

<p>1 Thursday, 15 July 2021</p> <p>2 (10.00 am)</p> <p>3 THE CHAIRMAN: Good morning, everybody.</p> <p>4 MS MCNEILL: Good morning, sir. Our first witness today is</p> <p>5 known by the cipher R116. Might he be sworn, please?</p> <p>6 THE CHAIRMAN: Yes.</p> <p>7 R116 (sworn)</p> <p>8 THE CHAIRMAN: Please feel free to sit down.</p> <p>9 A. Thank you.</p> <p>10 Questions from MS MCNEILL</p> <p>11 MS MCNEILL: Good morning, can I please confirm you are</p> <p>12 a police constable in the Metropolitan Police?</p> <p>13 A. That's correct.</p> <p>14 Q. Are you known by the cipher R116?</p> <p>15 A. That is also correct.</p> <p>16 Q. In 2015, were you a CTSFO?</p> <p>17 A. I was.</p> <p>18 Q. Can you please provide us a little bit of detail about</p> <p>19 the level of training you had received at that point and</p> <p>20 your experience in the police force at that point?</p> <p>21 A. So I joined the Metropolitan Police in 2001, I was</p> <p>22 posted to a response team answering 999 calls.</p> <p>23 Around 2007 I successfully applied to join SCO19 and</p> <p>24 completed an armed response vehicle course and went on</p> <p>25 to an operational armed response vehicle team in</p> <p style="text-align: center;">Page 1</p>	<p>1 August 2007, I believe it was.</p> <p>2 In 2011, I undertook selection for a CTSFO sort of</p> <p>3 pathway, as such, and I completed a tactical support</p> <p>4 team course, was deployed on to a tactical support team</p> <p>5 for a period of time that took me up until January 2012,</p> <p>6 whereby I underwent a CTSFO course, which I successfully</p> <p>7 passed and was posted to an operational CTSFO team in</p> <p>8 March 2012.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 MS MCNEILL: To draw out the key aspects, you have been</p> <p>11 a police officer for 14 years?</p> <p>12 A. That's correct, yes.</p> <p>13 Q. An AFO for 8 years and a SFO for three years, by my</p> <p>14 calculations.</p> <p>15 A. That's correct, yes.</p> <p>16 Q. Thank you.</p> <p>17 Just by way of a slight divergence, take a look in</p> <p>18 the bundle in front of you and go to tab 4 and the very</p> <p>19 last page of that witness statement.</p> <p>20 We don't need to bring it up, sir, but hopefully it</p> <p>21 is your tab 4 also?</p> <p>22 THE CHAIRMAN: Yes.</p> <p>23 MS MCNEILL: Is it right that you first encountered the</p> <p>24 individual we know as W80 during your training?</p> <p>25 A. That's correct, yes.</p> <p style="text-align: center;">Page 2</p>
<p>1 Q. Can you tell us how you came across him in your training</p> <p>2 and your experience of that training?</p> <p>3 A. Okay, so he was actually an instructor on my original</p> <p>4 AFO course to join the armed response vehicles and he</p> <p>5 would take us for our daily lessons and practical</p> <p>6 scenarios.</p> <p>7 Q. You describe him in your statement as one of the better</p> <p>8 instructors on that course?</p> <p>9 A. Yes.</p> <p>10 Q. By way of demeanour, you describe him as extremely calm,</p> <p>11 approachable and patient in his teaching methods?</p> <p>12 A. Yes.</p> <p>13 Q. And he was able to explain to you certain situations or</p> <p>14 dilemmas extremely well?</p> <p>15 A. Yes.</p> <p>16 Q. You thought he had vast operational experience, did you?</p> <p>17 A. Yes, I did, yes.</p> <p>18 Q. Is it right that you subsequently occasionally</p> <p>19 encountered him on ARV continuation training?</p> <p>20 A. That's correct, yes, he would sometimes partake in that</p> <p>21 training if they would be short of instructors.</p> <p>22 Q. Your experience of him was the same at that point?</p> <p>23 A. That's correct, yes.</p> <p>24 Q. You said that he was able to push your level of training</p> <p>25 to a higher standard and helped you improve in both</p> <p style="text-align: center;">Page 3</p>	<p>1 shooting and searching techniques?</p> <p>2 A. Yes.</p> <p>3 Q. Is it right that you didn't work with him that regularly</p> <p>4 thereafter, but would every now and then?</p> <p>5 A. Not until I then joined the SFO teams, yes.</p> <p>6 Q. You describe him in your statement as an extremely</p> <p>7 professional and conscientious officer.</p> <p>8 A. Yes.</p> <p>9 Q. If it helps you, R116, and, sir, it might help, the</p> <p>10 majority of my questions will come from tab 3, so you</p> <p>11 might want to keep open in front of you.</p> <p>12 Did you undertake training in ballistics first aid?</p> <p>13 A. I did, yes.</p> <p>14 Q. When did you first undertake that training, do you know?</p> <p>15 A. Just prior to my armed response vehicle course.</p> <p>16 Q. Okay.</p> <p>17 You also underwent enhanced training to become</p> <p>18 an SFO medic?</p> <p>19 A. I did, that's correct, yes.</p> <p>20 Q. In that role as a SFO medic, do you undertake regular</p> <p>21 refresher training?</p> <p>22 A. Yes.</p> <p>23 Q. In fact, is it right that as at December 2015 you had</p> <p>24 undertaken refresher training as recently as 16 to</p> <p>25 19 November 2015?</p> <p style="text-align: center;">Page 4</p>

<p>1 A. That's correct, yes.</p> <p>2 Q. Thank you.</p> <p>3 Turning then to the week running up to</p> <p>4 11 December 2015, looking at the bottom of page 1 of</p> <p>5 your statement, was your shift pattern at that time</p> <p>6 an 8.00 am to 8.00 pm shift?</p> <p>7 A. That's correct, yes.</p> <p>8 Q. Was that Monday and Tuesday of the week?</p> <p>9 A. Yes.</p> <p>10 Q. But did you have a shorter day Wednesday and Thursday as</p> <p>11 8.00 am to 4.00 pm?</p> <p>12 A. I did, yes.</p> <p>13 Q. Were you aware of or invited to a briefing at</p> <p>14 New Scotland Yard on 10 December?</p> <p>15 A. No, I was not. Sorry, I was either -- I wasn't aware of</p> <p>16 it and I wasn't invited to it.</p> <p>17 Q. For completeness, but to point out the obvious, nor did</p> <p>18 you attend it?</p> <p>19 A. No, sorry, no, I didn't.</p> <p>20 Q. Were you able to obtain a period of rest before</p> <p>21 deploying on 11 December?</p> <p>22 A. I was, yes.</p> <p>23 THE CHAIRMAN: Have we established when the officer was</p> <p>24 first aware of what was going to happen and his</p> <p>25 involvement on the 12th?</p> <p style="text-align: center;">Page 5</p>	<p>1 MS MCNEILL: No, sir, but you have anticipated my very next</p> <p>2 question.</p> <p>3 THE CHAIRMAN: I am sorry.</p> <p>4 MS MCNEILL: Not a problem.</p> <p>5 Understanding that you didn't attend a briefing on</p> <p>6 10 December, when did you first become aware of what we</p> <p>7 know as Operation Ankaa?</p> <p>8 A. So I was first made aware of the fact that I would be</p> <p>9 required to work that operation on Monday, 7 December,</p> <p>10 and I was warned for a 06.00 parade.</p> <p>11 THE CHAIRMAN: Thank you.</p> <p>12 MS MCNEILL: Were you told at that stage anything about the</p> <p>13 operation?</p> <p>14 A. I was not, no, it was a confidential operation and that</p> <p>15 is all I knew, that's all I knew at the time.</p> <p>16 Q. The morning of 11 December, we will look in a moment at</p> <p>17 some of the briefings you attended, but was that the</p> <p>18 first time you received any detail about the nature of</p> <p>19 the operation?</p> <p>20 A. It was, yes.</p> <p>21 Q. Is that unusual?</p> <p>22 A. No.</p> <p>23 No.</p> <p>24 Q. Turning then to 11 December.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 6</p>
<p>1 Q. Did you attend a 3.00 am briefing at Lemn Street police</p> <p>2 station?</p> <p>3 A. I did, yes.</p> <p>4 Q. We know that that briefing wasn't recorded and</p> <p>5 transcribed but we have, sir, seen now a number of times</p> <p>6 the briefing notes that we understand was read.</p> <p>7 THE CHAIRMAN: Yes.</p> <p>8 MS MCNEILL: I would like to just take you through, if</p> <p>9 I can, the key areas you took away from that briefing.</p> <p>10 A. Yes, okay.</p> <p>11 Q. I understand your statement at page 2 was prepared in</p> <p>12 2015, on 14 December?</p> <p>13 A. That's correct, yes.</p> <p>14 Q. Were you recording then the main issues that you took</p> <p>15 away from that briefing?</p> <p>16 A. I think so, yeah, it was made shortly after the incident</p> <p>17 occurred, so it would have been fresh in my mind and</p> <p>18 I would like to think I had had a good understanding and</p> <p>19 recollection of the briefing itself.</p> <p>20 Q. Okay. Looking at your statement then, you understood</p> <p>21 that it was a job that would effectively work in two</p> <p>22 parts.</p> <p>23 A. Yes.</p> <p>24 Q. The main information you provided related to two men who</p> <p>25 were in custody at Wormwood Scrubs prison. These men</p> <p style="text-align: center;">Page 7</p>	<p>1 had been the subjects of a previous armed operation, had</p> <p>2 been stopped on a stolen motorcycle and found to be in</p> <p>3 possession of a Skorpion sub-machine gun and some form</p> <p>4 of handgun?</p> <p>5 A. Yes, that's correct.</p> <p>6 Q. In terms of the nature of the operations that you would</p> <p>7 usually deploy on, are weapons of that calibre,</p> <p>8 a Skorpion sub-machine gun for example, unusual or</p> <p>9 commonly seen?</p> <p>10 A. No, that particular weapon is quite unusual.</p> <p>11 Q. Is it particularly dangerous or less dangerous?</p> <p>12 A. Yes, it is extremely, extremely dangerous, yes.</p> <p>13 Q. You move on to say:</p> <p>14 "Both males had been remanded, pleaded guilty and</p> <p>15 were due for sentencing at Wood Green Crown Court,</p> <p>16 expecting to receive heavy sentences.</p> <p>17 "Both males were believed to have links to various</p> <p>18 Turkish gangs and have been involved in numerous other</p> <p>19 related firearms incidents."</p> <p>20 Did you at that time have any other awareness of the</p> <p>21 Tottenham Turks or north London Turkish gangs?</p> <p>22 A. Yes, but not necessarily -- I mean I had worked on other</p> <p>23 operations in relation to those gangs, not necessarily</p> <p>24 these particular subjects, but I was aware of the gang's</p> <p>25 existence and, yes, I had deployed on various operations</p> <p style="text-align: center;">Page 8</p>

