of 6 that -- of this operation.</b> 7 Q. It rather looks as if at this point in time, your role 8 as manager of the CTSFOs and your role as tactical 9 adviser, may have merged somewhat, because you appeared 10 to be using your role as manager to -- 11 <b>A. No, that is not correct.</b> 12 Q. -- identify and brief certain officers. 13 <b>A. No, I would disagree with that. I am aware of my 14 responsibilities throughout and I have remained that 15 consistently. I do have an in-depth detail in relation 16 to demand and CTSFO resources, so I am best placed to be 17 able to conduct the considerations around resource 18 allocation.</b> 19 Q. Thank you. I think, please correct me if I am wrong, 20 that in your mind, Mr Williams as the tactical firearms 21 commander was expecting you to assist in that regard? 22 <b>A. In relation to the allocation of resources?</b> 23 Q. Yes. 24 <b>A. Yes, that would be -- yes.</b> 25 Q. Thank you.</p> <p style="text-align: center;">Page 98</p>
<p>1 <b>A. That is normal practice.</b> 2 Q. Right. I was just going to say, you must have acted as 3 a tactical adviser at other times and on other 4 operations whilst still carrying out the role of CTSFO 5 manager? 6 <b>A. On many occasions, yes.</b> 7 Q. Was anything you did on this occasion any different from 8 how you had acted on those occasions? 9 <b>A. No, and I am fully aware of my responsibilities and 10 I remained impartial throughout.</b> 11 Q. Thank you. 12 Could we have a look, please, at COP10, page 7. 13 I am just going to ask us to look, please, at the black 14 print, the first paragraph of the black print. We will 15 read through it together: 16 "As a consequence of the dynamic nature of the 17 initial stages of many spontaneous firearms 18 incidents/operations, the initial working strategy will 19 be developed by the initial TFC. As soon as 20 practicable, the strategy should be referred to the SFC 21 for agreement or amendment and ratification. This may 22 result in a change in direction or priorities, or the 23 implementation of tactical parameters which constrain 24 the tactical plan." 25 Although that refers to spontaneous deployment,</p> <p style="text-align: center;">Page 99</p>	<p>1 would you say that the principle that is set out there 2 is equally true of a planned operation? 3 <b>A. To some extent, those timelines do become blurred. 4 Excuse me. But in relation to this particular event, 5 the 10 November meeting was a preliminary meeting.</b> 6 Q. Right. 7 <b>A. So there has to be some direction given towards 8 directing police action, whether it be for intelligence 9 functions or firearms functions, so there has to be some 10 direction given.</b> 11 Q. Thank you. 12 Can we go back to the full page, please, and can we 13 read to the bullet points: 14 "There should be consideration of consulting 15 a tactical adviser." 16 As there indeed was during the course of the 17 meeting: 18 "Should consider any tactical parameters to be 19 placed on the police response." 20 Did that take place, either at the meeting or in the 21 weeks that followed? 22 <b>A. Ultimately there were tactical parameters set, yes.</b> 23 Q. Ultimately there were. Was there any early 24 consideration of those at the stage at which we have 25 reached now, so either at the 10 November meeting or in</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 the weeks that followed?</p> <p>2 <b>A. No, there weren't, no.</b></p> <p>3 Q. Right. Do you think in hindsight that those should have</p> <p>4 been considered at an earlier stage?</p> <p>5 <b>A. No.</b></p> <p>6 Q. Why not?</p> <p>7 <b>A. There was no constraint required around the officers,</b></p> <p>8 <b>because it was still a potential deployment.</b></p> <p>9 Q. Right.</p> <p>10 Let's continue to read through this, please.</p> <p>11 "Tactical parameters are directions by which the SFC</p> <p>12 can constrain certain activities. They may be based</p> <p>13 simply upon what the SFC believes to be a proportionate</p> <p>14 response to the threat and circumstances of the</p> <p>15 incident/operation, or due to wider environmental or</p> <p>16 community issues having been considered. In setting</p> <p>17 parameters, commanders should consider consulting</p> <p>18 a tactical adviser to discuss the effects of the</p> <p>19 parameters on the formulation of tactics:</p> <p>20 "Must ensure that the strategy for the armed</p> <p>21 deployment is recorded, including any changes to it, to</p> <p>22 provide a clear audit trail."</p> <p>23 Pausing there, were you aware at this stage of</p> <p>24 whether or not there was a recording, a formal recording</p> <p>25 of the armed deployment strategy?</p> <p style="text-align: center;">Page 101</p>	<p>1 <b>A. I wasn't aware, no. I had been sent no formal</b></p> <p>2 <b>documentation in relation to that.</b></p> <p>3 Q. Would you expect that to have been recorded?</p> <p>4 <b>A. No.</b></p> <p>5 Q. You wouldn't, why?</p> <p>6 <b>A. No, I wouldn't have anticipated any formal documentation</b></p> <p>7 <b>being received at that point, because it was only</b></p> <p>8 <b>a preliminary meeting.</b></p> <p>9 Q. By which point would you expect there to have been</p> <p>10 a formal recording of the armed deployment strategy?</p> <p>11 <b>A. When the considerations around the risk assessment</b></p> <p>12 <b>ultimately feed the working strategy.</b></p> <p>13 <b>So if there was an assessment of risk, then that</b></p> <p>14 <b>would feed a strategy, or working strategy, that could</b></p> <p>15 <b>be documented accordingly.</b></p> <p>16 Q. Hadn't there been an assessment of risk at the meeting</p> <p>17 on 10 November?</p> <p>18 <b>A. That was verbal, yes.</b></p> <p>19 Q. Sorry?</p> <p>20 <b>A. That was verbalised, yes.</b></p> <p>21 Q. Right. Was there any reason why that assessment of risk</p> <p>22 which took place in the meeting of 10 November shouldn't</p> <p>23 have been formally recorded in a strategy document?</p> <p>24 <b>A. There is no reason that it shouldn't, no. But it would,</b></p> <p>25 <b>in my opinion, have been unusual if it had.</b></p> <p style="text-align: center;">Page 102</p>
<p>1 Q. Right.</p> <p>2 What is the first time at which you are aware of</p> <p>3 there having been a formal recording of the armed</p> <p>4 deployment strategy?</p> <p>5 <b>A. That was a communication between the TFC and myself,</b></p> <p>6 <b>I think, when the TFC requested tactical advice.</b></p> <p>7 Q. Right, and when was that?</p> <p>8 <b>A. I don't know, you will have to help me out, I am sorry.</b></p> <p>9 Q. Are you describing an email or --</p> <p>10 <b>A. The likelihood is on the normal processes I would have</b></p> <p>11 <b>received a communication from a TFC and I subsequently</b></p> <p>12 <b>submit the TAC advice, that's the normal process.</b></p> <p>13 Q. Are you describing the procedure set out in the FA</p> <p>14 forms?</p> <p>15 <b>A. That is the usual process that that happens, or happened</b></p> <p>16 <b>at that time.</b></p> <p>17 Q. Right.</p> <p>18 In relation to the deployment on 11 December, we</p> <p>19 know that the FA2 form was filled out by the tactical</p> <p>20 firearms commander on 7 December.</p> <p>21 <b>A. Okay, yes.</b></p> <p>22 Q. Is that the first time at which you were aware of there</p> <p>23 having been a formal record of the armed deployment</p> <p>24 strategy set out?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 103</p>	<p>1 Q. Thank you.</p> <p>2 Just to read to the bottom of this page, if we may:</p> <p>3 "The TFC must ensure that they accurately record the</p> <p>4 SFC's strategy so that the intention of the operation is</p> <p>5 clear and is communicated consistently as it is cascaded</p> <p>6 to staff. Must authorise the deployment of AFOs and</p> <p>7 ratify or rescind the deployment where it has already</p> <p>8 been approved by the TFC and should ensure that all</p> <p>9 decisions are recorded where practicable in order to</p> <p>10 provide a clear audit trail."</p> <p>11 In relation to the second of those bullet points,</p> <p>12 would you agree that it was important to ensure that all</p> <p>13 decisions are recorded wherever practicable in order to</p> <p>14 provide an audit trail?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Thank you.</p> <p>17 Can we take that down, please.</p> <p>18 Before we move to your meeting on 3 December, and</p> <p>19 indeed perhaps sir, that might be best done this</p> <p>20 afternoon?</p> <p>21 THE CHAIRMAN: Yes.</p> <p>22 MS BLACKWELL: Could we look at the MPS SOP in this regard,</p> <p>23 and it is IPC82, please. At page 11. It is paragraphs</p> <p>24 7.22 and 7.23.</p> <p>25 Identifying tactical omissions and contingencies:</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 "As soon as the first information is received, 2 generic tactical options may be considered and selected. 3 This may include the deployment of AFOs as a contingency 4 or to carry out an investigative assessment and take 5 whatever action is deemed appropriate. As more 6 information becomes available, tactical options should 7 be further considered in light of the evaluated 8 intelligence and the relevant powers and policies. 9 Generic tactical options set out the different ways in 10 which a particular objective can be undertaken in 11 a manner which minimises risk and harm. Generic 12 tactical options are broad descriptions of the options 13 the police may have available to them when dealing with 14 incidents which requires the deployment of armed 15 officers. Along with the primary aim of securing public 16 safety, consideration [next page, please] should be 17 given as to whether it is possible to identify, locate 18 and contain the subject and take appropriate action to 19 neutralise the threat posed." 20 At this stage, prior to the meeting on 3 December, 21 had there been an identification of generic tactical 22 options and a discussion of the same? 23 <b>A. Tactical options were discussed, yes.</b> 24 Q. What were they? 25 <b>A. They related to if the operation was to continue on</b></p> <p style="text-align: center;">Page 105</p>	<p>1 <b>11 December, they related to a mobile armed support to</b> 2 <b>surveillance, a surveillance deployment as well,</b> 3 <b>an armed surveillance deployment that was, and</b> 4 <b>a potential -- some form of protection element around</b> 5 <b>the escorted or the prison van that was going to be</b> 6 <b>escorted.</b> 7 Q. Right. Those were discussed when? 8 <b>A. They were potential tactical options supplied early on.</b> 9 Q. Are you able to assist any further with whether it was 10 in the meeting of 10 November or in the weeks that 11 followed? 12 <b>A. I think we discussed it during the meeting, but</b> 13 <b>I couldn't confirm -- I can't confirm that, sorry.</b> 14 Q. Again, I don't think there is a specific note about that 15 in your notes, is there? 16 <b>A. No, I don't think there is.</b> 17 MS BLACKWELL: Thank you very much. 18 Sir, it is a little before 1.00 but is that 19 a convenient moment to break? 20 THE CHAIRMAN: 1.45? 21 MS BLACKWELL: Thank you. 22 THE CHAIRMAN: Thank you very much, 1.45 it is. 23 (12.55 pm) 24 (The Luncheon Adjournment) 25 (1.45 pm)</p> <p style="text-align: center;">Page 106</p>
<p>1 MS BLACKWELL: Sir, we are just waiting for the witness to 2 be brought back in. 3 THE CHAIRMAN: I know, that is fine. 4 Please sit down. 5 MS BLACKWELL: Thank you. 6 We are going to turn now to the meeting that you had 7 on 3 December. I know that you have provided the 8 inquiry with information about the meeting, and indeed 9 you referred to it in your original statement of 10 14 December 2015, but I am going to ask that we look 11 straight away at your notes, please, because I think 12 they might be the most useful in terms of identifying 13 the issues that were discussed. 14 Could we put up, please, on to the screen, IPC532, 15 the next page, please, could we put beside that -- in 16 fact, no, we will not do that because I think we might 17 need to enlarge some of these notes. 18 I think you can confirm, can't you, that the notes 19 run over two pages for this meeting? 20 <b>A. Yes, they do.</b> 21 Q. Thank you. 22 Let's then highlight the top half of the first page, 23 please. 24 Again, as we did with the previous meeting, please 25 could you take us through the notes. Thank you.</p> <p style="text-align: center;">Page 107</p>	<p>1 <b>A. Okay. Top line, "Op Utara. SCD7" and then there's</b> 2 <b>an arrow pointing to the new name, operational name, Op</b> 3 <b>Ankaa.</b> 4 Q. Yes. 5 <b>A. Dated 3/12/2015.</b> 6 Q. Yes. 7 <b>A. We have a name there of Rob Murray and + "[redaction]"</b> 8 <b>and below the redaction is Ezan Eren and "Izzet Eren +</b> 9 <b>Ozcan Eren control".</b> 10 Q. What does that refer to? 11 <b>A. It is suggesting to me that Ozcan Eren was the</b> 12 <b>controller of this potential prison break.</b> 13 Q. Thanks. 14 <b>A. Then underneath that, it says -- there is an arrow</b> 15 <b>indicating "Proper team in place".</b> 16 Q. Was that a reference to the intelligence that you were 17 receiving about the preparations that were being made 18 for the escape plan? 19 <b>A. Yes, that is sensitive intelligence.</b> 20 Q. Right, and indeed the reference below that to 21 Sinan Ozger being the source of the original firearm, is 22 that also a reference to intelligence? 23 <b>A. That is, yes, and that is my understanding that that is</b> 24 <b>sensitive intelligence as well.</b> 25 Q. Were you being told that Sinan Ozger had provided the</p> <p style="text-align: center;">Page 108</p>

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<p>1 firearms that had been seized during the arrests on 2 13 October? 3 <b>A. Yes, that is what it indicates. The Tokarev pistol and 4 the Skorpion sub-machine gun.</b> 5 Q. Thank you. 6 What about the next reference, please? 7 <b>A. Then it says "Location of F/A", which is a reference to 8 firearm.</b> 9 Q. Yes. 10 <b>A. That is a question obviously I am posing in relation to 11 whereupon the firearm is in relation to this plot.</b> 12 Q. The plot that is going to take place on 11 December? 13 <b>A. That's correct, yes.</b> 14 Q. Thank you. 15 <b>A. Next line, "Audi A5 located ..."</b> 16 Q. Is that "still located"? 17 <b>A. "Still located."</b> 18 Q. Yes. 19 <b>A. "-camera" and then some sensitivities around a potential 20 technical device.</b> 21 Q. The reference to camera, was that a reference to 22 a static camera? 23 <b>A. I don't know, to be honest with you.</b> 24 Q. Do you know whether or not at this meeting, there was 25 a discussion around the possibility of putting a video</p> <p style="text-align: center;">Page 109</p>	<p>1 probe as well as an audio probe into the Audi? 2 <b>A. There was various discussions around the technical 3 equipment that was going to be placed into that Audi. 4 I can't remember exactly what those discussions were, 5 and that is not my area of expertise.</b> 6 Q. I will not press you any further on that. 7 There then appears to be an address? 8 <b>A. Eastern Road, Wood Green, N22, and then an index number 9 of a vehicle.</b> 10 Q. That is where the Audi was being stored, you understood? 11 <b>A. That's correct, yes. That's correct.</b> 12 <b>Then this talks about some tradecraft in relation to 13 the potential deployment.</b> 14 THE CHAIRMAN: Sorry, say that again? 15 <b>A. Some tradecraft.</b> 16 THE CHAIRMAN: Tradecraft? 17 <b>A. Yes.</b> 18 THE CHAIRMAN: I am afraid that is -- 19 <b>A. I am trying to be a little bit coy.</b> 20 THE CHAIRMAN: I gather that. 21 MS BLACKWELL: I think it is the witness is understandably 22 being cautious about the sensitivity of what was being 23 planned in relation to the TSU and in fact other than 24 confirming that there is a reference to the fact that 25 there would be a probe inserted into the Audi, I don't</p> <p style="text-align: center;">Page 110</p>
<p>1 need to press you any further on that. 2 THE CHAIRMAN: No, very good. Thank you. 3 MS BLACKWELL: Can we go to the reference to 3000 then, 4 please. 5 <b>A. That is a -- 3000, that is the command and control 6 centre, "-live feed into ..."</b> 7 Q. I think that is store and retrieve. 8 <b>A. "Store and retrieve + interpreter."</b> 9 Q. That is a reference to what would be taking place in the 10 control room on the morning of the operation, into which 11 there would be a live feed from the Audi and there would 12 also be a store and retrieve device in the Audi that 13 would be stored and retrieved later on? 14 <b>A. That is my understanding, yes.</b> 15 Q. So two types of probe device? 16 <b>A. Various devices onto the vehicle, yes.</b> 17 Q. The need for the interpreters was a recognition that if 18 there was anybody in the vehicle who wasn't speaking 19 English and was speaking Turkish, then there would be 20 a need to have somebody available in the control room or 21 in the Covert Monitoring Post who would be able to 22 translate what was being said? 23 <b>A. Exactly right, yes.</b> 24 Q. Thank you. 25 <b>A. And then underneath interpreters, I have a misspelling</b></p> <p style="text-align: center;">Page 111</p>	<p>1 <b>of "compromise element" and "views on". So that was in 2 relation to a discussion around if there was any 3 compromise of police activity, and seeking a discussion 4 around that, the views on from around the room.</b> 5 Q. Compromise of what police activity? 6 <b>A. The technical insertion.</b> 7 Q. Right, okay, thank you. 8 That was I think originally to take place on 9 7 December, but that was put back a day to the 8th? 10 <b>A. Yes, if I remember correctly, yes, that's correct.</b> 11 Q. Thank you. 12 <b>A. Underneath that I've got some, if I can refer to that as 13 tradecraft again, if you don't mind.</b> 14 Q. Yes. 15 Can we go down to the following reference to -- is 16 that "coverage of TFC"? 17 <b>A. Yes, that's "coverage of TFC".</b> 18 Q. What does that relate to? 19 <b>A. In relation to, I believe, that was how the TFC was 20 going to control the incident that was taking place, 21 ie the deployment.</b> 22 Q. The deployment on 8 December? 23 <b>A. The technical deployment, I believe that what that is 24 a reference to.</b> 25 Q. Yes, and then we can see, is that something about</p> <p style="text-align: center;">Page 112</p>

