

<p>1 Thursday, 8 July 2021 2 (10.19 am) 3 THE CHAIRMAN: Good morning, everybody. 4 MS BLACKWELL: Good morning, sir. 5 THE CHAIRMAN: Yes. 6 MS BLACKWELL: Sir, the first witness of today is 7 Gokay Sogucakli. Who going to be giving evidence from 8 Pentonville prison. 9 He was sitting next to his lawyer and we could see 10 him on screen. It looks as if both men have removed 11 themselves from the link. I am very sorry. I don't 12 know why. Perhaps we could make some enquiries. They 13 were there until you walked into the inquiry room, sir. 14 THE CHAIRMAN: I have that effect on people. 15 MS BLACKWELL: I know that the link was muted so that 16 Mr Sogucakli could confer with his lawyer, Mr Cooper, 17 I don't know whether that is still the case or whether 18 the mute has been removed. If the mute has been 19 removed, perhaps I could simply ask whether both 20 gentlemen are standing off screen. 21 Has the mute been removed? Thank you. 22 Mr Cooper, can you hear me? 23 Mr Cooper, it is Kate Blackwell speaking from the 24 public inquiry. 25 Here they are. That has prompted a response.</p> <p style="text-align: center;">Page 1</p>	<p>1 THE CHAIRMAN: Very good. 2 MS BLACKWELL: Good morning, Mr Cooper. Good morning 3 Mr Sogucakli. 4 I think the first step then is to invite 5 Mr Sogucakli to be sworn, please. 6 THE CHAIRMAN: Yes, he should affirm. 7 MR GOKAY SOGUCAKLI (affirmed) 8 Questions from MS BLACKWELL 9 MS BLACKWELL: Is your full name Gokay Sogucakli? 10 A. Yes. 11 Q. Is your date of birth 18 June 1997? 12 A. Yes. 13 Q. You are currently in Pentonville prison? 14 A. Yes. 15 Q. For the record, the gentleman sitting beside you is 16 Daniel Cooper, your solicitor? 17 A. Yes. 18 Q. I have already introduced myself this morning, you know 19 that I am Kate Blackwell, I am counsel to the public 20 inquiry into the death of Jermaine Baker. 21 A. Yes. 22 Q. I am going to ask you a series of questions, 23 Mr Sogucakli. 24 First of all, I want to ask you some questions about 25 your previous convictions.</p> <p style="text-align: center;">Page 2</p>
<p>1 I then want to ask you questions about your 2 knowledge of Jermaine Baker and Nathan Mason. 3 Then take you to the events of 11 December 2015. 4 You should have in front of you a bundle of material 5 that is set behind a series of tabs. Those include both 6 witness statements that you have made. The first 7 witness statement was made on 13 April 2016, and you 8 have also made an additional witness statement within 9 the last week or so. 10 If at any time you don't understand the questions 11 that I am asking you, or you want some time to consider, 12 please just let us know, okay? 13 A. Okay. 14 Q. Right, thank you. 15 I am going to begin by asking you about your 16 previous convictions at the time that the incident took 17 place. So by 11 December 2015, because this inquiry has 18 heard evidence about attempts by the Metropolitan Police 19 to identify those who were going to be involved in the 20 plan to effect Izzet Eren's escape on the morning of 21 11 December, and so it is for that reason that I am 22 asking you about information that may have been 23 available to the police at that time on the national 24 computer. Do you understand? 25 A. Yes.</p> <p style="text-align: center;">Page 3</p>	<p>1 Q. Right. 2 As at 11 December 2015, you had 17 convictions 3 recorded against you for 23 offences. The majority of 4 which had been committed by you as a juvenile, so when 5 you were under the age of 18. Is that right? 6 A. Yes. 7 Q. Predominantly, so mainly for possession of cannabis, 8 a class B drug, and also failures to comply with court 9 orders, such as a youth rehabilitation order and a drug 10 training order, yes? 11 A. Yes. 12 Q. You also had convictions for common assault and robbery 13 in 2011, burglary in 2012, affray in 2013 and resisting 14 or obstructing a police officer in 2015. Is that right? 15 A. Yes. 16 Q. On each occasion, when you had been brought before the 17 courts, had you pleaded guilty to the offences that you 18 faced? 19 A. I can't remember, I probably did. 20 Q. According to our records you did. 21 A. Okay, then I did. 22 Q. Thank you. 23 I would like to ask you some questions now about 24 what is called police intelligence. Now, I am not going 25 to ask you about the truth or otherwise of this</p> <p style="text-align: center;">Page 4</p>

<p>1 information, but I want to establish with you whether, 2 in July 2012, you were associating with Nathan Mason. 3 So that is -- 4 A. Correct. 5 Q. That is about three and a half years before the 6 incident, and you have said that that is correct. 7 Did you know him by the name "Notts"? 8 A. Yes. 9 Q. In what capacity did you know him? Was he a friend, was 10 he somebody that you worked with, how did you know him? 11 A. Somebody that I worked with, a friend, I'd say both, 12 innit. 13 Q. In what capacity did you work with him? 14 A. Like sell drugs. 15 Q. Right, selling drugs? 16 A. Selling drugs, yes. 17 Q. Right. Did you know Jermaine Baker in 2012? 18 A. Not -- I knew him, but not how I knew him in 2015, like 19 I knew of him, like if I see him I would say hello. 20 Q. Okay, was your knowledge of Nathan Mason greater than 21 your knowledge of Jermaine Baker? 22 A. Correct, yes. 23 Q. Right. When do you think you first became friends with 24 Jermaine Baker? 25 A. I would say 2014/2015.</p> <p style="text-align: center;">Page 5</p>	<p>1 Q. Right. So you hadn't been friends with him for a very 2 long time when this incident happened? 3 A. Correct. 4 Q. How did you meet him? 5 A. In the area. 6 Q. Right, did -- 7 A. Of my school friends is his friend as well and while 8 I was with this school friend in the area, Jermaine was 9 always there and we got talking. 10 Q. Did you know that Jermaine Baker was a friend of 11 Nathan Mason's? 12 A. Yes. 13 Q. In what capacity did you come to know Jermaine Baker, as 14 a friend or as a work colleague? 15 A. As a friend. 16 Q. Did he ever visit your home address? 17 A. Yes. 18 Q. How many times? 19 A. Once. 20 Q. Who was there when he visited your home address? 21 A. My mum, my sister, but my sister is always upstairs so 22 she didn't see him, just -- yeah. 23 Q. How did he behave when he was at your home address? 24 A. He was respectful, he was well mannered and normally my 25 mum doesn't like my friends but with Jermaine, the way</p> <p style="text-align: center;">Page 6</p>
<p>1 he approached, the way he said hello to my mum, he said 2 hello mummy and my mum gave him a warm welcome and she 3 got him a drink or something and normally that is not 4 what she does. So I would say he was a respectful, 5 well-mannered person. 6 Q. How well did you get to know Jermaine before 7 December 2015? 8 A. Pretty well. 9 Q. How often would you see him? 10 A. Most times of the week, four/five times a week. 11 Q. I am just pausing because there seems to be the noise of 12 a conversation coming through on our link, is there 13 somebody else in the room who is speaking? 14 MR COOPER: No, it is in a different booth. Shall I ask 15 that they turn it down. 16 MS BLACKWELL: Please, if you could. That would be very 17 helpful, Mr Cooper. 18 THE CHAIRMAN: Thank you. (Pause) 19 MS BLACKWELL: Thank you, Mr Cooper. 20 MR COOPER: I hope that improves it. 21 MS BLACKWELL: It is much better, thanks. 22 Mr Sogucakli, when you saw Jermaine Baker, was he 23 ever in the company of Nathan Mason? 24 A. Yes. 25 Q. How often would the three of you be together?</p> <p style="text-align: center;">Page 7</p>	<p>1 A. I would say Jermaine and Nathan always used to be 2 together, with me occasionally. 3 Q. Right. 4 Do you know Izzet Eren? 5 A. No. 6 Q. Had you heard of him in December 2015? 7 A. Yes. 8 Q. How had you heard of him? 9 A. The area I chill within and the group that I mix with, 10 they talk about him and when they talk about him they 11 say he is a respected figure and one of the guys. 12 Q. What did you know of him? 13 A. I knew that he was part of a Turkish family -- 14 Q. Yes. 15 A. -- and he was one of their guys that people looked up to 16 and respected. 17 Q. Did you know that he was involved in organised crime? 18 A. Yes. 19 Q. Did you know his cousin Ozcan Eren? 20 A. When you mean like know him, I have seen him, but 21 I don't know him like that, I don't know him, like same 22 with Izzet Eren. 23 Q. Had you ever met Izzet Eren? 24 A. No. 25 Q. Had you ever met Ozcan Eren?</p> <p style="text-align: center;">Page 8</p>

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<p>1 A. No.</p> <p>2 Q. So your knowledge of them was really by what other</p> <p>3 people had told you?</p> <p>4 A. Exactly, yes.</p> <p>5 Q. I am going to move on now to ask you some questions</p> <p>6 about the plan for Izzet Eren's escape from custody.</p> <p>7 Who first told you about a plan to effect his escape?</p> <p>8 A. Nathan.</p> <p>9 Q. When did Nathan tell you about that?</p> <p>10 A. To be honest, I can't really remember, probably two</p> <p>11 to -- two weeks before or a week before, but I don't</p> <p>12 want to give you approximately.</p> <p>13 Q. The inquiry has heard that there was an attempt to</p> <p>14 effect his escape on 29 October 2015, which didn't in</p> <p>15 fact take place. There was a plan but it wasn't carried</p> <p>16 out, do you understand?</p> <p>17 A. Yes.</p> <p>18 Q. That was several weeks before your involvement on</p> <p>19 11 December 2015.</p> <p>20 Did you know of the -- I am so sorry, sir.</p> <p>21 THE CHAIRMAN: That is all right.</p> <p>22 MS BLACKWELL: Can you still hear me?</p> <p>23 A. Yes.</p> <p>24 Q. All right. Did you know about the plan that was going</p> <p>25 to take place at the end of October?</p> <p style="text-align: center;">Page 9</p>	<p>1 A. No.</p> <p>2 Q. When you say it was a couple of weeks before, are you</p> <p>3 referring to a couple of weeks before 11 December?</p> <p>4 A. Yes.</p> <p>5 Q. Right. Tell us about the conversation that you had with</p> <p>6 Nathan Mason that couple of weeks before 11 December</p> <p>7 about the plan to effect Izzet Eren's escape, please.</p> <p>8 A. Sorry, can you just give me a minute, man. Because ...</p> <p>9 Yes.</p> <p>10 MR COOPER: Very sorry.</p> <p>11 MS BLACKWELL: Not at all, thank you, Mr Cooper.</p> <p>12 Are you able to concentrate, Mr Sogucakli?</p> <p>13 A. Yes, I can concentrate now.</p> <p>14 Q. Let me ask you again, I would like you to tell us about</p> <p>15 the conversation you had with Nathan Mason, that couple</p> <p>16 of weeks before 11 December, when you first became aware</p> <p>17 of the plan.</p> <p>18 A. If I recall rightly I remember Nathan Mason approaching</p> <p>19 me, saying that he trusted me and he wanted me to be</p> <p>20 part of this thing that they was going to do, to break</p> <p>21 Izzet Eren out of prison. And, to be honest, back then</p> <p>22 I was really young, I agreed to anything.</p> <p>23 Q. How old were you at the time?</p> <p>24 A. I was 18 years old.</p> <p>25 So I agreed, and yet I was getting nothing out of</p> <p style="text-align: center;">Page 10</p>
<p>1 it, I just done it because I felt like I wanted to be</p> <p>2 somebody, I felt like I wanted to be respected, and</p> <p>3 yeah, I felt like I owed them something. But now I can</p> <p>4 say to you that I didn't owe them -- excuse my French,</p> <p>5 but fuck all.</p> <p>6 Q. To summarise what you have just said, you were asked to</p> <p>7 become involved, your evidence is that you were not</p> <p>8 going to be paid but that you agreed to become involved</p> <p>9 in order to gain respect within your community?</p> <p>10 A. Yes.</p> <p>11 Q. What did Nathan Mason tell you was going to happen</p> <p>12 during that first conversation?</p> <p>13 A. He said that we will be in a car and we will stop a van.</p> <p>14 That is all he told me. Everything we spoke about, this</p> <p>15 is how I know it wasn't really professional like that,</p> <p>16 because everything we spoke about was mainly in the car,</p> <p>17 the day it was going to happen, we spoke about it then.</p> <p>18 Q. Right. So prior to you getting into the Audi vehicle</p> <p>19 that morning, is it your evidence that there had been</p> <p>20 very little planning involving you?</p> <p>21 A. Yes, but I knew -- one of the main things that I knew</p> <p>22 was that the firearm was going to be fake, because I did</p> <p>23 not want to be part of a real firearm, because I wasn't</p> <p>24 around a real one and I didn't know how to react to</p> <p>25 that, so I made my thing, my emotions known to them and</p> <p style="text-align: center;">Page 11</p>	<p>1 they agreed that between them anyway, so whoever Nathan</p> <p>2 agreed with, and so yeah.</p> <p>3 Q. Your evidence is that you became involved understanding</p> <p>4 that there would only ever be an imitation firearm?</p> <p>5 A. Exactly, yes.</p> <p>6 Q. Right.</p> <p>7 We are going to look in a moment at a transcript of</p> <p>8 the audio that was recorded over the course of that</p> <p>9 morning whilst you were in the car. Do you understand?</p> <p>10 A. Okay.</p> <p>11 Q. Did you become aware after your arrest for this offence</p> <p>12 that the police had put a probe into that vehicle and</p> <p>13 were listening to what you were saying?</p> <p>14 A. Yes.</p> <p>15 Q. Right. I am not going to play the audio footage to you,</p> <p>16 because I know that you haven't heard it yet but I am</p> <p>17 going to take you to some passages of transcript which</p> <p>18 help us to identify what was being spoken about by you</p> <p>19 and Jermaine Baker and Nathan Mason. Do you understand?</p> <p>20 A. Okay.</p> <p>21 Q. Before we do that, when did you become aware that</p> <p>22 Jermaine Baker was also going to be involved in this</p> <p>23 attempt?</p> <p>24 A. Pretty much when Nathan -- when Jermaine was going to be</p> <p>25 involved or when Nathan was --</p> <p style="text-align: center;">Page 12</p>

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1 Q. No, no, you have told us that your conversation with
2 Nathan Mason took place about two weeks before --
3 **A. Exactly.**
4 Q. -- when did you become aware that Jermaine Baker was
5 also going to be involved?
6 **A. Probably a week later.**
7 Q. Right. How did you become aware that he would be
8 involved?
9 **A. They was together, they just let me know themselves when
10 they was together. Either Nathan or Jermaine let me
11 know that it was just going to be us three in the car.**
12 Q. Before you got into the car that day, had there been any
13 discussion between yourself and Nathan Mason about what
14 you would do with Izzet Eren once he was broken out of
15 the prison van?
16 **A. I knew we were going to drop him off, but I didn't know
17 where. We fully --yeah.**
18 Q. That was something that you knew before you got into the
19 vehicle?
20 **A. Yes, I didn't know -- I knew we were going to drop him
21 off because obviously we were going to have to drop him
22 off somewhere, but I didn't know where.**
23 Q. Did you know of the identity of anybody else who would
24 be involved?
25 **A. No -- I would say Nathan Mason told me but, yeah.**

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1 Q. What did he tell you?
2 **A. That Ozcan Eren would be involved.**
3 Q. Is that the person that I describe as Ozcan Eren?
4 **A. Yes, exactly.**
5 Q. How did you pronounce his name.
6 **A. Ozcan Eren. It is basically the C is silent again.**
7 Q. Ozcan Eren?
8 **A. Yeah.**
9 Q. Thank you.
10 You knew that Ozcan Eren would be involved before
11 you got into the Audi vehicle?
12 **A. Yes.**
13 Q. What was he going to be doing? What was his role going
14 to be?
15 **A. His role was to drop off Izzet Eren to his car, but
16 I think before that, we was meant to drop him off to
17 another car, then that car was going to drop him off to
18 Ozcan Eren's van.**
19 Q. So there would be somebody else in between?
20 **A. Yes, if I recall correctly.**
21 Q. You knew that before you got into the Audi?
22 **A. No. I didn't.**
23 Q. Sorry?
24 **A. I didn't know that.**
25 Q. You didn't -- what I am trying to -- who is that.