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<p>1 in relation to them.</p> <p>2 Q. In terms of the sort of operations you would deploy on</p> <p>3 generally, was this gang of the unusual or was it of the</p> <p>4 kind you commonly saw?</p> <p>5 A. No, they were well organised, ruthless, you know,</p> <p>6 constantly out committing crime with little regard for</p> <p>7 the law.</p> <p>8 Q. You go on to say that the two males were going to use</p> <p>9 their gang links and had recruited a team of males who</p> <p>10 were going to attempt to break them free from custody?</p> <p>11 A. Yes.</p> <p>12 Q. Did you at that time know or understand anything about</p> <p>13 the individuals who would be involved in the breakout</p> <p>14 attempt?</p> <p>15 A. Not at that particular point, no, I think it goes on to</p> <p>16 explain it shortly after.</p> <p>17 Q. Thank you.</p> <p>18 Then you go on -- I don't need to go through this</p> <p>19 bit in detail -- to set out you were told there was</p> <p>20 a black Audi --</p> <p>21 A. Yes.</p> <p>22 Q. -- where it was parked and that technical equipment,</p> <p>23 including a tracking device and an audio probe, had been</p> <p>24 fitted in the vehicle?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. The second part of the briefing was given by</p> <p>2 an individual known as W97.</p> <p>3 A. Yes, that's correct.</p> <p>4 Q. Did that individual use maps and the like to demonstrate</p> <p>5 the exit points of the custodial vehicle from the</p> <p>6 prison, the routes it might take and the point at which</p> <p>7 it would enter the court house?</p> <p>8 A. Yes, it did, yes.</p> <p>9 Q. Were you given any information about the point at which</p> <p>10 the prison van was expected to enter the Crown Court?</p> <p>11 A. Yes, so W97 explained that that particular process could</p> <p>12 be quite long and that only one custodial van would</p> <p>13 enter the prison at one time and it was a possibility</p> <p>14 that the -- or the other vans waiting to go or enter</p> <p>15 that court might be held in, I believe it was Winkfield</p> <p>16 Road whilst they were awaiting their turn.</p> <p>17 Q. Was that area of the route considered by you or was it</p> <p>18 presented as a particular weakness, a weak point in the</p> <p>19 chain?</p> <p>20 A. I don't remember exactly, but I would think that that is</p> <p>21 what that part of the information is sort of trying to</p> <p>22 imply, the fact that we know they could potentially be</p> <p>23 held here for a while or held at the gate and so it</p> <p>24 could potentially cause us -- it could cause problems.</p> <p>25 Q. Appreciating that I am taking you beyond what is in your</p> <p style="text-align: center;">Page 10</p>
<p>1 statement, can you remember whether there was any</p> <p>2 specific plan in place to protect that area of weakness</p> <p>3 in the route?</p> <p>4 A. I don't recall, I am afraid.</p> <p>5 Q. You moved on to describe the intelligence you received</p> <p>6 at this briefing. You said:</p> <p>7 "The intelligence stated the males would attempt</p> <p>8 this breakout on Bounds Green Road. It was believed</p> <p>9 that the custody vehicle would take a route via the A406</p> <p>10 and a late decision by the SFC was that the final part</p> <p>11 of the route would be driven overtly, with officers</p> <p>12 wearing police jackets, caps and flashing blue lights,</p> <p>13 if the so-called breakout team had not been identified</p> <p>14 or caught."</p> <p>15 A. Yes, that's correct.</p> <p>16 Q. It might just be the phrasing of the statement, it's not</p> <p>17 a criticism, are you suggesting there that a late</p> <p>18 decision had been taken by the SFC or that it would be</p> <p>19 a last-minute decision as to whether to drive overtly at</p> <p>20 that stage in the route?</p> <p>21 A. The way I would -- the way I have written it would imply</p> <p>22 that it was a late decision at the time, but I may have</p> <p>23 misinterpreted that at the time of the briefing and that</p> <p>24 in fact it would be a late decision on the job. I don't</p> <p>25 remember.</p> <p style="text-align: center;">Page 11</p>	<p>1 Q. That is fine, I appreciate it was some time ago.</p> <p>2 Then you describe the fact that there was an escort</p> <p>3 team elsewhere that were providing support for the van</p> <p>4 as it travelled the route?</p> <p>5 A. Yes.</p> <p>6 Q. And we have heard from them.</p> <p>7 You go on to say that the plan was to allow the</p> <p>8 males to enter this vehicle, that is the Audi, is it</p> <p>9 not?</p> <p>10 A. I believe so, yes.</p> <p>11 Q. Yes, and upon authority carry out an armed stop?</p> <p>12 A. Yes.</p> <p>13 Q. Did you have an understanding at that time, or was it</p> <p>14 expressly briefed what tactic would be used at the point</p> <p>15 of an armed stop?</p> <p>16 A. No, think that is more a figure of speech in the fact</p> <p>17 that I am referring to the car at that particular point,</p> <p>18 we bring a whole host of tactical deployments to a MASTS</p> <p>19 contingent, so it would be decided later on as the -- or</p> <p>20 as the information and the intelligence produced itself</p> <p>21 as to what tactical option would then be required.</p> <p>22 Q. To help you, we have seen and been through at length the</p> <p>23 FA5 form and discussed a number of tactics.</p> <p>24 A. Okay.</p> <p>25 Q. In your experience, is it common at the point of</p> <p style="text-align: center;">Page 12</p>

<p>1 briefing to be told what tactic would be employed at the</p> <p>2 point of intervention or interception, or would that be</p> <p>3 an unusual course?</p> <p>4 A. I would think that would be unusual, perhaps, because it</p> <p>5 could cause confusion if the circumstances were to</p> <p>6 change and everyone has got one idea in their head, if</p> <p>7 they then don't hear the update, then they might be</p> <p>8 doing one tactic while everyone else deploys doing</p> <p>9 another tactic. So that might be ...</p> <p>10 Q. I know we are jumping ahead in time, so we might well</p> <p>11 come back to it, but at what point would you expect</p> <p>12 a decision to be made as to what tactic is to be</p> <p>13 utilised?</p> <p>14 A. Prior from the team moving forward as such from state</p> <p>15 amber, or roughly around that time, just prior to that,</p> <p>16 so that we know as we are going forward -- so as state</p> <p>17 amber is declared, you would want to know what the</p> <p>18 tactic is, because at that point we are now moving</p> <p>19 forward to perhaps carry that tactic out.</p> <p>20 Q. Again, I am speaking in general terms about your</p> <p>21 experience --</p> <p>22 A. Yes.</p> <p>23 Q. -- who would take that decision, and who would</p> <p>24 communicate it to the CTSFOs on the ground?</p> <p>25 A. It can vary, sometimes it could be the team leader or it</p> <p style="text-align: center;">Page 13</p>	<p>1 might be one of the operational OFCs that is sat in the</p> <p>2 Alpha vehicle. Normally and sometimes it can be done in</p> <p>3 conjunction between the two of them, whereby they would</p> <p>4 have a conversation, be it over the radio or over the</p> <p>5 phone. It might be that we are static prior to going</p> <p>6 forward, in which case you have had a conversation at</p> <p>7 the roadside or by a vehicle window, et cetera, but</p> <p>8 normally the decisions are made between those two</p> <p>9 people.</p> <p>10 Q. Thank you.</p> <p>11 You move on in your statement to say that part of</p> <p>12 the briefing was delivered by W80.</p> <p>13 A. That's correct, yes.</p> <p>14 Q. W80 utilised the maps again and explained to you your</p> <p>15 roles and your tasks.</p> <p>16 A. Yes.</p> <p>17 Q. Was it W80 who provided an intelligence update about the</p> <p>18 individuals in custody?</p> <p>19 A. Yes.</p> <p>20 Q. Can you tell us what you were told at that stage by W80</p> <p>21 in relation to the two men who may be the subject of the</p> <p>22 prison break?</p> <p>23 A. Okay, so in regards -- hopefully I've got the right bit</p> <p>24 on the statement, so one of the intelligence updates</p> <p>25 stated two men in custody, I don't remember his name but</p> <p style="text-align: center;">Page 14</p>
<p>1 he was of Turkish origin and he was in possession of</p> <p>2 a mobile phone and he was using this in order to plan or</p> <p>3 organise this breakout, this phone would also be used to</p> <p>4 contact the breakout crew en route to the court in order</p> <p>5 to inform them of his current location. Is that the bit</p> <p>6 you are referring to?</p> <p>7 Q. It is, quite right. If you could read on, you go on to</p> <p>8 talk about the fact it was believed that there would be</p> <p>9 a third eye somewhere along the route.</p> <p>10 A. Yes, so there was possible mention of that and I think</p> <p>11 he gives perhaps two locations, one at the top of Bounds</p> <p>12 Green Road by the A406 and the other at another location</p> <p>13 along Bounds Green Road, but I don't remember where.</p> <p>14 Q. Okay, and just to make sure we all understand what you</p> <p>15 mean, does that mean that the intelligence as relayed to</p> <p>16 you suggested there might be a third eye acting as</p> <p>17 a lookout, for want of a better word, along the route?</p> <p>18 A. Yes.</p> <p>19 Q. Was it anticipated by you or in the briefing that you</p> <p>20 may be dealing with subjects other than those in the</p> <p>21 Audi?</p> <p>22 A. I don't recall at the time but on -- from my experience,</p> <p>23 it -- that could be a possibility, yes. It could be</p> <p>24 that we were asked to deal with one thing and at the</p> <p>25 same time deal with another, but that would come down to</p> <p style="text-align: center;">Page 15</p>	<p>1 resources available at the time.</p> <p>2 Q. Was, in your mind or in the briefing, the possibility of</p> <p>3 another or a different car considered? And by car</p> <p>4 I mean the Audi sorry, in addition to and instead of the</p> <p>5 Audi?</p> <p>6 A. I don't remember that, I am afraid, no.</p> <p>7 Q. That's fine.</p> <p>8 Before we move on to your movements following the</p> <p>9 briefing, you provide a little bit more detail in your</p> <p>10 statement behind tab 4 about the briefings.</p> <p>11 A. Yes.</p> <p>12 Q. Can you tell us, in relation to the briefings you</p> <p>13 received, what was your understanding as to whether or</p> <p>14 not the gang would be armed with a firearm?</p> <p>15 A. Okay, so here I do not recall being told at the tactical</p> <p>16 briefing that the gang would definitely be armed. We</p> <p>17 were given intelligence at some stage that it was</p> <p>18 believed the gang would be armed.</p> <p>19 Q. I am just going to pause you there, to make sure I've</p> <p>20 not misinterpreted. The station, when you refer to the</p> <p>21 tactical briefing, are we still on the 3.00 am Leman</p> <p>22 Street briefing?</p> <p>23 A. That's the 3.00 am one, yes.</p> <p>24 Q. So I am on the right place.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 16</p>