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<p>1 mid-morning deployment?</p> <p>2 <b>A. Yes, that is in relation the deployment of the</b></p> <p>3 <b>technical --</b></p> <p>4 Q. The technical deployment and minimal footprint on the</p> <p>5 ground. Then there's a reference to another operation,</p> <p>6 "Operation Kestrel, Monday to Friday", was that in</p> <p>7 relation to the availability of officers?</p> <p>8 <b>A. This is my recollection, I think I took a phone call at</b></p> <p>9 <b>that point in relation to another operation.</b></p> <p>10 Q. Right, we will move past that, please, and on to the</p> <p>11 second page.</p> <p>12 <b>A. Okay, so second page, top line, I've got the,</b></p> <p>13 <b>"TFC-3,000", so that is TFC located in 3,000. There are</b></p> <p>14 <b>some names over on the right-hand side in relation to</b></p> <p>15 <b>TSU operatives.</b></p> <p>16 Q. Yes, do you think they were present at the meeting?</p> <p>17 <b>A. I believe there was a representation in that room, yes.</b></p> <p>18 Q. Right.</p> <p>19 The reference to the C3000 room related not to the</p> <p>20 deployment on 8 December but to the deployment on</p> <p>21 11 December, didn't it?</p> <p>22 <b>A. I can't be clear on that, but I am assuming that the</b></p> <p>23 <b>3000 element was only going to be open for 11 December.</b></p> <p>24 Q. Yes, and then we see two references to MASTS?</p> <p>25 <b>A. Okay, so these are potential options available to us.</b></p> <p style="text-align: center;">Page 113</p>	<p>1 <b>Tactical options. A MASTS deployment, which is the</b></p> <p>2 <b>overall support element.</b></p> <p>3 Q. Yes. Which we understand is not a tactic but it is</p> <p>4 a platform from which several different tactics can be</p> <p>5 deployed?</p> <p>6 <b>A. Okay, so, yes, absolutely to just clarify that point, it</b></p> <p>7 <b>is mobile armed support to surveillance.</b></p> <p>8 Q. Yes.</p> <p>9 <b>A. From which a variety of tactical options can be launched</b></p> <p>10 <b>from, and that includes subjects on foot, subjects in</b></p> <p>11 <b>vehicles, subjects in buildings and some other</b></p> <p>12 <b>connotations as well around those.</b></p> <p>13 Q. That is what was being discussed?</p> <p>14 <b>A. That is what was discussed, yes.</b></p> <p>15 <b>Then, underneath that, it has "MASTS protection on</b></p> <p>16 <b>van".</b></p> <p>17 Q. Right.</p> <p>18 <b>A. That is mobile armed support to surveillance,</b></p> <p>19 <b>a protection element, which is a tactical option.</b></p> <p>20 Q. Yes.</p> <p>21 <b>A. On the van, and that is a reference to the prison</b></p> <p>22 <b>vehicle that was being escorted.</b></p> <p>23 Q. Yes. What is to the right of that note, please?</p> <p>24 <b>A. That is a name of a potential TFC, a ground-assigned</b></p> <p>25 <b>TFC.</b></p> <p style="text-align: center;">Page 114</p>
<p>1 Q. Right. Was it discussed at this meeting then that as</p> <p>2 well as the overarching TFC, Mr Williams, there would be</p> <p>3 at least one, possibly two ground TFCs?</p> <p>4 <b>A. That was discussed, yes. So it is a multi-dimensional</b></p> <p>5 <b>complex operation, I think we have already established</b></p> <p>6 <b>that, and to support the overarching TFC in his command</b></p> <p>7 <b>function, we recommended that there would be</b></p> <p>8 <b>ground-assigned TFCs to perform functional geographical</b></p> <p>9 <b>responsibilities as well.</b></p> <p>10 Q. Can you keep your voice up, please?</p> <p>11 <b>A. Sorry, functional and geographical responsibilities too.</b></p> <p>12 Q. Thank you.</p> <p>13 We then see a reference to Wood Green, is that the</p> <p>14 Crown Court?</p> <p>15 <b>A. That is the Crown Court, yes, hyphen, and then</b></p> <p>16 <b>underneath it is, "Resident judge -- Monday", and then</b></p> <p>17 <b>I repeated myself there, "Resident judge".</b></p> <p>18 Q. Yes, is that a reference --</p> <p>19 <b>A. I believe.</b></p> <p>20 Q. Go on.</p> <p>21 <b>A. I believe that is reference to a meeting that was going</b></p> <p>22 <b>to go ahead with the resident judge, Crown Court.</b></p> <p>23 Q. Yes, thank you.</p> <p>24 <b>A. Then, underneath that, we have got "Prison visit</b></p> <p>25 <b>completed" and underneath that, "In the van, collateral</b></p> <p style="text-align: center;">Page 115</p>	<p>1 <b>damage".</b></p> <p>2 Q. What does that mean?</p> <p>3 <b>A. I believe that is reference to the risks to those</b></p> <p>4 <b>contained within that van.</b></p> <p>5 <b>Then underneath that we have got, "Compromise</b></p> <p>6 <b>uncontrolled" with a hyphen towards "overt".</b></p> <p>7 Q. Right.</p> <p>8 <b>A. I believe that reference is to if there was a compromise</b></p> <p>9 <b>or the vehicle became uncontrolled, then it was a move</b></p> <p>10 <b>towards an overt escort.</b></p> <p>11 Q. Then "and transport back", would that be for Mr Eren,</p> <p>12 transport back to --</p> <p>13 <b>A. That is the subsequent return after his appearance at</b></p> <p>14 <b>Wood Green Crown Court, returning to Wormwood Scrubs.</b></p> <p>15 Q. Yes.</p> <p>16 <b>A. Underneath that we have got the TFC, with a redaction,</b></p> <p>17 <b>and then I've got 0700 in -- I don't know what that</b></p> <p>18 <b>says.</b></p> <p>19 Q. Do you know what that time related to?</p> <p>20 <b>A. No. No, I don't. I note on the right-hand side I've</b></p> <p>21 <b>got, "Tuesday 0800 at Quicksilver".</b></p> <p>22 Q. Right.</p> <p>23 All right, what about the next reference, is that</p> <p>24 tipping points?</p> <p>25 <b>A. Okay, so, sorry, underneath that we have got "tipping</b></p> <p style="text-align: center;">Page 116</p>

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<p>1 <b>points??"</b></p> <p>2 Q. Yes.</p> <p>3 <b>A. So that was a question posed to establish tipping</b></p> <p>4 <b>points.</b></p> <p>5 Q. Was there discussion during this meeting about what</p> <p>6 those tipping points might be or might look like?</p> <p>7 <b>A. I don't recall that, no. But that was a question posed</b></p> <p>8 <b>by -- I believe by me.</b></p> <p>9 Q. By you to the TFC?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Right. In posing that question, what were you expecting</p> <p>12 by way of consideration of tipping points?</p> <p>13 <b>A. Well, it is in relation to management of risks.</b></p> <p>14 Q. Right.</p> <p>15 <b>A. So there needs to be a consideration around the risks</b></p> <p>16 <b>around -- the underlying risks around the operation.</b></p> <p>17 <b>And what the TFC would consider those tipping points to</b></p> <p>18 <b>be. And that underlying risk conversation was around</b></p> <p>19 <b>how we can manage the risks around the prison van and</b></p> <p>20 <b>obviously the threat that was posed within the Audi.</b></p> <p>21 Q. Right.</p> <p>22 <b>A. So that is the question.</b></p> <p>23 Q. And from what the inquiry has heard, and there is</p> <p>24 reference that we have just seen in your note to this,</p> <p>25 that if at any stage control was lost, of either the</p> <p style="text-align: center;">Page 117</p>	<p>1 prison van or the Audi, and there was a danger that the</p> <p>2 two might come together, then the operation would switch</p> <p>3 from covert to overt?</p> <p>4 <b>A. That was the consideration and the question posed, yes,</b></p> <p>5 <b>around those.</b></p> <p>6 Q. What about the risks posed during the course of the</p> <p>7 interception stage, so once the tipping point had been</p> <p>8 reached or an evidential threshold had been reached, and</p> <p>9 the decision was taken by the tactical firearms</p> <p>10 commander to give state amber for the officers to move</p> <p>11 in and to extract the occupants of the Audi, was there</p> <p>12 consideration during this meeting as to the risks that</p> <p>13 that stage of the plan might pose to whomever, to the</p> <p>14 public, to the occupants of the Audi, to anybody else?</p> <p>15 <b>A. Okay, of course risks are fundamental, and they are</b></p> <p>16 <b>a fundamental question that were posed and those</b></p> <p>17 <b>discussions would have been taken place during that</b></p> <p>18 <b>meeting.</b></p> <p>19 THE CHAIRMAN: I was going to say what was the outcome?</p> <p>20 <b>A. Whether they were recorded or not on this page, sir,</b></p> <p>21 <b>I can't tell you, but consideration was given to the</b></p> <p>22 <b>risks and ultimately they were reflected in my TAC</b></p> <p>23 <b>advice.</b></p> <p>24 MS BLACKWELL: Your TAC advice about the deployment on</p> <p>25 11 December was completed on 9 December.</p> <p style="text-align: center;">Page 118</p>
<p>1 <b>A. Yes, that sounds correct.</b></p> <p>2 Q. Right. We are going to take a look at that in a moment.</p> <p>3 This was 3 December. During the course of this</p> <p>4 meeting, were the practicalities of how the interception</p> <p>5 was going to take place and how that would look</p> <p>6 discussed?</p> <p>7 <b>A. Not to any great detail, if I remember correctly,</b></p> <p>8 <b>because we didn't know how that interception would look.</b></p> <p>9 Q. Were the possibilities discussed, for instance if the</p> <p>10 Audi had to be stopped, if there had to be an enforced</p> <p>11 stop of the vehicle, how that might look, or if, as in</p> <p>12 fact took place on 11 December, the vehicle had already</p> <p>13 come to a natural stop, how the extraction in those</p> <p>14 circumstances would take place?</p> <p>15 Whether or not for instance -- sorry, I am</p> <p>16 bombarding you with facts, but I would like to put all</p> <p>17 these to you -- it would be a dynamic extraction or</p> <p>18 whether a containment and call out might be an option?</p> <p>19 Those sorts of scenarios, were they played out and</p> <p>20 discussed during this meeting?</p> <p>21 <b>A. I can't recall exactly, but it is unlikely that they</b></p> <p>22 <b>were discussed in detail because the actual dynamics of</b></p> <p>23 <b>that deployment we didn't have the intelligence to</b></p> <p>24 <b>support those tactical options at that point.</b></p> <p>25 Q. In the absence of any firm plan from the conspirators,</p> <p style="text-align: center;">Page 119</p>	<p>1 was it important for you, during the course of this</p> <p>2 meeting, to air the possibilities and to talk about how</p> <p>3 the Audi might be stopped if it was in transit or how</p> <p>4 the occupants might be extracted or invited to get out</p> <p>5 of the vehicle, if the Audi had stopped?</p> <p>6 <b>A. I think there is too many available variables at play,</b></p> <p>7 <b>to be honest, at this point, we didn't know the detail</b></p> <p>8 <b>in relation to how the attack methodology would take</b></p> <p>9 <b>place on behalf of the conspirators, so I don't think we</b></p> <p>10 <b>had sufficient detail to understand how it would play</b></p> <p>11 <b>out.</b></p> <p>12 Q. I understand that, but on the basis that the plan was to</p> <p>13 keep the Audi separate from the prison van, and on the</p> <p>14 basis that that was a successfully executed plan, there</p> <p>15 are only a certain number of options in order to get the</p> <p>16 people out of the Audi vehicle, aren't there?</p> <p>17 <b>A. But there is a number of scenarios that may happen.</b></p> <p>18 <b>They may be on foot, they may actually be in a building,</b></p> <p>19 <b>and we didn't know that. We didn't know that detail.</b></p> <p>20 Q. But those options and the contingencies in reacting to</p> <p>21 any of those options, that wasn't discussed at this</p> <p>22 meeting?</p> <p>23 <b>A. Not in detail, no.</b></p> <p>24 Q. Because this was the last planning meeting action,</p> <p>25 wasn't it?</p> <p style="text-align: center;">Page 120</p>

30 (Pages 117 to 120)

<p>1 <b>A. Yes, I believe it was, yes.</b></p> <p>2 Q. There was no other meeting before 11 December?</p> <p>3 <b>A. No, there wasn't.</b></p> <p>4 Q. So if they were not discussed now, do we take it from</p> <p>5 that that they were never discussed?</p> <p>6 <b>A. Tactical options were further discussed with the TFC,</b></p> <p>7 <b>yes, they were.</b></p> <p>8 Q. When did that take place?</p> <p>9 <b>A. It may -- well, there was a number of discussions that</b></p> <p>10 <b>took place on 11 December.</b></p> <p>11 Q. Right. But before 11 December, with the people</p> <p>12 assembled in this meeting, who were the strategic</p> <p>13 firearms commander, the tactical firearms commander, you</p> <p>14 and others, do you agree that that was a good</p> <p>15 opportunity for you to use your collective experience to</p> <p>16 discuss the possibilities or not?</p> <p>17 <b>A. No, because we didn't know sufficient detail in relation</b></p> <p>18 <b>to how that attack methodology would play out. I don't</b></p> <p>19 <b>think there was sufficient detail for me to be able to</b></p> <p>20 <b>give specific tactical advice at that point.</b></p> <p>21 THE CHAIRMAN: Can I just ask this, please.</p> <p>22 <b>A. Sir?</b></p> <p>23 THE CHAIRMAN: The first meeting was described as</p> <p>24 a preliminary meeting.</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 121</p>	<p>1 THE CHAIRMAN: There was a lot to do and you told us that</p> <p>2 you were not at that stage tactical adviser, because the</p> <p>3 armed operation was not in place.</p> <p>4 <b>A. That's correct, sir, yes.</b></p> <p>5 THE CHAIRMAN: The second meeting was the final meeting.</p> <p>6 <b>A. Yes.</b></p> <p>7 THE CHAIRMAN: On 3 December.</p> <p>8 Is it reasonable to assume that by this stage, you</p> <p>9 were the tactical adviser?</p> <p>10 <b>A. I was confident that I was going to be tactical adviser</b></p> <p>11 <b>on that operation on the 12 -- 11 of the 12th, yes.</b></p> <p>12 THE CHAIRMAN: Had you been appointed?</p> <p>13 <b>A. There had been no formal appointment at that point, no,</b></p> <p>14 <b>but I think it was anticipated that everybody in the</b></p> <p>15 <b>room was going to be in the firearms command.</b></p> <p>16 THE CHAIRMAN: When were you appointed?</p> <p>17 <b>A. Well officially, when I received the documentation with</b></p> <p>18 <b>my name on it.</b></p> <p>19 THE CHAIRMAN: When you received the documentation?</p> <p>20 <b>A. With my name on it.</b></p> <p>21 THE CHAIRMAN: With your name on it?</p> <p>22 MS BLACKWELL: Was that the FA2 form?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Right.</p> <p>25 THE CHAIRMAN: Thank you.</p> <p style="text-align: center;">Page 122</p>
<p>1 MS BLACKWELL: Returning to the reference in your note here</p> <p>2 to tipping points, were you raising the issue of</p> <p>3 operational tipping points or evidential tipping points?</p> <p>4 <b>A. Not in relation to evidence, no, but that would have</b></p> <p>5 <b>been the point in relation to maintaining distance</b></p> <p>6 <b>between the prison van and the mission vehicle.</b></p> <p>7 Q. So it was an operational tipping point?</p> <p>8 <b>A. Operational, yes.</b></p> <p>9 Q. It would not necessarily form part of your role to</p> <p>10 consider the evidential tipping points?</p> <p>11 <b>A. No, it wouldn't, no.</b></p> <p>12 Q. That would fall to the SIO, would it?</p> <p>13 <b>A. So that would fall to the detectives who have knowledge</b></p> <p>14 <b>of conspiracy evidence and the evidential thresholds</b></p> <p>15 <b>that are required for that.</b></p> <p>16 Q. Right, and was there any discussion during the course of</p> <p>17 this meeting about evidential tipping points?</p> <p>18 <b>A. I can't remember. There may have been, but I have made</b></p> <p>19 <b>no note of that.</b></p> <p>20 Q. Right.</p> <p>21 Just so that I am clear, when I suggested that this</p> <p>22 might have been the last opportunity to discuss risks</p> <p>23 and contingencies, et cetera, and indeed tipping points,</p> <p>24 your evidence was that subsequent to this meeting, there</p> <p>25 was discussion about those things between yourself and</p> <p style="text-align: center;">Page 123</p>	<p>1 the tactical firearms commander --</p> <p>2 <b>A. On the 11th, yes.</b></p> <p>3 Q. On the 11th, but nothing between the 3rd and the 11th?</p> <p>4 <b>A. Not that I can recall, no.</b></p> <p>5 Q. Thank you.</p> <p>6 Could I invite you now, please, to deal with the</p> <p>7 remaining part of your note.</p> <p>8 <b>A. Okay, so we got to tipping points, "Return to Wormwood",</b></p> <p>9 <b>which is a reference to the return transport to the</b></p> <p>10 <b>prison.</b></p> <p>11 Q. Yes.</p> <p>12 <b>A. Then I've got a note of, "Thursday 1500 NSY".</b></p> <p>13 Q. Yes.</p> <p>14 <b>A. My understanding is that was a scheduled briefing to</b></p> <p>15 <b>take place.</b></p> <p>16 Q. Yes, that was on the 10th, wasn't it, the day before the</p> <p>17 deployment?</p> <p>18 <b>A. I believe so, yes.</b></p> <p>19 Q. Yes.</p> <p>20 <b>A. Then I've got two briefing locations. For the team on</b></p> <p>21 <b>the Audi at Quicksilver, and then the team that we were</b></p> <p>22 <b>deploying on the prison vehicle at Wormwood Scrubs.</b></p> <p>23 Q. Yes.</p> <p>24 <b>A. As Alperton traffic garage.</b></p> <p>25 Q. That was where their briefing was going to take place?</p> <p style="text-align: center;">Page 124</p>