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1 UNKNOWN SPEAKER: Are you (Inaudible) client.
2 You can just say yes or no, you know, if it is
3 a wrong one I can come out.
4 MS BLACKWELL: Can we cut the link, please?
5 THE CHAIRMAN: It is all right, she has gone now.
6 MR COOPER: Someone --
7 MS BLACKWELL: Sir, I think we need to check the link.
8 THE CHAIRMAN: I don't want to lose it all together, Ms
9 Blackwell.
10 Can you ask the prison service please to make sure
11 that something like that does not happen again.
12 MR COOPER: I have asked, and in fact insisted.
13 THE CHAIRMAN: Good.
14 Thank you very much for your assistance, Mr Cooper.
15 MR COOPER: So sorry. I have reiterated.
16 THE CHAIRMAN: No, it's not your fault.
17 MR COOPER: So sorry.
18 MS BLACKWELL: Could we start the live feed again, please.
19 (Pause)
20 MR COOPER: Sorry, the screen has now been locked so no one
21 else should have access at all.
22 THE CHAIRMAN: Jolly good, it is a shame it wasn't locked in
23 the first place but thank you very much.
24 MS BLACKWELL: Thank you, Mr Cooper, thank you very much.
25 MR COOPER: Apologies.

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1 THE CHAIRMAN: Yes.
2 MS BLACKWELL: Is the link established?
3 Thank you.
4 Right, where were we? I think I was asking you some
5 questions --
6 THE CHAIRMAN: The last topic we were dealing with was the
7 fact that he had expected somebody else and another
8 vehicle to be involved as the link between them and
9 Ozcan Eren's vehicle once the break had been effected.
10 MS BLACKWELL: Thank you, sir.
11 May I attempt to summarise what you said,
12 Mr Sogucakli, that you were going to break Izzet Eren
13 out of the van. You were then going to take him to
14 a third person, who would use their vehicle to then
15 transport him to Ozcan Eren's van?
16 **A. Yes.**
17 Q. Right.
18 Did you know about that part of the plan prior to
19 getting in the Audi that morning?
20 **A. No. I found out in the Audi.**
21 Q. Right. So what was your level of knowledge before you
22 got in the car, what did you know or what did you think
23 was going to happen to Izzet Eren when you got him out
24 of the van?
25 **A. I thought I was just going to break him out and that is**

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4 (Pages 13 to 16)

<p>1 it, to be honest. I didn't really know what was going 2 on. Like I said, I found out most things in the car. 3 That is why while I was in the car I asked a lot of 4 questions. 5 Q. All right. We will turn in a moment to look at that. 6 Can you confirm that early that morning, you were 7 collected by Nathan Mason and Jermaine Baker from your 8 home address? 9 A. Yes. 10 Q. Right. Had you slept overnight? 11 A. No. 12 Q. Why not? 13 A. I was nervous, anxiety, I was just -- I couldn't sleep, 14 I don't know. 15 Q. All right. What time did they arrange to collect you? 16 A. Between 6.00 and 7.00. 17 Q. Am? 18 A. Yes, because I was on tag. 19 Q. You were on a tag? 20 A. Yes, so my tag time was I think it was 9 to 7, if 21 I recall correctly, 9 to 6, or 5 -- I can't remember, so 22 they had to come after that time. 23 Q. Right. 24 Because had you left the house before the curfew had 25 finished then your tag would be activated?</p> <p style="text-align: center;">Page 17</p>	<p>1 A. Exactly, that's correct. 2 Q. What were you wearing when you left the house that 3 morning? 4 A. I was wearing all black, if I recall correctly but I was 5 wearing three layers of clothing. Underneath the black 6 layer I had, I think it was another black layer or 7 a grey layer, I can't really remember but underneath 8 that I had another layer. 9 Q. Why were you wearing three layers of clothing? 10 A. So I could change clothes immediately after the -- we 11 had done the escape. 12 Q. Why was it important for to you change your clothes 13 immediately after? 14 A. So police don't get my description -- police, when the 15 Serco witnesses give information to the police about 16 descriptions, they don't give -- they don't match mine. 17 Q. Is there any other reason you would have discarded 18 a layer of clothing having committed this offence? 19 A. No, just -- 20 Q. Just the description? 21 A. Yes. 22 Q. Was it also important that you didn't leave any trace of 23 yourself in the vehicle? 24 A. Exactly, yes. Yes. 25 Q. Did you know what was going to happen to the Audi</p> <p style="text-align: center;">Page 18</p>
<p>1 vehicle after the escape attempt? 2 A. It was going to get scrapped, burnt, whatever. 3 Q. Right. Somehow destroyed. 4 A. Yes, exactly. 5 Q. Right, let's have a look then, please, at the transcript 6 of what was said in the vehicle, once you had got inside 7 it. 8 Mr Coates, please could we display IPC281, thank 9 you, page 3. 10 Mr Cooper? 11 MR COOPER: Yes. 12 MS BLACKWELL: Are you still able to see me on your screen 13 or has it been replaced with a transcript? 14 MR COOPER: Replaced by a transcript. 15 MS BLACKWELL: Thank you. 16 You also have a hard copy of this at the back of 17 your bundle. But by all means follow it on the screen, 18 please, if that is easier. 19 Mr Sogucakli, if you look at this document, you can 20 see that on the left-hand column there are tape counter 21 times, do you see that? 22 A. Yes. 23 Q. Those are, roughly speaking, the time in the morning at 24 which this conversation took place. 25 A. Yes.</p> <p style="text-align: center;">Page 19</p>	<p>1 Q. The next column is headed person speaking. Where you 2 see the letter A, that is speech that is attributed to 3 Nathan Mason, b is speech attributed to Jermaine Baker 4 and C is speech attributed to you, okay? 5 A. Yes. 6 Q. Right. 7 I would like us to look, please, at the tape counter 8 time 06.47.39 and we can see on the transcript there is 9 the reference to bangs, then silence, followed by, 10 "Noise like a car door opening". I am going to suggest 11 that was you getting into the vehicle. Do you think 12 that that is consistent with your recollection of what 13 time you got in? 14 A. Yes. 15 Q. Right. 16 There is then the following conversation. Jermaine: 17 "That is why I love these triple linings, this is 18 getting burned anyway." 19 You then say: 20 "What is this? The ting?" 21 And then Jermaine says: 22 "Yeah, you chosen the wrong position." 23 And then laughter. 24 When you got into the vehicle, was there a black 25 rucksack bag at your feet in the footwell of the seat</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 behind the driver's seat?</p> <p>2 A. Yes. It was -- yeah, a dark bag, yeah.</p> <p>3 Q. A dark bag?</p> <p>4 A. Yeah.</p> <p>5 Q. Inside that bag was there an imitation firearm?</p> <p>6 A. Correct.</p> <p>7 Q. Was this the point at which you were asking whether or</p> <p>8 not that was the weapon that was going to be used?</p> <p>9 A. Yes.</p> <p>10 Q. Who had provided the weapon?</p> <p>11 A. I don't know who provided it, but I heard it was bought</p> <p>12 from a shop.</p> <p>13 Q. Right. Did you have any involvement in purchasing the</p> <p>14 imitation firearm?</p> <p>15 A. No.</p> <p>16 Q. Let's look a little further down, please. Page 4,</p> <p>17 Mr Coates, that is it, yes.</p> <p>18 Can you see the tape counter 07.02.45.</p> <p>19 A. Yes.</p> <p>20 Q. Just going to pause a minute.</p> <p>21 I am just going to ask that we take this down and</p> <p>22 put a different version of the transcript up, please,</p> <p>23 Mr Coates. Can we put INQ40, page 4.</p> <p>24 This transcript is slightly different, Mr Sogucakli,</p> <p>25 because it also has some handwritten letters in blue pen</p> <p style="text-align: center;">Page 21</p>	<p>1 on it, do you see?</p> <p>2 In the column of "Person speaking".</p> <p>3 These are the initials of the people that</p> <p>4 Nathan Mason says were providing the commentary at</p> <p>5 particular times, and they are slightly different than</p> <p>6 the ones which have been attributed by the person who</p> <p>7 has listened to the audio footage from the police, so</p> <p>8 there might be a slight difference and I am going to ask</p> <p>9 you to help us with that.</p> <p>10 A. Okay.</p> <p>11 Q. If we look at 07.02.45, Nathan Mason has attributed the</p> <p>12 question "Where is the shottey?" to you.</p> <p>13 A. Yes.</p> <p>14 Q. He then says Jermaine says "G", you say, "The shottey?"</p> <p>15 Nathan says ... or you say "Yeah", Nathan then says,</p> <p>16 "What the big thing?" You say, "Yeah". Nathan says,</p> <p>17 "I don't know" and you say, "You don't know".</p> <p>18 The suggestion being made, Mr Sogucakli, is that you</p> <p>19 were asking where is the shottey and you were being told</p> <p>20 that nobody knows.</p> <p>21 Do you remember asking that?</p> <p>22 A. C is meant to be me?</p> <p>23 Q. Yes.</p> <p>24 A. Yeah, and when A asks me, "Where is the shottey?" B is</p> <p>25 Jermaine and C says that is me, C is supposed to be me</p> <p style="text-align: center;">Page 22</p>
<p>1 and, "I say the shottey?" And then he says yeah,</p> <p>2 I say ...</p> <p>3 Q. My question is, were you the first person in the car to</p> <p>4 ask where is the shottey?</p> <p>5 A. No.</p> <p>6 Q. Who was that?</p> <p>7 A. That was -- I can't remember. It was either Nathan or</p> <p>8 Jermaine.</p> <p>9 Q. Right. When you say "the shottey", is it your evidence</p> <p>10 that you were simply reacting to the question that</p> <p>11 somebody else had asked?</p> <p>12 A. Yeah.</p> <p>13 Q. Did you expect there to be a shottey or a shotgun in</p> <p>14 there?</p> <p>15 A. No.</p> <p>16 Q. What do you think "shottey" refers to?</p> <p>17 A. A shottey? It could be anything.</p> <p>18 Q. Help us with what you think it means?</p> <p>19 A. I think it could be a type of firearm.</p> <p>20 Q. A real firearm or an imitation firearm?</p> <p>21 A. That I don't know.</p> <p>22 Q. What do you think the question was posed towards, do you</p> <p>23 know, do you know what this conversation was talking of?</p> <p>24 A. I think this conversation was about Jermaine wanting</p> <p>25 a firearm to be present at that time, but I thought him</p> <p style="text-align: center;">Page 23</p>	<p>1 and Nathan Mason had this discussion already that there</p> <p>2 was going to be no real firearm in the events that we</p> <p>3 was going to do.</p> <p>4 Q. Let's look a little further, please and go on to the</p> <p>5 next page, Mr Coates.</p> <p>6 Because this conversation continues.</p> <p>7 A. Yes.</p> <p>8 Q. If we can highlight, please, from 07.06.19 down to the</p> <p>9 bottom of that page, not that bit but 07.06.19. Thank</p> <p>10 you.</p> <p>11 Now, somebody says:</p> <p>12 "So where's the shottey?"</p> <p>13 "The shottey, we are not getting it.</p> <p>14 "But where is it?"</p> <p>15 "... Yeah.</p> <p>16 "It is best to have two things you know."</p> <p>17 Do you remember that conversation taking place?</p> <p>18 A. Yes, I do.</p> <p>19 Q. Who was asking where the shottey was?</p> <p>20 A. Nathan.</p> <p>21 Q. And who was saying, "The shottey, we are not getting</p> <p>22 it"?</p> <p>23 A. That was me.</p> <p>24 Q. How did you know that there was not going to be a live</p> <p>25 firearm?</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 A. Because I did not want a live firearm near me.</p> <p>2 Q. You may not have wanted one, but who gave you the</p> <p>3 authority to say, "The shottey, we are not getting it"?</p> <p>4 A. Who gave me the authority to say that the shottey --</p> <p>5 Q. How did you know ...</p> <p>6 A. How did I know? Because Nathan Mason has told me to go</p> <p>7 meet someone for it and I didn't. I just didn't do it.</p> <p>8 Q. Sorry, I didn't quite catch that last answer, can you</p> <p>9 repeat it, please.</p> <p>10 A. Nathan Mason wanted me to meet somebody to get the</p> <p>11 shottey, but I just didn't do it. And the person that</p> <p>12 he wanted me to meet didn't want us to have one as well.</p> <p>13 Q. Right.</p> <p>14 Your evidence is that Nathan Mason had wanted there</p> <p>15 to be a live firearm; is that right?</p> <p>16 A. I would say Jermaine wanted there to be a live firearm</p> <p>17 more than Jermaine -- I mean more than Nathan Mason did.</p> <p>18 Q. Right. Who had asked you to get involved in providing</p> <p>19 a live firearm?</p> <p>20 A. I would say -- I can't really remember. It was either</p> <p>21 Nathan or Jermaine, one of them two but I can't recall</p> <p>22 it, sorry.</p> <p>23 Q. One or the other?</p> <p>24 A. Yeah.</p> <p>25 Q. What were you asked to do in order to provide a live</p> <p style="text-align: center;">Page 25</p>	<p>1 firearm?</p> <p>2 A. Meet somebody.</p> <p>3 Q. Who were you supposed to meet?</p> <p>4 A. Someone by the name of T.</p> <p>5 Q. T? Is that the letter T?</p> <p>6 A. Yes, just T.</p> <p>7 Q. When were you supposed to meet with T?</p> <p>8 A. I would say a few days before the thing that was going</p> <p>9 to happen.</p> <p>10 Q. And where was that meeting supposed to take place?</p> <p>11 A. In Tottenham.</p> <p>12 Q. Whereabouts in Tottenham?</p> <p>13 A. Love Lane.</p> <p>14 Q. Lock Lane?</p> <p>15 A. Love Lane.</p> <p>16 Q. Love Lane?</p> <p>17 A. Yeah, that is where them things called the block, Love</p> <p>18 Lane, but I was -- you could say that Tottenham High</p> <p>19 Road, Ruskin Road.</p> <p>20 Q. Right, an area that you knew well?</p> <p>21 A. Yeah. Exactly.</p> <p>22 Q. What arrangements were there, Mr Sogucakli, for you to</p> <p>23 meet with T?</p> <p>24 A. What arrangements was made?</p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 26</p>
<p>1 A. They just let me know he would be there at this time and</p> <p>2 go meet him, I had no phone calls, no nothing.</p> <p>3 Q. Was it important that there were no phone calls made?</p> <p>4 A. Yes, exactly.</p> <p>5 Q. Why?</p> <p>6 A. I think they probably didn't want me to have the guy's</p> <p>7 number.</p> <p>8 Q. Who told you to go and meet T in Love Lane?</p> <p>9 A. Nathan.</p> <p>10 Q. Did you go --</p> <p>11 A. Sorry, sorry, just to explain that, it was either,</p> <p>12 because Nathan and Jermaine was always together, it was</p> <p>13 one of them, but I can't really recall which one of them</p> <p>14 told me to go and pick it up.</p> <p>15 Q. Right. What did you think you were picking up from T?</p> <p>16 A. I didn't know if it was real or it was a replica as</p> <p>17 well, because we had a replica already, but I remember</p> <p>18 we had a discussion already that we did not want --</p> <p>19 like, I did not want a firearm near me because I don't</p> <p>20 know how I react to it, I had never been around one, so</p> <p>21 they knew that quite well, so I think they didn't want</p> <p>22 to really let me know a lot, it might just get me</p> <p>23 paranoid or something might happen and I might have</p> <p>24 walked away.</p> <p>25 Q. Right.</p> <p style="text-align: center;">Page 27</p>	<p>1 What did you think you were going to meet T for?</p> <p>2 A. I thought I was going to meet T for a shottey, a shottey</p> <p>3 is a firearm, that is what I thought I was going to meet</p> <p>4 him for.</p> <p>5 Q. By that do you mean a real firearm?</p> <p>6 A. As I said, I don't know if it is real or replica, they</p> <p>7 never let me know anything, they just said go meet him</p> <p>8 and get this and the other time they let me know about</p> <p>9 this, when I saw the replica I thought it was a real</p> <p>10 firearm, to be honest with you, so I didn't know if it</p> <p>11 was going to be a replica or it was going to be real --</p> <p>12 Q. Did you go and meet T?</p> <p>13 A. Yes, I did.</p> <p>14 Q. Did he give you anything?</p> <p>15 A. No.</p> <p>16 Q. Why not?</p> <p>17 A. Because he said tell them it is not part of the plan.</p> <p>18 Q. Right. You say that happened a day or two before</p> <p>19 11 December?</p> <p>20 A. I would say a few days before.</p> <p>21 Q. Let's look back at the transcript, please.</p> <p>22 Is it your evidence, Mr Sogucakli, that it is</p> <p>23 Mr Mason who asks, so where is the shottey? And you</p> <p>24 said, "The shottey, we are not getting it"?</p> <p>25 A. Yeah.</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 Q. Right. Then was it Mr Nathan Mason who says, "It is 2 best to have two things, you know"?</p> <p>3 A. Where does it say that?</p> <p>4 Q. Just below at 07.06.32?</p> <p>5 A. Yeah.</p> <p>6 Q. Right. Then did you say this: 7 "I told him, bruv, he said don't bring the real 8 thing, I told him, bruv, we need the real thing though, 9 he said, bruv, what is the point, even if you had the 10 real thing, nobody let you bust it, you lot bust it, you 11 get the real thing, you get caught, you lot are fucked 12 he said." 13 Was that you?</p> <p>14 A. Yes, but I don't recall myself speaking like that, to be 15 honest. It sounds a bit dramatic.</p> <p>16 Q. It sounds a bit dramatic?</p> <p>17 A. Yes.</p> <p>18 Q. Well, I would like to ask you not about the words that 19 you used but who it was that had told you that you were 20 not getting the real thing?</p> <p>21 A. The person that I was meant to pick up the firearm from.</p> <p>22 Q. Right. The person that you have described as T?</p> <p>23 A. Yes.</p> <p>24 Q. Thank you.</p> <p>25 Can we go to the next page, please. Somebody then</p> <p style="text-align: center;">Page 29</p>	<p>1 says, can you see the top of the page: 2 "You know what the big thing is for, you see that 3 door, if it don't open, the fucking side door, just 4 shoot the lock three times, fam, and open it, do you 5 understand?"</p> <p>6 A. Yes.</p> <p>7 Q. Was that you or Nathan Mason that said that?</p> <p>8 A. That was Jermaine.</p> <p>9 Q. That is Jermaine, right.</p> <p>10 It says B, it also says G next to it, which is why 11 I am asking the question. 12 Who was it that said that?</p> <p>13 A. Jermaine.</p> <p>14 Q. Jermaine: 15 "Or just -- or even just bark it off at the door." 16 A. Yes, that was -- either Nathan or I think that one was 17 Nathan, because Jermaine said that and I think after 18 that Nathan said just to bark it off.</p> <p>19 Q. Right, and then this: 20 "You know them ones, just bark it off, what is this 21 thing going to do? Nothing, bruv, nothing, it is just 22 going to look like ..." 23 Who do you think said that?</p> <p>24 A. That was -- I think that was Jermaine. 25 One second, please.</p> <p style="text-align: center;">Page 30</p>
<p>1 Q. That is a reference to the replica or imitation firearm 2 in the car, isn't it?</p> <p>3 A. Yes.</p> <p>4 Q. That that was not capable of doing anything?</p> <p>5 A. Yes.</p> <p>6 Q. Who was disappointed in that car that there wasn't 7 a real firearm?</p> <p>8 A. Mostly it was Jermaine.</p> <p>9 Q. Do you know why he was disappointed that there wasn't 10 a live firearm?</p> <p>11 A. I don't know. He just seemed upset but Nathan seemed 12 upset as well that there wasn't a real firearm in the 13 car.</p> <p>14 Q. Right.</p> <p>15 Let's read on, "Talk about two minutes, we are gone 16 fam, 2 minutes 30 seconds". 17 And then something that has been attributed to you: 18 "30 seconds, yeah, bruv, fuck it, 30 seconds, say 19 oi, oi, if he presses the thingy alarm we are gone, you 20 understand that? He presses that alarm we are gone fam, 21 if we stop that van and he presses the alarm, bruv, it 22 is not our fault, you understand." 23 Was that you saying that, Mr Sogucakli?</p> <p>24 A. Yes, that was me.</p> <p>25 Q. What did you mean by, "Say oi, oi if he presses the</p> <p style="text-align: center;">Page 31</p>	<p>1 thingy alarm we are gone"?</p> <p>2 A. Yes, if he presses the alarm, basically, like if he 3 presses the alarm and they don't comply within two 4 minutes then we would get back in the car and drive 5 away.</p> <p>6 Q. Right.</p> <p>7 Can we go over the page, please, to page 7. 8 At the top of the page: 9 "Don't worry, I've got weed, I've got weed, don't 10 worry about it, where's my lighter ... 11 Then you are alleged to say: 12 "What is this, man? I don't even want to breath in 13 this car." 14 Do you remember saying that?</p> <p>15 A. No.</p> <p>16 Q. Then somebody says: 17 "Oi listen, you see that thing, make sure it comes 18 back in the car, because there is a canister in there, 19 with my prints and his prints on it. 20 "What thing? 21 "In that fucking thing." 22 Do you remember that conversation?</p> <p>23 A. Yes.</p> <p>24 Q. Who was saying that the item with the canister needed to 25 come back in the car?</p> <p style="text-align: center;">Page 32</p>