<p>1 Q. Please continue:</p> <p>2 "We were given intelligence at some stage that it</p> <p>3 was believed the gang would be armed."</p> <p>4 Was that after the 3.00 am Leman Street briefing?</p> <p>5 A. That was I believe -- I believe -- sorry, are we</p> <p>6 referring to the same line, sorry?</p> <p>7 Q. Don't worry, in this statement you say:</p> <p>8 "I have been asked whether at any of the briefings</p> <p>9 we were specifically told that the gang would definitely</p> <p>10 be armed with firearms. I do not recall being told at</p> <p>11 the tactical briefing that the gang would definitely be</p> <p>12 armed. We were given intelligence at some stage that it</p> <p>13 was believed the gang would be armed."</p> <p>14 A. Yes, that's correct.</p> <p>15 Q. Do we take it from this statement that you received</p> <p>16 intelligence following the Leman Street briefing that</p> <p>17 the gang would be -- it was believed that the gang would</p> <p>18 be armed?</p> <p>19 A. I don't know whether that came again at the main</p> <p>20 briefing, but it then came definitely later on during</p> <p>21 the operation.</p> <p>22 Q. In which case we will return to that bit of it a bit</p> <p>23 later on in the operation, as best we can to identify</p> <p>24 when you received that bit of information.</p> <p>25 After the 3.00 am Leman Street briefing, did you</p> <p style="text-align: center;">Page 17</p>	<p>1 collect your kit?</p> <p>2 A. I did, yes.</p> <p>3 Q. Can you tell us what kit you had?</p> <p>4 A. Okay, so I had my personal kit or -- or vehicle kit,</p> <p>5 sorry?</p> <p>6 Q. Sorry, why don't we take it in both stages. What was</p> <p>7 the vehicle kit and then what was your kit?</p> <p>8 A. So vehicle kit, we make sure that we carry a medic pack,</p> <p>9 I think there was a shield, quite strangely we put jump</p> <p>10 leads on sometimes as well, because we sometimes have</p> <p>11 problems with the vehicle, so we made sure all of that</p> <p>12 sort of equipment went on, and then I then went on to</p> <p>13 then start to take my own personal kit.</p> <p>14 Q. What was your personal kit?</p> <p>15 A. Because that would have consisted of my plate carrier,</p> <p>16 ballistic helmet, my weapons and also a grab bag, which</p> <p>17 contained a number of items which included a police</p> <p>18 identity baseball cap, gloves, Plasticuffs, things like</p> <p>19 that.</p> <p>20 Q. Just for completeness, which weapons did you have on</p> <p>21 that day?</p> <p>22 A. So I drew a PDW with two -- a PDW is a personal defence</p> <p>23 weapon, so it is very similar to a carbine, albeit that</p> <p>24 it is smaller, it is more compact, it has a folding</p> <p>25 stock. The reason that I took that weapon is because</p> <p style="text-align: center;">Page 18</p>
<p>1 I was driving, I don't like driving with a larger</p> <p>2 firearm sticking out by the side of my leg, because it</p> <p>3 can impact on where my legs are with the pedals, so</p> <p>4 I decided to take a PDW. I then also took a Glock 19</p> <p>5 with two mags and a Taser -- and a Taser X26.</p> <p>6 Sorry, I also opted to draw one stun grenade from my</p> <p>7 team.</p> <p>8 Q. Let's go through some of them in a little bit more</p> <p>9 detail.</p> <p>10 A. Okay.</p> <p>11 Q. You didn't take what we have been told was the MCX</p> <p>12 carbine that a lot of the other officers were carrying?</p> <p>13 A. I did not, no.</p> <p>14 Q. Was that entirely a matter of personal choice?</p> <p>15 A. Yes, so, excuse me, we obviously have an armoury, we</p> <p>16 have an option of weapons available to us. We are</p> <p>17 trained to use all those weapons, and so it is a case of</p> <p>18 drawing the correct tool for the job and in these</p> <p>19 circumstances, as I have already stated, because I was</p> <p>20 driving, and I don't like have having the large weapon</p> <p>21 tucked down by the side of my leg, I didn't want to have</p> <p>22 to carry that with me. If I did take that it would</p> <p>23 normally be in the boot of the vehicle. However, with</p> <p>24 this weapon I can keep it down by the side of my leg and</p> <p>25 it offers me the potential to do more in forms of I can</p> <p style="text-align: center;">Page 19</p>	<p>1 grab it and leave the car knowing that if I am required</p> <p>2 to carry out a containment position or something along</p> <p>3 those lines, I have still got the option to shoot</p> <p>4 further than I would do with just my pistol.</p> <p>5 Q. Thank you, and then your pistol is your Glock. Is that</p> <p>6 your back-up weapon?</p> <p>7 A. That's correct, yes.</p> <p>8 Q. You say you had a stun grenade?</p> <p>9 A. Yes, so it is a distraction device, so it looks like</p> <p>10 a grenade for want of better words. It has a lever on</p> <p>11 it and a safety catch, when you pull the pin and then</p> <p>12 throw it, a fly handle comes off and it basically gives</p> <p>13 off six bangs in quick succession, so it is designed, if</p> <p>14 I were to throw it into a room, it would distract you if</p> <p>15 I then needed to make entry behind it.</p> <p>16 Q. So it makes noise, but it doesn't emit a gas or</p> <p>17 anything?</p> <p>18 A. No gas, it just emits a loud noise and people are tend</p> <p>19 to be drawn to watch it fly across the room, as such.</p> <p>20 Q. Then again, it might just be my reading of the</p> <p>21 transcript, did you say you brought a Taser and a Taser</p> <p>22 X26?</p> <p>23 A. They are the same thing, sorry. The X26 is the model</p> <p>24 that it is, so it is a covert model.</p> <p>25 Q. Was it, again, a matter of personal choice for each of</p> <p style="text-align: center;">Page 20</p>