1 **A. That is the briefing location. Then I have got,**  
 2 **"dig-out options-available".**  
 3 Q. What is that a reference to, please?  
 4 **A. A dig-out option is a term used in the firearms world in**  
 5 **relation to containment and call out --**  
 6 Q. Digging out meaning bringing out?  
 7 **A. Yes, and that generally relates to premises options.**  
 8 Q. Right.  
 9 **A. So if SCD7 were able to establish the location of**  
 10 **a firearm together with the subjects, that is**  
 11 **a reasonable course of action to take to minimise the**  
 12 **risks and provide a response to the risk of that firearm**  
 13 **being in criminal possession.**  
 14 Q. The containment and call out tactical option is also  
 15 available for those inside a vehicle, isn't it?  
 16 **A. It is, yes.**  
 17 Q. Yes, and are you confident that that is not what was  
 18 being discussed here?  
 19 **A. No, that is -- this is a dig-out option is a referral to**  
 20 **a premises options.**  
 21 Q. Right.  
 22 **A. So if they were able to ascertain where the firearm was**  
 23 **located, together the subjects, then that is a perfectly**  
 24 **reasonable option and avenue to take, a tactical option**  
 25 **to take in relation to dealing with those subjects.**

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1 Q. I would just like you to reflect on that answer, please,  
 2 and look at paragraph 22 of your statement dated  
 3 12 April of this year, this is behind divider 7. Could  
 4 we display, please, MPS3870, page 3, and can we  
 5 highlight paragraph 22, please.  
 6 Here you record:  
 7 "Also recorded within my original notes is dig-out  
 8 options available, which were also discussed and  
 9 remained a considered tactical option, albeit the  
 10 likelihood via intelligence was the offence would be  
 11 conducted by vehicle. This is a reference to a widely  
 12 used firearms colloquialism and refers to the option of  
 13 dealing with subjects in buildings by means of  
 14 a containment and call out tactical option. Therefore  
 15 if the intelligence picture had changed in the interim  
 16 period, between the meeting and 11 December, and the  
 17 subjects were identified, located and commanders were  
 18 inclined, the subjects could have been arrested by use  
 19 of this tactic. This is a frequently utilised tactical  
 20 option where the identity and location of the subject is  
 21 known, ideally together with the location of any  
 22 criminally possessed firearms."  
 23 Although this was an option that you were  
 24 considering during the course of this meeting, it would  
 25 only have been an option if the intelligence had

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1 changed?  
 2 **A. Yes, that's right. So at that point, we didn't know**  
 3 **where the firearm was and we didn't know whom the**  
 4 **subjects were.**  
 5 Q. Yes, all right, so if that had become known between  
 6 3 December and 11 December, then this was a tactic that  
 7 could have been employed to remove the firearm from  
 8 circulation?  
 9 **A. Absolutely, yes.**  
 10 Q. Thank you.  
 11 Can we take that down, please.  
 12 Had you completed the notes?  
 13 **A. Yes.**  
 14 Q. Thank you.  
 15 On 7 December, so four days after this meeting, did  
 16 you receive some intelligence from the tactical firearms  
 17 commander?  
 18 **A. Is that in reference to subject profiles?**  
 19 Q. Yes, in fact if you have your witness statement open,  
 20 still, and you go back to paragraph 12, you will see  
 21 that there is a reference to receiving an email from the  
 22 tactical firearms commander on the evening of  
 23 7 December, attaching the profiles of Sinan Ozger,  
 24 Izzet Eren and Ozcan Eren.  
 25 **A. Yes, I have that, yes.**

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1 Q. Thank you. Together with a schedule which set out some  
 2 of the history of the organised crime network.  
 3 That provided you with some information making you  
 4 aware of the firearms intelligence contained in those  
 5 documents?  
 6 **A. That's correct, yes.**  
 7 Q. Was that information useful to you in completing your  
 8 FA5?  
 9 **A. Yes, it was. It showed the capability/capacity of this**  
 10 **group and the determination as well.**  
 11 Q. Did you notice that it was somewhat out of date by  
 12 December 2015?  
 13 **A. Yes. There was -- I can't remember the exact period of**  
 14 **time, but there was some out-of-date entries, yes.**  
 15 Q. Right.  
 16 Did that cause you to make any request as to whether  
 17 or not there was any more up-to-date information?  
 18 **A. I think I had made a number of requests around that**  
 19 **seeking further intelligence and updates.**  
 20 Q. Did you receive any?  
 21 **A. Well, this was the one of note. And whether I received**  
 22 **any more, via email, I don't know.**  
 23 THE CHAIRMAN: This intelligence was in response to your  
 24 request for intelligence -- it didn't lead to a request  
 25 by you for anything more recent; is that right?

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<p>1 <b>A. So throughout the whole process, it is -- I am always</b>  2 <b>seeking updates. As would be the case. Now, whether it</b>  3 <b>was me that prompted the sending of this email or not,</b>  4 <b>I really couldn't tell you.</b>  5 THE CHAIRMAN: Thank you.  6 MS BLACKWELL: I would like to move now to ask you some  7 questions about the forms and --  8 <b>A. Yes.</b>  9 Q. -- we know that you received the FA2 form from  10 Mr Williams and it was dated 7 December.  11 <b>A. Okay.</b>  12 Q. You may have picked up from evidence that the inquiry  13 heard yesterday from Mr Turner that there were some  14 mistakes on the FA2 form, including the name of the  15 operation that was on there.  16 Did you notice or pick up on any of the mistakes  17 that were made?  18 <b>A. I can't say I did, no.</b>  19 Q. All right. I am not going to take you to it, because  20 the inquiry has been through the form on more than one  21 occasion now.  22 Except to ask you a question which I asked Mr Turner  23 this morning, in relation to the threat and risk  24 assessment that is contained within the form, and indeed  25 replicated on the FA3 form which is prepared and</p> <p style="text-align: center;">Page 129</p>	<p>1 submitted by the strategic firearms commander, it  2 appears that that threat and risk assessment only deals  3 with one stage of the planned operation, which is the  4 surveillance phase. I asked Mr Turner whether or not he  5 thought it would be useful for there to be an invitation  6 on the form for those completing it to carry out  7 a multidimensional threat and risk assessment at  8 different stages of the operation.  9 What is your view of that, please?  10 <b>A. I am aware that the College of Policing -- I am also</b>  11 <b>aware the difficulties of the FA2 form.</b>  12 <b>The FA2, when I am utilising it, it does have</b>  13 <b>a number of difficulties around it. I am aware that the</b>  14 <b>College of Policing have taken some of those elements on</b>  15 <b>board and we are awaiting a new form to be created.</b>  16 Q. On that specific issue, do you agree with Mr Turner that  17 it would be useful to be prompted to engage in  18 a multidimensional threat and risk assessment?  19 <b>A. There is only one -- on the FA2 currently, there is only</b>  20 <b>one threat and risk assessment provided. In</b>  21 <b>a multidimensional scenario you would be considering, if</b>  22 <b>I am performing the role as a commander, a number of</b>  23 <b>threat assessments. At that point, and subsequently</b>  24 <b>projected forward as well.</b>  25 Q. Would that be useful?</p> <p style="text-align: center;">Page 130</p>
<p>1 <b>A. Within an FA2, a new FA2, without a doubt.</b>  2 Q. Yes. Without a doubt, thank you.  3 There is nothing on the FA2 form, or indeed the FA3  4 form, to set out in detail what might be expected at the  5 time of interception.  6 Is that something which you think is missing or is  7 that not the function of the forms at the stage at which  8 they are completed?  9 <b>A. If I refer to -- I believe it is C2, which is in the</b>  10 <b>curriculum, and the training of TFCs, TFCs should be</b>  11 <b>anticipating a projection forward in relation to threat</b>  12 <b>and risk, and that is not available at the moment on</b>  13 <b>that form.</b>  14 Q. Right, because Mr Williams told the inquiry that he had  15 those thoughts in his mind and he had gone through the  16 process himself of establishing what the contingencies  17 might be and what the firearms officers might be asked  18 to do. But that he hadn't recorded that on the form  19 and, do you agree that if that had been recorded on the  20 form, even at the early stage of making the firearms  21 authorisation applications, that that would then provide  22 you, as the tactical adviser, with information that you  23 could expand upon and provide advice about?  24 <b>A. It is a forward projection that is a gap on the form</b>  25 <b>that needs filling.</b></p> <p style="text-align: center;">Page 131</p>	<p>1 Q. Right.  2 THE CHAIRMAN: So it is a yes?  3 <b>A. Yes, sir.</b>  4 THE CHAIRMAN: Thank you.  5 MS BLACKWELL: Thank you.  6 You have provided some information in your witness  7 statement of April this year about your completion of  8 the FA5 form and you set out that the tactical advice  9 provided on that form was comprehensive and detailed, it  10 provided for enhanced protection of the escort prison  11 vehicle, armed arrest options for emerging threats,  12 potentially using the stolen Audi, further covert  13 options in relation to small team intervention  14 capability or STIC provision, and protection and  15 response options to the court premises, together with  16 overt armed policing tactical options.  17 You also included in the form a number of viable,  18 achievable and proportionate tactical options achieving  19 the hierarchical working strategy and overarching  20 strategy, thereby mitigating the defined threat that  21 were available to the relevant firearms commanders?  22 <b>A. That's correct.</b>  23 Q. Can we have a look at the form, now, please and display  24 it, it is at IPC1133.  25 That is the first page of the form.</p> <p style="text-align: center;">Page 132</p>

1 When we were looking at this together with Mr Turner  
 2 yesterday, we established that in relation to  
 3 a substantial proportion of the form, what appears is  
 4 a series of generic tactical options or contingencies.  
 5 **A. Some of it is generic, because it reflects the**  
 6 **intelligence known at the time, because we didn't know**  
 7 **some of that detail, so it is generic, some of it. And**  
 8 **a lot of it is also specific to the operation as well.**  
 9 Q. We know that there is a page that deals with the  
 10 intelligence that you understood to be in place at the  
 11 time that you completed the form, so let's just move  
 12 forwards and deal with that page first if we may.  
 13 Keep going, please. Keep going, and again. Just  
 14 pausing here, this is a tick box which I think we  
 15 established is essentially a summary of what appears  
 16 behind it in terms of the tactical options, et cetera.  
 17 **A. That's correct.**  
 18 Q. Thank you.  
 19 Next page, please.  
 20 As a general rule, is what appears in blue text or  
 21 red text likely to be the operationally specific  
 22 information that you have put onto the form?  
 23 **A. I don't know, I haven't seen it in coloured.**  
 24 Q. All right, well I am going to suggest that that might be  
 25 the case and as we go through it, you can tell me if

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1 form filled in on this particular operation?  
 2 **A. The MPS SOPs require one.**  
 3 Q. Yes.  
 4 **A. This is a very complex crime operation, and unusual, so**  
 5 **the engagement started at a very early stage, as we saw**  
 6 **with the preliminary meeting, so I can understand why**  
 7 **an FA1 wasn't completed. Perhaps it was remiss of me as**  
 8 **tactical adviser, if that wasn't available and I had**  
 9 **identified an FA1 wasn't available, I should have**  
 10 **perhaps nudged the command structure to submit one.**  
 11 Q. Would the reason for that be not because you thought it  
 12 was important for Mr Williams to effectively provide the  
 13 information to himself, but in order for there to have  
 14 been a completed audit trail?  
 15 **A. Again, I can understand the reason why it was not**  
 16 **completed. But the audit trail is obviously required as**  
 17 **well, and that is required --**  
 18 THE CHAIRMAN: That is why you would have nudged him if you  
 19 realised?  
 20 **A. Yes, sir.**  
 21 THE CHAIRMAN: Yes.  
 22 MS BLACKWELL: Thank you.  
 23 Can we go to the next page, please.  
 24 Thank you.  
 25 I am going to only concentrate on the aspects of

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1 I am right.  
 2 **A. Okay.**  
 3 Q. If we look at the last sentence of the first paragraph,  
 4 you record:  
 5 "I have also had the opportunity to read the FA1 and  
 6 FA2 and attached document, I have noted the threat  
 7 assessment in the initial working strategy."  
 8 We established that in fact the FA1 form had not  
 9 been completed in this operation.  
 10 **A. That's correct, yes.**  
 11 Q. So why is it that you have recorded the fact that you  
 12 have had an opportunity to read it?  
 13 **A. I have made a mistake.**  
 14 Q. Right. Is that because in other operations you would  
 15 expect at this stage to have received and read the FA1  
 16 and FA2?  
 17 **A. In usual circumstances, the two forms are available to**  
 18 **me together, yes.**  
 19 Q. Right, I am not suggesting you have cut and pasted it  
 20 from another operation but because that is your usual  
 21 process and procedure, that you perhaps just on  
 22 automatic pilot filled it in in the way that you have?  
 23 **A. It is a possibility, it is my mistake.**  
 24 Q. All right.  
 25 Do you think it matters that there wasn't an FA1

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1 this form that relate to the armed surveillance of the  
 2 vehicle, rather than the premises, because I know that  
 3 there are aspects of this that deal with the premises,  
 4 but in the event we know that that was not relevant on  
 5 the morning of 11 December.  
 6 **A. Okay.**  
 7 Q. I am not suggesting it wasn't relevant here for you to  
 8 consider it, but I would like to move to page 9, please.  
 9 At the bottom, under the "sensitive" box we see,  
 10 "Armed interception of subjects in vehicles"?  
 11 MR BUTT: Can I ask you take that document down and cut the  
 12 feed, please?  
 13 THE CHAIRMAN: Yes.  
 14 Are we cut? Thank you. Yes?  
 15 MR BUTT: Sir, it is a point we have raised with  
 16 Ms Scholefield, that for reasons none of us quite  
 17 understand, the document we saw on the screen has been  
 18 redacted but not fully redacted, it differs from that  
 19 which is on Relativity and from the hard copies that  
 20 those of us including that have. We don't really know  
 21 why at the moment -- I am sure we can very swiftly find  
 22 a document that can be displayed that is fully redacted.  
 23 There is nothing that causes me huge concern, it is  
 24 more what else might not be redacted from pages that  
 25 might be displayed.