<p>1 A. Jermaine and Nathan.</p> <p>2 Q. What did you understand that they were referring to?</p> <p>3 A. That they was playing around with the BB gun, and so</p> <p>4 their fingerprints was all over the canisters and the</p> <p>5 imitation firearm, so they said make sure the imitation</p> <p>6 firearm comes back into the car.</p> <p>7 Q. Can we go to page 11, please.</p> <p>8 At 07.16.26 in the middle of the page, we can see</p> <p>9 words attributed to you:</p> <p>10 "The last time he was making someone else talk the</p> <p>11 last time, bruv, I don't want to breath in this car,</p> <p>12 bruv."</p> <p>13 A. Yes.</p> <p>14 Q. And then:</p> <p>15 "No, no, I know it is him, listen, I know it is him,</p> <p>16 fam, it is going to get burnt, G, it needs to get burnt,</p> <p>17 don't worry, 100 per cent, all you got to do is light</p> <p>18 the seatbelts."</p> <p>19 A. Yeah.</p> <p>20 Q. Then:</p> <p>21 "They will scrap it, straight in there, bruv, don't</p> <p>22 give a fuck about money, yeah, they will do it.</p> <p>23 "Scrap what?</p> <p>24 "Don't worry, man, just leave it down to me and</p> <p>25 Notts.</p> <p style="text-align: center;">Page 33</p>	<p>1 And:</p> <p>2 "What O asked us to do, yeah, he wants us to park it</p> <p>3 back in that spot. It ain't happening, no because me</p> <p>4 and you has been there, I don't want to put it back</p> <p>5 there."</p> <p>6 What was that conversation about?</p> <p>7 A. I don't know.</p> <p>8 Q. Do you think it might have been about getting rid of the</p> <p>9 car, the Audi, after the escape?</p> <p>10 A. Yeah, that is what it looks like, it is scrapping the</p> <p>11 car, getting rid of it.</p> <p>12 Q. What was your role going to be in getting rid of the</p> <p>13 car?</p> <p>14 A. Fuck all. Nothing, sorry.</p> <p>15 Q. Let me just go over the page, please, to page 12 and ask</p> <p>16 you about the conversation at 07.18.09.</p> <p>17 Who is Chico?</p> <p>18 A. Chico?</p> <p>19 Q. Yes.</p> <p>20 A. Chico, he is -- I would say I don't know him well he is</p> <p>21 just somebody, he is not around our area, he is mostly</p> <p>22 from Islington. He is just somebody that the group</p> <p>23 knows.</p> <p>24 Q. Is Chico somebody who was involved in the original</p> <p>25 escape attempt at the end of October?</p> <p style="text-align: center;">Page 34</p>
<p>1 A. Chico? No, I don't think so. Chico was just</p> <p>2 somebody -- he is basically like somebody who does phone</p> <p>3 calls and pick ups and drop offs.</p> <p>4 Q. Phone calls and pick ups and drop offs for what?</p> <p>5 A. Like if someone needs to get picked up from somewhere</p> <p>6 and drop something off, he will pick that person up and</p> <p>7 drop them off. Basically he was a driver.</p> <p>8 Q. Let's just have a look at this conversation:</p> <p>9 "Well, who got scared last time?</p> <p>10 "Chico, Chico.</p> <p>11 "Chico said what.</p> <p>12 "I don't even know, my man, why am I doing this for,</p> <p>13 my man, at the day he is supposed to do it he is in the</p> <p>14 car feeling shit."</p> <p>15 Then:</p> <p>16 "No one has seen him since, you know that.</p> <p>17 "I don't know him, what the fuck am I doing this</p> <p>18 for? Like I ain't risking my life, I ain't going to</p> <p>19 jail for this guy, who is he?"</p> <p>20 What was that conversation about?</p> <p>21 A. That is probably a conversation of Chico being involved</p> <p>22 in this but, he did not want to be a part of it.</p> <p>23 Q. So this is the escape attempt on 11 December?</p> <p>24 A. Yeah. Probably.</p> <p>25 Q. Let's look a little further down at 07.18.48:</p> <p style="text-align: center;">Page 35</p>	<p>1 "You know it wasn't you two that I was doing this</p> <p>2 with, I wouldn't come, promise you, wouldn't come. It</p> <p>3 is only because he knows yeah, that I have rid out with</p> <p>4 him with a burner and me and you ride, you know what, me</p> <p>5 and him always take the burner, me and you, you get me,</p> <p>6 you get me, that is the only reason why I come, that is</p> <p>7 the reason why Ozzy goes to me, who you going to take</p> <p>8 with you?"</p> <p>9 What is that conversation about?</p> <p>10 A. That is Jermaine talking, I think that is Jermaine</p> <p>11 talking to Nathan and saying that how he trusts him and</p> <p>12 how he has been out with him and all that.</p> <p>13 Q. And the reference to Ozzy?</p> <p>14 A. Wait ...</p> <p>15 Nathan is saying that when Ozzy asks him who you</p> <p>16 going to take with you, him saying Jermaine and probably</p> <p>17 me.</p> <p>18 Q. Who is Ozzy?</p> <p>19 A. Ozzy is Ozcan Eren.</p> <p>20 Q. Next page, please.</p> <p>21 Just towards the bottom of the page at 07.21.23, we</p> <p>22 can see. We can see something that is attributed to</p> <p>23 Nathan Mason:</p> <p>24 "Wait, wait, wait listen, listen, listen yeah, we</p> <p>25 are dropping thingy off to G and then G is dropping him</p> <p style="text-align: center;">Page 36</p>

<p>1 off to Eren, then Eren is taking him in some next whip 2 ... three times." 3 Then: 4 "Tell me how this works, please, where we jumping 5 off, where are we going? 6 "We are going just to wherever we go. 7 "We are going to drop him off, I know exactly where 8 I am going. 9 "No matter what happens, yeah, if we don't get him, 10 we are gone. 11 "Where are we dropping him off?" 12 Next page, please: 13 "You see White Hart Lane, yeah, school, yeah ... you 14 go down White Hart Lane, you got the astroturf ... as 15 you go down to White Hart Lane ... you have got that 16 left to go to the astroturf, back of Palmers Green, you 17 know where Hass lived, basically that road, we are going 18 up there." 19 Was this the conversation about what was going to 20 take place with Izzet once you had got him out of the 21 van? 22 A. Yes. 23 Q. Then Jermaine is attributed to having said: 24 "It is near mine so basically, no matter what, yeah, 25 we can just burn the car and all just jump into my yard</p> <p style="text-align: center;">Page 37</p>	<p>1 if we have to. 2 "The car is quick, don't worry." 3 A. Yes. 4 Q. Then you say: 5 "We need to get there before the feds see us." 6 Nathan Mason says: 7 "Trust me, we will get there before any feds, it is 8 not that far, you get me, we are going to drop him off 9 and we are going to kick and then we are going to do 10 some damage, we are going to make sure that ..." 11 Then Jermaine says: 12 "What we have to do is lie down, even you have to 13 lie down, because you are Turkish, you have to lie down 14 too, bruv." 15 You say: 16 "I am going to lie down, my face is gone." 17 What was being suggested in terms of what was going 18 to happen afterwards? 19 A. Our escape. 20 Q. Yes. 21 A. Our getaway plan. 22 Q. Right. Why was it being suggest that had you had to lie 23 down because you are Turkish? 24 A. Because police officers normally target us Turks. 25 Q. Was this a conversation during which it was suggested</p> <p style="text-align: center;">Page 38</p>
<p>1 you would hide, lie down in the car? 2 A. Yeah. 3 Q. Right. 4 Let's just look at how the conversation continues, 5 please: 6 "Last time man had shotta, that is how sick it was." 7 That is attributed to you: 8 "I can't believe you lot didn't even call me, tell 9 man. 10 "Tell you? 11 "Us man, the first time." 12 Then you are attributed to have said: 13 "You knew it, bruv, I thought you knew it. You told 14 me, bruv, Ozzy is saying he needs people for moves, 15 bruv. 16 "Yeah, but this is for this one. You told me on the 17 day when the other ting flopped." 18 And you say: 19 "Nah, you said it before then, then it happened, 20 then it flopped. Cause this time ... 21 "Actually you know what, that's right, you know. 22 "You remember. 23 "You said you were going to holler me for something, 24 we were going to do something and I waited, waited, 25 waited. The day come and I didn't get a phone call, so</p> <p style="text-align: center;">Page 39</p>	<p>1 I thought them man are doing it." 2 And you said: 3 "I don't understand how they can bring Musti, 4 I don't understand, what is man going to do? He was 5 going to jump out with man, you know." 6 Now -- 7 A. Sorry, Ms, sorry, can I just use the toilet quickly, 8 please? I can't concentrate -- 9 MS BLACKWELL: Certainly, we will have a break. 10 A. Thank you. 11 MS BLACKWELL: Can we cut the feed, please. 12 Sir, it is 11.15, and perhaps we can take a five- or 13 ten-minute break. 14 THE CHAIRMAN: Yes, all right. 15 MS BLACKWELL: There is not a great deal left for this 16 witness. 17 THE CHAIRMAN: Is Mr Cooper able to hear what we are saying? 18 MS BLACKWELL: Mr Cooper, can you hear us? 19 MR COOPER: I didn't, sorry. 20 MS BLACKWELL: Thank you, we are going to take a five- or 21 10-minute break, if that will be sufficient, I think it 22 should be, and we will let you know when we are ready. 23 MR COOPER: More than sufficient, thank you very much. 24 THE CHAIRMAN: Can I just establish, Mr Cooper. At the end 25 of the evidence, will you require time with your client?</p> <p style="text-align: center;">Page 40</p>