<p>1 those items as to whether or not to bring them?</p> <p>2 A. Normally the driver of the vehicle always ensures that</p> <p>3 they have a Taser or some -- or the form of less-lethal</p> <p>4 option.</p> <p>5 Q. Is it right that you then were the driver in fact of</p> <p>6 what we know as the Alpha Car?</p> <p>7 A. That's correct.</p> <p>8 Q. Together with S111, from whom we have heard and W80?</p> <p>9 A. That's correct, yes.</p> <p>10 Q. Before we move on, looking at the bottom of page 4 of</p> <p>11 your statement you said:</p> <p>12 "I kitted up straight away."</p> <p>13 So you put on your covert body armour.</p> <p>14 Just above that you said that at the time you were</p> <p>15 making your way to the vehicle, you were thinking:</p> <p>16 "To carry out a breakout on a custodial van in broad</p> <p>17 daylight would be extremely dangerous and high risk and</p> <p>18 would be the action of a desperate man, with little or</p> <p>19 no regard for innocent parties and public that may get</p> <p>20 caught up in it."</p> <p>21 A. Yes.</p> <p>22 Q. Thank you.</p> <p>23 Just so we are clear, I jumped ahead, so I should</p> <p>24 have been plainer, did you also attend a 5.00 am</p> <p>25 briefing at Lincoln Road?</p> <p style="text-align: center;">Page 21</p>	<p>1 A. I did, yes.</p> <p>2 Q. Looking at page 4 then and going back up the page</p> <p>3 a little bit, that briefing was tape recorded and we</p> <p>4 know and have seen that transcript. What information</p> <p>5 were you provided in that briefing about the</p> <p>6 availability of firearms to those involved in the</p> <p>7 conspiracy?</p> <p>8 A. So the fact that the subjects would possibly be in</p> <p>9 possession of firearms was again explained and the worry</p> <p>10 that how the brother of the Turkish prisoner had</p> <p>11 previously supplied a Skorpion and a handgun, and it was</p> <p>12 possible he still had access to similar weapons.</p> <p>13 Q. It was your understanding that the individual who</p> <p>14 supplied the Skorpion handgun, which was the subject of</p> <p>15 the original arrest, was involved in supply of weapons</p> <p>16 in this conspiracy?</p> <p>17 A. That's correct, yes.</p> <p>18 Q. You took away that they would possibly be in possession</p> <p>19 of firearms, as opposed to definitely?</p> <p>20 A. Yes.</p> <p>21 Q. When you receive intelligence in briefings, is it for</p> <p>22 you an important distinction between possibly being in</p> <p>23 possession of firearms and definitely being in</p> <p>24 possession of firearms?</p> <p>25 A. Potentially, yes, but then at sometimes at this stage it</p> <p style="text-align: center;">Page 22</p>
<p>1 is not necessarily known 100 per cent, so you have to</p> <p>2 take into account the fact that we believe that they are</p> <p>3 going to be in possession of firearms and it may come at</p> <p>4 a later date as to whether or not they definitely are.</p> <p>5 Q. Okay, so at this stage you took away that it was</p> <p>6 possibly, but you didn't draw a --</p> <p>7 A. Potentially had access to. So if they wanted them, they</p> <p>8 were potentially there for them to use.</p> <p>9 Q. Thank you.</p> <p>10 You go on to explain that the squad had no</p> <p>11 intelligence on who would be recruited to carry out the</p> <p>12 attempted breakout?</p> <p>13 A. Yes.</p> <p>14 Q. Was that significant to you or unusual?</p> <p>15 A. No, not necessarily. I don't think.</p> <p>16 Q. You go on to say that the briefing was concluded, the</p> <p>17 tapes were turned off and at this point, following the</p> <p>18 ceasing of the recording, you were briefed by a male DC</p> <p>19 who explained the technical kit that had been applied to</p> <p>20 the car?</p> <p>21 A. Yes.</p> <p>22 Q. Did you understand or expect that you would receive live</p> <p>23 intelligence updates?</p> <p>24 A. Yes.</p> <p>25 Q. From within the vehicle?</p> <p style="text-align: center;">Page 23</p>	<p>1 A. Yes, that would be the norm on these jobs.</p> <p>2 Q. You go on to say:</p> <p>3 "We received information that the Turkish prisoner</p> <p>4 had been using his phone and made contact with the male,</p> <p>5 who I think was his brother, and the supplier of the</p> <p>6 firearms and had given instructions to get men 'heavies'</p> <p>7 was the word I think he used to carry out the breakout,</p> <p>8 rather than boys."</p> <p>9 A. Yes.</p> <p>10 Q. Was that significant to you, the information that they</p> <p>11 were going to be using heavies or was it as you would</p> <p>12 expect?</p> <p>13 A. Yeah, I think so. Again, from experience, there are</p> <p>14 times in our line of work where with certain times they</p> <p>15 use -- I refer to them as "boys", you know, they are</p> <p>16 younger people as such and they might utilise them as</p> <p>17 a courier to, you know, move a firearm from point A to</p> <p>18 point B as such.</p> <p>19 So the fact that they were kind of explaining here</p> <p>20 that, you know, they didn't want any of those kind of</p> <p>21 people around this, they wanted heavies, men, I took</p> <p>22 that to mean they were trying to get big lumps, as such,</p> <p>23 big people.</p> <p>24 THE CHAIRMAN: Trying to get?</p> <p>25 A. Big lumps, sir, sorry, it's probably not the best word</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 to use.</p> <p>2 Most people are bigger than me, sir, but, you know,</p> <p>3 muscular people.</p> <p>4 MS MCNEILL: Your word was heavies, what you wrote in your</p> <p>5 statement?</p> <p>6 THE CHAIRMAN: We understand that.</p> <p>7 A. Okay.</p> <p>8 MS MCNEILL: At this stage, and then that is where I had</p> <p>9 jumped ahead, sorry, you said to carry out a breakout on</p> <p>10 custodial van in broad daylight would be extremely</p> <p>11 dangerous and high risk and would be the actions of</p> <p>12 a desperate man?</p> <p>13 A. Yes.</p> <p>14 Q. When you say it is extremely dangerous and high risk, to</p> <p>15 whom would be it be extremely dangerous and high risk?</p> <p>16 A. To the potential -- the people that are involved, anyone</p> <p>17 that could come into contact with them.</p> <p>18 Q. So the subjects themselves?</p> <p>19 A. Potentially the subjects, potentially the police, any</p> <p>20 members of the public that could get caught up inside</p> <p>21 it, the Securicor people perhaps also that --</p> <p>22 THE CHAIRMAN: I think you mean Serco.</p> <p>23 A. Sorry, Serco, on the custodial van.</p> <p>24 MS MCNEILL: For the avoidance of doubt, at this stage what</p> <p>25 was your own threat or risk assessment for the operation</p> <p style="text-align: center;">Page 25</p>	<p>1 based on the information received during the briefings?</p> <p>2 A. Is that at -- sorry, is that at the point of impact with</p> <p>3 the vehicle or around the actual, just where we are here</p> <p>4 now?</p> <p>5 Q. That is a fair question.</p> <p>6 Do you, following a briefing, conduct a two-stage</p> <p>7 threat assessment saying this is the threat assessment</p> <p>8 now, but the threat assessment at the time of</p> <p>9 intervention or interception might be ...</p> <p>10 A. Potentially, not really, no, but I understand that is</p> <p>11 sometimes the way it works.</p> <p>12 I think most firearms officers look from their</p> <p>13 threat assessment based at the point of impact with the</p> <p>14 actual vehicle that they are going to come into contact.</p> <p>15 Q. Is that because that is the point in the operation at</p> <p>16 which you are most likely to be hands-on involved?</p> <p>17 A. Yes.</p> <p>18 Q. Following a briefing, does your mind go straight to</p> <p>19 conducting a threat assessment at the point of</p> <p>20 interception?</p> <p>21 A. Yes.</p> <p>22 Q. What was your threat assessment therefore at the point</p> <p>23 of interception?</p> <p>24 A. Okay, so it would have been medium to high.</p> <p>25 Q. Can you help us understand why it is medium to high?</p> <p style="text-align: center;">Page 26</p>
<p>1 A. Based around the information that I have written in</p> <p>2 regards as to the tactical briefing where I have</p> <p>3 explained how we believe that one of the males that is</p> <p>4 potentially involved in the organisation of this has</p> <p>5 previously supplied firearms and is perhaps has access</p> <p>6 to further firearms. Also the history of the gang and</p> <p>7 the other operations that I have been involved around</p> <p>8 that gang, and then the mention, again, in the main</p> <p>9 briefing around the potential use of access to firearms.</p> <p>10 Q. Again, I just want to tie in a previous answer, I am not</p> <p>11 trying to be repetitive --</p> <p>12 A. Yes.</p> <p>13 Q. -- when you say "Access to the firearms", when you are</p> <p>14 conducting your threat assessment at this stage, does it</p> <p>15 matter to you or is it significant to your threat</p> <p>16 assessment whether they have possible access to firearms</p> <p>17 or definite intelligence that there are firearms?</p> <p>18 A. No, not at that phase -- because it is an unknown,</p> <p>19 I think we would have approached the vehicle thinking</p> <p>20 that they do have them or, you know, that they have</p> <p>21 access to them, so therefore they may be on their</p> <p>22 person.</p> <p>23 THE CHAIRMAN: Can you help in relation to this, please.</p> <p>24 You have already indicated, and I think everybody</p> <p>25 understands why, that this plan was obviously the</p> <p style="text-align: center;">Page 27</p>	<p>1 response of a desperate group of people who would stop</p> <p>2 at little if anything to achieve their ends.</p> <p>3 A. Yes, sir.</p> <p>4 THE CHAIRMAN: You are told, and no doubt accept from the</p> <p>5 intelligence, that they may well be armed.</p> <p>6 A. Yes, sir.</p> <p>7 THE CHAIRMAN: You have assessed the threat assessment at</p> <p>8 the point of interception as medium to high.</p> <p>9 A. Yes.</p> <p>10 THE CHAIRMAN: What does it take for the threat assessment</p> <p>11 at the point of interception to be high or even very</p> <p>12 high?</p> <p>13 A. So the information based around, as I have already said,</p> <p>14 with their previous history, also the potential point --</p> <p>15 at the point of contact that we know that they may have</p> <p>16 a firearm, the only other way I think it could become</p> <p>17 higher, and I am hoping I am answering the question,</p> <p>18 sir, is that if I knew for definite that they did have</p> <p>19 a firearm.</p> <p>20 THE CHAIRMAN: So in other words, your state of</p> <p>21 uncertainty --</p> <p>22 A. Yes.</p> <p>23 THE CHAIRMAN: -- influenced your threat assessment?</p> <p>24 A. Potentially, yes.</p> <p>25 THE CHAIRMAN: Yes, thank you.</p> <p style="text-align: center;">Page 28</p>

<p>1 MS MCNEILL: I think linked to that, if we can go back to 2 the section at tab 4 of your bundle, page 1 of that 3 witness statement. 4 A. Yes. 5 Q. It's MPS115, page 1, if we could bring it up, Mr Coates. 6 You say: 7 "We were given intelligence at some stage that it 8 was believed that the gang would be armed, I believe the 9 link to firearms was based on a number of strands of 10 intelligence: the fact that the two subjects currently 11 on remand had gang links and had recruited a team of 12 males who were going to attempt to break them free from 13 custody; intelligence that the main prisoner on remand 14 was in contact with his brother, whose name I cannot 15 recall; that the brother was involved in the plan; and 16 that the brother was believed to have been the person 17 who had supplied the Skorpion machine gun and handgun 18 for the original offence; even if there was no direct 19 evidence at the time of briefing, there was a strong 20 inference that the gang was likely to be armed." 21 A. Yes. 22 Q. I am just trying to help you, really, that section 23 I have just read, does that represent your mindset at 24 the conclusion of the 5.00 am briefing now? 25 A. Yes.</p> <p style="text-align: center;">Page 29</p>	<p>1 Q. Thank you. 2 By that stage, it was your understanding of what you 3 had been told that it was believed that the gang would 4 be armed or, at the bottom, "Strong inference that they 5 were likely to be armed"? 6 A. Yes. 7 Q. Was that based on those strands of intelligence drawn 8 together, as opposed to someone specifically saying 9 expressly they would be armed? 10 A. I think so, yes. 11 Q. That is your understanding. 12 A. Yes. 13 Q. Thank you. You mentioned in answers to the chairman, 14 that one of the things that might increase your threat 15 assessment is intelligence that they were definitely 16 armed? 17 A. Yes. 18 Q. Had you, at the point we have just discussed following 19 the 5.00 am briefing, reached the threshold of 20 definitely armed? 21 A. Not at that particular time, no. 22 Q. Thank you. 23 You will be pleased to know I am going to move on 24 from the briefings in time -- 25 A. That is fine.</p> <p style="text-align: center;">Page 30</p>
<p>1 Q. -- to Quicksilver. 2 Did you, together with W80 and S111, move around to 3 the Quicksilver Patrol Base? 4 A. Yes, we did, yes. 5 Q. Can you tell us or just remind us who was sitting where 6 in your vehicle? 7 A. Okay, yes, so I was driving the vehicle, S111 was sat in 8 the front passenger seat and W80 was sat in the rear. 9 Q. That was something you did discuss and decided to do? 10 A. Yes, so I think I had a conversation with W80 at the end 11 of the briefing and I think it was because he carried 12 out the recce, he had a better understanding of the plot 13 than I did and so would therefore be able to -- not read 14 the maps easier, but have a greater understanding as to 15 locations and so we just came to the conclusion that it 16 would be best if I drove and he read the maps and 17 navigated. 18 Q. I think we have heard from others -- correct me if I am 19 wrong -- that generally speaking the responsibilities 20 would be the driver drives, the front passenger seat is 21 predominantly listening to the radio and the person in 22 the back is in charge of the maps -- 23 A. That's correct, yes. 24 Q. -- or following the maps? 25 A. Yes.</p> <p style="text-align: center;">Page 31</p>	<p>1 Q. When you reached Quicksilver Patrol Base, did you 2 continue to receive intelligence updates through the 3 radio? 4 A. Yes, we did, yes. 5 Q. You had three radios going in your vehicle at the same 6 time; is that right? 7 A. Yes, that's correct. 8 Q. The main working channel, the tactical channel -- 9 A. Yes. 10 Q. -- and the other working channel? 11 A. Yes. 12 Q. Again, just in brief terms, can you tell us what the 13 difference would be in the information coming through 14 each of those channels? 15 A. Okay, so the main working channel was, I think they were 16 split, because there was, as I say two separate parts of 17 the job, I can't remember the radio channels 18 specifically, but there was the channel obviously 19 whereby the surveillance team were providing commentary 20 in relation to the black Audi, which was our plot as 21 such. There was a main channel that was providing 22 information in regards as to the plot around the 23 custodial vehicle and then the other channel, I believe, 24 would have been what we call our tactical channel, or 25 back to back, which is where we as a MASTS team</p> <p style="text-align: center;">Page 32</p>