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<p>1 THE CHAIRMAN: Ms Blackwell.</p> <p>2 MS BLACKWELL: I wonder, do you have another reference for</p> <p>3 the form? We can deal with it, sir, by me referring to</p> <p>4 a different version of the same form, if Mr Butt would</p> <p>5 be kind enough to provide me with that reference.</p> <p>6 THE CHAIRMAN: Very good.</p> <p>7 Shall we reconnect the live feed?</p> <p>8 MS BLACKWELL: Yes, thank you.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 Thank you very much.</p> <p>11 MS BLACKWELL: Sir, we are just waiting to be provided with</p> <p>12 a reference.</p> <p>13 THE CHAIRMAN: Ready when you are.</p> <p>14 MS BLACKWELL: Thank you.</p> <p>15 Could we display, please, IPC533.</p> <p>16 With my fingers crossed, can we go to page 9,</p> <p>17 please?</p> <p>18 Thank you.</p> <p>19 If we can --</p> <p>20 THE CHAIRMAN: Uncross your fingers now, Ms Blackwell.</p> <p>21 MS BLACKWELL: Thank you.</p> <p>22 If we can look below the sensitive box, this is</p> <p>23 where your consideration of the armed interception of</p> <p>24 subjects in the vehicles begins. We can see:</p> <p>25 "SCO19 firearms teams are able to configure covert</p> <p style="text-align: center;">Page 137</p>	<p>1 armed response vehicles to instigate an armed vehicle</p> <p>2 stop, there are three main types of stop that can be</p> <p>3 utilised when dealing with subjects in vehicles, these</p> <p>4 are:</p> <p>5 "Natural stop, this is where the subject vehicle</p> <p>6 stops of its own accord without any request from the</p> <p>7 police. This may include parking at the side of the</p> <p>8 road or in a car park."</p> <p>9 Go over the page, please, and highlight the top half</p> <p>10 of that page, thank you:</p> <p>11 "Compliant stop, this is where the subject</p> <p>12 voluntarily pulls over to the side of the road when</p> <p>13 signaled to do so.</p> <p>14 "Enforced stop, this is where the subject vehicle is</p> <p>15 brought to rest without prior warning, by the</p> <p>16 positioning of police vehicles to provide containment.</p> <p>17 This may necessitate vehicles approaching from the rear,</p> <p>18 side or the opposite direction.</p> <p>19 "Once vehicle has come to rest the subjects can be</p> <p>20 dealt with by utilising a number of tactics, these</p> <p>21 include armed enquiry, containment, communication and</p> <p>22 extraction.</p> <p>23 "This will be determined by the application of the</p> <p>24 NDM based upon factors such as the numbers of subjects,</p> <p>25 their actions and the perceived level of threat."</p> <p style="text-align: center;">Page 138</p>
<p>1 Pausing there, whilst this is relevant to</p> <p>2 a consideration in terms of how the vehicle, in our case</p> <p>3 the Audi vehicle, is to be handled, and how those within</p> <p>4 the vehicle are to be taken out of the vehicle and</p> <p>5 arrested, there is nothing here that isn't -- sorry,</p> <p>6 there is nothing here that is operationally specific to</p> <p>7 Ankaa, is there?</p> <p>8 <b>A. No, there is not.</b></p> <p>9 Q. What you are doing here is providing a series of</p> <p>10 tactical suggestions based upon generic contingencies?</p> <p>11 <b>A. Well, they are actually tactical options.</b></p> <p>12 Q. Right.</p> <p>13 <b>A. As identified within the curriculum, so they are</b></p> <p>14 <b>tactical options but they are generic, I would accept</b></p> <p>15 <b>that, yes.</b></p> <p>16 Q. We can see here that there are then a series of</p> <p>17 implications and considerations, below which we see:</p> <p>18 "On many MASTS-based deployments a covert armed</p> <p>19 vehicle interception utilising enforced stop and</p> <p>20 extraction is often the preferred tactical option. It</p> <p>21 is accepted that this is a rapidly implemented tactic to</p> <p>22 dominate the occupants of a vehicle. Its use must be</p> <p>23 proportionate to the threat posed. On some occasions it</p> <p>24 may be appropriate not to immediately extract the</p> <p>25 occupants but to contain them and call them out under</p> <p style="text-align: center;">Page 139</p>	<p>1 control."</p> <p>2 If or rather once the vehicle has stopped, are the</p> <p>3 two options that are being considered here a dynamic</p> <p>4 extraction or a containment and call out?</p> <p>5 <b>A. So the armed inquiry, we will dismiss that because it is</b></p> <p>6 <b>to confirm or negate the presence of a threat and that</b></p> <p>7 <b>had already been established.</b></p> <p>8 <b>So in relation to the other tactical options,</b></p> <p>9 <b>containment and call out and an extraction, they are the</b></p> <p>10 <b>two basis tactical opposites available to us in this</b></p> <p>11 <b>circumstance, yes.</b></p> <p>12 Q. Right, and in relation to the dynamic extraction, is</p> <p>13 that an option that is available both to an intervention</p> <p>14 and an interception?</p> <p>15 <b>A. Right, okay, so firstly it is an extraction, just to</b></p> <p>16 <b>correct you slightly --</b></p> <p>17 Q. Please do.</p> <p>18 <b>A. So it is in relation to an extraction. An extraction</b></p> <p>19 <b>refers to decisive action and that can be</b></p> <p>20 <b>an interception and/or an intervention.</b></p> <p>21 Q. Right.</p> <p>22 <b>A. But the circumstances of 11 December were</b></p> <p>23 <b>an interception, and we need to be specific around that.</b></p> <p>24 Q. Yes, I appreciate that but the term "dynamic extraction"</p> <p>25 is an option that -- or the extraction in the way in</p> <p style="text-align: center;">Page 140</p>

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<p>1 which the use of the word "dynamic" describes, is 2 an extraction that could form part of either 3 an intervention or, as it did on 11 December, 4 an interception? 5 <b>A. That's correct, yes.</b> 6 Q. Thank you. 7 The alternative to that dynamic extraction is 8 a containment and call out? 9 <b>A. That is another tactical option, yes.</b> 10 Q. Thank you. Before we leave this form, could we have 11 a look at page 13, please. 12 Pausing there, please, Mr Coates, these are the 13 tactical arrest options which you have set out and we 14 know from our consideration of this form yesterday, that 15 having considered each of the five there listed, you 16 come down in favour of the second option, which is: 17 "To conduct mobile armed surveillance to establish 18 sufficiency of evidence and, on the direction of the 19 TFC, intercept or arrest the subjects prior to the 20 substantive offence taking place." 21 <b>A. That is correct, yes.</b> 22 Q. Right. 23 Is it then the responsibility of the TFC during the 24 course of the mobile armed surveillance operation to 25 decide whether or not there is going to be an arrest,</p> <p style="text-align: center;">Page 141</p>	<p>1 the point at which that arrest should take place and the 2 manner in which that arrest should take place? 3 <b>A. That is a command decision. It sits with the TFC, yes, 4 that's correct.</b> 5 Q. It sits with the TFC. 6 We know that on the morning of 11 December, as we 7 will come to in a moment, Mr Williams called state 8 amber. In the run up to that moment, did he turn to you 9 and ask for your advice as the tactical adviser? 10 <b>A. I can't specifically remember, there were a number of 11 conversations that took place between the TFC and me 12 that morning.</b> 13 Q. Right. But would you be surprised if that had taken 14 place, you were present with him, presumably in order to 15 provide him with tactical advice as and when he required 16 it? 17 <b>A. Yes, there was a number of conversations that took place 18 that morning, yes.</b> 19 Q. All right. 20 We can take that down, thank you. 21 Let's turn to deal with what took place on the 22 morning of 11 December. 23 In relation to that, you have provided information 24 about your recollection from your statement made on 25 23 September 2016, which lies behind divider 6.</p> <p style="text-align: center;">Page 142</p>
<p>1 This is, sir, halfway down the fifth page. 2 THE CHAIRMAN: Thank you very much. 3 MS BLACKWELL: The first reference that I want to ask you 4 about is: 5 "On the morning of 11 December 2015, I was not 6 informed that the subjects would be in possession of 7 imitation firearms." 8 Do you see that? 9 <b>A. I do see that, yes.</b> 10 Q. You then go on to say this: 11 "If I had been informed that subjects were in 12 possession of imitation firearms, it would not have 13 impacted upon the tactical advice supplied by myself or 14 interception by SCO19 firearms teams." 15 You go on to explain why you say that: 16 "Possession of any firearms presents significant 17 risks to armed police responders and the public whom 18 police seek to protect. Responses are dictated by 19 split-second dynamic threat assessments and decision 20 making in acting to the circumstances at the time. The 21 validity of any weapon cannot be confirmed until the 22 weapon is closely examined." 23 It is your evidence that even if you had been 24 informed that the subjects were only in possession of 25 imitation firearms, firstly that would have not impacted</p> <p style="text-align: center;">Page 143</p>	<p>1 on your tactical advice supplied to the firearms team? 2 <b>A. It depends where that information came from. If that 3 had come from a police officer examining that firearm, 4 or an armourer examining that firearm, I would have 5 taken that as confirmed that it was an imitation 6 firearm.</b> 7 Q. Right. 8 <b>A. That information didn't come from a police officer that 9 was examining that firearm or an armourer.</b> 10 Q. The information came primarily from FE19, who provided 11 it to Mr Williams on the morning of 11 December from 12 what he had received or understood to have been received 13 the night before. 14 <b>A. I can't recall exactly what was told to me. But if in 15 that circumstance I was told that it was an imitation 16 firearm, my advice wouldn't change.</b> 17 Q. Right. 18 <b>A. Because --</b> 19 THE CHAIRMAN: So it would have to be A1? 20 <b>A. It would have to be A1, sir, yes. It would have to be 21 a fact that my officers or those officers that were 22 dealing with an imitation firearm.</b> 23 THE CHAIRMAN: Yes. 24 MS BLACKWELL: If that information had been coupled with 25 an understanding that what had been discussed within the</p> <p style="text-align: center;">Page 144</p>

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1 Audi by the conspirators was that they only had  
 2 an imitation firearm. So it had come from two sources,  
 3 from the overnight source and from the probe, would that  
 4 have altered your advice?  
 5 **A. No, it wouldn't. No, it has to be fact before I risk my**  
 6 **officers and the safety of my officers.**  
 7 Q. In the circumstances that I have described, would it be  
 8 appropriate to tell the officers on the ground that,  
 9 according to the information at that time, the  
 10 conspirators only had an imitation firearm?  
 11 **A. My personal position on this is no, because I believe it**  
 12 **would have entered into their mindset and could have**  
 13 **caused significant risks to their deployment and the**  
 14 **safety of themselves and the public.**  
 15 THE CHAIRMAN: It seems from that as though that is  
 16 an opinion but others might not share it, is that what  
 17 you are saying?  
 18 **A. Well, I can't account for what the officers may**  
 19 **understand.**  
 20 THE CHAIRMAN: No, because you have said, "Speaking for  
 21 myself ..."  
 22 **A. Yes. I don't believe I should have informed them or**  
 23 **anybody should have informed them, that the firearm was**  
 24 **potentially imitation.**  
 25 THE CHAIRMAN: Thank you.

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1 **my position, the tactical advice wouldn't change around**  
 2 **that, because the curriculum teaches us we have to treat**  
 3 **all firearms as real, until proven otherwise.**  
 4 Q. Until proven otherwise.  
 5 Before we leave this subject, I would just like to  
 6 ask you something else that you provided in the same  
 7 statement, it is on the previous page, it is the  
 8 penultimate paragraph.  
 9 In fact, it begins at the top of the page and then  
 10 I am going to take you straight down to the penultimate  
 11 paragraph.  
 12 You say:  
 13 "The responses and mitigation do not differ if the  
 14 intelligence suggests the weapon may be or is real or  
 15 imitation."  
 16 Do you have that, it is about four lines down?  
 17 **A. Sorry, which page is this?**  
 18 Q. We are on page 4 of your statement of 23 September 2016,  
 19 and it is behind divider 6.  
 20 If you look at the top of the page -- in fact I will  
 21 read from the top of the page:  
 22 "I was aware of a firearms threat ..."  
 23 **A. Thank you, yes.**  
 24 Q. "I was not aware of any differentiation of the threat  
 25 between real or imitation firearms, the use of

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1 MS BLACKWELL: Being in possession of that information  
 2 introduces a different risk perhaps, doesn't it, to the  
 3 AFOs who are approaching the vehicle -- I am going to  
 4 try and explain what I mean.  
 5 **A. Okay.**  
 6 Q. Because if lethal force is being used against a subject  
 7 that did not in fact pose a threat to life, then do you  
 8 agree that being in possession of that information could  
 9 affect the mindset of the AFO approaching the vehicle?  
 10 **A. It could affect the mindset, and this is what we are**  
 11 **trying to avoid, because conversely, and the curriculum**  
 12 **states this, we need to establish whether a firearm**  
 13 **is -- a firearm has to be treated as real and loaded**  
 14 **until it is established otherwise. That is what the**  
 15 **curriculum states and it would be wrong for the mindset**  
 16 **of an AFO deploying to protect themselves and others for**  
 17 **that mindset to change. And unless it is -- if I can**  
 18 **use the chair's word -- A1 intelligence.**  
 19 Q. Right.  
 20 Because the corollary of that, I suppose, is that,  
 21 without being armed with that intelligence, the CTSFO is  
 22 proceeding on the basis that it may be necessary to  
 23 discharge a firearm in circumstances where in fact in  
 24 reality it isn't?  
 25 **A. I can see what you are suggesting, yes. However, from**

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1 firearms/criminality results in certain police responses  
 2 and mitigation which are appropriate to the firearms  
 3 threat. The responses and mitigation responses do not  
 4 differ if the intelligence suggests the weapon may be or  
 5 is real or imitation."  
 6 Then I am going to take you down to the penultimate  
 7 paragraph on that page:  
 8 "I make minimal differentiation between the term  
 9 'gun' or 'firearm'. I consider both terms as reference  
 10 towards a lethal barreled weapon. The term gun is  
 11 a more generic term of a lethal barreled weapon,  
 12 including the potential to project shells. Firearm is  
 13 a term used to signify a portable lethal barreled  
 14 weapon, including a pistol or rifle."  
 15 Do those two pieces of information which you set out  
 16 in this statement also support your view that in  
 17 relation to "gun" or "firearm", real or imitation, in  
 18 your mind, until it has been proved to the satisfaction  
 19 of an A1 grading standard that the firearm or gun is  
 20 an imitation, it has to be treated as live?  
 21 **A. That is correct, yes.**  
 22 Q. Right. Thank you.  
 23 Could I ask you, please, to turn with us now to the  
 24 morning of 11 December and take us through what you were  
 25 doing that morning and what time you arrived at C3000.