<p>1 MR COOPER: Five minutes, no more, sir.</p> <p>2 THE CHAIRMAN: I will just make sure that the prison staff</p> <p>3 facilitate that for you.</p> <p>4 MR COOPER: Yes, I have made that request as well.</p> <p>5 THE CHAIRMAN: Good, thank you.</p> <p>6 MR COOPER: Thank you very much.</p> <p>7 (11.18 am)</p> <p>8 (A short adjournment)</p> <p>9 (11.30 am)</p> <p>10 THE CHAIRMAN: Yes.</p> <p>11 MS BLACKWELL: Mr Sogucakli, can you hear me?</p> <p>12 A. Yes.</p> <p>13 Q. Are you ready to continue?</p> <p>14 A. Yes.</p> <p>15 Q. Thank you.</p> <p>16 I was asking you about the passage which I have just</p> <p>17 read out, that I am going to suggest is conversation</p> <p>18 between you and Nathan Mason about the attempt to spring</p> <p>19 Izzet Eren in October that didn't happen.</p> <p>20 Do you agree that that is what was being discussed?</p> <p>21 A. To be honest, I don't want to lie here but I can't</p> <p>22 remember the conversation.</p> <p>23 Q. Right. Because --</p> <p>24 A. If --</p> <p>25 Q. I'm sorry, go on.</p> <p style="text-align: center;">Page 41</p>	<p>1 A. I can't recall if the conversation was between me and</p> <p>2 Nathan Mason or between him and Jermaine.</p> <p>3 Q. Right.</p> <p>4 Let's have a look at what it is alleged you said at</p> <p>5 07.23.12:</p> <p>6 "You knew it, bruv, I thought you knew it, you told</p> <p>7 me, bruv, Ozzy is saying he needs people for moves."</p> <p>8 What does that mean?</p> <p>9 A. That means that Ozzy has told people that he needs</p> <p>10 people for moves.</p> <p>11 Q. What does "moves" mean?</p> <p>12 A. It could mean anything, it could be anything.</p> <p>13 Q. I know it could be anything, but I am asking you what it</p> <p>14 meant within the course of this conversation.</p> <p>15 A. Oh, within this conversation?</p> <p>16 Q. Yes.</p> <p>17 A. "Moves", it could be about the breakout, or it could be</p> <p>18 about a different move.</p> <p>19 Q. Let's see what the response is, because according to the</p> <p>20 transcript, Nathan Mason then says:</p> <p>21 "Yeah, but this is for this one. You told me on the</p> <p>22 day when the other thing flopped."</p> <p>23 What was he referring to having flopped?</p> <p>24 A. Flopped? I can't remember.</p> <p>25 Q. Could it be that he was talking about the previous</p> <p style="text-align: center;">Page 42</p>
<p>1 attempt that didn't happen?</p> <p>2 A. It could be.</p> <p>3 Q. Right. Which might suggest that you knew about that.</p> <p>4 A. I felt that -- obviously I knew about it after because</p> <p>5 it flopped, but at the time, when it was going to</p> <p>6 happen, I didn't know about it.</p> <p>7 Q. Then later, at 07.23.33, Nathan is alleged to have said:</p> <p>8 "You said you were going to holler me for something,</p> <p>9 we were going to do something and I waited, waited,</p> <p>10 waited, the day come and I didn't get a phone call, so</p> <p>11 I thought them man are doing it."</p> <p>12 And you said:</p> <p>13 "I don't understand how they can bring Musti,</p> <p>14 I don't understand that, what is man going to do? He</p> <p>15 was going to jump out with man, you know."</p> <p>16 Were you talking about the previous attempt?</p> <p>17 A. I was talking about a friend called Musti that is in</p> <p>18 Turkey now.</p> <p>19 Q. Yes.</p> <p>20 A. And he wanted to be part of this.</p> <p>21 Q. Of what?</p> <p>22 A. Of the spring.</p> <p>23 Q. Which spring, the October one or the December one?</p> <p>24 A. I can't recall which one he wanted to be a part of, but</p> <p>25 I think he would have been a part of both of them if he</p> <p style="text-align: center;">Page 43</p>	<p>1 really wanted -- if the person allowed him to.</p> <p>2 Q. Right, which person allowed him to?</p> <p>3 A. The main guy -- either Nathan or Ozzy.</p> <p>4 Q. Right. Doing the best you can, Mr Sogucakli, are you</p> <p>5 talking here about the first attempt or the second one?</p> <p>6 A. I can't remember, sorry.</p> <p>7 Q. Top of the next page, please. You are alleged to have</p> <p>8 said:</p> <p>9 "Man, what you going to do, fam? Mr Serco man going</p> <p>10 to slap you across your face."</p> <p>11 What were you referring to then?</p> <p>12 A. Mr Serco man ... probably talking about Musti saying</p> <p>13 what is the Serco guy going to do, slap you in the</p> <p>14 face -- because he is not really a physical guy like</p> <p>15 that, so I probably -- I don't -- that what I think I am</p> <p>16 saying.</p> <p>17 Q. You were laughing about the prospect of Musti being</p> <p>18 involved in an escape attempt like this?</p> <p>19 A. Yes, exactly.</p> <p>20 Q. Then there is conversation about having no scarf to</p> <p>21 cover your face and you say, "Now I've got my thing, my</p> <p>22 T-shirt, I put one there, you know what I have, innit".</p> <p>23 And you say, "Yeah, yeah".</p> <p>24 Do you remember discussion about how you were going</p> <p>25 to hide your identity whilst you were committing the</p> <p style="text-align: center;">Page 44</p>

<p>1 escape attempt?</p> <p>2 A. Yeah, he says -- yeah, I was going to put my T-shirt</p> <p>3 around, and I think I had a black T-shirt or a dark</p> <p>4 T-shirt that I was going to put around my face as</p> <p>5 I wasn't prepared for this spring, so I just a T-shirt</p> <p>6 with me.</p> <p>7 Q. Did you have a balaclava with you?</p> <p>8 A. No.</p> <p>9 Q. Did Jermaine Baker have a balaclava with him?</p> <p>10 A. I think so, I don't know. I don't want to say he did</p> <p>11 and he didn't. I can't remember.</p> <p>12 Q. Did Nathan Mason have a balaclava?</p> <p>13 A. I can't remember.</p> <p>14 Q. Let me take you a little further down the page, to</p> <p>15 07.25.00. You are alleged to have said:</p> <p>16 "I wish those pussies Serco people, bruv, I hope one</p> <p>17 of them don't try and be a superman. Nah.</p> <p>18 "They are not allowed to though.</p> <p>19 "They are not, they are not.</p> <p>20 "When it is life in danger, they are not allowed to</p> <p>21 do shit."</p> <p>22 Do you remember saying that?</p> <p>23 A. Yes.</p> <p>24 Q. Right. Who were you referring to by the description</p> <p>25 "Serco people"?</p> <p style="text-align: center;">Page 45</p>	<p>1 A. The people that are driving the Serco van.</p> <p>2 Q. Which is the prison van?</p> <p>3 A. Exactly, yes.</p> <p>4 Q. Why were you saying that when life is in danger, they</p> <p>5 are not allowed to do anything?</p> <p>6 A. I remember that clearly, because that is one of the</p> <p>7 things that we spoke about previously as well. And</p> <p>8 I had a couple of things.</p> <p>9 Apparently, this is what I heard, if a firearm is</p> <p>10 pointed at a Serco van, they have not got the right to</p> <p>11 be a hero and try to stop the events of what is</p> <p>12 happening.</p> <p>13 Q. Right. Who would told you that?</p> <p>14 A. Who told me that? Who told me that?</p> <p>15 I can't remember.</p> <p>16 Q. All right. Let's go a little further down, please, to</p> <p>17 07.25.20, when you are alleged to have said:</p> <p>18 "Bruv, that is it, hands up, do not press that or it</p> <p>19 is getting let off and then ... after that ... open the</p> <p>20 fucking door."</p> <p>21 Is that you describing what you are expecting to</p> <p>22 happen when you try and get Izzet Eren out of the van?</p> <p>23 A. Yeah.</p> <p>24 Q. Then do you go on to say --</p> <p>25 A. Probably.</p> <p style="text-align: center;">Page 46</p>
<p>1 Q. "You know, when man makes this guy open the door, we are</p> <p>2 going to go inside, Jermaine, yeah, we need to make him</p> <p>3 bust the door open, innit, innit, Notts."</p> <p>4 And Mason says:</p> <p>5 "Yes, the guy in the back needs to bust it."</p> <p>6 What is that a reference to?</p> <p>7 A. That is a reference to commanding the Serco, the Serco</p> <p>8 guy, Serco prison van whatever, to open the lock for us.</p> <p>9 Q. Right. In order to get Izzet Eren out of the van?</p> <p>10 A. Yes. Exactly.</p> <p>11 Q. I just want to ask you about whether or not during the</p> <p>12 course of your journey in this vehicle you ever got out</p> <p>13 of the car?</p> <p>14 A. I probably did to take a -- to use the toilet, take</p> <p>15 a piss.</p> <p>16 Q. All right.</p> <p>17 Any other reason?</p> <p>18 A. No. Probably not.</p> <p>19 Q. All right. There appears to also be conversation on the</p> <p>20 next page, page 18, please, about the direction that the</p> <p>21 court van would come in. Did you know anything about</p> <p>22 the direction that the court van would take?</p> <p>23 A. I can't remember.</p> <p>24 Q. All right.</p> <p>25 A. Sorry?</p> <p style="text-align: center;">Page 47</p>	<p>1 Q. I didn't say anything.</p> <p>2 You cannot remember if there was any conversation</p> <p>3 about the direction that the court van would come in?</p> <p>4 A. No.</p> <p>5 Q. Right. At page 19, please. The middle of the</p> <p>6 page 07.59.58:</p> <p>7 "Don't worry I am with you G man."</p> <p>8 Then you are alleged to have said:</p> <p>9 "I might not until he opens the door."</p> <p>10 Then Jermaine Baker:</p> <p>11 "Me and you are outside, Notts knows that I am on</p> <p>12 point. See, just listen to me, when I say it once, then</p> <p>13 you listen, don't let me say it twice. Your name is not</p> <p>14 G, your name -- your name's Ali, we are all called Ali,</p> <p>15 bruv."</p> <p>16 Do you remember that conversation?</p> <p>17 A. Yes, I do.</p> <p>18 Q. What was that a reference to?</p> <p>19 A. Just Jermaine being the person he is, loud and just</p> <p>20 telling me what to do.</p> <p>21 Q. What was he telling you to do?</p> <p>22 A. That we don't use our own names, that we are all Ali.</p> <p>23 Q. Right. Next page, please, page 20.</p> <p>24 We are getting to a stage close to the time that the</p> <p>25 police intercepted the vehicle. At 08.07.56 it is</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 alleged that Nathan Mason said: 2 "Yo, what do you mean don't go to sleep?" 3 Do you remember him taking a phone call at about 4 that time and somebody was warning him not to go to 5 sleep? 6 A. No. 7 Q. Right. 8 Was anybody sleeping during the time that you spent 9 in the car that morning? 10 A. Yes. 11 Q. Who was sleeping? 12 A. I was sleeping. Jermaine was sleeping. At one point 13 Notts was sleeping. 14 Q. All right. 15 There were three telephone calls made to 16 Nathan Mason, after the one that I have just identified. 17 In fairly short succession, over the course of about six 18 or seven minutes, there were three telephone calls 19 received. 20 Do you remember the phone that Nathan Mason was 21 using ringing? 22 A. Yeah. 23 Q. Were you asleep around about that time and were you 24 awoken by the noise that was coming from the mobile 25 phone?</p> <p style="text-align: center;">Page 49</p>	<p>1 A. Yeah, I was asleep but I am a light sleeper, I wake up 2 to anything, really, so I always drift in and out of 3 sleep. 4 Q. Were you woken up each time the phone rang? 5 A. Yes, yes, yes, sorry, yes. 6 Q. What about Jermaine, could you see whether he was 7 sleeping or whether he was awake? 8 A. Jermaine, I honestly think he was sleeping because 9 I didn't see no movement to him. 10 Q. Do you know whether or not he woke up when the mobile 11 phone rang? 12 A. When you mean wake up, yeah, what I would say is if he 13 did -- you see when somebody is half asleep like you 14 could be up for 10, 15 seconds and the next minute you 15 are back into your sleep. That is the most I would say 16 that what happened with Jermaine, like he will probably 17 just -- if I recall correctly, he will wake up, say 18 something, and then drift back to sleep. 19 Q. Right. Where were you sleeping in the vehicle, which 20 position were you in? 21 A. I was kind of sideways in the car, but legs still on the 22 floor. 23 Q. Your legs were in the footwell behind the driver's seat 24 and your body was lying across the back seat, with your 25 head close to the front passenger seat?</p> <p style="text-align: center;">Page 50</p>
<p>1 A. Yeah. 2 Q. Right. Could you see anything of Jermaine Baker's body 3 or face from where you were lying? 4 A. No. 5 Q. Are you able to say whether or not he was awake or 6 asleep at this particular time? 7 A. What I am going on say is, yeah, Jermaine is a loud 8 character. If Jermaine is awake, there will be noise in 9 that car. So I can't tell you 100 per cent he was 10 asleep, but that is what I think, he was asleep. 11 Q. Could you hear any noises coming from anybody suggesting 12 that anybody was asleep? 13 A. No. 14 Yeah, Jermaine -- he was ... he wasn't snoring, but 15 deep breathing, like when you are breathing heavily, 16 innit. 17 Q. Is that before the mobile telephone calls or after the 18 mobile telephone calls or both? 19 A. Both. 20 Q. Right. 21 Was there anything covering Jermaine's face at that 22 time? 23 A. Yeah, he had like a, I don't know, a balaclava or 24 a scarf or something around his face. 25 Q. Was it a balaclava or was it a scarf?</p> <p style="text-align: center;">Page 51</p>	<p>1 A. I can't remember. 2 Q. When did you first become aware that the police were 3 approaching the vehicle? 4 A. At first, when I saw the police officers, I did not know 5 it was police officers, I thought it was a different -- 6 a group or gang approaching us with firearms then 7 after -- 8 Q. Why did you think that? 9 A. Because they did not look like police officers, they was 10 blacked out, they didn't -- they had nothing resembling 11 police and the only time I found out they was police 12 officers is when they screamed, "Armed police". 13 Q. Could you hear them saying "armed police"? 14 A. Yes, after a few seconds they started -- they approached 15 the car. 16 Q. Were the windows in the Audi steamed up? 17 A. It is -- when you mean steamed up, it wasn't steamed up 18 to the point where you cannot see through the windows. 19 Q. Right. 20 A. Basically, it was steamed up, but you could have seen 21 through the windows inside and out clearly. 22 Q. Right. So partially misted? 23 A. Yes, exactly. 24 Q. Could you see the firearms officers approaching? 25 A. Yes.</p> <p style="text-align: center;">Page 52</p>