<p>1 communicate with each other.</p> <p>2 Q. As you were making your way to Quicksilver, did you</p> <p>3 receive intelligence that the Audi, the mission vehicle,</p> <p>4 had left the car park in which it had been parked with</p> <p>5 two or three occupants?</p> <p>6 A. Yes.</p> <p>7 Q. Is it important for you to know, as best you can, how</p> <p>8 many people are going to be in the mission vehicle?</p> <p>9 A. Yes, I think so, yes.</p> <p>10 Q. Were you receiving information about that throughout the</p> <p>11 day?</p> <p>12 A. Yes, it comes through on the surveillance channel, yes.</p> <p>13 Q. What information, if any, did you receive about the</p> <p>14 nature of the driving?</p> <p>15 A. I think I describe it as erratic and at speed.</p> <p>16 Q. For the avoidance of doubt, that is the Audi's driving,</p> <p>17 not your own?</p> <p>18 A. Yes, no.</p> <p>19 Q. It is described as, "Erratic and that they were in and</p> <p>20 out of side streets, but I don't remember the names of</p> <p>21 them".</p> <p>22 A. Yes.</p> <p>23 Q. How did you interpret that intelligence?</p> <p>24 A. I don't think I thought anything at the time as such.</p> <p>25 Q. We have heard evidence from those inside the car that in</p> <p style="text-align: center;">Page 33</p>	<p>1 fact they were lost. Did it in any event affect your</p> <p>2 ongoing risk assessments to receive this information</p> <p>3 through the radio?</p> <p>4 A. No, not at that time.</p> <p>5 Q. You were delayed slightly getting to Quicksilver; why</p> <p>6 was that?</p> <p>7 A. I think that might be purely because at the end of the</p> <p>8 main briefing sometimes the TFC and the OFC maybe</p> <p>9 just -- they might have a conversation with the --</p> <p>10 sorry, the OFC from the Alpha Car and my team leader OFC</p> <p>11 might have a conversation with the TFC or discuss finer</p> <p>12 things. It could have been we had gone to the toilet</p> <p>13 and we were then just moving off after.</p> <p>14 Q. In fact I think you say it was as simple as the fact</p> <p>15 that you were delayed at a few traffic lights as well?</p> <p>16 A. That possibly as well, yes.</p> <p>17 Q. Is it right that on your way to Quicksilver you in fact</p> <p>18 drove past the Audi mission vehicle?</p> <p>19 A. We did come into contact with it, yes.</p> <p>20 THE CHAIRMAN: By that you mean visual contact?</p> <p>21 A. Yes, sir, albeit at speed.</p> <p>22 THE CHAIRMAN: Yes.</p> <p>23 MS MCNEILL: Were you able at that time to see into the</p> <p>24 vehicle?</p> <p>25 A. No, I was not, no.</p> <p style="text-align: center;">Page 34</p>
<p>1 Q. Again, for completeness, were you able at that time to</p> <p>2 gauge how many people were in the vehicle?</p> <p>3 A. I was not.</p> <p>4 Q. Were you able to form an assessment as to whether or not</p> <p>5 the windows were dark or vision into the vehicle in</p> <p>6 general terms?</p> <p>7 A. Nothing like that, no.</p> <p>8 Q. You were confident, however, that they had not spotted</p> <p>9 you as police officers and therefore were not</p> <p>10 compromised, is that right?</p> <p>11 A. That's correct, yes.</p> <p>12 Q. You describe having a little bit of trouble with your</p> <p>13 comms, your radio trouble?</p> <p>14 A. Yes.</p> <p>15 Q. But you were able to fix it in any event?</p> <p>16 A. Yes.</p> <p>17 Q. Whilst you were waiting at Quicksilver, did you receive</p> <p>18 intelligence that there were four occupants in the</p> <p>19 vehicle?</p> <p>20 A. Yes, I did, yes.</p> <p>21 Q. But that one of them left the vehicle and held on the</p> <p>22 street?</p> <p>23 A. Yes, that's correct.</p> <p>24 Q. That individual was believed to be the third eye?</p> <p>25 A. Yes, that's correct.</p> <p style="text-align: center;">Page 35</p>	<p>1 Q. Bearing in mind you told us it is important if possible</p> <p>2 to know how many people were in the car, can you tell us</p> <p>3 whether the information you were receiving about the</p> <p>4 number of people in the car was coming predominantly</p> <p>5 from the surveillance team out on the streets or from</p> <p>6 within the vehicle?</p> <p>7 A. From my recollection, most of the information was coming</p> <p>8 from the surveillance team.</p> <p>9 Q. You talk at the bottom of page 5 that you said:</p> <p>10 "Realising the danger that the occupants this car</p> <p>11 posed, I was checking and rechecking my kit, making sure</p> <p>12 everything was where it should be and that I was ready."</p> <p>13 A. Yes.</p> <p>14 Q. Why did you at that stage consider the occupants of the</p> <p>15 car to be so dangerous?</p> <p>16 A. So that comes from the sentence prior, from a radio</p> <p>17 transmission that came out with an update.</p> <p>18 Q. Thank you, sorry, I had read over that, you are quite</p> <p>19 right. Did there reach a stage where you received</p> <p>20 a radio transmission relating to the possession of</p> <p>21 firearms?</p> <p>22 A. I did, yes.</p> <p>23 Q. Can you remember what precisely was said over the radio</p> <p>24 at that time?</p> <p>25 A. I don't recall -- and obviously when I have written the</p> <p style="text-align: center;">Page 36</p>