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<p>1 <b>A. Okay, is that in relation to notes, sorry or?</b></p> <p>2 Q. Well, you're absolutely right, you did make some notes</p> <p>3 and if that will assist you, may we turn those up,</p> <p>4 please. We can find them at IPC532, page 4.</p> <p>5 These are behind divider 9, sir.</p> <p>6 THE CHAIRMAN: Thank you.</p> <p>7 MS BLACKWELL: I think the notes begin just below the wiggly</p> <p>8 line.</p> <p>9 <b>A. That's correct, yes.</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. So top line is Op Ankaa, and the date, and the time and</b></p> <p>12 <b>alongside that is the word "locate."</b></p> <p>13 <b>Underneath that I've got some call signs and teams</b></p> <p>14 <b>assigned and the assets assigned to various deployments.</b></p> <p>15 Q. Yes.</p> <p>16 <b>A. Then, if we move through the assets assigned, I've got,</b></p> <p>17 <b>"A1 junction with."</b></p> <p>18 Q. Yes.</p> <p>19 <b>A. Then C3000.</b></p> <p>20 Q. Yes.</p> <p>21 <b>A. And some more call signs and I believe they are radio</b></p> <p>22 <b>channels, actually.</b></p> <p>23 Q. Right, and if we can just move to the bottom of the</p> <p>24 page, we can see some of the information including</p> <p>25 personal data that has been redacted and mobile</p> <p style="text-align: center;">Page 149</p>	<p>1 telephone numbers, et cetera.</p> <p>2 <b>A. That's correct, yes.</b></p> <p>3 Q. All right.</p> <p>4 Can we go to the next page, please.</p> <p>5 Could we zoom out and look at the whole of this page</p> <p>6 for a moment, please. This page and the next page</p> <p>7 appear to amount to a log of what was taking place in</p> <p>8 terms of the deployment that morning; is that right?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Right. Can we just flick to the next page, please.</p> <p>11 Thank you, and then the final page, which I think</p> <p>12 only has one entry in it at the top, thank you.</p> <p>13 We will go back to page 5, please.</p> <p>14 That completes your notes for 11 December, so we</p> <p>15 have what I am going to describe as a series of</p> <p>16 introductory information which you have just been</p> <p>17 through and then what appears to be the log of events?</p> <p>18 <b>A. Yes, that's correct.</b></p> <p>19 Q. There is not any reference in these notes to any</p> <p>20 discussion that you had with the tactical firearms</p> <p>21 commander about the tactical options that were going to</p> <p>22 be employed that day?</p> <p>23 <b>A. That's correct.</b></p> <p>24 Q. Do you have a recollection of having that conversation</p> <p>25 or conversations?</p> <p style="text-align: center;">Page 150</p>
<p>1 <b>A. We had a number of conversations that morning, yes, we</b></p> <p>2 <b>did.</b></p> <p>3 Q. Right.</p> <p>4 Can you tell us what they were, please?</p> <p>5 <b>A. I think the timeline indicates that I had a conversation</b></p> <p>6 <b>with the TFC at 0630.</b></p> <p>7 Q. Let's have a look at the top of that page, please.</p> <p>8 Could we highlight the top third -- no, the previous</p> <p>9 page, please.</p> <p>10 0610:</p> <p>11 "Liaise with [somebody] and the TFC. Discuss</p> <p>12 contingencies -- overt, command structures and</p> <p>13 deployments."</p> <p>14 Is that a reference to a discussion?</p> <p>15 <b>A. That is a reference to a phone call I believe, or</b></p> <p>16 <b>certainly a conversation that took place with the</b></p> <p>17 <b>ground-assigned TFC.</b></p> <p>18 Q. Were you present at the briefing at 5.00?</p> <p>19 <b>A. Yes, I was, yes.</b></p> <p>20 Q. Did you take any part in that briefing?</p> <p>21 <b>A. No, just to identify my role.</b></p> <p>22 Q. Right.</p> <p>23 Did you make any notes of the briefing?</p> <p>24 <b>A. No, I didn't, no.</b></p> <p>25 Q. Do you know how long the briefing lasted?</p> <p style="text-align: center;">Page 151</p>	<p>1 <b>A. Not precisely, no. It would have been around 10 or 15</b></p> <p>2 <b>minutes I think, something like that.</b></p> <p>3 Q. Were you aware that it was not being recorded, audio</p> <p>4 recorded?</p> <p>5 <b>A. Yes, yes, I was.</b></p> <p>6 Q. Were you surprised at that?</p> <p>7 <b>A. No.</b></p> <p>8 Q. Why not?</p> <p>9 <b>A. It wasn't a tactical briefing. The tactical briefing</b></p> <p>10 <b>relates to the briefing of armed assets and clearly we</b></p> <p>11 <b>were control room staff as opposed to armed assets</b></p> <p>12 <b>ourselves.</b></p> <p>13 Q. There is a difference, is there, between the need to</p> <p>14 audio record a tactical briefing as opposed to the</p> <p>15 briefing you say took place this morning?</p> <p>16 <b>A. There is, yes.</b></p> <p>17 Q. Right.</p> <p>18 <b>A. Those changes have been incorporated through</b></p> <p>19 <b>organisational learning over the years, which I am sure</b></p> <p>20 <b>you are aware of. So tactical briefings now are</b></p> <p>21 <b>recorded and that took place on that morning.</b></p> <p>22 THE CHAIRMAN: Can you help in relation to this.</p> <p>23 You had helpfully taken notes, even though it wasn't</p> <p>24 your responsibility --</p> <p>25 <b>A. Sir.</b></p> <p style="text-align: center;">Page 152</p>

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<p>1 THE CHAIRMAN: -- at the meetings which took place on 2 10 November and 3 December, and we have been taken 3 through them. 4 We know that you took notes and created what 5 Ms Blackwell has described as a log of the meeting that 6 was ongoing on the 11th. 7 <b>A. Yes, sir, that's correct.</b> 8 THE CHAIRMAN: Why did you not take a note of the meeting at 9 5.00 that morning? 10 <b>A. I didn't believe that was relevant, sir, in relation to 11 the 0500 briefing by the TFC.</b> 12 THE CHAIRMAN: Thank you. 13 MS BLACKWELL: Sorry, you did tell us how long you 14 recollected the briefing taking. Did you say about 15 15 minutes? 16 THE CHAIRMAN: 10 to 15 minutes. 17 <b>A. 10 to 15 minutes, yes.</b> 18 MS BLACKWELL: How many people were present, roughly 19 speaking? 20 <b>A. The control room staff in there. So around 10, I would 21 think.</b> 22 Q. Who presented it? 23 <b>A. The TFC, overarching TFC.</b> 24 Q. Right, Mr Williams? 25 <b>A. So within C3000, I am trying to speak cooly, but there</b></p> <p style="text-align: center;">Page 153</p>	<p>1 <b>is a central control room where the 10 would be sitting 2 and there are other facilities as well in back rooms.</b> 3 Q. We know that there was a Covert Monitoring Post in the 4 same building. 5 <b>A. Right, okay.</b> 6 Q. Do you know whether or not the staff who were manning 7 the Covert Monitoring Post were present in the briefing 8 in C3000? 9 <b>A. I can't recall, sorry.</b> 10 Q. All right. 11 Did you remain in the control room until the 12 interception at 9.00? 13 <b>A. Yes, pretty much, yes.</b> 14 Q. I was moving to ask you to explain to us the sorts of 15 conversations that you had with Mr Williams over the 16 course of the morning from 5.00 to 9.00. 17 <b>A. Yes, I believe there was a number of conversations that 18 took place between the TFC and myself. And that related 19 to intelligence updates, of various forms, and also 20 potential tactical options that could have taken place 21 in relation to that, that deployment.</b> 22 Q. What were those potential tactical options? 23 <b>A. It related to a number of options, the building options 24 weren't dismissed, because they were still relevant, but 25 the main tactical options were either vehicle or foot</b></p> <p style="text-align: center;">Page 154</p>
<p>1 <b>based.</b> 2 Q. Right. Was it discussed if the tactical option was 3 vehicle based, how the occupants were going to be 4 removed from the Audi? 5 <b>A. Yes, I believe it was. Yes.</b> 6 Q. What was discussed about that? 7 <b>A. In relation to the preferred tactical option, which was 8 actually delivered, was a natural stop extraction.</b> 9 Q. We know that by 8.00 the Audi had parked up in Bracknell 10 Close. 11 <b>A. That's correct, yes.</b> 12 Q. Were you aware of that happening live time? 13 <b>A. Yes, I was, yes.</b> 14 Q. Right. Over the course of the following hour, when the 15 vehicle hadn't moved, was there any discussion between 16 yourself and Mr Williams about the possibility of 17 a containment and call out? 18 <b>A. There may have been. I can't discount that. 19 I certainly didn't note it. So there may have been.</b> 20 Q. In your opinion, is that something that would have been 21 appropriate? 22 <b>A. I would highlight the preferred tactical option.</b> 23 Q. Which was the dynamic extraction? 24 <b>A. Which was the natural stop extraction, yes, that's 25 correct.</b></p> <p style="text-align: center;">Page 155</p>	<p>1 Q. We know that that is in the event what was allowed to 2 take place. 3 <b>A. That tactical option was delivered, yes.</b> 4 Q. Yes, but I would like just for a moment to consider 5 first of all what consideration was given by you and 6 Mr Williams to the alternative of a containment and call 7 out on the morning, at the time that matters were 8 developing? 9 <b>A. So, bearing in mind the environmental factors --</b> 10 Q. Which are, or were? 11 <b>A. The time of the day, and this clearly is pre-Covid time, 12 so normality, for want of a better word, between 8.00 13 and 9.00 in the morning, the busyness of the street and 14 the environment in which the vehicle was actually parked 15 in.</b> 16 Q. Right. 17 <b>A. That is a discussion point. And we are likely to have 18 discussed that and I do recall looking on I suppose 19 iPads and Google Earth and trying to establish a street 20 scene as such around that.</b> 21 Q. Right. 22 Help us, if you can, to proceed through your thought 23 processes around those environmental factors. 24 <b>A. Okay, so in relation to the environmental factors at the 25 time, clearly it is an urban environment.</b></p> <p style="text-align: center;">Page 156</p>

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<p>1 Q. Yes.</p> <p>2 <b>A. In the public domain, so a significant presence of</b></p> <p>3 <b>public. It is 8.00 in the morning, there's children</b></p> <p>4 <b>going to school -- I think I have made note of that as</b></p> <p>5 <b>well.</b></p> <p>6 <b>The vehicle is located in a private -- I say</b></p> <p>7 <b>"private", a driveway. I was able to establish either</b></p> <p>8 <b>by use of Google or communications that it was in close</b></p> <p>9 <b>proximity to residential properties.</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. So they are the key environmental factors.</b></p> <p>12 Q. Thank you. Did that mitigate against a containment and</p> <p>13 call out in your opinion?</p> <p>14 <b>A. The containment and call out option is not a preferred</b></p> <p>15 <b>tactical option in this circumstance. It is not</b></p> <p>16 <b>a suitable tactical option to be delivered at that</b></p> <p>17 <b>point.</b></p> <p>18 Q. Right.</p> <p>19 THE CHAIRMAN: Is this because of the environmental factors?</p> <p>20 <b>A. A number of factors, sir. Including the environmental</b></p> <p>21 <b>and operational factors and the build up to the</b></p> <p>22 <b>operation. And that includes the threat assessment, the</b></p> <p>23 <b>threat posed by the defined threat, the intelligence,</b></p> <p>24 <b>and the number of subjects contained within that</b></p> <p>25 <b>vehicle, or believed contained within that vehicle.</b></p> <p style="text-align: center;">Page 157</p>	<p>1 THE CHAIRMAN: Thank you.</p> <p>2 MS BLACKWELL: Are you able to take us through each of those</p> <p>3 issues which you have just identified in order to</p> <p>4 explain to the inquiry why those features militated</p> <p>5 against a containment and call out?</p> <p>6 <b>A. So, an extraction of the subjects from the vehicle, it</b></p> <p>7 <b>is articulated within the curriculum as being a tactical</b></p> <p>8 <b>option whereupon the officers move forward and</b></p> <p>9 <b>physically take hold of the subjects.</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. Designed to minimise the risk to the subjects, and the</b></p> <p>12 <b>officers themselves, by neutralising the threat and</b></p> <p>13 <b>rapidly dominating that threat.</b></p> <p>14 Q. Yes.</p> <p>15 <b>A. So an extraction is where upon the officers rapidly put</b></p> <p>16 <b>themselves between the subject and any surrounding</b></p> <p>17 <b>public. So they present an immediate barrier. That</b></p> <p>18 <b>extraction also prevents the escape of any subject from</b></p> <p>19 <b>the vehicle, it prevents that subject being able to</b></p> <p>20 <b>react to that police response and prepare a response to</b></p> <p>21 <b>the police activity. It places the officers in very</b></p> <p>22 <b>close proximity to the subjects and therefore enables</b></p> <p>23 <b>the use of less-lethal options.</b></p> <p>24 Q. Yes.</p> <p>25 <b>A. It also -- the positioning of the officers are dominant</b></p> <p style="text-align: center;">Page 158</p>
<p>1 <b>to the subjects contained within the vehicle, whom are</b></p> <p>2 <b>seated.</b></p> <p>3 Q. The position of the officers are dominant?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Yes.</p> <p>6 <b>A. So they are standing as opposed to the subjects, which</b></p> <p>7 <b>are seated.</b></p> <p>8 <b>So that reduces the risk to the public, the</b></p> <p>9 <b>surrounding public, because if the officers do have to</b></p> <p>10 <b>engage, the trajectory of that round can be downwards,</b></p> <p>11 <b>so the collateral risk is reduced.</b></p> <p>12 Q. Yes.</p> <p>13 <b>A. The backdrop in these circumstances was residential and</b></p> <p>14 <b>that has to be considered -- in fact it is a priority,</b></p> <p>15 <b>to minimise risk to the public.</b></p> <p>16 Q. If there was an opportunity to produce a barrier to the</p> <p>17 public, and by that I mean shutting off the roads which</p> <p>18 could have led to the vehicle escaping, or indeed led to</p> <p>19 any member of the public coming on to the scene, then</p> <p>20 would that have been a consideration in terms of using</p> <p>21 the less dynamic option of a containment and call out?</p> <p>22 <b>A. So again, if we refer to curriculum, dealing with</b></p> <p>23 <b>subjects in vehicles, it states that a containment</b></p> <p>24 <b>should be this in place before communication with the</b></p> <p>25 <b>subjects.</b></p> <p style="text-align: center;">Page 159</p>	<p>1 Q. Right.</p> <p>2 <b>A. So there are difficulties in relation to that, in this</b></p> <p>3 <b>circumstance, because there was intelligence in relation</b></p> <p>4 <b>to a third eye, ie that they would notify the subjects</b></p> <p>5 <b>contained within that Audi of police activity. So</b></p> <p>6 <b>a containment wasn't a feasible option in relation to</b></p> <p>7 <b>getting that containment position in place prior to</b></p> <p>8 <b>communication with the subjects.</b></p> <p>9 Q. I was asking you about the protection of the public by</p> <p>10 blocking off the roads.</p> <p>11 <b>A. It could be done, but it would more likely result in</b></p> <p>12 <b>a compromise and as a result of that compromise, bearing</b></p> <p>13 <b>in mind the intelligence in relation to the capability</b></p> <p>14 <b>and capacity and the intent previously shown by this</b></p> <p>15 <b>group, it would more than likely result in a vehicle</b></p> <p>16 <b>escaping or the Audi escaping away from that scene.</b></p> <p>17 <b>And --</b></p> <p>18 THE CHAIRMAN: When you use the word "compromise", it is not</p> <p>19 "compromise" in the sense of "agreement", it is</p> <p>20 effectively a course of action which imperils the</p> <p>21 integrity of the operation itself.</p> <p>22 <b>A. Sir, that's exactly correct, it is when the subject see</b></p> <p>23 <b>police activity take place and they take action to avoid</b></p> <p>24 <b>that police activity.</b></p> <p>25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)