<p>1 Q. What then happened?</p> <p>2 A. They have approached the vehicle, still screaming,</p> <p>3 screaming, screaming. They have -- do you want me to</p> <p>4 explain what I was doing or what the police officers</p> <p>5 were doing.</p> <p>6 Q. Explain what you were doing first, please.</p> <p>7 A. At the time when they was approaching the car, and</p> <p>8 I have realised it was police officers, the firearm was</p> <p>9 on my lap, as I was getting ready for the escape, so</p> <p>10 when I have noticed the police officers, I have placed</p> <p>11 the firearm back into the rucksack, I have had a pair of</p> <p>12 gloves, took those off and placed them on top of the</p> <p>13 rucksack.</p> <p>14 Q. Why did you do that, why did you take off your gloves?</p> <p>15 A. Because I did not want to -- I was basically trying to</p> <p>16 cover up.</p> <p>17 Q. Right, but why was it important for you to take off your</p> <p>18 gloves?</p> <p>19 A. So they did not link me to the firearm.</p> <p>20 Q. Right.</p> <p>21 Could I just ask you again about the reason why you</p> <p>22 were wearing a triple layer of clothing, was one of the</p> <p>23 reasons so that you could get rid of a layer of clothing</p> <p>24 in case it had firearms residue on it?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 53</p>	<p>1 Q. All right.</p> <p>2 Back to the story that you were telling, please,</p> <p>3 Mr Sogucakli.</p> <p>4 You put the imitation firearm back in the bag, you</p> <p>5 took off your gloves and then what happened?</p> <p>6 A. Then I have heard a banging noise on Jermaine's window,</p> <p>7 about, a few times I would say, three, four times, and</p> <p>8 then at that time, an officer approached my door,</p> <p>9 I don't know if it was an officer that was banging on</p> <p>10 Jermaine's window or not, but he approached my door and</p> <p>11 during that time, between my door opened and that is</p> <p>12 between the time Jermaine had been shot.</p> <p>13 Q. Right. When you say that there was an officer</p> <p>14 approaching your door, do you mean the rear passenger</p> <p>15 door?</p> <p>16 A. Yes.</p> <p>17 Q. So the door closest to where your head had been when you</p> <p>18 were lying down?</p> <p>19 A. Yes.</p> <p>20 Q. Is that the door that was opened and through which you</p> <p>21 were dragged out of the vehicle?</p> <p>22 A. Yeah.</p> <p>23 Q. Right.</p> <p>24 Were you aware of any reaction from Jermaine when</p> <p>25 the police officer either banged on the window or opened</p> <p style="text-align: center;">Page 54</p>
<p>1 his door?</p> <p>2 A. No.</p> <p>3 Q. Did anybody say anything inside the vehicle?</p> <p>4 A. No.</p> <p>5 Q. Were you aware that Jermaine had been shot?</p> <p>6 A. Not -- I have heard the bang, but I wasn't aware that he</p> <p>7 has been shot.</p> <p>8 Q. When did you first become aware that he had been shot?</p> <p>9 A. While I was being dragged out of the car and I was put</p> <p>10 behind the rear of the car and then I heard police</p> <p>11 officers saying, "He is still breathing, he is still</p> <p>12 breathing", I have heard Nathan Mason's voice, I haven't</p> <p>13 heard Jermaine's, so I assumed Jermaine had been shot.</p> <p>14 So then I asked a police officer what had happened and</p> <p>15 his reply was to me that there has been a shoot out.</p> <p>16 Q. Right, did you respond to that?</p> <p>17 A. The shoot out? Yes, I did.</p> <p>18 Q. What did you say?</p> <p>19 A. I said, "How could they be a shoot out when the firearm</p> <p>20 ..." I didn't say firearm, I said, "The gun that is in</p> <p>21 our possession is fake, so it does not fire bullets, so</p> <p>22 how could there be a shoot out? Can you explain that to</p> <p>23 me, please".</p> <p>24 Q. Where were you when that conversation was taking place?</p> <p>25 A. I was on the rear of the car, I think, yes, on the rear</p> <p style="text-align: center;">Page 55</p>	<p>1 of the car.</p> <p>2 Q. Outside of the car?</p> <p>3 A. Yes, outside of the car, at the back.</p> <p>4 Q. At the back, right?</p> <p>5 A. Yes.</p> <p>6 Q. Can you describe to us, please, how you were dragged out</p> <p>7 of the car?</p> <p>8 A. I was dragged out by a police officer. To be honest my</p> <p>9 arm wasn't even on my head, it was all over the place,</p> <p>10 I was in shock, I didn't know what was going on. He</p> <p>11 dragged me out of the car, he started stamping on my</p> <p>12 head saying "stop resisting", I said, "I am not</p> <p>13 resisting", I said, "What are you doing?" And then</p> <p>14 after -- a witness appeared at a window, the police</p> <p>15 officer stopped stamping on my head.</p> <p>16 Q. Where do you say the witness appeared?</p> <p>17 A. From the house.</p> <p>18 Q. Were you aware at that stage of somebody watching you?</p> <p>19 A. Yes, and I was happy that somebody was watching me.</p> <p>20 Q. Because is it your evidence that that was what caused</p> <p>21 the police officer to stop stamping on your head?</p> <p>22 A. Yes.</p> <p>23 Q. Did you receive any injuries, Mr Sogucakli?</p> <p>24 A. I had minor cuts and red marks but I am a man, I don't</p> <p>25 really do this complaints and all of these things, so</p> <p style="text-align: center;">Page 56</p>

<p>1 I never -- my solicitor took images at the time, Michael 2 Carroll Solicitors, but I don't think they processed 3 them. 4 Q. I would just like to take you back inside the car, 5 please. 6 You described how you were all over the place and 7 you described something about your hands. 8 Had you received any instruction from any of the 9 officers who were approaching the vehicle as to what to 10 do with your hands? 11 A. To be honest, they was all screaming all over each 12 other, so it wasn't clear what they were saying. It was 13 not clear. 14 Q. What did you do with your hands? 15 A. I -- the firearm that was on my lap, I placed that in 16 the bag, took out the gloves, put that on the floor and 17 at the same time I was -- by the time I have done that, 18 I was dragged out of the car. 19 Q. Were you handcuffed? 20 A. Yes, but in a plastic one. 21 Q. Right. Were you eventually taken to a police van? 22 A. No, I wasn't -- yes, I was. 23 Q. Do you remember being taken to Westminster Magistrates' 24 Court the following day? 25 A. Yes.</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. Do you remember making the following comments: 2 "We were just sleeping, man, I was laid out in the 3 back, Jermaine was in the passenger seat and Nathan in 4 the driver's seat, we were sleeping, man, they shot my 5 mate when he was asleep." 6 Do you remember saying that. 7 A. Yes. 8 Q. Did you also say, "Check the gun, man, it is a pellet 9 gun, he got it for his boys it is not a real gun, it 10 cost £200"? 11 A. Yes. 12 Q. Who were you referring to when you said, "He got it for 13 his boys"? 14 A. He got -- I was referring to Jermaine. 15 Q. Right. Why did you say that? 16 A. At the time I was still trying to cover up what was 17 going on. 18 Q. Did you believe that Jermaine Baker had got the gun for 19 his son, for his boys? 20 A. No. No. 21 Q. Do you remember a conversation in your cell with 22 a police officer about the gun saying this: 23 "The police cannot charge me as I have nothing to do 24 with it, the gun can be bought for between £250 and £300 25 and it is not real. It belongs to my friend. Jermaine</p> <p style="text-align: center;">Page 58</p>
<p>1 was not armed and could not have pointed a gun at the 2 officers, they aimed at Nathan but he ducked and they 3 got Jermaine, they got the wrong man." 4 Do you remember saying that? 5 A. No. 6 Q. Right. 7 Finally I would like to ask you some questions about 8 why you are currently in custody. Have you been 9 recalled on your licence? 10 A. Yes. 11 Q. Were you also arrested for possession of a firearm with 12 intent to endanger life and possession of class B drugs? 13 A. Yes. 14 Q. Right. Did that involve you being stopped in a taxi 15 with a number of other males, in which there was found 16 a Glock self-loading pistol in the boot? 17 A. Yes. 18 Q. Is that a matter for which you are on remand or are you 19 a convicted prisoner? 20 A. I am on remand. 21 Q. Finally, could I take you back to our transcript, INQ40, 22 at page 12. 23 At the bottom of this page, at 07.18.55, and it is 24 a part of the transcript which I have already read out 25 Mr Sogucakli, there is reference to Jermaine Baker</p> <p style="text-align: center;">Page 59</p>	<p>1 saying: 2 "It is only because he knows yeah that I have rid 3 out with him with a burner and me and you ride, you 4 know, with him always takes the burner." 5 What did you understand was being referred to by 6 using the word "burner"? 7 A. I don't know, it could have referred to anything. 8 Burner means a lot of things, burner means phone, burner 9 means -- it could mean anything. 10 Q. Well, doing the best you can -- 11 A. Like mostly in common, when we talk about burners, we 12 talk about phones. 13 Q. Right. 14 A. Like we say, "Get rid of that burner, get rid of that 15 phone". 16 Q. Are those phones that are used for one specific purpose 17 and then destroyed so that the police cannot trace you? 18 A. Yes, exactly. 19 Q. Right. 20 Could we go, please to page 17. 21 You remember, Mr Sogucakli, I was asking you about 22 the telephone calls that were made just before the 23 police came to intercept the vehicle. Yes? 24 A. Yes. 25 Q. I want to ask you about this conversation that took</p> <p style="text-align: center;">Page 60</p>

<p>1 place between the second and third telephone calls and 2 it begins at 09.00.34. 3 Could we just highlight this portion, please, 4 Mr Coates, down to the end of the conversation, "Faint 5 noise". 6 Thank you, the attribution of this conversation is 7 as follows: 8 "Nathan Mason: 9 "See, as you go in, yeah, it is the first door on 10 the right." 11 "Hmm." 12 Mason: 13 "The first door on your right." 14 Jermaine Baker: 15 "So the door is here, boom, boom." 16 You: 17 "First on the right." 18 Mason: 19 "Yeah." 20 You: 21 "What do you mean?" 22 Jermaine: 23 "In the van." 24 Mason: 25 "In the van, the first door on the right, that is</p> <p style="text-align: center;">Page 61</p>	<p>1 where he is." 2 This was a conversation about the position that 3 Izzet Eren had taken up in the prison van, the cell that 4 he was going to be in, wasn't it? 5 A. Yes. 6 Q. Do you remember this conversation taking place? 7 A. Yeah, I do. 8 Q. Right. My question is this. Is the attribution that 9 I have just referred to correct? 10 A. Yeah. 11 Q. So this conversation was taking place between yourself, 12 Jermaine and Mason? 13 A. Yes. 14 Q. Right. 15 I asked you about injuries that you received as 16 a result of your arrest that day. 17 A. Yes. 18 Q. Are you aware of whether or not any of those injuries 19 were recorded on your custody record when you reached 20 the police station? 21 A. To be honest, I changed my solicitor. At that time it 22 was Michael Carroll & Co Solicitors, they was absolutely 23 crap, so they did not do anything for me. So I don't 24 think they processed anything. 25 Q. Right. Thank you.</p> <p style="text-align: center;">Page 62</p>
<p>1 THE CHAIRMAN: Just a moment. I don't think that would 2 necessarily depend on who was representing you, it would 3 be something which would be noted by the custody officer 4 when you were arrested. 5 A. I don't know if they noted it. I did say to them I had 6 injuries, I did tell them that I had cuts and minor 7 cuts. 8 THE CHAIRMAN: Thank you. 9 A. I honestly don't know if they recorded it or not. 10 THE CHAIRMAN: Thank you. 11 MR BUTT: Sir, I have a brief application, I wonder if my 12 learned friend has finished? 13 THE CHAIRMAN: I don't know if she has yet. 14 MR BUTT: Sorry, I was told the link was going to be cut. 15 MS BLACKWELL: I have finished and the link is about to be 16 cut. 17 THE CHAIRMAN: Do you want the link cutting? 18 MR BUTT: Can I ask for it to be muted, so I can make a very 19 brief application to you, sir. 20 THE CHAIRMAN: Yes. 21 Can we mute the connection with the prison, please. 22 Mr Cooper, you will be cut off for a split second. 23 MR COOPER: Okay. 24 THE CHAIRMAN: Thank you. 25 MR BUTT: Sir, I have made an application that four</p> <p style="text-align: center;">Page 63</p>	<p>1 questions be asked and I need to renew that application 2 to you. They relate to the evidence the witness has 3 given in which he has said he wanted nothing to do with 4 firearms, real firearms. 5 THE CHAIRMAN: Shall we wait until I have asked my 6 questions? 7 MR BUTT: I am so sorry, sir. I was told link was about to 8 be cut and I had to make the application now. 9 THE CHAIRMAN: Let's get back and I will ask my questions. 10 Which may or may not assist. 11 MS BLACKWELL: I understand that the passages that my 12 learned friend wants to go to have already been put up 13 on the screen and he has been asked questions about 14 them, which -- 15 THE CHAIRMAN: I am not interested in those passages, I am 16 interested in asking questions arising from what he 17 said. 18 Can we go back, please. 19 Can you hear me now, please? 20 MR COOPER: We can, yes. 21 THE CHAIRMAN: Right. If Ms Blackwell has finished, I would 22 just like to ask you a couple of questions, please. 23 Questions from THE CHAIRMAN 24 THE CHAIRMAN: As far as you were concerned, you were only 25 going to be involved in this plan if no real firearm</p> <p style="text-align: center;">Page 64</p>