<p>1 statement I have described it differently. I couldn't</p> <p>2 remember the exact phrase, no.</p> <p>3 Q. That fine. Can you turn to tab 4 in your bundle, that</p> <p>4 will help you a little bit.</p> <p>5 A. Yes.</p> <p>6 Q. That is the third line from the bottom of the first page</p> <p>7 of that statement.</p> <p>8 A. Yes.</p> <p>9 Q. Did you receive an intelligence update shortly before</p> <p>10 the incident?</p> <p>11 A. Yes.</p> <p>12 Q. What were you told?</p> <p>13 A. We were told that any action carried out the by males</p> <p>14 would be done so with the use of firearms.</p> <p>15 Q. Can you carry on, this is the gist of what we were told</p> <p>16 but you cannot remember the precise words used.</p> <p>17 A. Yes.</p> <p>18 Q. Did you at the time know or have an understanding of</p> <p>19 where that intelligence had come from?</p> <p>20 A. No, but as I go on to say in my statement, I was aware</p> <p>21 of the audio equipment and the technical equipment</p> <p>22 within the vehicle. And so it was my belief that the</p> <p>23 latest intelligence update had come from within that</p> <p>24 vehicle.</p> <p>25 Q. That was your assumption or interpretation of what you</p> <p style="text-align: center;">Page 37</p>	<p>1 had heard?</p> <p>2 A. Yes.</p> <p>3 THE CHAIRMAN: Which would give it a greater level of</p> <p>4 authenticity?</p> <p>5 A. Yes, sir, and I go to say that I believed the update to</p> <p>6 be reliable and that it was likely to have come from</p> <p>7 an overheard conversation by the suspects within the</p> <p>8 vehicle.</p> <p>9 THE CHAIRMAN: Yes.</p> <p>10 MS MCNEILL: Thank you.</p> <p>11 You again when you answered questions from the</p> <p>12 chairman indicated that one of the things that would</p> <p>13 affect your risk assessment would be intelligence that</p> <p>14 they definitely had a firearm.</p> <p>15 A. Yes.</p> <p>16 Q. Had it in your mind reached that threshold yet?</p> <p>17 A. Yes.</p> <p>18 Q. So --</p> <p>19 A. That line, yes, like, changes my risk assessment</p> <p>20 slightly, yes.</p> <p>21 Q. At the time that information came across the radio, what</p> <p>22 was your risk assessment at that time?</p> <p>23 A. It was now high.</p> <p>24 Q. High?</p> <p>25 A. At the point of impact with the -- at the point of</p> <p style="text-align: center;">Page 38</p>
<p>1 contact with the vehicle.</p> <p>2 Q. We know that the phrase that came over the radio is</p> <p>3 "firearms enabled", for completeness I know you don't</p> <p>4 remember that phrase. Have you ever heard that phrase</p> <p>5 used before?</p> <p>6 A. No, I have not, no.</p> <p>7 Q. Can you remember whether there was any discussion in the</p> <p>8 car following the receipt of this intelligence or did</p> <p>9 everybody just hear it and consider it on their own?</p> <p>10 A. I don't remember, I am afraid.</p> <p>11 Q. That is absolutely fine.</p> <p>12 At this stage, had you at any point in the day</p> <p>13 received any intelligence which suggested that the</p> <p>14 firearm in the car was an imitation firearm?</p> <p>15 A. No.</p> <p>16 Q. Appreciating that I am moving into the realm of</p> <p>17 hypothetical --</p> <p>18 A. Okay.</p> <p>19 Q. -- if the intelligence were that the conspirators inside</p> <p>20 the car were in possession of an imitation as distinct</p> <p>21 from a real firearm, firstly, is that something you</p> <p>22 would have expected to be told at that time?</p> <p>23 A. No.</p> <p>24 Q. I am talking about at the shortly around 9.00 time?</p> <p>25 A. No, I would not have expected.</p> <p style="text-align: center;">Page 39</p>	<p>1 Q. Why not?</p> <p>2 A. Because I wouldn't -- and in fairness it wouldn't make</p> <p>3 any difference. So we are taught from the very</p> <p>4 beginning of our firearms careers to treat all weapons</p> <p>5 as real and loaded, until it can be proved otherwise.</p> <p>6 And the only way to prove otherwise is for that weapon</p> <p>7 to be forensically examined or made safe, so that we can</p> <p>8 be certain 100 per cent that it is not real.</p> <p>9 THE CHAIRMAN: Is this the way you would put it. The threat</p> <p>10 assessment can increase from medium to high if you know</p> <p>11 that the intelligence is that they will be definitely</p> <p>12 armed with a live firearm?</p> <p>13 A. Yes. Not necessarily armed with a live firearm but the</p> <p>14 fact that you believe -- well, yes, it would do, sorry,</p> <p>15 yes.</p> <p>16 THE CHAIRMAN: Yes, but that even if you are told that the</p> <p>17 firearm that they have been able to source is</p> <p>18 an imitation firearm, that will not reduce the threat</p> <p>19 assessment or the risk assessment below medium?</p> <p>20 A. No, it would not. Not for me, sir, no.</p> <p>21 THE CHAIRMAN: Yes.</p> <p>22 MS MCNEILL: Forgive me if I am only asking the same</p> <p>23 question that the chairman has but less elegantly, you</p> <p>24 said that upon receipt of the information that, as you</p> <p>25 interpreted it, they definitely had a firearm, it went</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 up to high. If the information had been that they</p> <p>2 definitely had an imitation firearm, or that they were</p> <p>3 believed to have an imitation firearm, would it have</p> <p>4 remained at medium or would it still have gone up to</p> <p>5 high?</p> <p>6 A. I think if you are definitely saying that they have got</p> <p>7 an imitation firearm, you could question as to whether</p> <p>8 or not we should be there in the first place, based on</p> <p>9 the -- on why we deploy on firearms jobs. So if we know</p> <p>10 100 per cent that it is an imitation firearm, when you</p> <p>11 look at the authorising officer's authority to deploy</p> <p>12 AFOs, it is because they are believed or supposed to be</p> <p>13 in possession of or have access to a real firearm. If</p> <p>14 we know it is 100 per cent an imitation firearm, it</p> <p>15 might be that we are not there.</p> <p>16 THE CHAIRMAN: You are expecting to be called off in those</p> <p>17 circumstances?</p> <p>18 A. Yes, sir, if you 100 per cent know, then there is need</p> <p>19 to send armed officers to deal with someone that doesn't</p> <p>20 have a real gun.</p> <p>21 THE CHAIRMAN: But you are not at the 100 per cent no</p> <p>22 situation, you are at the intelligence is to that effect</p> <p>23 situation --</p> <p>24 A. Yes, sir, so --</p> <p>25 THE CHAIRMAN: -- and it has come from a reliable source, so</p> <p style="text-align: center;">Page 41</p>	<p>1 it has come from within the car.</p> <p>2 A. So in review to that, it would be -- my threat</p> <p>3 assessment would still be high, because as I approach</p> <p>4 that vehicle, again, in my experience, where there is</p> <p>5 potentially one gun, there may be another gun and if</p> <p>6 I -- if those guns are produced, how do I differentiate</p> <p>7 between what one is the real gun and what one is not the</p> <p>8 real gun.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 MS MCNEILL: Before we move on, because I know I will be</p> <p>11 asked to come back to it later anyway, in relation to</p> <p>12 the authorisation to deploy, that is done with the full</p> <p>13 view of the operation as a whole, isn't it?</p> <p>14 A. Yes.</p> <p>15 Q. That decision is made based upon an assessment of the</p> <p>16 threat of the individuals as well as the operation?</p> <p>17 A. Yes.</p> <p>18 Q. Yes.</p> <p>19 Intelligence suggesting that those in the car had</p> <p>20 an imitation firearm wouldn't necessarily mean that the</p> <p>21 authorisation to deploy firearms officers would be</p> <p>22 rescinded?</p> <p>23 A. Potentially not, but at the same time, yes, you are</p> <p>24 right, yes.</p> <p>25 Q. Because of all of the other factors and the fact that it</p> <p style="text-align: center;">Page 42</p>
<p>1 is looking at the operation as a whole?</p> <p>2 A. Yes.</p> <p>3 Q. Moving on then if we can. We know that shortly after</p> <p>4 that intelligence came through the radio, you received</p> <p>5 state amber, is that right?</p> <p>6 A. That's right.</p> <p>7 Q. You told us earlier in your evidence that at the point</p> <p>8 that you were asked to go forward, that is the point at</p> <p>9 which you would expect someone to make a decision as to</p> <p>10 the tactic to be deployed and for that to be</p> <p>11 communicated?</p> <p>12 A. Yes, that's correct.</p> <p>13 Q. Can you tell us, please, at the point at which state</p> <p>14 amber was declared, were you given any instruction at</p> <p>15 that stage as to the tactic to be deployed once you</p> <p>16 reached Bracknell Close?</p> <p>17 A. I don't think we were given an instruction as such, but</p> <p>18 I was in the vehicle with one of the OFCs, S111.</p> <p>19 Q. Was there a discussion then with S111 about the tactic</p> <p>20 you would employ upon reaching Bracknell Close?</p> <p>21 A. I don't remember exactly, but I would think that that</p> <p>22 would have taken place.</p> <p>23 Q. You would have expected there to be?</p> <p>24 A. I would think so, yes. When we are in the vehicles in</p> <p>25 these situations, as the information is coming through</p> <p style="text-align: center;">Page 43</p>	<p>1 we are constantly talking and communicating with each</p> <p>2 other.</p> <p>3 Q. Can you tell us then -- again, please indicate if I am</p> <p>4 pushing you beyond the realms of your memory -- whether</p> <p>5 or not at that time you were given an instruction or had</p> <p>6 a discussion with S111 about performing an extraction</p> <p>7 when you reached Bracknell Close?</p> <p>8 A. I don't remember, but I am quite certain that that was</p> <p>9 the tactic that we were going to employ.</p> <p>10 Q. You were quite certain at the time?</p> <p>11 A. Sorry, at the time -- at what point, sorry?</p> <p>12 Q. Once they declare state amber and you start driving</p> <p>13 round to Bracknell Close, were you at that stage quite</p> <p>14 certain that upon reaching Bracknell Close it would be</p> <p>15 an extraction?</p> <p>16 A. Yes.</p> <p>17 Q. Have you before used a contain and call out tactic?</p> <p>18 A. No, I have not. No.</p> <p>19 Sorry on a vehicle?</p> <p>20 Q. I will break it down for you, have you used it not on</p> <p>21 a vehicle?</p> <p>22 A. On a premises, I have, yes, which it is quite common,</p> <p>23 something that we would do.</p> <p>24 Q. It is common?</p> <p>25 A. On a premises, yes.</p> <p style="text-align: center;">Page 44</p>

<p>1 Q. A vehicle, have you ever used it then?</p> <p>2 A. No.</p> <p>3 Q. Was there any discussion as you drove round to Bracknell</p> <p>4 Close, about who would go where once you reached the</p> <p>5 Audi vehicle?</p> <p>6 A. No, there wasn't. No. We don't necessarily -- when we</p> <p>7 train and when we carry out these operations, we don't</p> <p>8 necessarily work in that format. We are taught to</p> <p>9 identify the gaps in the areas and move forward.</p> <p>10 Q. Was there any discussion in the vehicle about what</p> <p>11 equipment would be taken out of the car into Bracknell</p> <p>12 Close?</p> <p>13 A. Not from my -- I can -- not from my recollection, no.</p> <p>14 I briefly remember talking about a shotgun, I believe it</p> <p>15 was, but again, I haven't written that in my statement</p> <p>16 and my memory around that area is not brilliant.</p> <p>17 Q. Who had a shotgun?</p> <p>18 A. In the position that he was sat in, W80, it would have</p> <p>19 been his responsibility to have the Hatton gun at the</p> <p>20 time.</p> <p>21 Q. Is that what we have heard variously described as the</p> <p>22 Benelli or the Hatton round?</p> <p>23 A. That's correct, yes.</p> <p>24 Q. That would have been W80's responsibility?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 45</p>	<p>1 Q. Your evidence today is that you vaguely remember</p> <p>2 a discussion about it, but that you didn't at the time</p> <p>3 put it in your statement?</p> <p>4 A. No, I have not included it.</p> <p>5 Q. Can you with any confidence tell us that you did have</p> <p>6 that discussion or what the nature of that discussion</p> <p>7 was?</p> <p>8 A. I don't remember it being a discussion as such, it might</p> <p>9 more have just been a comment. But I don't remember.</p> <p>10 Q. From your experience, is it usually a matter of judgment</p> <p>11 for the person in the rear passenger seat as to whether</p> <p>12 or not to take a Benelli out or something that they</p> <p>13 discuss with everybody in the car?</p> <p>14 A. It might be -- it definitely is down to their judgment,</p> <p>15 it obviously depends on the information and the</p> <p>16 intelligence that you are faced with at the time in</p> <p>17 regards as to the location of the vehicle, but then it</p> <p>18 might also then ... environmental factors might be</p> <p>19 included in that but then ultimately, yes, it comes down</p> <p>20 to the operator of that weapon to decide whether or not</p> <p>21 they are going to deploy with it.</p> <p>22 Q. One of the things you did discuss was that you would</p> <p>23 drive your vehicle past the Audi, allowing the Bravo</p> <p>24 vehicle to come in behind you, with the Charlie holding</p> <p>25 just short so that the three cars together would block</p> <p style="text-align: center;">Page 46</p>
<p>1 in the Audi, is that right?</p> <p>2 A. That's correct, yes.</p> <p>3 Q. Did you communicate that plan across the radio?</p> <p>4 A. I believe it was, yes.</p> <p>5 Q. To the other drivers?</p> <p>6 A. Yes.</p> <p>7 Q. When you reached Bracknell Close, and your vehicle</p> <p>8 stopped, what happened?</p> <p>9 A. Sorry, when we have put the stop in?</p> <p>10 Q. After you have stopped your vehicle in Bracknell Close.</p> <p>11 A. So initially, I it is -- I am always, S111 and W80 were</p> <p>12 out of the car before me, I deployed from the vehicle,</p> <p>13 there is a short delay there because I have to make sure</p> <p>14 that the vehicle is not going to move or roll off. And</p> <p>15 I deployed from my vehicle armed with my Glock 19 SLP</p> <p>16 and the Taser.</p> <p>17 Q. Can you tell us why you chose to deploy just with the</p> <p>18 Glock and the Taser and not with your other weapon --</p> <p>19 the name of which I am currently trying to remember.</p> <p>20 A. The PDW.</p> <p>21 Q. Thank you.</p> <p>22 A. Okay, so in those circumstances I knew that I am sort of</p> <p>23 going to be behind my two colleagues, so there is every</p> <p>24 likelihood that it will be myself that will carry out</p> <p>25 any extraction that needs to take place, which requires</p> <p style="text-align: center;">Page 47</p>	<p>1 me to lay hands on to the subject. My Glock I can</p> <p>2 easily holster and it stays on my belt in position. If</p> <p>3 I had taken the PDW that, weapon would have potentially</p> <p>4 been hanging on a sling, free flowing, and it is then</p> <p>5 difficult to keep that weapon in control and safe.</p> <p>6 Q. Based on your answer, is it normal practice and</p> <p>7 consistent with your training that generally you would</p> <p>8 put your weapon down before hands-on extracting somebody</p> <p>9 from the vehicle?</p> <p>10 A. It can be, it depends on the circumstances.</p> <p>11 Q. Okay. Can you tell us why you were expected to be the</p> <p>12 person who would be hands-on extracting somebody from</p> <p>13 the vehicle?</p> <p>14 A. Because I knew that my two colleagues had gone before</p> <p>15 me, I then also realised that that would then be the</p> <p>16 case for the two other occupants of both the Bravo and</p> <p>17 the Charlie Cars, if you like, at the point I am aware</p> <p>18 there are only three occupants in the car, so</p> <p>19 potentially firearms cover will already be in place on</p> <p>20 those occupants, and so it is likely that I will not be</p> <p>21 utilised for firearms cover, but I will be required to</p> <p>22 extract the people from within.</p> <p>23 Q. Forgive me for what will likely be laborious detail, but</p> <p>24 I just want to draw all of that out, if I can.</p> <p>25 A. Okay.</p> <p style="text-align: center;">Page 48</p>