<p>1 MS BLACKWELL: If there could have been a blocking off of 2 the roads leading to Bracknell Close, thereby keeping 3 the public away, and a containment of the vehicle by the 4 three Alpha, Bravo, Charlie vehicles positioning 5 themselves in the place which in the event they did, 6 thereby removing the opportunity for the vehicle to 7 escape, would that have gone some way to satisfying the 8 circumstance in which a containment and call out would 9 have been appropriate? 10 <b>A. Excuse me, but that is hypothetical, that is not what 11 occurred, the public couldn't be excluded because there 12 was a number of members of the public present and they 13 couldn't be excluded.</b> 14 Q. Why not? 15 <b>A. Because it was -- it would result in a compromise of the 16 operation, so there was -- I am aware that there was 17 a number of builders directly across the road.</b> 18 Q. Yes. 19 <b>A. They couldn't be removed from that scene.</b> 20 Q. Could I ask you again, why not, please? 21 <b>A. Because it would have resulted in a compromise of the 22 operation, because --</b> 23 Q. In what sense? 24 <b>A. The intelligence was that the subjects were already -- 25 I use the term "eyes about" and conscious and seeking</b></p> <p style="text-align: center;">Page 161</p>	<p>1 <b>out police activity, so to preclude the public from that 2 street scene is impractical, in practice. I couldn't 3 see that being achieved.</b> 4 Q. There were a number of police officers engaged in this 5 operation, weren't there? 6 <b>A. There were. There was a huge number, yes.</b> 7 Q. Over 100? 8 <b>A. Approximately that number, yes.</b> 9 Q. I don't suggest for a moment that they were all in the 10 proximity of Bracknell Close, but wasn't it possible, 11 given the fact that the Audi vehicle had been positioned 12 in the car parking space in Bracknell Close for 13 eventually an hour or so, within that period of time to 14 make arrangements for the builders to be kept back by 15 armed officers and for the roads to be blocked so that 16 no members of the public came into the immediate 17 vicinity of the vehicle? 18 <b>A. No, for a number of reasons.</b> 19 <b>Firstly, I have talked about the compromise, and 20 hopefully I have covered that reasonably well. And the 21 risks of compromise. If that compromise was to take 22 place and the subjects became aware of the police 23 activity, there would be greater risk around those 24 subjects making their way off, which would become 25 a vehicle pursuit through busy streets. We didn't know</b></p> <p style="text-align: center;">Page 162</p>
<p>1 <b>at that point that that vehicle was going to settle in 2 that particular venue, so it could have adjusted its 3 position, and even if we had have achieved what you are 4 suggesting, then we would have to re achieve that again. 5 Whatever position that vehicle relocated to. 6 It is not achievable. It is not achievable, 7 practically in those circumstances.</b> 8 MS BLACKWELL: Sir, I am going to pursue this a little 9 further, but I wonder whether this might be a convenient 10 moment to take our afternoon break? 11 THE CHAIRMAN: Yes. 12 MS BLACKWELL: Thank you. 13 THE CHAIRMAN: 3.15, thank you. 14 MS BLACKWELL: Thank you. 15 (3.07 pm) 16 (A short adjournment) 17 (3.16 pm) 18 THE CHAIRMAN: Yes, Ms Blackwell. 19 MS BLACKWELL: Thank you, sir. 20 I was asking you some questions about the 21 alternative of the containment and call out to the 22 dynamic extraction. 23 It is right, isn't it, that the containment and call 24 out option would have been a slower option in terms of 25 taking the occupants out of the Audi, because it</p> <p style="text-align: center;">Page 163</p>	<p>1 involves police officers effectively inviting the 2 occupants to get out of the vehicle, from a distance? 3 <b>A. That is exactly what it is. And it requires compliancy 4 on behalf of the subjects.</b> 5 Q. Yes, and it removes the risk that exists with the 6 dynamic extraction option of the officers getting very 7 close up to the vehicle itself? 8 <b>A. Risk to whom?</b> 9 Q. Well, I was about to say, the officers getting very 10 close to the vehicle presents a risk both to the 11 occupants of the vehicle, as we know happened in this 12 case, but also a risk to the officers themselves from 13 those who are in the vehicle? 14 <b>A. It does present a risk to the officers, yes, you are 15 quite right.</b> 16 Q. That close-encounter risk is dissipated if the 17 containment and call out option were possible? 18 <b>A. So, within curriculum -- I refer to curriculum again -- 19 it is recognised that risks increase because police are 20 performing mitigation to the risk posed by the defined 21 threat.</b> 22 Q. Yes. 23 <b>A. So it is recognised in doing so that as police move 24 forward to provide that mitigation, they will be placed 25 at risk.</b></p> <p style="text-align: center;">Page 164</p>

1 Q. The police are placed at risk?  
 2 **A. The police are, and there is likely to be an increased**  
 3 **risk to those officers.**  
 4 **Those risks are reduced, and that is recognised in**  
 5 **curriculum as well, by control measures and those**  
 6 **control measures include command and control,**  
 7 **communication, briefing, PPE and tactics.**  
 8 Q. Right.  
 9 **A. So that reduces the risks to those officers as well.**  
 10 Q. But my question was posed in respect of the alternative  
 11 option of containment and call out. I was suggesting to  
 12 you that the risk that exists both to the officers and  
 13 to the occupants of the vehicle by a close encounter  
 14 between the two is dissipated if the alternative of  
 15 containment and call out where the officers remain at  
 16 a distance is chosen?  
 17 **A. No, I would -- again, I would dispute that because the**  
 18 **close proximity allows the use of less-lethal options,**  
 19 **containment and call out doesn't allow that, less-lethal**  
 20 **options have a permissible effective range.**  
 21 **And, additionally, containment and call out allows**  
 22 **the officers to deploy other specialist munitions which**  
 23 **will mitigate and reduce risks as well.**  
 24 Q. You have mentioned PPE --  
 25 **A. That's correct.**

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1 **A. Not for a fact.**  
 2 Q. Right.  
 3 **A. I would be surprised if they were not carrying their**  
 4 **PPE.**  
 5 Q. Even though we know that when they approach the vehicle,  
 6 they were not wearing helmets, that doesn't mean that  
 7 they hadn't been provided with them for another  
 8 contingency?  
 9 **A. Yes, that is part of their kit.**  
 10 Q. Right.  
 11 **A. Can I just cover a couple of other points, if you don't**  
 12 **mind?**  
 13 Q. Yes, please do.  
 14 **A. So the close proximity of an extraction also allows, as**  
 15 **I have already hopefully discussed, the use of**  
 16 **less-lethal options. They have an effective range of**  
 17 **21 feet. So a containment and call out wouldn't allow**  
 18 **that less-lethal option to be utilised, because the**  
 19 **officers would be a greater distance than 21 feet away**  
 20 **from the subjects in that vehicle.**  
 21 **Additionally, the close proximity and that**  
 22 **deployment allows officers to utilise specialist**  
 23 **munitions, which will immobilise a vehicle. And if you**  
 24 **are stood at a distance, you cannot utilise those**  
 25 **munitions. So that reduces the risks of a vehicle**

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1 Q. -- and that the risk posed to the officers can be  
 2 controlled or mitigated by them wearing PPE. So  
 3 ballistic vests, helmets, that sort of thing?  
 4 **A. That's correct.**  
 5 Q. Yes.  
 6 Was that sort of equipment utilised on the morning  
 7 of 11 December?  
 8 **A. Without a shadow of a doubt every officer would have**  
 9 **been wearing personal protective equipment in that**  
 10 **deployment.**  
 11 Q. Were they wearing helmets?  
 12 **A. Unlikely, otherwise they would have caused a compromise.**  
 13 Q. Right.  
 14 The option of containment and call out would  
 15 encourage the use of PPE for the officers, wouldn't it?  
 16 **A. They would more accessible and more time to put PPE on,**  
 17 **ie ballistic helmets. Yes, you are quite correct around**  
 18 **that.**  
 19 Q. Were any ballistic helmets available to the officers on  
 20 morning of 11 December?  
 21 **A. I suspect they would have been, yes. Contained within**  
 22 **the vehicles, yes.**  
 23 Q. Right.  
 24 Do you know, for a fact, whether or not that was the  
 25 case?

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1 **pursuit; thereby reducing risk to the public.**  
 2 Q. But if a containment and call out is taking place,  
 3 doesn't that presuppose that the vehicle has been  
 4 contained?  
 5 **A. It does, but the vehicle is not immobilised.**  
 6 Q. Right.  
 7 As you were present in the control room on the  
 8 morning of 11 December, did it come to your attention  
 9 that the windows of the vehicle, the Audi vehicle, were  
 10 steamed up?  
 11 **A. Yes, it was -- there was commentary from surveillance**  
 12 **officers that the windows were steamed up and of course**  
 13 **it was a December morning as well.**  
 14 Q. Pardon?  
 15 **A. It was a December morning.**  
 16 Q. It was a December morning. Well, that could have been  
 17 predicted, couldn't it, that the windows might be  
 18 steamed up on a cold December morning?  
 19 **A. Yes, it could have been predicted. Likewise, the engine**  
 20 **could have been running and the air conditioning on in**  
 21 **the vehicle as well.**  
 22 Q. Right. Was there the provision to the AFOs of  
 23 an implement whereby the windows could be smashed in  
 24 order for them to obtain sight into the vehicle?  
 25 **A. Yes, they do have devices. Yes, they do.**

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<p>1 Q. Because, as we know, there was an attempt by an officer 2 to smash the front passenger window during the course of 3 the interception, but that wasn't done with a specific 4 implement that was provided for that purpose, it was 5 done with the firearm, wasn't it?</p> <p>6 <b>A. That is my understanding, that's correct.</b></p> <p>7 Q. Right, but it is your understanding that the officers 8 had been provided with implements that could have been 9 used to smash the windows?</p> <p>10 <b>A. There were implements available to those officers.</b></p> <p>11 Q. Right. 12 Do you know whether they were advised to take them 13 with them when they performed the interception?</p> <p>14 <b>A. They were -- it is part of a mobile armed support to 15 surveillance deployment, they should be taking their 16 correct kit and equipment with them.</b></p> <p>17 Q. Do you know if they were advised in the moment that 18 state amber was called and they were --</p> <p>19 <b>A. No, I don't know.</b></p> <p>20 Q. You don't know?</p> <p>21 <b>A. No, I don't.</b></p> <p>22 Q. Would that be anything that you would be necessarily 23 aware of or is that something that would be organised on 24 the ground by the OFC?</p> <p>25 <b>A. That's more in relation to ground command.</b></p> <p style="text-align: center;">Page 169</p>	<p>1 Q. Right. 2 What conversations then, as 9.00 was approaching, 3 took place between yourself and Mr Williams as to the 4 manner in which things were developing?</p> <p>5 <b>A. There were a number of conversations, and, again, 6 I refer back to my log, not all of those conversations 7 were logged, from myself. But there were a number of 8 conversations between the TFC and myself, and as that 9 picture was building, and the collapsing timeframe was 10 occurring in relation to the tipping point --</b></p> <p>11 Q. Yes. 12 <b>A. -- then obviously the events are moving forward and 13 a number of discussions were taking place between the 14 TFC and myself.</b></p> <p>15 Q. What was the content of those discussions?</p> <p>16 <b>A. It would have been in relation to the environment which 17 was being deployed into, the busy environment, the urban 18 environment, I was receiving a number of phone calls -- 19 I certainly made a number of phone calls to the OFCs and 20 the TFCs on the ground to try and ascertain that. 21 I didn't log, but I may well have had a conversation 22 in relation to a recommended tactical option which was 23 natural stop extraction.</b></p> <p>24 Q. Right. 25 Do you think that you advised that that take place?</p> <p style="text-align: center;">Page 170</p>
<p>1 <b>A. It is highly likely I did, yes. I can't remember, in 2 all honesty, but it is highly likely I would have 3 advised that, yes.</b></p> <p>4 Q. Do you think you provided that advice on request made by 5 Mr Williams or would that have been your natural attempt 6 to assist, if you like, would you wait to be asked or is 7 that something that you would have offered to 8 Mr Williams?</p> <p>9 <b>A. I suspect it would have been part of the build up to the 10 final call of state amber.</b></p> <p>11 Q. Right. 12 <b>A. So a conversation would have taken place, and I would 13 have recommended a natural stop extraction.</b></p> <p>14 Q. So you were with him when he called state amber?</p> <p>15 <b>A. I was in the room, yes. In fact, I think we were stood 16 in very close proximity, yes.</b></p> <p>17 Q. Did you hear him provide that advice to the OFCs on the 18 ground, that is that a natural stop and extraction 19 should take place?</p> <p>20 <b>A. I don't remember that command coming over the air, to be 21 honest with you, and that command may have been relayed, 22 either by a phone call or a direction to the ground 23 commanders. I am not aware of that.</b></p> <p>24 Q. Right, so the ground TFCs?</p> <p>25 <b>A. The ground-assigned TFCs, yes.</b></p> <p style="text-align: center;">Page 171</p>	<p>1 Q. Right. So you are not aware of whether or not 2 Mr Williams gave that order, that direction, to the TFCs 3 on the ground or to the OFCs?</p> <p>4 <b>A. No, I am not.</b></p> <p>5 Q. Would either of those routes be acceptable?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>So ground-assigned tactical firearms commanders, 8 again referring to the curriculum if I may, in C2, that 9 refers to enhanced siege. So this follows the siege 10 model, which is recognised within College of Policing. 11 So ground-assigned commanders are appointed 12 accordingly, they are given geographical and command 13 function within their area of responsibility. 14 I think the College terms it as a devolution of 15 responsibility, as opposed to a devolution of command.</b></p> <p>16 Q. Right. 17 <b>A. So those TFCs can have command responsibilities for 18 their geographical and their function responsibilities, 19 so the TFCs can call that on the ground, or indeed the 20 overarching TFC can call that as well, and that is the 21 whole concept of the siege model.</b></p> <p>22 Q. But there would be expected to have been a communication 23 of some sort between Mr Williams and either the TFCs or 24 the OFCs?</p> <p>25 <b>A. I am aware he called state amber.</b></p> <p style="text-align: center;">Page 172</p>

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<p>1 Q. Yes.</p> <p>2 <b>A. So that is a communication in itself.</b></p> <p>3 Q. Yes.</p> <p>4 <b>A. And in relation to the particular tactical options,</b></p> <p>5 <b>which --</b></p> <p>6 Q. Which you had advised --</p> <p>7 <b>A. Invariably advised, I suggest, invariably advised --</b></p> <p>8 <b>I can't remember it, then there would be some form of</b></p> <p>9 <b>communication going on somewhere. Yes.</b></p> <p>10 Q. Right, and as to the precise details of the order in</p> <p>11 which the officers approached the vehicle and what their</p> <p>12 role was, is that something that Mr Williams would</p> <p>13 advise on or direct or is that something that would very</p> <p>14 much be dealt with on the ground?</p> <p>15 <b>A. Very unlikely as an overarching TFC.</b></p> <p>16 Q. Right.</p> <p>17 Were you aware of any particulars in that respect</p> <p>18 being organised that morning?</p> <p>19 <b>A. I had made a number of phone calls to the OFC and the</b></p> <p>20 <b>ground-assigned TFCs, so there was communication around</b></p> <p>21 <b>that and I think the -- they were fully aware that</b></p> <p>22 <b>an extraction was the most appropriate tactical option</b></p> <p>23 <b>to be performed.</b></p> <p>24 Q. We have very helpfully been provided with the telephone</p> <p>25 records and you have already made reference to several</p> <p style="text-align: center;">Page 173</p>	<p>1 telephone calls between yourself and the ground TFCs?</p> <p>2 <b>A. That's correct.</b></p> <p>3 Q. It is right that between 6.11 in the morning, all the</p> <p>4 way up to 10.10 in the morning, there are several</p> <p>5 occasions when there is contact between yourself and</p> <p>6 Keely Smith, DI FE1, who we know was ground TFC for this</p> <p>7 team.</p> <p>8 Is it then your evidence that those telephone calls</p> <p>9 would have entailed both the provision of information</p> <p>10 from her to you as to what was going on on the ground</p> <p>11 and the provision of advice from you to her?</p> <p>12 <b>A. Potentially, yes.</b></p> <p>13 Q. Right. Do you remember the content of any of those</p> <p>14 telephone calls?</p> <p>15 <b>A. No, the only call I can vividly remember -- I say</b></p> <p>16 <b>vividly -- is the communication with the OFC just at</b></p> <p>17 <b>state amber being called.</b></p> <p>18 Q. Is that S105?</p> <p>19 <b>A. Is that the OFC in charge -- in command of the MASTS</b></p> <p>20 <b>deployment around the Audi.</b></p> <p>21 Q. Yes, according to S105 in his witness statement, he says</p> <p>22 that he told you at 8.57 that he was in the middle of</p> <p>23 a busy street and needed an amber before they were seen</p> <p>24 by a lookout and the state amber came back immediately</p> <p>25 over the phone from you.</p> <p style="text-align: center;">Page 174</p>
<p>1 Is that you repeating what you had just heard</p> <p>2 Mr Williams say himself or were you also responsible for</p> <p>3 issuing the state amber?</p> <p>4 <b>A. No, definitely not. It wasn't me that issued the state</b></p> <p>5 <b>amber.</b></p> <p>6 Q. Would that have been you repeating what you had heard?</p> <p>7 <b>A. I am on the phone to that OFC, and I know the junction</b></p> <p>8 <b>where he is talking about and it was extremely busy and</b></p> <p>9 <b>I know the difficulties he was encountering. I turned</b></p> <p>10 <b>around to the TFC, explained those circumstances and he</b></p> <p>11 <b>immediately gave the state amber to me, and I passed</b></p> <p>12 <b>that on.</b></p> <p>13 Q. Right. Thank you.</p> <p>14 Was that the last contact you had with him prior to</p> <p>15 the interception taking place?</p> <p>16 <b>A. With who?</b></p> <p>17 Q. With S105, with the OFC?</p> <p>18 <b>A. I can't recall but very possibly, yes.</b></p> <p>19 Q. Right.</p> <p>20 What took place in terms of the overt units in the</p> <p>21 vicinity of Wood Green Crown Court following the</p> <p>22 interception?</p> <p>23 <b>A. Okay, so during the planning process, we had assigned</b></p> <p>24 <b>overt assets for the Crown Court, together with covert</b></p> <p>25 <b>assets as well.</b></p> <p style="text-align: center;">Page 175</p>	<p>1 Q. Yes.</p> <p>2 <b>A. So once the interception took place, the overt assets</b></p> <p>3 <b>were deployed to the Crown Court to provide an overt</b></p> <p>4 <b>armed presence around that court.</b></p> <p>5 <b>One of those vehicles was utilised by the TFC, with</b></p> <p>6 <b>my advice to, following the interception of the Audi,</b></p> <p>7 <b>move on to an interception of a further subject.</b></p> <p>8 Q. Did that take place?</p> <p>9 <b>A. That took place in the form of an overt stop,</b></p> <p>10 <b>a controlled stop by that particular armed response</b></p> <p>11 <b>vehicle, yes, it did, and one of the suspects was in</b></p> <p>12 <b>fact arrested by that Audi, yes.</b></p> <p>13 Q. Was that Ozcan Eren?</p> <p>14 <b>A. I believe that to be, yes.</b></p> <p>15 Q. In terms of the fact that there wasn't an armed</p> <p>16 surveillance unit focused on him, and we have seen in</p> <p>17 the firearms authorisation forms that there was no</p> <p>18 application for such, did you at any stage in your</p> <p>19 involvement as tactical adviser consider that there</p> <p>20 should have been armed surveillance on Ozcan Eren that</p> <p>21 morning?</p> <p>22 <b>A. Do you mind if we refer to my notes on that one?</b></p> <p>23 Q. Not at all. Your notes of 11 December?</p> <p>24 <b>A. Yes, please.</b></p> <p>25 Q. Those are at IPC532, at page 4.</p> <p style="text-align: center;">Page 176</p>