<p>1 were involved?</p> <p>2 A. Yes.</p> <p>3 THE CHAIRMAN: You would have had nothing to do with it</p> <p>4 otherwise?</p> <p>5 A. Yes.</p> <p>6 THE CHAIRMAN: But you went at Nathan's instruction to Love</p> <p>7 Lane to collect what you believed would be a live</p> <p>8 firearm?</p> <p>9 A. No, I did not believe it was a live firearm, no.</p> <p>10 THE CHAIRMAN: That is what you were expecting that Nathan</p> <p>11 had sent you to collect?</p> <p>12 A. Yes, but when I have had a conversation with Nathan,</p> <p>13 Nathan has let me know that the main guy that he was</p> <p>14 speaking with has let him know that a firearm would not</p> <p>15 be part of this spring.</p> <p>16 THE CHAIRMAN: Your evidence before was that it was T who</p> <p>17 told you that you weren't going to get a live firearm.</p> <p>18 A. Yes, he did say that.</p> <p>19 THE CHAIRMAN: When you went to Love Lane.</p> <p>20 A. Yes.</p> <p>21 THE CHAIRMAN: What would you have done if T had given you</p> <p>22 a live firearm?</p> <p>23 A. That wasn't going to be part of the spring.</p> <p>24 THE CHAIRMAN: Because if you had been given a live firearm</p> <p>25 and decided not to be involved, that wouldn't have done</p> <p style="text-align: center;">Page 65</p>	<p>1 much for your respect in the community that you were</p> <p>2 talking about, would it?</p> <p>3 A. No, it wouldn't of, but we had this -- your Honour, we</p> <p>4 had this conversation many times between us, me and my</p> <p>5 old company of friends but, like, it was never in the</p> <p>6 question that there was no point of having a real</p> <p>7 firearm there, whatsoever. Like you cannot just see</p> <p>8 like, what is the point of having a firearm there, it</p> <p>9 doesn't make sense, you are not going to use it, you are</p> <p>10 not going to do anything with it. The only thing that</p> <p>11 we wanted to do and our intention was to free Izzet Eren</p> <p>12 out of prison and that was by causing fear.</p> <p>13 Q. You thought that by having an imitation firearm you</p> <p>14 would be able to spring him?</p> <p>15 A. Yes.</p> <p>16 THE CHAIRMAN: Thank you.</p> <p>17 MS BLACKWELL: May I have one follow-up question from that.</p> <p>18 Further questions from MS BLACKWELL</p> <p>19 MS BLACKWELL: Mr Sogucakli, I have taken you to some</p> <p>20 passages in the transcript where there is a series of</p> <p>21 questions about the absence of a shottey. Do you</p> <p>22 remember, somebody in that car was asking where is the</p> <p>23 shottey, do you remember?</p> <p>24 A. Yes.</p> <p>25 Q. Yes. Who was expecting there to be a live firearm?</p> <p style="text-align: center;">Page 66</p>
<p>1 A. I don't know, probably Jermaine.</p> <p>2 Q. Why do you say that?</p> <p>3 A. Nathan?</p> <p>4 Q. Why do you say that?</p> <p>5 A. I don't know, it is something that was in 2015, I can't</p> <p>6 remember who was expecting there to be a real firearm in</p> <p>7 the car. As I said, I was not speaking to the people</p> <p>8 that was doing this. I was not in contact with them.</p> <p>9 I had nothing -- I did not see them. I don't regularly</p> <p>10 see them. I just know of them, so you are asking the</p> <p>11 wrong person.</p> <p>12 Q. Somebody expected there to be a real firearm, didn't</p> <p>13 they?</p> <p>14 A. I don't know.</p> <p>15 Q. Who was asking: where is the shottey?</p> <p>16 A. Pardon?</p> <p>17 Q. Who was asking the question: where's the shottey?</p> <p>18 A. Probably Jermaine or Nathan.</p> <p>19 MS BLACKWELL: All right.</p> <p>20 A. I don't know who it was, somebody was asking. It is in</p> <p>21 the script, it says it in the script, I think it was</p> <p>22 Jermaine or Nathan, one of them asked where the shottey</p> <p>23 was.</p> <p>24 THE CHAIRMAN: I think --</p> <p>25 MS BLACKWELL: I have taken it as far as I can.</p> <p style="text-align: center;">Page 67</p>	<p>1 THE CHAIRMAN: I think you have.</p> <p>2 Mr Butt, is there anything to be gained by any</p> <p>3 further questions?</p> <p>4 MR BUTT: Sir, they are on the same topic but it relates to</p> <p>5 a specific thing that Mr Sogucakli has said on the</p> <p>6 transcript and it has been read to him, but the apparent</p> <p>7 contradiction has not been put to him.</p> <p>8 THE CHAIRMAN: Which contradiction is that?</p> <p>9 MR BUTT: It relates to his claim that he alone didn't want</p> <p>10 to be involved with the real firearm, but that</p> <p>11 Nathan Mason and Jermaine Baker by contrast did.</p> <p>12 THE CHAIRMAN: If I come to the conclusion that the</p> <p>13 attribution on the transcript is correct --</p> <p>14 MR BUTT: Yes.</p> <p>15 THE CHAIRMAN: -- and he accepts 90 per cent of that which</p> <p>16 is ascribed to him --</p> <p>17 MR BUTT: Yes.</p> <p>18 THE CHAIRMAN: -- then that particular point that he is</p> <p>19 seeking to make ceases to have any effect, doesn't it.</p> <p>20 MR BUTT: Because of the contradiction apparent on the</p> <p>21 transcript?</p> <p>22 THE CHAIRMAN: Yes.</p> <p>23 MR BUTT: Sir, yes. If that were your finding, of course</p> <p>24 the question would be unnecessary and it wouldn't assist</p> <p>25 you.</p> <p style="text-align: center;">Page 68</p>

<p>1 THE CHAIRMAN: I don't think it will.</p> <p>2 MR BUTT: Thank you.</p> <p>3 The second point concerns whether it is right that</p> <p>4 there was no suggestion that others would be involved in</p> <p>5 the previous breakout and there is a passage in which</p> <p>6 there is an apparent conversation about an expectation</p> <p>7 that a call would be made from him to Mr Mason for him</p> <p>8 to be involved.</p> <p>9 THE CHAIRMAN: Yes. How does that help me in relation to</p> <p>10 this particular inquiry?</p> <p>11 MR BUTT: Sir, it has featured in evidence beforehand, if</p> <p>12 your view is that the identity of those who could have</p> <p>13 been involved beforehand and of these individuals being</p> <p>14 involved there would not be relevant, it would not</p> <p>15 assist you at all.</p> <p>16 THE CHAIRMAN: I don't see how it can assist me, because it</p> <p>17 is not the case of the Met that they were dealing with</p> <p>18 the same gang, because they didn't know who was involved</p> <p>19 in this.</p> <p>20 MR BUTT: Sir, of course I have no case.</p> <p>21 THE CHAIRMAN: No.</p> <p>22 MR BUTT: It simply goes to the credibility of the witness's</p> <p>23 account that he knew nothing of this until a few days</p> <p>24 beforehand.</p> <p>25 THE CHAIRMAN: I think that the inferences to be drawn from</p> <p style="text-align: center;">Page 69</p>	<p>1 the transcript suggest that he knew more than met the</p> <p>2 eye.</p> <p>3 MR BUTT: Sir, the final point relates to the interpretation</p> <p>4 he has placed on the word "burner" and the suggestion</p> <p>5 that it could have been a mobile phone.</p> <p>6 THE CHAIRMAN: Yes. That is a matter for comment, isn't it?</p> <p>7 MR BUTT: The question I would seek to ask is whether that</p> <p>8 is sustainable from the context of what is being said on</p> <p>9 the recording.</p> <p>10 THE CHAIRMAN: You can ask a question limited to that point.</p> <p>11 MR BUTT: Thank you, sir.</p> <p>12 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Questions from MR BUTT</p> <p>13 MR BUTT: Mr Sogucakli, can you hear me?</p> <p>14 A. Yes.</p> <p>15 Q. I would like to ask you, please, about what -- just to</p> <p>16 explain?</p> <p>17 MS BLACKWELL: Sorry to interrupt, I had told Mr Sogucakli</p> <p>18 that I would be the only person asking him questions,</p> <p>19 so --</p> <p>20 A. No, I don't want to talk to him. I don't like talking</p> <p>21 to police officers.</p> <p>22 THE CHAIRMAN: He is not a policeman.</p> <p>23 MR COOPER: It may be helpful to make an introduction.</p> <p>24 THE CHAIRMAN: Mr Sogucakli, he is not a policeman, he is</p> <p style="text-align: center;">Page 70</p>
<p>1 one of the lawyers in the inquiry and I have said that</p> <p>2 he may ask you questions, do you understand, just as</p> <p>3 I did?</p> <p>4 A. Yes, your Honour, but can I decline that politely? If</p> <p>5 he is representing the Metropolitan Police, I do not</p> <p>6 trust him and I do not want to talk to him.</p> <p>7 THE CHAIRMAN: Yes.</p> <p>8 Mr Butt, the witness has made his position clear.</p> <p>9 I am not going to compel him to answer your questions.</p> <p>10 You can make such comment as you wish on the evidence in</p> <p>11 the light of the fact that he has declined to answer</p> <p>12 your questions.</p> <p>13 MR BUTT: And I can't put the question?</p> <p>14 THE CHAIRMAN: You can put the question, but he is not going</p> <p>15 to answer it.</p> <p>16 You put it and see.</p> <p>17 MR BUTT: All right, Mr Sogucakli, I would like to ask you</p> <p>18 about what you said about the interpretation you placed</p> <p>19 on the reference to "burner". Do you recall saying that</p> <p>20 to Ms Blackwell earlier?</p> <p>21 THE CHAIRMAN: He has not said "yes" or "no", so you are</p> <p>22 wasting your time, Mr Butt.</p> <p>23 MR BUTT: Sir, I will pursue the point no further.</p> <p>24 THE CHAIRMAN: Thank you very much indeed.</p> <p>25 MS BLACKWELL: That concludes the questioning for this</p> <p style="text-align: center;">Page 71</p>	<p>1 witness.</p> <p>2 THE CHAIRMAN: Very good.</p> <p>3 Thank you very much indeed.</p> <p>4 Thank you Mr Cooper. Mr Cooper, is there a prison</p> <p>5 officer there?</p> <p>6 MR COOPER: No, but I am sure one can be found.</p> <p>7 THE CHAIRMAN: It is only for your benefit, not for mine,</p> <p>8 I just want to make sure that if you need to speak to</p> <p>9 him you can. Can I thank you on behalf of all those</p> <p>10 concerned with the handling of the inquiry for your</p> <p>11 assistance this morning.</p> <p>12 MR COOPER: No problem, thank you, sir.</p> <p>13 THE CHAIRMAN: Thank you, Mr Sogucakli.</p> <p>14 A. Yes, sir, no problem.</p> <p>15 THE CHAIRMAN: Mr Butt, if it had been a criminal trial you</p> <p>16 would have been entitled to have him treated as hostile,</p> <p>17 his evidence would have been if not holed below the</p> <p>18 watermark, then certainly very tainted and you are</p> <p>19 entitled as is anyone to comment on the weight which can</p> <p>20 be attached to it generally as well as specifically.</p> <p>21 MR BUTT: Sir, yes, and as ever, if the questions I propose</p> <p>22 do not assist you, then I will waste no time --</p> <p>23 THE CHAIRMAN: You haven't wasted any time, thank you.</p> <p>24 MR BUTT: Thank you.</p> <p>25 MS BLACKWELL: Sir, the next witness is Mr Varga. We need 5</p> <p style="text-align: center;">Page 72</p>

<p>1 or 10 minutes, please, to reset the room, sir. Can 2 I invite you to rise? 3 THE CHAIRMAN: I will, thank you. 4 (12.14 pm) 5 (A short adjournment) 6 (12.27 pm) 7 THE CHAIRMAN: Yes, please sit down. 8 MS MCNEILL: Sir, our next witness is Joseph Varga. 9 THE CHAIRMAN: Just a moment, please, I think there are 10 still people coming in. 11 MS MCNEILL: Apologies, sir. 12 THE CHAIRMAN: That is all right. 13 Sorry you have been kept waiting, Mr Varga. 14 THE WITNESS: That is all right. 15 MS MCNEILL: Sir, I look around, I believe everybody is in 16 who is coming in. 17 THE CHAIRMAN: Very good, we will start, thank you. 18 MS MCNEILL: Can the witness please be sworn? 19 MR JOSEPH VARGA (affirmed) 20 Questions from MS MCNEILL 21 THE CHAIRMAN: Please sit down. 22 MS MCNEILL: Thank you. 23 Can you confirm your name is Joseph Varga? 24 A. Yes. 25 Q. Thank you.</p> <p style="text-align: center;">Page 73</p>	<p>1 Is it right that on 11 December 2015 you were 2 working in Bracknell Close on that morning? 3 A. Yes. 4 Q. You provided a witness statement to the IPCC in 2016, 5 January, is that right? 6 A. Yes, please. 7 Q. In front of you, you have a folder, that witness 8 statement should be behind tab 1, and tab 1 in your 9 bundle also, sir? 10 THE CHAIRMAN: I have it, thank you. 11 MS MCNEILL: Mr Varga, do you have any independent 12 recollection of what occurred on that day or are you 13 reliant on your statement? 14 A. I rely on the statement, if possible. 15 Q. You rely on the statement. 16 Sir, I have spoken to all core participants and 17 there is no concern about me leading Mr Varga through 18 the contents of his statement. 19 THE CHAIRMAN: Very good. 20 MS MCNEILL: Mr Varga, is it right that you were working at 21 an address within Bracknell Close at approximately 22 8.00 am on 11 December? 23 A. Yes. 24 Q. If you just keep your voice up, somebody is taking 25 a note and everyone is trying to hear.</p> <p style="text-align: center;">Page 74</p>
<p>1 At approximately 8.30 am, did you go to your car 2 which was parked in Bracknell Close? 3 A. Yes. 4 Q. You drew in 2016 for the IPCC, as it then was, a plan, 5 can we look, please, at IPC1314. 6 THE CHAIRMAN: Behind divider 2. 7 MS MCNEILL: It is divider 2, sir, quite. 8 This is the plan you drew for us? 9 A. Yes, I did. 10 Q. This is Bracknell Close, we will bring the map up in 11 a minute to tie this together. 12 A. I can see it. 13 Q. Thank you? 14 THE CHAIRMAN: Where the letters "DPA" now appear, I think 15 your initials are on the original of the plan, is that 16 right? 17 A. Yes, sir. Let me just check. That is my signature. 18 Yes. 19 THE CHAIRMAN: Thank you. 20 MS MCNEILL: Thank you. We see towards the bottom of the 21 screen, there is a box that says "my car"? 22 A. Yes. 23 Q. Just above it, "Me" is that where you were standing at 24 the relevant time? 25 A. Yes.</p> <p style="text-align: center;">Page 75</p>	<p>1 Q. We will talk about it. Then we see a second "me," a bit 2 further up the path? 3 A. Yes, when I was seeing things there. 4 Q. Yes, and then "BMW" on the left? 5 A. Yes. 6 Q. Just to orientate ourselves, can we look at page 46 of 7 our images bundle, Mr Coates. 8 Thanks, can we zoom in, please, right in the middle 9 of the screen, around where the red box with 687 is, 10 that is Bracknell Close? 11 A. Yes, it is. 12 Q. 687 is where the Audi was parked? 13 A. Yes. 14 Q. We see the bend in the road on the left, is that the 15 bend in the road on your plan? 16 A. Yes. 17 Q. Your car was parked roughly in the bend in the road 18 where the "213" is? 19 A. 213, yes, please. 20 Q. Roughly, yes. 21 You went to your car at 8.30 in the morning. At 22 that time, did you see some movement in Bracknell Close? 23 A. Yes, I did. 24 Q. You described it as at the other end of Bracknell Close, 25 with the help of this map, can you tell us which end of</p> <p style="text-align: center;">Page 76</p>