1 Q. First of all, at that stage, how did you come to believe
 2 there was only three people in the car -- could you see
 3 or --
 4 **A. I think it was from the previous radio transmission,**
 5 **when the fourth person -- so initially there were four**
 6 **in the car, one of them got out, so that then leaves**
 7 **three and at that point I don't think I had received any**
 8 **other information to state that anyone else had got in**
 9 **or in fact got out.**
 10 Q. Could you see into the vehicle?
 11 **A. At the point of -- as I drove past, sorry?**
 12 Q. As you got out of the car?
 13 **A. No, I could not, no.**
 14 Q. You said that you had expected that those gone before
 15 would be providing firearms cover --
 16 **A. Yes.**
 17 Q. -- and therefore you would be the person to go in and
 18 perform an extraction?
 19 **A. Yes.**
 20 Q. Forgive those of us who have not had the training and
 21 haven't been at an extraction, can you tell us a little
 22 bit about how you would have expected that to happen?
 23 **A. Ideally we are looking for an officer to close the**
 24 **vehicle down and if I can do it based please on just one**
 25 **person being in the vehicle, it would be a case of we**

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1 **A. Yes, because it is an extraction, so we are looking to**
 2 **rapidly deploy onto the vehicle to neutralise the**
 3 **threat.**
 4 Q. I preface my questions by I know you said that you gave
 5 this almost as a hypothetical if there is a single
 6 subject in the vehicle, we will move in a moment to
 7 multiple subjects.
 8 **A. Okay, I can talk about multiple if you want me to, but**
 9 **it was just to try and --**
 10 Q. We will take it in two stages.
 11 **A. Okay, fine.**
 12 Q. That's okay. You would have expected those who got out
 13 of the car before you to come close to the vehicle?
 14 **A. Yes.**
 15 Q. And you said to provide cover, does that mean keep their
 16 guns trained on the subjects in the car?
 17 **A. Yes.**
 18 Q. How close would you have expected or anticipated them to
 19 get to perform that cover?
 20 **A. Right on top of the vehicle.**
 21 Q. Very close to them?
 22 **A. If it -- depending on the vehicle's position as such,**
 23 **but normally we would close the vehicle right down, yes.**
 24 Q. You said it wouldn't matter whether or not the door was
 25 open or closed, you would keep the weapons trained on

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1 **are looking for an officer to close the vehicle down,**
 2 **place firearms cover on the person that is sat in the**
 3 **vehicle, whether the door is open prior to this or**
 4 **closed, it doesn't really make any difference, but then**
 5 **it would be the person that is going to extract, sorry,**
 6 **it would be their job to then come along to the side of**
 7 **the vehicle and we are taught a technique whereby we use**
 8 **the A-pillar, the post of the vehicle, and then we grab**
 9 **hold of the arm and extract out, placing a lock and**
 10 **a twist into the arm and then bringing the subject down**
 11 **onto the floor with commands of "down, down, down" at**
 12 **the same time.**
 13 Q. I am going to bring up a document on screen to help us
 14 have this conversation. Do we have the images bundle,
 15 Mr Coates, page 10 of that bundle.
 16 Thank you very much.
 17 This might help us because it is a completely clear
 18 version. That is your vehicle at the top, Alpha
 19 vehicle, and we see the Audi?
 20 **A. Yes.**
 21 Q. Is that, broadly speaking, where you parked your Alpha
 22 vehicle?
 23 **A. Roughly, yes, I don't remember exactly, but yes.**
 24 Q. You used the terminology you would have expected them to
 25 close down the vehicle, does that mean get close to?

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1 the individuals?
 2 **A. Yes, that's correct.**
 3 Q. There is no mystery, S111 and W80 went to what we know
 4 as the passenger side of the vehicle.
 5 **A. Yes.**
 6 Q. Which is between the vehicle and the silver Audi?
 7 **A. Yes, that's correct, yes.**
 8 Q. Would you expect the individual providing firearms cover
 9 to open the car door or would you have expected the
 10 individual, which you thought would be you, doing the
 11 hands-on extraction to open the car door?
 12 **A. It could be either or. It might be that the person that**
 13 **is completing cover onto the actual vehicle itself then**
 14 **may have seen something or they cannot see something, in**
 15 **which case they want to open on the door to try and gain**
 16 **better vision into the vehicle or it might be that they**
 17 **can see and so in which case they are happy to keep both**
 18 **hands on their weapon, point the weapon and wait for**
 19 **someone, ie a colleague like me, to come forward and**
 20 **then complete the extraction.**
 21 Q. If you are going to open the door, we can see here --
 22 **A. Yes.**
 23 Q. -- generally speaking, would you go past a door to open
 24 it, so that you are in the gap between the door and the
 25 vehicle or would you open the door in front of you so

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<p>1 that you are behind the door? Generally speaking.</p> <p>2 A. Again, it would depend on the movement and who was stood</p> <p>3 in front of me, but if I was going to complete</p> <p>4 an extraction, I would need to get into a position</p> <p>5 whereby I am at the -- where it says "Audi A6" with the</p> <p>6 black box where it says that, where that left arrow is,</p> <p>7 the red arrow, I would need to sort of be in roughly --</p> <p>8 I would need to get to that position there, ideally.</p> <p>9 Q. Pretty much behind the passenger seat or thereabouts?</p> <p>10 A. Yes.</p> <p>11 Q. In which case, for you to get there, you would need the</p> <p>12 individuals providing firearms cover to leave the door</p> <p>13 closed, keep the cover and for you to be able to get in?</p> <p>14 A. Not necessarily.</p> <p>15 Q. Or go all the way round?</p> <p>16 A. Not necessarily, because if need be I could have</p> <p>17 potentially gone all the way round. If that is what was</p> <p>18 required.</p> <p>19 Q. Or in fact over the silver car if need be?</p> <p>20 A. Potentially, yes.</p> <p>21 Q. You said one of the reasons you might open the door</p> <p>22 would be to have a clear view into the vehicle?</p> <p>23 A. Yes.</p> <p>24 Q. Did you notice, as you were making your way to the</p> <p>25 vehicle, whether the windows were steamed up or not?</p> <p style="text-align: center;">Page 53</p>	<p>1 A. No, I think I refer into my statement, I do not have any</p> <p>2 recollection of steamed-up windows but as I approached</p> <p>3 the vehicle, I can't gain vision in due to I believe it</p> <p>4 is the light shining onto the front windscreen, the sun</p> <p>5 shining onto the windscreen.</p> <p>6 Q. In relation to the ability to obtain vision into the</p> <p>7 vehicle, is one option rather than opening the door to</p> <p>8 smash the window?</p> <p>9 A. It could potentially be, yes.</p> <p>10 Q. Is that preferable or less desirable?</p> <p>11 A. It depends on -- it depends on the circumstances as to</p> <p>12 what you are trying to achieve at that particular time.</p> <p>13 If you cannot see into the -- if you cannot see into the</p> <p>14 subject, it would be a case of you would want to do so.</p> <p>15 So if I can refer to perhaps an example whereby if we</p> <p>16 are going to someone's house in order to arrest them and</p> <p>17 we are going to do what we call a containment and call</p> <p>18 out, we force entry into the front door, so that it</p> <p>19 allows us to gain vision within which then gives us</p> <p>20 a greater choice of tactical options.</p> <p>21 Q. Okay.</p> <p>22 Again, predominantly out of fairness, you prefaced</p> <p>23 your answers and I prefaced my questions by saying this</p> <p>24 is describing an extraction of an individual subject in</p> <p>25 the car.</p> <p style="text-align: center;">Page 54</p>
<p>1 A. Yes.</p> <p>2 Q. I don't need to go through all of my questions I hope</p> <p>3 again, but can you tell us whether and how your answers</p> <p>4 would change in a circumstance with multiple subjects in</p> <p>5 a car?</p> <p>6 A. So the only real difference is that what we would</p> <p>7 potentially be doing on this side of the vehicle --</p> <p>8 Q. By "this" you mean?</p> <p>9 A. On our side.</p> <p>10 Q. The passenger side?</p> <p>11 A. The passenger side, sorry, yes, the nearside, is that</p> <p>12 the nearside. Yes, the nearside.</p> <p>13 Q. Passenger side is easier.</p> <p>14 A. Passenger side. That would potentially be happening</p> <p>15 on -- shall I call it the driver's side at the same</p> <p>16 time.</p> <p>17 Q. So someone else is working at the other side?</p> <p>18 A. Yes.</p> <p>19 Q. You would be aware that they are doing whatever they are</p> <p>20 doing?</p> <p>21 A. That's correct, yes.</p> <p>22 Q. Would you focus purely on your side of the vehicle?</p> <p>23 A. Yes, again, that is something that we are taught in our</p> <p>24 training. So although there is potentially a lot going</p> <p>25 on around that car, we are working in small teams in</p> <p style="text-align: center;">Page 55</p>	<p>1 order to achieve total dominance within the vehicle and</p> <p>2 control.</p> <p>3 Q. Knowing that you have told us already that you didn't</p> <p>4 have a conversation on the way -- please take water,</p> <p>5 I know I am moving at a pace.</p> <p>6 A. Thank you.</p> <p>7 Q. You said you didn't have a conversation on the way round</p> <p>8 to Bracknell Close to say, "I will go here and you go</p> <p>9 there" and you explained why. Is the decision as to who</p> <p>10 does what once you get out of the vehicle, so who</p> <p>11 provides cover and who does the hands-on extraction,</p> <p>12 generally dictated by who reaches the vehicle first?</p> <p>13 A. In a way, yes, you would expect the first people to</p> <p>14 arrive at the vehicle to put firearms cover on.</p> <p>15 And then everyone else then just -- you are taught</p> <p>16 to identify what is in front of you, see where the gap</p> <p>17 is and then go towards the gap. When I say "gap" I mean</p> <p>18 as in whereby there's a job -- a task that needs doing.</p> <p>19 MS MCNEILL: Apologies for taking it vaguely thematic, sir.</p> <p>20 I am mindful that the last portion of my questions</p> <p>21 will be in relation to first aid and that the family</p> <p>22 might not want to be in, so I am going to try and do as</p> <p>23 much as I can before I reach that, even though it means</p> <p>24 taking it slightly out of order.</p> <p>25 THE CHAIRMAN: It is a matter entirely for you, but it may</p> <p style="text-align: center;">Page 56</p>