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<p>1 <b>A. So the time is now around 9.00.</b></p> <p>2 Q. Right.</p> <p>3 Do you want us to move to 9.00?</p> <p>4 <b>A. Yes, please.</b></p> <p>5 Q. Can we go to the next page, please.</p> <p>6 We can see in the middle there, "9.01 strike".</p> <p>7 <b>A. Okay, so just moving through that, if you don't mind,</b></p> <p>8 <b>down to 09.10, "ARV to Crown Court, one vicinity."</b></p> <p>9 Q. Yes.</p> <p>10 <b>A. Then we talk about ambulance and some conditions of</b></p> <p>11 <b>Mr Baker.</b></p> <p>12 Q. Yes.</p> <p>13 <b>A. Then as we move down in relation to 0920.</b></p> <p>14 Q. Yes.</p> <p>15 <b>A. We talk about a subject.</b></p> <p>16 Q. Yes.</p> <p>17 We know that "Borg" is Ozcan Eren?</p> <p>18 <b>A. Okay, so the ARV was -- a further ARV, so the one in the</b></p> <p>19 <b>vicinity as such was assigned to that Audi.</b></p> <p>20 Q. Yes.</p> <p>21 <b>A. And then the TFC provided me with a command of</b></p> <p>22 <b>an unarmed stop on the ARV.</b></p> <p>23 Q. We are aware that at that stage there was armed</p> <p>24 surveillance on him, he was stopped and arrested</p> <p>25 together with another passenger.</p> <p style="text-align: center;">Page 177</p>	<p>1 What I was asking you about was, during the course</p> <p>2 of the preparation for the operation, you must have been</p> <p>3 aware that, whilst there were applications for armed</p> <p>4 surveillance on the Audi and the prison van, there was</p> <p>5 no such application for armed surveillance on Ozcan Eren</p> <p>6 that morning.</p> <p>7 <b>A. No, there was not. No.</b></p> <p>8 Q. My question was, at any stage in the planning of the</p> <p>9 operation did you consider whether or not in fact in</p> <p>10 relation to him, as well as the other two teams, there</p> <p>11 should have been armed surveillance?</p> <p>12 <b>A. My understanding was of the intelligence that Ozcan was</b></p> <p>13 <b>the commanding element of the operation on their side --</b></p> <p>14 Q. Yes.</p> <p>15 <b>A. -- so wouldn't be armed in the circumstance.</b></p> <p>16 Q. Would your opinion on that have changed if you had have</p> <p>17 known that there was intelligence that in July 2015 he</p> <p>18 had been in possession of a Luger firearm?</p> <p>19 <b>A. Potentially, yes, but as we scroll through my log, if</b></p> <p>20 <b>I recall correctly, intention is shown by that subject</b></p> <p>21 <b>because he makes away from the scene.</b></p> <p>22 Q. Yes.</p> <p>23 <b>A. Therefore we instigate an armed stop by the ARVs.</b></p> <p>24 Q. Yes.</p> <p>25 <b>A. So the intention is displayed by the subject. So we</b></p> <p style="text-align: center;">Page 178</p>
<p>1 <b>moved to an armed stop, as opposed to an unarmed stop.</b></p> <p>2 Q. Right.</p> <p>3 Just returning for a moment to the questions that</p> <p>4 I have asked you previously about the extraction of</p> <p>5 those from the Audi, would an extraction look different</p> <p>6 if it was implemented during an intervention when the</p> <p>7 victim was present, as opposed to an interception when</p> <p>8 the victim wasn't present?</p> <p>9 <b>A. Right, okay, so an interception is not a high-risk</b></p> <p>10 <b>operation.</b></p> <p>11 Q. Sorry, can you repeat that, please?</p> <p>12 <b>A. An interception is not a high-risk operation.</b></p> <p>13 Q. In what sense?</p> <p>14 <b>A. Because an interception is implemented prior to the</b></p> <p>15 <b>commission of an offence.</b></p> <p>16 Q. Right.</p> <p>17 <b>A. An intervention by definition is whilst the offence is</b></p> <p>18 <b>being committed.</b></p> <p>19 Q. Yes.</p> <p>20 <b>A. So there is a presence of a third party directly</b></p> <p>21 <b>involved in that intervention.</b></p> <p>22 Q. That is the victim?</p> <p>23 <b>A. Potentially a victim, or it could be members of the</b></p> <p>24 <b>public or a transfer of malice.</b></p> <p>25 <b>Then it becomes, without a shadow of a doubt,</b></p> <p style="text-align: center;">Page 179</p>	<p>1 <b>a high-risk operation, because of the presence of that</b></p> <p>2 <b>third party.</b></p> <p>3 Q. Right.</p> <p>4 I appreciate that difference.</p> <p>5 In the present situation, would you describe the</p> <p>6 interception that took place as high risk?</p> <p>7 <b>A. No.</b></p> <p>8 Q. Why not?</p> <p>9 <b>A. Because there is no presence of a third party at that</b></p> <p>10 <b>particular point.</b></p> <p>11 Q. Wasn't there a risk -- I am going to suggest to you it</p> <p>12 might have been considered as a high risk -- to those</p> <p>13 who were present in the Audi and the officers who were</p> <p>14 in very close proximity to those present in the Audi,</p> <p>15 particularly given the fact that the windows were</p> <p>16 steamed up and the officers could have had no or very,</p> <p>17 very little visibility into the vehicle as they were</p> <p>18 approaching? And they didn't know the number of</p> <p>19 occupants or what firearms might have been there.</p> <p>20 <b>A. Okay, so in relation to that, that risk is increased and</b></p> <p>21 <b>is recognised by the TFC, so there is increase from low</b></p> <p>22 <b>to medium.</b></p> <p>23 <b>If I put my specialist TFC hat on, and was</b></p> <p>24 <b>performing that role, that is exactly the same risk</b></p> <p>25 <b>I would have applied to that circumstance.</b></p> <p style="text-align: center;">Page 180</p>

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<p>1 Q. In those circumstances that I have set out, your 2 assessment of the risk to the firearms officers was 3 medium?</p> <p>4 <b>A. Was consistent with the TFC, yes.</b></p> <p>5 Q. What about the risk to the occupants of the Audi at that 6 time, given the circumstances that I have set out?</p> <p>7 <b>A. Likewise, medium.</b></p> <p>8 Q. Medium?</p> <p>9 Would an extraction therefore, from what you have 10 said during an intervention, pose a higher risk both to 11 the subject in the vehicle and to the public?</p> <p>12 <b>A. During an intervention?</b></p> <p>13 Q. An intervention?</p> <p>14 <b>A. Definitely.</b></p> <p>15 Q. Right.</p> <p>16 Did your FA5 document consider the question of 17 an intervention?</p> <p>18 <b>A. There is D9 requirements in there. Yes, there is.</b></p> <p>19 Q. But in fact, because your recommendation was that the 20 MASTS procedure take place before there was ever any 21 commission of an offence, although it might have been 22 contained in the form, was it something that you were 23 not expecting to take place?</p> <p>24 <b>A. So, there was a significant amount of mitigation taking 25 place in relation to that.</b></p> <p style="text-align: center;">Page 181</p>	<p>1 <b>Firstly, the tipping points instigated by the TFC 2 were crucial to that.</b></p> <p>3 <b>And, if the offence had played out as we perhaps 4 might have expected and there had have been an attack 5 upon that prison van, if that had have taken place, it 6 would have moved to a high-risk operation and it would 7 by definition have been an intervention.</b></p> <p>8 Q. Rather than an interception?</p> <p>9 <b>A. Exactly, and the Article 2 obligations placed upon the 10 police at that point would have moved towards direct 11 action.</b></p> <p>12 Q. Finally on this point, in your opinion would the Audi 13 have been suitably contained if the three armed response 14 vehicles had pulled up in front of it, as happened in 15 the deployment?</p> <p>16 <b>A. No, because the vehicle wasn't immobilised. So the 17 vehicle -- the Audi could have broken out of that.</b></p> <p>18 Q. How would it have broken out if the three vehicles had 19 blocked it in?</p> <p>20 <b>A. They would have rammed their way out. There was 21 capability for that vehicle to have rammed its way out 22 of that containment position.</b></p> <p>23 <b>I have seen it done unfortunately on a number of 24 occasions and it does happen.</b></p> <p>25 Q. Finally, I would like to ask you a question on</p> <p style="text-align: center;">Page 182</p>
<p>1 an unrelated topic, but one which may be of assistance 2 to the inquiry, and it relates to the provision of 3 information by you to the IPCC. I would like you to 4 look, please, behind divider 5 in our bundle. We can 5 display this document, please, it is IPC643. Can we 6 highlight the bottom part of this document, please.</p> <p>7 This is an email that is being asked to be passed 8 directly to you, it says:</p> <p>9 "Firstly thank you for clarifying your handwritten 10 notes via Ryan Golding earlier this week.</p> <p>11 "As you are aware I do need a further statement from 12 you, I understand that via communications with 13 Ryan Golding ... that you do not want to provide 14 a statement with me face to face; below are some 15 questions which if explained in full detail may negate 16 the need for me to come back to you with further 17 questions -- however given I do not know what you are 18 going to say it is difficult for me to be specific but 19 I will endeavour to do so. This is not an ideal way of 20 doing things and as you are probably aware given your 21 extensive police background, and as an inspector, is not 22 a very conducive way to obtain witness evidence and is 23 not normal process. This process is not viewed as 24 cooperation by the IPCC and comment is likely to be made 25 as such in the final report.</p> <p style="text-align: center;">Page 183</p>	<p>1 "Nevertheless I am hopeful that you will supply 2 sufficient detail in any MG11 produced for this to be 3 resolved quite promptly. I would respectfully ask that 4 narrative responses are provided as opposed to single 5 word or very short answers."</p> <p>6 That came to you from Liz Parsons from the IPCC, or 7 for your attention. Do you remember receiving that 8 email?</p> <p>9 <b>A. Vaguely. I did have direct communication bizarrely from 10 the IPCC as well, yes.</b></p> <p>11 Q. Right. Was it your decision not to provide the IPCC 12 with a face-to-face interview?</p> <p>13 <b>A. I think that was in conjunction with legal advice.</b></p> <p>14 Q. Right. Well I thought that may well be your answer. 15 Do you remember having sight of the IPCC report, 16 have you looked at it?</p> <p>17 <b>A. Yes, I have, yes.</b></p> <p>18 Q. You will have seen the comment in there by the IPCC 19 about the difficulty in obtaining information from 20 police officers in circumstances where face-to-face 21 interviews are not being arranged?</p> <p>22 <b>A. Okay. Yes.</b></p> <p>23 Q. Do you however contend that the information that you 24 provided to the IPCC in your witness statement was the 25 extent of the assistance that you could give them and</p> <p style="text-align: center;">Page 184</p>

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<p>1 that you have provided all of the information within 2 that process to them? 3 <b>A. I have been wholly open and honest throughout the whole 4 process for the last six years, I have supplied every 5 exhibit and I have given assistance to everybody that 6 has asked of me, all the way through.</b> 7 MS BLACKWELL: Thank you very much. 8 Sir, those are the questions that I have for this 9 witness. 10 I understand that there are no questions from any 11 other core participant, so unless you have any, sir -- 12 THE CHAIRMAN: Nor from me. 13 MS BLACKWELL: May this witness be released? 14 THE CHAIRMAN: You may. Thank you very much indeed. 15 <b>A. Sir, thank you.</b> 16 MS BLACKWELL: Thank you. 17 THE CHAIRMAN: Yes, Ms Blackwell. 18 MS BLACKWELL: Sir, there is approximately 10 minutes or so 19 remaining of this afternoon's session. There is one 20 witness here, W97, who is expecting to give his evidence 21 today. I can't guarantee that it will finish in the 22 next 10 minutes, but I am happy to start if that is what 23 you would like. 24 THE CHAIRMAN: I think so. 25 MS BLACKWELL: Thank you.</p> <p style="text-align: center;">Page 185</p>	<p>1 I think he is ready and waiting in the wings. 2 THE CHAIRMAN: Thank you. 3 How long is he likely to be, do you know? 4 MS BLACKWELL: I may finish him in 10 minutes, but it 5 depends on other core participants thereafter. 6 THE CHAIRMAN: Yes. 7 No doubt they will be contacting Ms McNeill whilst 8 you are questioning if there are any matters that they 9 wish to be raised or to raise themselves. 10 MS BLACKWELL: Yes. 11 Thank you. 12 W97 (sworn) 13 Questions from MS BLACKWELL 14 THE CHAIRMAN: Please be seated. 15 MS BLACKWELL: Thank you. 16 Sir, I hope you have a series of hard copy 17 documents, they should be at the beginning of the 18 relevant file for Week 3. 19 THE CHAIRMAN: I do, thank you. 20 MS BLACKWELL: For the purposes of this inquiry, you are 21 known by the cipher of W97. 22 <b>A. Yes.</b> 23 Q. I would like to ask you some questions, please, about 24 your involvement in Operation Ankaa. Which, as you 25 know, took place in December 2015.</p> <p style="text-align: center;">Page 186</p>
<p>1 <b>A. Yes.</b> 2 Q. At that stage, can you provide the inquiry, please, with 3 a summary of your experience in the Metropolitan Police 4 Service? 5 <b>A. My experience at that time was I was a transferee as 6 a CTSFO from Greater Manchester Police. I joined the 7 police in 2000 and have been in an armed role since 8 2003. I trained in collaboration with the Metropolitan 9 Police for the Olympic Games and achieved CTSFO 10 accreditation in 2011. I subsequently, post-Olympic 11 Games, transferred to the Metropolitan Police as part of 12 a recruitment drive that they undertook for experienced 13 officers.</b> 14 Q. At the time, in December 2015, had you had any 15 involvement in or awareness of the fatal shooting of 16 Anthony Grainger which had taken place in March 2012? 17 <b>A. Yes.</b> 18 Q. Is that involvement or awareness? 19 <b>A. I was part of the deployment on that occasion.</b> 20 Q. Right, are you aware of findings of the IPCC in relation 21 to that operation? 22 <b>A. Yes.</b> 23 Q. Thank you. 24 I would like to ask you now, please, about your 25 involvement throughout the planning and preparation of</p> <p style="text-align: center;">Page 187</p>	<p>1 Operation Ankaa. 2 In particular, sir, this is set out in a witness 3 statement provided by this officer in December 2015, in 4 fact on 11 December? 5 THE CHAIRMAN: I have it. 6 MS BLACKWELL: Thank you. 7 Could you tell us, please, what your first 8 involvement was in the operation? 9 <b>A. First involvement related to a conversation with my team 10 leader, V64, regarding a proposed operation which 11 I would require to assist with the reconnaissance and 12 support with delivery of a pre-planned sort of 13 PowerPoint for this particular operation.</b> 14 Q. A briefing? 15 <b>A. A briefing.</b> 16 Q. Yes, and did you in fact carry out an unarmed 17 reconnaissance around the area of Wormwood Scrubs in the 18 days leading up to 11 December? 19 <b>A. I did, yes.</b> 20 Q. Were you in anybody else's company when you performed 21 that role? 22 <b>A. Yes, there were several officers that accompanied me on 23 that reconnaissance.</b> 24 Q. Are you able to identify who they were? 25 <b>A. I will have to refer to my notes.</b></p> <p style="text-align: center;">Page 188</p>