<p>1 Bracknell Close you saw some movement?</p> <p>2 A. Yes, close to the 687, yes.</p> <p>3 Q. Close to the 687, so coming down from Winkfield Road?</p> <p>4 A. Yes.</p> <p>5 Q. Thank you.</p> <p>6 What precisely did you see coming down Bracknell</p> <p>7 Close?</p> <p>8 A. I see the movement, people running and wasn't sure who</p> <p>9 are they, but, yes, I saw the people running there.</p> <p>10 Q. You saw people running and in your statement you said</p> <p>11 there were five or six people running?</p> <p>12 A. Yes, could be, yes.</p> <p>13 Q. Were they wearing police uniforms?</p> <p>14 A. I am not sure, no, I think they were in their baggy</p> <p>15 trousers.</p> <p>16 Q. In plainclothes?</p> <p>17 A. Yes, please.</p> <p>18 Q. Thank you.</p> <p>19 You describe in your statement that they were</p> <p>20 running down, they were one behind another, and then</p> <p>21 they stopped and spread out across the road, is that</p> <p>22 right?</p> <p>23 A. Yes, please.</p> <p>24 Q. I could not tell why they had stopped, when they did on</p> <p>25 the road, they were about 30 metres away from me at that</p> <p style="text-align: center;">Page 77</p>	<p>1 time?</p> <p>2 A. Yes.</p> <p>3 Q. You are still standing at this bend in the road?</p> <p>4 A. Yes.</p> <p>5 Q. "They stopped near a car."</p> <p>6 Could you see that car?</p> <p>7 A. I don't know, I can't remember.</p> <p>8 Q. That is okay.</p> <p>9 If you go over on to page 2 of your statement in</p> <p>10 your bundle.</p> <p>11 You can leave the map on the screen, Mr Coates.</p> <p>12 Can you tell us by looking at the top of page 2, how</p> <p>13 long the gap in time was between you first seeing people</p> <p>14 running down the road and them spreading out and</p> <p>15 stopping in front of a vehicle?</p> <p>16 A. I think a few seconds, a few minutes.</p> <p>17 Q. A few seconds I think you say?</p> <p>18 A. Yes.</p> <p>19 Q. Then what did you hear or see those people -- we know</p> <p>20 they are police officers, so there is no dispute about</p> <p>21 that, what did you see or hear those police officers do</p> <p>22 when they stopped the vehicle?</p> <p>23 A. I couldn't remember actually, I think they just give</p> <p>24 an order or something like this.</p> <p>25 Q. They gave some orders?</p> <p style="text-align: center;">Page 78</p>
<p>1 A. Yes.</p> <p>2 Q. In your statement you say, "The next thing I noticed was</p> <p>3 hearing people shouting".</p> <p>4 People were shouting as they were still moving, but</p> <p>5 before they spread out?</p> <p>6 A. Yes.</p> <p>7 Q. So they were shouting as they ran down Bracknell Close?</p> <p>8 A. Yes.</p> <p>9 Q. And then they spread out, so the impression I got was</p> <p>10 that people were shouting strong direct words, is that</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. Could you hear the words that were being said?</p> <p>14 A. I can't remember now.</p> <p>15 THE CHAIRMAN: In fact in the statement you said:</p> <p>16 "It was as though someone was being told what to do,</p> <p>17 I couldn't hear any specific words".</p> <p>18 A. Yes.</p> <p>19 THE CHAIRMAN: Yes.</p> <p>20 MS MCNEILL: Sir, if everybody is happy, I think I will just</p> <p>21 lead it completely.</p> <p>22 THE CHAIRMAN: I think it is better, yes.</p> <p>23 MS MCNEILL: Thank you.</p> <p>24 If we look carrying on in your statement you said:</p> <p>25 "The impression I got was that people were shouting</p> <p style="text-align: center;">Page 79</p>	<p>1 direct words, couldn't hear specific words, I do not</p> <p>2 know if there were multiple voices or just one voice."</p> <p>3 Is that right?</p> <p>4 A. Yes.</p> <p>5 Q. Then you saw from your statement a brown or dark grey</p> <p>6 BMW with tinted windows zig-zagging down the road.</p> <p>7 Again, by "down the road" do we mean from Winkfield Road</p> <p>8 down Bracknell Close towards the car and towards where</p> <p>9 you are?</p> <p>10 A. Yes.</p> <p>11 Q. Thank you:</p> <p>12 "The BMW stopped a little further towards me, very</p> <p>13 near to where the people had stopped."</p> <p>14 So the BMW X5 was between you at the corner --</p> <p>15 A. Somewhere there, yes.</p> <p>16 Q. It was about 20 to 30 metres away from you; is that</p> <p>17 right?</p> <p>18 A. Yes.</p> <p>19 Q. Then you indicate that you cannot remember seeing into</p> <p>20 the BMW and you don't remember how many people there</p> <p>21 were in there, is that right?</p> <p>22 A. Yes.</p> <p>23 Q. I understand you saw someone get out of the car?</p> <p>24 A. Yes.</p> <p>25 Q. By the car we mean the BMW X5?</p> <p style="text-align: center;">Page 80</p>

<p>1 A. Yes.</p> <p>2 Q. You didn't know of if the first person you saw had a gun</p> <p>3 or not --</p> <p>4 A. Yes.</p> <p>5 Q. -- but then you did see someone with a gun, you</p> <p>6 described it as a machine gun?</p> <p>7 A. Yes, yes.</p> <p>8 Q. You said you presumed it was a police officer?</p> <p>9 A. Yes, I did, yes.</p> <p>10 Q. Was this the first time at which you thought it was</p> <p>11 police officers who had pulled up?</p> <p>12 A. Because I wasn't sure before, they are police or they</p> <p>13 could be anybody else, yes.</p> <p>14 Q. You were not sure before, but you thought they were</p> <p>15 police --</p> <p>16 A. But after I saw the gun, I assumed, yes.</p> <p>17 Q. Thank you.</p> <p>18 You said that the police officer who got out with</p> <p>19 the gun was holding it in a shooting position as though</p> <p>20 he was getting ready to shoot?</p> <p>21 A. Yes, he did.</p> <p>22 Q. And it looked as if he was checking the area?</p> <p>23 A. Yes.</p> <p>24 Q. You said:</p> <p>25 "A few seconds later he was holding the gun as</p> <p style="text-align: center;">Page 81</p>	<p>1 though he was not pointing it."</p> <p>2 A. Yes.</p> <p>3 Q. By that did you mean he didn't look like he was about to</p> <p>4 shoot, but he was still holding --</p> <p>5 A. Holding, yes, this way. (Indicated)</p> <p>6 Q. You were indicating he still had it up?</p> <p>7 A. Yes, I think hold it like this.</p> <p>8 Q. Holding it down?</p> <p>9 A. Yes.</p> <p>10 Q. Thank you.</p> <p>11 You watched for a couple of minutes "from where</p> <p>12 I was near my car", you say:</p> <p>13 "There were quite a few cars in the way of the</p> <p>14 officers and I couldn't see what was going on, so</p> <p>15 I walked more towards the BMW, and stopped about 10 to</p> <p>16 15 metres away from where the officers were."</p> <p>17 Yes?</p> <p>18 A. Yes.</p> <p>19 Q. On our plan on the map, you moved a bit further up</p> <p>20 Bracknell Close, towards the red box, 687?</p> <p>21 A. Yes.</p> <p>22 Q. And you stopped approximately 10 to 15 metres away?</p> <p>23 A. Yes.</p> <p>24 Q. Is that right?</p> <p>25 A. Yes, I did, yes.</p> <p style="text-align: center;">Page 82</p>
<p>1 Q. You said the reason you stopped was because the officer</p> <p>2 with the machine gun told you to stop?</p> <p>3 A. Yes, he didn't let us through, yes.</p> <p>4 Q. They were blocking off that part of the road, were they?</p> <p>5 A. Yes.</p> <p>6 Q. By that point, by the time you had walked up the road,</p> <p>7 you indicate -- I'm looking at page 3 of your witness</p> <p>8 statement -- you could see a man on the floor, is that</p> <p>9 right?</p> <p>10 A. Yes, I did, yes.</p> <p>11 Q. Was that man near to this red box we have at 687?</p> <p>12 A. Yes, it was, yes.</p> <p>13 Q. You described him as a white-skinned man but indicated</p> <p>14 you couldn't see him very clearly; is that right?</p> <p>15 A. I couldn't see him, white-skin or a light-skin guy, yes.</p> <p>16 Q. You didn't have a clear view, but you could see someone</p> <p>17 pushing hands down on the man on the floor and you</p> <p>18 received the impression that they were trying to</p> <p>19 resuscitate someone, is that right?</p> <p>20 A. Yes.</p> <p>21 Q. Could you hear anything specific being said at that</p> <p>22 time?</p> <p>23 A. No.</p> <p>24 Q. Again, whilst you were still standing in your position,</p> <p>25 did you see the ambulance arrive?</p> <p style="text-align: center;">Page 83</p>	<p>1 A. I think so, yes, I did.</p> <p>2 Q. I am looking at your statement. You say you saw the</p> <p>3 ambulance arrive and that they also tried to help with</p> <p>4 resuscitation, you think they tried to resuscitate for</p> <p>5 between 15 and 20 minutes. Is that correct?</p> <p>6 A. Yes, please.</p> <p>7 Q. If I look down to the next paragraph, in your witness</p> <p>8 statement, did you after about 20 minutes leave to go back</p> <p>9 to work?</p> <p>10 A. Yes, I did.</p> <p>11 Q. Is that 20 minutes after you first saw the officers</p> <p>12 arriving or 20 minutes after watching resuscitation, do</p> <p>13 you know?</p> <p>14 A. I think 20 minutes when I see the ambulance arrive.</p> <p>15 Q. The ambulance arrive?</p> <p>16 A. Yes.</p> <p>17 Q. So you watched the resuscitation attempts for about</p> <p>18 20 minutes before you went back to work?</p> <p>19 A. Yes, I think so, yes.</p> <p>20 Q. Thank you.</p> <p>21 Looking a little bit further down in your statement,</p> <p>22 you say:</p> <p>23 "As I was driving back towards the middle of the</p> <p>24 close, I could see there was a man lying on the pavement</p> <p>25 at the junction with Bracknell Close, wearing a black</p> <p style="text-align: center;">Page 84</p>

<p>1 hoody or a jumper, he was facing a wall. He was on his 2 right-hand side with his face towards the wall, he was 3 just lying there not doing anything, I am 90 per cent 4 sure he was handcuffed with his hands behind his back. 5 This was a different man to the first man I had seen 6 lying on the floor." 7 A. Yes, yes, it is, yes. 8 Q. The person you saw lying on the floor facing to a wall, 9 is it right that there were police officers standing 10 around that individual? 11 A. Yes. 12 Q. I anticipate the answer, but is it right that you cannot 13 help us any further with what the officers were doing or 14 saying with regards to that second man? 15 A. No, I can't, no. 16 Q. No. 17 You indicate elsewhere in your statement -- I don't 18 need to take you to the line -- that you did actually 19 take some photos on that day; is that right? 20 A. I think so, I did. 21 Q. The IPCC didn't take those photos from you, did they? 22 A. I don't think so, no. 23 Q. You don't have them any longer, do you? 24 A. No, I don't think so. 25 Q. In any event, were the photographs you took taken after</p> <p style="text-align: center;">Page 85</p>	<p>1 the ambulance had already arrived in Bracknell Close? 2 A. I think so. After, yes, please. 3 Q. You think so, yes? 4 THE CHAIRMAN: That might explain why the IOPC didn't take 5 them. 6 MS MCNEILL: Quite, sir, yes but we have been able to I hope 7 square that circle and solve the mystery. 8 THE CHAIRMAN: Thank you. 9 MS MCNEILL: Sir, I have taken Mr Varga through the key 10 aspects of his witness statement. He has indicated he 11 doesn't have any further independent recollection so 12 I do not have any further questions for him. I am 13 looking around and nobody else has indicated they have 14 questions. 15 Do you have any questions for Mr Varga? 16 THE CHAIRMAN: No, thank you very much for coming. You are 17 free to go. 18 A. Thank you. 19 MS MCNEILL: Sir, we have one more civilian witness listed 20 today. He is relatively brief too and I believe I could 21 complete him before the lunch period, if you are happy 22 to do so. 23 THE CHAIRMAN: I am happy if everyone else is. 24 MS MCNEILL: Can we have Mr Calum Thwaites, please. 25 Sir, you have three tabs for Mr Thwaites and his</p> <p style="text-align: center;">Page 86</p>
<p>1 witness statement is behind tab 1. 2 THE CHAIRMAN: Thank you very much. 3 MR CALUM THWAITES (affirmed) 4 Questions from MS MCNEILL 5 MS MCNEILL: Thank you, can you please confirm your name is 6 Calum Thwaites? 7 A. That's correct. 8 Q. Mr Thwaites, before I get into the detail a little bit, 9 is it right that you were working as a builder on 10 11 December 2015 in Bracknell Close? 11 A. Correct, yes. 12 MS MCNEILL: Sir, you will remember we heard from some of 13 the officers last week about the builders who were in 14 Bracknell Close, this witness is going to help a little 15 bit with their location. 16 Before I ask about 11 December, is it right that you 17 gave a witness statement to the IPCC in 2016 about what 18 you saw on that date? 19 A. That's correct. 20 Q. That was prepared following a quite lengthy interview 21 with the IPCC? 22 A. It was, yes. 23 Q. Thank you. 24 Do you now have any independent recollection of that 25 day or are you relying solely on your statement?</p> <p style="text-align: center;">Page 87</p>	<p>1 A. No, I still have images in my head and I can remember 2 things from the day. 3 Q. Okay, I am going to ask you some questions about that 4 date. You have your statement in front of you in tab 1. 5 Do you want to open it up. It is not a memory test, so 6 if at any point I ask you a question, the answer will 7 probably be somewhere in your statement, so please 8 indicate and I can help you with that. 9 A. No worries. 10 Q. You might want to start with page 3 of your statement 11 open, Mr Thwaites. 12 A. Yes. 13 Q. You told us that on 11 December 2015 you were working as 14 a builder in Bracknell Close. 15 A. Correct. 16 Q. Is it right that you drew some plans for the IPCC, as it 17 was -- 18 A. I did. 19 Q. -- about your location? 20 A. Correct. 21 Q. They are behind tabs 2 and 3. 22 Can we start with IPCC1315 on the screen, please, 23 Mr Coates. 24 If we look at your first plan, we have Bracknell 25 Close --</p> <p style="text-align: center;">Page 88</p>

1 **A. Yes.**
 2 Q. -- and coming off Winkfield Road, you have drawn some
 3 numbers, we will go through them.
 4 We have a 1 and a 2, which you have labelled as
 5 Don Campbell's lorry and Steve Sproul's lorry, are they
 6 individuals you were working with on that morning?
 7 THE CHAIRMAN: When you said before you were building, were
 8 you actually asphaltting?
 9 **A. Yes, we were asphaltting. So there was a section of**
 10 **garages and we were working there for a period of time**
 11 **before and after that.**
 12 THE CHAIRMAN: Thank you.
 13 MS MCNEILL: Then we see number 3, opposite number 2, is
 14 "suspect's black Audi"?
 15 **A. Yes, correct.**
 16 Q. Then you have done a series of number 4s, do they
 17 indicate where the police cars subsequently arrived?
 18 **A. Yes, where they pulled up.**
 19 Q. We will come back to those in a moment.
 20 Can we look, please at IPC1316.
 21 This is your second plan, it just gives us a little
 22 bit more detail, you see the top of the screen, this is
 23 almost upside down to the other one, isn't it?
 24 **A. Yes, yes.**
 25 Q. The Audi, top of the screen, and then the two lorries at

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1 or was it already there when you arrived at work?
 2 **A. No, it was already parked up when we turned up.**
 3 Q. What time did you arrive in Bracknell Close?
 4 **A. Around about 8.00 am, just after.**
 5 Q. Did you notice the black Audi when you arrived?
 6 **A. I did, yes, because it had headlights on, and it was**
 7 **light in the morning, so it was just a bit strange why**
 8 **the headlights were still on.**
 9 Q. It was morning by then, was it still quite dark, it was
 10 December?
 11 **A. No, it was pretty light, considering, yes, that is what**
 12 **made the headlights stand out more.**
 13 Q. Could you see into the car?
 14 **A. No, I couldn't, no.**
 15 Q. You could just see the headlights?
 16 **A. Yes.**
 17 Q. In your witness statement, at the bottom of page 3, you
 18 say somewhere between 8.55 and 9.05 you were on the
 19 telephone to your girlfriend, is that right?
 20 **A. Correct, yes.**
 21 Q. If it helps, you can turn to page 4, but I am going to
 22 ask, whilst you were on the phone to your girlfriend,
 23 can you remember what happened?
 24 **A. So I was at the rear of the second lorry, the one**
 25 **closest to the Audi, on the phone to my girlfriend --**

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1 the bottom, almost directly opposite it. Those two
 2 lorries, is that the area that you were working in on
 3 that --
 4 **A. Yes, so on the opposite side of the lorries where the**
 5 **garages were, we was doing in front of the garage.**
 6 Q. Thank you.
 7 What might help, sir, is to look, if we can at
 8 page 8 of our images bundle.
 9 Thank you very much.
 10 Can we swap that, sorry, to page 11 of the images
 11 bundle, Mr Coates.
 12 There we go, that is probably a representation is it
 13 of the plan that you drew?
 14 **A. That's correct, yes.**
 15 Q. There are the two lorries. We see the Audi across the
 16 road, the silver BMW, and was the area that you were
 17 working on between the two lorries?
 18 **A. Yes, that's correct, yes. I mean you can probably see**
 19 **there is an area just past which we done previously, and**
 20 **then the area in between the two lorries that we was**
 21 **working on that morning.**
 22 Q. Thank you.
 23 Can we leave that up, Mr Coates because it might
 24 well help the witness with his evidence.
 25 Did you see the black Audi arrive in Bracknell Close

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1 Q. That is the lorry on the right?
 2 **A. Yes, the lorry on the right, the further one back of the**
 3 **two. On the phone to my girlfriend and then, as I was**
 4 **on the phone to her, some vehicles sped past me and come**
 5 **to an abrupt halt, so I have turned around.**
 6 Q. Pause there, I'm sorry, I'm going to keep doing this.
 7 **A. That's fine.**
 8 Q. The vehicles spread past you, with this picture which
 9 side are they coming from?
 10 **A. They are coming from Winkfield Road in towards Bracknell**
 11 **Close.**
 12 Q. From the right towards the left?
 13 **A. So from Winkfield Road into Bracknell Close, yes.**
 14 Q. So some vehicles sped in?
 15 **A. Yes, which obviously then I have said to my girlfriend,**
 16 **I said, "I've got to go", put the phone down, turned**
 17 **around and obviously then seen officers or people exit**
 18 **the cars and approach the parking bays.**
 19 Q. Pause there.
 20 Looking at the top of your witness statement, when
 21 the officers were getting out of their cars, did you
 22 hear people shouting things like "get down"?
 23 **A. Yes, it was like, "Police, police", all things like that**
 24 **being shouted straight away, as soon as they exited the**
 25 **vehicles.**

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<p>1 Q. Were you aware of whether the officers were shouting at 2 you or at the vehicle or both?</p> <p>3 A. It was more directed towards the vehicle.</p> <p>4 Q. Towards the vehicle. Were you able to make out 5 specifically what was said by the officers to the people 6 in vehicle?</p> <p>7 A. No, because there was a lot of commotion at this stage, 8 there was lots of different shouting coming from lots of 9 different people.</p> <p>10 Q. Okay.</p> <p>11 Those officers, were they in uniform or were they in 12 dark clothing?</p> <p>13 A. No, they was in like civilised clothes, jeans and then 14 they had hats on and like vests and obviously with 15 "police" written across it.</p> <p>16 Q. I am asked to ask you how you realised they were police 17 and I am assuming that's from the vest that said 18 "police"?</p> <p>19 A. That's correct, yes.</p> <p>20 Q. Thank you.</p> <p>21 I'm looking at the second paragraph of your 22 statement on page 4, how many police officers got out of 23 the first car that stopped?</p> <p>24 A. Two, so the passenger side, and the rear passenger side, 25 to start with.</p> <p style="text-align: center;">Page 93</p>	<p>1 Q. Page 4 you say you thought three or four officers got 2 out --</p> <p>3 A. But the first vehicle that got there, the first two, and 4 then obviously the other vehicles came behind and they 5 were more so from the passenger side of the vehicles 6 exited first.</p> <p>7 Q. Sorry, initially two and then more cars arrived?</p> <p>8 A. Yes, all within seconds of each other, that was just the 9 first vehicle.</p> <p>10 Q. You described the officers running towards the Audi and 11 you heard a lot of shouting?</p> <p>12 A. Yes.</p> <p>13 Q. What did you see if anything the officers do when they 14 arrived at the Audi?</p> <p>15 A. So I see an officer, what looked like attempt to smash 16 a passenger window of the vehicle, with sort of the butt 17 of his gun, so head up towards his shoulder thrusting 18 down like that, looking like he was trying to break the 19 glass.</p> <p>20 Q. Did the glass break?</p> <p>21 A. Not that I could see. I didn't notice if it did or 22 didn't, I couldn't say either way.</p> <p>23 Q. The officer who was trying to break the glass of the 24 Audi, could you see what they did after they tried to 25 break the glass on the Audi?</p> <p style="text-align: center;">Page 94</p>
<p>1 A. I didn't, no.</p> <p>2 Q. All right.</p> <p>3 Could you hear -- I'm looking at the bottom of 4 page 4, if it helps you -- whether or not the officer 5 who was trying to smash the window was shouting or not?</p> <p>6 A. He was one of the first officers out, so he would have 7 been one of officers that was directing the 8 instructions.</p> <p>9 Q. Thank you, the one that talked about "get down" or 10 "police"?</p> <p>11 A. Correct.</p> <p>12 Q. But the one that you couldn't make out exactly what was 13 said?</p> <p>14 A. No, I couldn't make out exactly what it was.</p> <p>15 Q. Is it right that at the top of page 5 you say you 16 couldn't tell to whom the shouting was directed?</p> <p>17 A. Not really, but obviously they was at the vehicle so 18 I was assuming it was to do with that.</p> <p>19 Q. You describe in your statement seeing a bright yellow 20 coloured light on the driver's window?</p> <p>21 A. Yes.</p> <p>22 Q. Could you describe what that light looked like?</p> <p>23 A. It was probably the size of a 20p or 50p piece, 24 something like that. It was just as I was glancing 25 I could see it, but I couldn't work out what it was.</p> <p style="text-align: center;">Page 95</p>	<p>1 Q. Could you see whether or not there was any officers 2 approaching the driver's side of the Audi?</p> <p>3 A. There was, yes.</p> <p>4 Q. Could you tell us how many?</p> <p>5 A. I can't recall numbers.</p> <p>6 Q. Paragraph 2 on page 5 of your statement, you think there 7 were between three and five officers approaching the 8 Audi, I think maybe one of them was headed towards the 9 driver's side, but I can't be sure ...</p> <p>10 A. Yes.</p> <p>11 Q. I am not going to ask you to describe what the officers 12 look like, so you are aware.</p> <p>13 A. No problem.</p> <p>14 Q. Looking at the third paragraph at page 5, did you hear 15 a gunshot?</p> <p>16 A. What I believed to be a gunshot, yes.</p> <p>17 Q. How many gunshots did you hear?</p> <p>18 A. I thought at the time it could have been two, but 19 whether that was just different noises but I thought it 20 was one or two.</p> <p>21 Q. Can you help us to understand how long it was between 22 the officers trying to break the windscreen to the 23 gunshot you heard?</p> <p>24 A. Seconds, probably 10 seconds.</p> <p>25 Q. Okay. At that time, can you say how many officers there</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

<p>1 were surrounding the Audi at the time you heard the 2 shot? 3 A. I would probably say about five, three to five, 4 something like that. 5 Q. In your statement, third paragraph, page 5, you say: 6 "At this time there was around 15 officers in the 7 road." 8 At what point did the number of officers go up to 9 15? Was that after the gunshot or before? 10 A. Whereabout is that, sorry? 11 Q. Page 5 of your witness statement, third paragraph, 12 second line. 13 A. Yeah, because I said there was all different -- by this 14 time the drivers have exited the vehicles and things 15 like that, obviously they had come up and passengers 16 were able to come out of the vehicle quicker and 17 obviously all the drivers from the other vehicles and 18 other vehicles that had followed into the road had all 19 got out by in a time. 20 Q. There was around 15 officers in the road, some around 21 the Audi -- 22 A. Yes. 23 Q. -- others elsewhere within that road? 24 A. Yes, correct. 25 Q. You describe that after the gunshot feeling there was</p> <p style="text-align: center;">Page 97</p>	<p>1 a bit of a panic and an increased sense of urgency? 2 A. Yes, correct. 3 Q. I am asked to ask you, can you help us understand what 4 you mean by that, what made you think it was a panic and 5 a sense of urgency? 6 A. Because there was -- unbeknown to us at the time, there 7 was officers above us, they had all come out after what 8 had gone on, they had all exited from the premise above 9 us and they was all shouting to us get out, get out, out 10 of the road, so they was trying to get us as far away 11 from everything as possible. 12 Q. When you say officers above you, is it right you saw 13 some police officers on a balcony or multiple balconies? 14 A. I think it was two balconies. 15 Q. In surrounding buildings? 16 A. In the buildings above us, correct. 17 Q. They were shouting get out of the road to you? 18 A. Yes. 19 Q. Did you then get out of the road? 20 A. Yes, we started exiting towards the road and they said, 21 "Don't take anything out, don't worry about anything in 22 your vehicles, just get out". 23 Q. You were ushered, is it right, towards Winkfield Road, 24 which is up towards the right on the screen? 25 A. That's correct, yes.</p> <p style="text-align: center;">Page 98</p>
<p>1 Q. Is it right that you, having been ushered away, didn't 2 see the first aid being administered to anybody in that 3 car? 4 A. No. 5 Q. But you did see an ambulance arrive? 6 A. Correct. 7 Q. You didn't see anything -- 8 A. No, we was -- we was at the end of the road. Obviously 9 you can see things going on, but not within great 10 detail. 11 Q. Finally, looking again at page 6 of your witness 12 statement, what is your best estimate of how long it was 13 between you first seeing the officers arriving in 14 Bracknell Close and you being ushered away up to 15 Winkfield Road? 16 A. One or two minutes, two, three minutes at most. 17 Q. I have asked you a series of questions and I have taken 18 you through the detail in your witness statement. Is 19 there anything else you can remember about the time 20 period that you have just set out, between the officers 21 arriving and you being ushered away? 22 A. Not anything different, no. 23 MS MCNEILL: Sir, that concludes my questions. 24 I am looking around, I don't think the CPs have any 25 questions. Do you have any questions for this witness?</p> <p style="text-align: center;">Page 99</p>	<p>1 Questions from THE CHAIRMAN 2 THE CHAIRMAN: When you talk about seconds, whether it is 1, 3 2, 3 or 10, it is of course very, very difficult to be 4 precise about short periods of time. 5 A. Of course. 6 THE CHAIRMAN: Sometimes time flies and sometimes it drags. 7 A. Yes. 8 THE CHAIRMAN: Thank you very much. 9 MS MCNEILL: Thank you, sir, might this witness be released? 10 THE CHAIRMAN: He may, yes. 11 MS MCNEILL: Sir, I note the time. We are still trying to 12 understand what can be and will be done this afternoon. 13 THE CHAIRMAN: I think we need to ensure that we are here 14 this afternoon to get a fuller picture. 15 MS MCNEILL: Yes. 16 THE CHAIRMAN: We will break off until 1.55, if that is 17 convenient to everybody? 18 MS MCNEILL: I am very grateful, sir. 19 THE CHAIRMAN: Thank you. 20 (12.55 pm) 21 (The Luncheon Adjournment) 22 (1.55 pm) 23 Housekeeping 24 THE CHAIRMAN: Yes, Ms Blackwell. 25 MS BLACKWELL: Good afternoon, sir. I am afraid this</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

1 afternoon is going to be a very short session. It had
 2 been hoped to call the evidence of Nathan Mason this
 3 afternoon --
 4 THE CHAIRMAN: Yes.
 5 MS BLACKWELL: -- but I am sad to report that he has not
 6 attended today.
 7 THE CHAIRMAN: Right.
 8 MS BLACKWELL: We are making enquiries as to his whereabouts
 9 and also as to the prospect of calling him next week at
 10 a convenient time.
 11 THE CHAIRMAN: Yes.
 12 MS BLACKWELL: I am afraid I don't have any further
 13 information to impart to the inquiry over and above
 14 those bare details.
 15 THE CHAIRMAN: I understand.
 16 Obviously all the necessary enquiries will be made,
 17 because there will be a number of people with a vested
 18 interest in his evidence.
 19 MS BLACKWELL: Yes.
 20 THE CHAIRMAN: No doubt anyone who knows him will be doing
 21 their best to ensure that he is made aware, if he needs
 22 to be made aware, of the importance of him attending.
 23 MS BLACKWELL: Quite so, yes.
 24 With that in mind, we have no other business this
 25 afternoon.

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1 is that, apart from Mr Mason's evidence, we have reached
 2 the end of the fourth week having heard all the evidence
 3 which it was expected to call during that period.
 4 MS BLACKWELL: That's right, so we are very much on track.
 5 THE CHAIRMAN: That, if I may say so, is a great tribute to
 6 everybody who is concerned with the preparation of this
 7 inquiry, on all sides.
 8 MS BLACKWELL: Thank you.
 9 THE CHAIRMAN: Very good.
 10 Monday at 10.00 am?
 11 MS BLACKWELL: Thank you.
 12 (2.02 pm)
 13 (The Inquiry adjourned until 10.00 am on Monday,
 14 12 July 2021)

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1 THE CHAIRMAN: Right, there is no evidence you want to read?
 2 MS BLACKWELL: No, not this afternoon, thank you. We are
 3 busy in the background gisting and summarising the
 4 statements.
 5 THE CHAIRMAN: I think that is a good idea.
 6 MS BLACKWELL: Thank you.
 7 THE CHAIRMAN: I think it is much easier to obtain the
 8 significance of evidence which is read when it is gisted
 9 rather than when a statement is simply read which
 10 includes things which may be of less significance than
 11 others.
 12 That will in any event mean that the exercise of
 13 reading evidence will take less time than it would
 14 otherwise have done.
 15 MS BLACKWELL: Quite so.
 16 We will be continuing with that process this
 17 afternoon and tomorrow, but it means that there is no
 18 other business for the inquiry until Monday morning.
 19 THE CHAIRMAN: We have a timetable --
 20 MS BLACKWELL: Yes, we do.
 21 THE CHAIRMAN: -- for the next three weeks --
 22 MS BLACKWELL: Yes.
 23 THE CHAIRMAN: -- which inevitably is flexible, but that is
 24 not a complaint or a criticism.
 25 But the important thing, as far as we are concerned,

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