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<p>1 Q. Please do?</p> <p>2 <b>A. I know R118 was certainly with me, I think it is within</b></p> <p>3 <b>my statement, forgive me. There were three of us.</b></p> <p>4 <b>Forgive me, I don't know who the other officer was,</b></p> <p>5 <b>but certainly R118 was one of the officers with me.</b></p> <p>6 Q. Were you aware of the location of the mission car at the</p> <p>7 time?</p> <p>8 <b>A. Yes, I had been briefed on that.</b></p> <p>9 Q. But you didn't carry out any surveillance on that</p> <p>10 vehicle?</p> <p>11 <b>A. No.</b></p> <p>12 Q. No. Following the reconnaissance, did you report back</p> <p>13 to V64?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. Were you then tasked by V64 to prepare the PowerPoint</p> <p>16 presentation which you have already made reference to?</p> <p>17 <b>A. I was.</b></p> <p>18 Q. Was that prepared for the tactical briefing which took</p> <p>19 place or was due to take place at 3.00 am on</p> <p>20 11 December?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Did you then deliver that PowerPoint briefing on that</p> <p>23 occasion?</p> <p>24 <b>A. Yes, in conjunction with V64 I provided the method</b></p> <p>25 <b>element of the deployment, following his information,</b></p> <p style="text-align: center;">Page 189</p>	<p>1 <b>intelligence and overview.</b></p> <p>2 Q. We are going to take a look at that PowerPoint now,</p> <p>3 please. It is at IPC159.</p> <p>4 Is that the first page of the PowerPoint?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Can we go to the next page, please.</p> <p>7 And the next page. And the next page.</p> <p>8 We are moving to, I think, a series of intelligence</p> <p>9 profiles that you prepared. Did you present these</p> <p>10 during the course of your briefing?</p> <p>11 <b>A. No, this part would have been presented by V64 as part</b></p> <p>12 <b>of his overview of the briefing and why we were there.</b></p> <p>13 Q. Right.</p> <p>14 <b>A. The information intelligence if you like.</b></p> <p>15 Q. What was your role then in the briefing?</p> <p>16 <b>A. From the method onwards, so I think there was a slide on</b></p> <p>17 <b>there, it is "method" and that would be my involvement,</b></p> <p>18 <b>the explanation of how we would be doing what we would</b></p> <p>19 <b>be doing.</b></p> <p>20 Q. Can we move then to look at that. So this would have</p> <p>21 been V64 presenting this part of the PowerPoint?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. Let's move through it, please.</p> <p>24 And the next slide. And the next slide:</p> <p>25 "Method."</p> <p style="text-align: center;">Page 190</p>
<p>1 Right, keep going, please.</p> <p>2 Would you have been presenting the manner in which</p> <p>3 this deployment was going to take place.</p> <p>4 <b>A. Yes, it was my role to give officers that were part of</b></p> <p>5 <b>the briefing an overview of the location that would be</b></p> <p>6 <b>involved in the operation, some are familiar with</b></p> <p>7 <b>certain parts of London and some are not, so it is that</b></p> <p>8 <b>overview briefing of likely routes, certainly of the</b></p> <p>9 <b>Serco van and any particular areas of concerns,</b></p> <p>10 <b>vulnerable premises etc, en route, what is referred to</b></p> <p>11 <b>now as a tactical ground assessment.</b></p> <p>12 Q. Right, and where was this briefing taking place?</p> <p>13 <b>A. This was at the base for CTSFOs in London.</b></p> <p>14 Q. Which is on?</p> <p>15 <b>A. On Leman Street.</b></p> <p>16 Q. On Leman Street, thank you.</p> <p>17 What time did you sign off duty the night before</p> <p>18 11 December?</p> <p>19 <b>A. I was aware that I was going to be asked this question,</b></p> <p>20 <b>but I have absolutely no recollection of when that was.</b></p> <p>21 <b>I have a feeling due to the early start that we may have</b></p> <p>22 <b>stayed in a hotel local to the base, but, forgive me,</b></p> <p>23 <b>I have no recollection of sort of signing off at</b></p> <p>24 <b>a particular point.</b></p> <p>25 Q. Certainly the inquiry has heard that some officers</p> <p style="text-align: center;">Page 191</p>	<p>1 stayed in a hotel the night before. You think you may</p> <p>2 have been one of them?</p> <p>3 <b>A. That may have been the case due to the early start.</b></p> <p>4 Q. Right.</p> <p>5 In terms of the method of operation concerning the</p> <p>6 surveillance of the Serco van, you have explained how</p> <p>7 you went about that, could we move through the slides,</p> <p>8 please.</p> <p>9 Again, these are photographs of the prison?</p> <p>10 <b>A. Of the Scrubs, yes.</b></p> <p>11 Q. Keep moving through, please.</p> <p>12 Did you also provide as part of your presentation</p> <p>13 the route that may have been taken by the van from the</p> <p>14 prison to the Crown Court?</p> <p>15 <b>A. Yes, there was some uncertainty of the precise vehicle</b></p> <p>16 <b>that the subjects would be in --</b></p> <p>17 Q. Yes.</p> <p>18 <b>A. -- and the exact route that was being taken, so it was</b></p> <p>19 <b>within my planning to take account of a left turn or</b></p> <p>20 <b>a right turn out of the Scrubs. The most obvious route</b></p> <p>21 <b>was right, but obviously we couldn't discount</b></p> <p>22 <b>a left turn and an alternative route. Subsequently they</b></p> <p>23 <b>did turn right and it followed the predicted route,</b></p> <p>24 <b>which is the most straightforward route.</b></p> <p>25 Q. Were you aware of why you had not been provided with the</p> <p style="text-align: center;">Page 192</p>

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<p>1 route?</p> <p>2 <b>A. No. No.</b></p> <p>3 Q. Right.</p> <p>4 What, if anything, had you been told about the</p> <p>5 firearms capability of the OCN who were preparing the</p> <p>6 escape plan?</p> <p>7 <b>A. Obviously the arrest of the subjects that were in</b></p> <p>8 <b>custody and the firepower that was kind of in their</b></p> <p>9 <b>possession when they were arrested, the Skorpion and the</b></p> <p>10 <b>handgun, is significant firepower around that, and that</b></p> <p>11 <b>broader OCN, organised crime group, was in my view quite</b></p> <p>12 <b>a dangerous group with access to viable firearms. That</b></p> <p>13 <b>was my assessment of it.</b></p> <p>14 Q. At the beginning of this briefing, was that information</p> <p>15 provided by V64?</p> <p>16 <b>A. Whether it is in those words or not, certainly that was</b></p> <p>17 <b>the impression I was given.</b></p> <p>18 Q. Did you provide any information in your briefing about</p> <p>19 the vulnerability that may have existed in relation to</p> <p>20 the Serco van as it approached the Crown Court?</p> <p>21 <b>A. Yes. As part of the reconnaissance, the Serco vans in</b></p> <p>22 <b>a similar vein of dropping prisoners off for sentencing</b></p> <p>23 <b>or court appearances were queuing along I think it is</b></p> <p>24 <b>Winkfield Road. That was a huge concern for me,</b></p> <p>25 <b>essentially the two knowns are leaving the prison and</b></p> <p style="text-align: center;">Page 193</p>	<p>1 <b>arriving at court, so in terms of tactical planning, it</b></p> <p>2 <b>is really difficult for us to kind of target hard in</b></p> <p>3 <b>those areas, which is essentially what happened as part</b></p> <p>4 <b>of the deployment and I made that very, very clear as</b></p> <p>5 <b>part of the planning and obviously the discussions I had</b></p> <p>6 <b>with V64 following the reconnaissance.</b></p> <p>7 Q. Were you present at the Alperton briefing in relation to</p> <p>8 your team that took place later that morning?</p> <p>9 <b>A. Yes, the overview briefing, yes.</b></p> <p>10 Q. Sorry?</p> <p>11 <b>A. The overview briefing.</b></p> <p>12 Q. The overview briefing, right. Were you involved in</p> <p>13 providing that briefing?</p> <p>14 <b>A. No.</b></p> <p>15 Q. Who gave that briefing?</p> <p>16 <b>A. So the kind of method that is how we used to deliver</b></p> <p>17 <b>these things is you would have a tactical brief in the</b></p> <p>18 <b>morning with the team that is engaged in the tactical</b></p> <p>19 <b>aspect of the operation. Then you would go to a main</b></p> <p>20 <b>briefing, overview briefing, which would be given by the</b></p> <p>21 <b>TFC, any SIO or intelligence officers and V64, who would</b></p> <p>22 <b>give an overview of our deployment --</b></p> <p>23 Q. Right.</p> <p>24 <b>A. -- and for the other parties that were involved in the</b></p> <p>25 <b>operation.</b></p> <p style="text-align: center;">Page 194</p>
<p>1 Q. Although you were present at the later briefing, you</p> <p>2 didn't play any part in presenting it?</p> <p>3 <b>A. No.</b></p> <p>4 Q. I would like to turn now, please, to ask you some</p> <p>5 questions about your deployment.</p> <p>6 <b>A. Okay.</b></p> <p>7 Q. Thank you.</p> <p>8 With what were you armed on the morning of</p> <p>9 11 December?</p> <p>10 <b>A. My standard issue weapon system, so it would be</b></p> <p>11 <b>a sidearm, a primary weapon which would have been a M6</b></p> <p>12 <b>carbine, less-lethal option of a Taser, and my then</b></p> <p>13 <b>subsequent PPE. I didn't have any additional weaponry</b></p> <p>14 <b>which is available to our teams, that was kind of my --</b></p> <p>15 <b>the basic package if you like of weapon systems.</b></p> <p>16 Q. Right. Were you provided with any PPE?</p> <p>17 <b>A. Yes. As part of a -- my roles and responsibilities</b></p> <p>18 <b>I have all that body armour, helmets and protective</b></p> <p>19 <b>personal protective equipment as personal issue.</b></p> <p>20 Q. What were you wearing on that morning?</p> <p>21 <b>A. Covert body armour and communications equipment.</b></p> <p>22 Q. Right.</p> <p>23 So --</p> <p>24 <b>A. A radio, essentially a covert radio.</b></p> <p>25 Q. You were in a vehicle with R38, Q123 and R118?</p> <p style="text-align: center;">Page 195</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. Did you follow the details of the movement of the Audi</p> <p>3 at all during the course of that morning?</p> <p>4 <b>A. I was aware of what is known as chatter on the other</b></p> <p>5 <b>radio, regarding the other operation, but obviously we</b></p> <p>6 <b>have to focus on our side, so I was aware that there was</b></p> <p>7 <b>movement of the mission vehicle, the Audi, and that was</b></p> <p>8 <b>essentially driving various routes away from the</b></p> <p>9 <b>court -- that was my recollection of that, which kind of</b></p> <p>10 <b>in my experience, tends to suggest that they were in the</b></p> <p>11 <b>preparatory stage of what we believed them to be trying</b></p> <p>12 <b>to do. Essentially driving away from the court in</b></p> <p>13 <b>different directions and driving -- essentially doing</b></p> <p>14 <b>their own recce of the location.</b></p> <p>15 <b>So I was aware that there was activity in the</b></p> <p>16 <b>vehicle and there was subjects on board.</b></p> <p>17 Q. Was it important to you to assess that at no stage was</p> <p>18 the Audi getting close to where you were protecting the</p> <p>19 Serco van?</p> <p>20 <b>A. Yes. Obviously that critical point was stressed</b></p> <p>21 <b>extensively through the briefing from V64, that those</b></p> <p>22 <b>two points, those two areas of the operation would not</b></p> <p>23 <b>come together. And, essentially, a situational</b></p> <p>24 <b>awareness of where the Audi was was important to us, but</b></p> <p>25 <b>our kind of role, main role, was the protective package</b></p> <p style="text-align: center;">Page 196</p>

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<p>1 sat behind the oyster, or the secure vehicle.</p> <p>2 Q. At any stage that morning, did you receive any</p> <p>3 intelligence about the weapons capability of those</p> <p>4 inside the Audi?</p> <p>5 <b>A. Yes, I remember a transmission saying that if this were</b></p> <p>6 <b>to happen, it would be firearms enabled.</b></p> <p>7 Q. If what was to happen?</p> <p>8 <b>A. If this was going to happen it is going to be firearms</b></p> <p>9 <b>enabled.</b></p> <p>10 Q. When did you receive that intelligence?</p> <p>11 <b>A. At some point when we were mobile.</b></p> <p>12 Q. Right, and what did you understand that to mean?</p> <p>13 <b>A. That the subjects in the Audi had guns.</b></p> <p>14 Q. Live or -- live guns?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Did you instantly understand what the phrase "firearms</p> <p>17 enabled" meant?</p> <p>18 <b>A. Yes. Yes. It is --</b></p> <p>19 Q. It was a live firearms capability as far as you were</p> <p>20 concerned?</p> <p>21 <b>A. Yes, absolutely.</b></p> <p>22 Q. Finally, I would just like to ask you about your</p> <p>23 involvement in relation to sighting Ozcan Eren, that</p> <p>24 morning?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 197</p>	<p>1 Q. Were you in the vehicle when the sighting was made of</p> <p>2 him?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. What was your understanding of the likelihood of whether</p> <p>5 or not he would be armed?</p> <p>6 <b>A. My assessment is that the whole OCG would have access to</b></p> <p>7 <b>firearms, viable firearms. I was probably second</b></p> <p>8 <b>guessing the information intelligence around additional</b></p> <p>9 <b>vehicles being in play, it was stressed that the mission</b></p> <p>10 <b>vehicle was the only one, but just based on the fact</b></p> <p>11 <b>that they have access to multiple vehicles,</b></p> <p>12 <b>I anticipated a vehicle and then that kind of came into</b></p> <p>13 <b>fruition when we noticed and I think surveillance gave</b></p> <p>14 <b>an observation of the other vehicle that was known to</b></p> <p>15 <b>the OCN or OCG.</b></p> <p>16 <b>And then I observed the vehicle as we passed it and</b></p> <p>17 <b>they were giving us very lots of attention, so it was my</b></p> <p>18 <b>assessment that they were armed as well and that</b></p> <p>19 <b>potentially would be a second part, something that we</b></p> <p>20 <b>had not anticipated, you know, as maybe a second mission</b></p> <p>21 <b>vehicle.</b></p> <p>22 Q. Okay, were you aware of any discussion amongst the</p> <p>23 officers deployed on 11 December regarding the risks</p> <p>24 associated with the plan for a natural stop and</p> <p>25 extraction?</p> <p style="text-align: center;">Page 198</p>
<p>1 <b>A. Sorry, could you just repeat the question?</b></p> <p>2 Q. Were you aware of any discussion amongst the officers</p> <p>3 deployed on 11 December, the officers with whom you were</p> <p>4 deployed, regarding the risks associated with the plan</p> <p>5 for a natural stop and extraction?</p> <p>6 <b>A. No, I think there was a general conversation within the</b></p> <p>7 <b>planning team, if you like, about the operation and the</b></p> <p>8 <b>kind of people we were going up against and the concern</b></p> <p>9 <b>around that, but it is no different to any other type of</b></p> <p>10 <b>armed operation, of this sort of nature.</b></p> <p>11 Q. Right. Was there any discussion as far as you were</p> <p>12 aware of the risks from a non-compliant subject?</p> <p>13 <b>A. No. Essentially our training accounts for people</b></p> <p>14 <b>complying and not complying, so essentially we would</b></p> <p>15 <b>deploy into a vehicle onto a vehicle and the subjects'</b></p> <p>16 <b>reactions to that overt police presence would then be</b></p> <p>17 <b>subject to how we escalate that use of force</b></p> <p>18 <b>appropriately.</b></p> <p>19 MS BLACKWELL: Thank you.</p> <p>20 Sir, that concludes my questioning and I understand</p> <p>21 that that has also incorporated the questions required</p> <p>22 by the other core participants.</p> <p>23 Unless there is anything from you, sir, I think that</p> <p>24 completes this witness's evidence.</p> <p>25 THE CHAIRMAN: No, thank you very much indeed.</p> <p style="text-align: center;">Page 199</p>	<p>1 MS BLACKWELL: Thank you.</p> <p>2 Sir, it's a little later than we expected but --</p> <p>3 THE CHAIRMAN: It is not bad.</p> <p>4 MS BLACKWELL: May I invite you please to rise until 10.00</p> <p>5 tomorrow?</p> <p>6 THE CHAIRMAN: Yes.</p> <p>7 MS BLACKWELL: Thank you.</p> <p>8 THE CHAIRMAN: My thanks to everybody, as always.</p> <p>9 (4.08 pm)</p> <p>10 (The Inquiry adjourned until 10.00 am the following day)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 200</p>

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