<p>1 be that the time when you are about to deal with that 2 evidence -- do sit down for the moment, because we are 3 not doing it yet. 4 We might take our break and when we come back, we 5 can go straight into it so Mrs Smith doesn't need to 6 come back in then. 7 MS MCNEILL: If you and the officer would bear with me, if 8 my questions seem to be in an even less logical order 9 than usual, it is so I can deal with as much as possible 10 before. 11 THE CHAIRMAN: If you indicate when we moving on to those 12 sensitive matters, we will take our break and when we 13 resume, Mrs Smith will not come back in. 14 MS MCNEILL: Thank you very much. 15 Before we move forward in time then to what happened 16 once you reached the car, can we go back, please, into 17 the realm of hypothetical. Did you have a view or 18 a discussion prior to arriving in Bracknell Close about 19 whether or not contain and call out would or should be 20 used in Bracknell Close? 21 A. I don't recollect having a conversation about that, but 22 I would think the likelihood to that is no, we did not, 23 no. 24 Q. Likely that you didn't have a conversation? 25 A. No.</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. Would you have expected to have had a conversation based 2 on your previous deployments? 3 A. In the circumstances of the information around this job 4 and the information that we had around the environment 5 where the car was, then no. 6 THE CHAIRMAN: Yes. 7 MS MCNEILL: Do you have a view now as to whether or not you 8 could have safely used the contain and call out tactic 9 in the circumstances, as you did see them, on arrival in 10 Bracknell Close? 11 A. No, I don't think so, based purely because in order to 12 contain the vehicle, we are looking to obviously -- that 13 containment needs to be 360 around vehicle, if you like, 14 so we are looking to create a sterile area around which 15 we can deploy to then move forward and do the call out. 16 In the circumstances around this particular vehicle, 17 it -- I don't think it would have been achievable to put 18 that containment in place, due to the environment, the 19 time of day, the fact that we know that there are people 20 in and around that location and the possibility of the 21 third eye, which could then cause problems in regard to 22 compromise. And so from that point of view, no, I don't 23 think it would have been achievable. 24 Q. Pulling out a few of those facts if I can, first of all 25 in terms of compromise, did you have any intelligence</p> <p style="text-align: center;">Page 58</p>
<p>1 about where a third eye may be? 2 A. I have to just check my statement, please. 3 Q. I believe from my reading of the statement is the 4 intelligence you received was that there might be one, 5 but there was not eyes on any third eye, because in fact 6 there wasn't one as far as we have been told. 7 A. I know that they were out there but again as you say, 8 I don't think they were necessarily under control. 9 I have not made any reference to that in my statement 10 and I can't remember, so ... but we knew that there was 11 a possibility that they were there. 12 Q. In terms of compromise, obviously compromise is less 13 important once you all pull up in your three-car 14 formation. 15 A. Yes. 16 Q. It is pretty obvious by then? 17 A. Exactly, by that point everyone pretty much knows who we 18 are. 19 Q. Can you explain please at what stage would the operation 20 be compromised by a contain and call out tactic? 21 A. Okay, so if we are trying to effect a containment, we 22 obviously need to have those people in position prior to 23 us entering from the front, if you like. So if we try 24 and put those people in, and they are having to maybe 25 either clamber through gardens, which are obviously</p> <p style="text-align: center;">Page 59</p>	<p>1 belonging to residents, or they moving along a street 2 depending on the weaponry that they are carrying, 3 because that is another factor as well. If people were 4 to see them and highlight them as police officers, then 5 there is every chance that the subjects in the vehicle 6 may become aware of that and then potentially drive away 7 or move off. 8 Q. Is it not possible to carry out a contain and call out 9 rather quickly. So, for example, you have got your -- 10 we heard yesterday that in total there were five 11 vehicles queuing up at Quicksilver. To get all five 12 vehicles around to Bracknell Close in one go, pull up 13 and block in -- I'm looking at the map on the screen -- 14 this area that we see on the screen? 15 A. In my view, no, because in that format, if you imagine 16 that the -- if you imagine that if we were all going to 17 come in from the front and then we are then going to 18 stand off and potentially call them out of the vehicle, 19 if you imagine if the vehicle is a house, if we were 20 only to come to the front of the house, there is every 21 chance that people might try and run out the back of the 22 house. So in these circumstances, where the fence line 23 was and then the garden area, there is every chance, if 24 we pull up in vehicles on Bracknell Close and stand off, 25 and try and call them towards us, you are then giving</p> <p style="text-align: center;">Page 60</p>

<p>1 them the chance to enter what we would call sort of 2 flight or fight mode. There is every chance that they 3 are going to look at that as such and think, "I am not 4 staying here, I am getting going to get out of the car and 5 run off". If they run off and away from the containment 6 position that we are in, away from us, they are then 7 running into the public domain and we then lose the 8 ability to isolate them and they are in the public 9 sector as such.</p> <p>10 Q. Is it your evidence then that you don't believe it would 11 be possible -- looking again at this map, because it is 12 not a house, it is a car -- to bring all your cars 13 round, block in the Audi as we see it in this parking 14 space, bearing in mind that the silver BMW is blocking 15 it in on one side and you have a wall and there's a gate 16 and we might hear some evidence about it at the back, is 17 it your evidence that it would not be possible to use 18 the five vehicles to block in this car?</p> <p>19 A. In my view, no, because of the area around the back. We 20 cannot get a car around the back. It was all open -- it 21 is houses.</p> <p>22 Q. I appreciate I am asking you with the benefit of 23 hindsight now with a very nice plan of the location?</p> <p>24 A. Yes.</p> <p>25 Q. At the time that you were in Quicksilver and about to</p> <p style="text-align: center;">Page 61</p>	<p>1 make your way around to Bracknell Close, did you have 2 enough information available to you at that time about 3 the location and situation of the car to make that call?</p> <p>4 A. I believe so, yes, because S111 would have obviously 5 been -- he would have been on the radio getting them to 6 what we call like paint a picture and I think we held so 7 that we could receive the update as to where that 8 vehicle was.</p> <p>9 Q. To receive the update about where it was parked and what 10 that looked like?</p> <p>11 A. Yes, yes.</p> <p>12 Q. It feels like some time ago now, but if we return to the 13 chronology, I believe we had got to you were getting out 14 of the car and that you had chosen your weapon because 15 you expected to be the person doing the hands-on 16 extraction?</p> <p>17 A. Yes.</p> <p>18 Q. What happened once you got out of your car? If it 19 assists, I am looking at page 6 of your statement, sort 20 of top third.</p> <p>21 A. So: 22 "Realising the danger that the occupants of this 23 vehicle posed, I immediately drew my Glock, I wore my 24 police-issue identity baseball cap and gave loud shouts 25 of 'armed police, armed police'."</p> <p style="text-align: center;">Page 62</p>
<p>1 Q. Could you hear what if anything others were shouting?</p> <p>2 A. No, I could not, no.</p> <p>3 Q. Please continue.</p> <p>4 A. "The black Audi A6 was parked up next to a vehicle with 5 a gap of perhaps half a metre or so between them. Both 6 S111 and W80 were in this narrow space blocking my view 7 and access to the car."</p> <p>8 Q. So by the time you got out of the car, we know where 9 they were standing, we have already got S111 standing 10 near to the passenger side --</p> <p>11 A. Yes.</p> <p>12 Q. -- rear passenger side, and W80 to the front passenger 13 side, were they already between the two cars when you 14 got out of the car?</p> <p>15 A. Yes, I think I go on to explain.</p> <p>16 Q. Please.</p> <p>17 A. Yes: 18 "I believe S111 attempted to smash the front 19 passenger window of the vehicle with his weapon, but he 20 was unsuccessful."</p> <p>21 Q. Pause there, have you seen individuals try to smash the 22 windows of the car with the muzzle of their gun before 23 or generally have you seen them use a life hammer?</p> <p>24 A. Both.</p> <p>25 Q. You have seen both?</p> <p style="text-align: center;">Page 63</p>	<p>1 A. Yes.</p> <p>2 Q. Thank you, please continue.</p> <p>3 A. "I was trying to gain vision into the vehicle. I could 4 make out someone in the driving seat, but my view to the 5 passenger side was totally blocked."</p> <p>6 Q. Did you see the front passenger door being opened?</p> <p>7 A. No, I did not, no.</p> <p>8 Q. Did you at some point see that it had been opened?</p> <p>9 A. Yes, I believe I did.</p> <p>10 Q. You say:</p> <p>11 "The front-seat passenger door was now opened. I am 12 not sure who opened it."</p> <p>13 You say:</p> <p>14 "It was around this time that I recall hearing a 15 gunshot."</p> <p>16 A. Yes, that's correct, yes.</p> <p>17 Q. Can you help us, did you see the gunshot?</p> <p>18 A. Did I see the gunshot?</p> <p>19 Q. Yes.</p> <p>20 A. No.</p> <p>21 Q. Could you hear what W80 or S111 were saying when they 22 were standing between the two vehicles?</p> <p>23 A. No, I could not, no.</p> <p>24 Q. You have indicated, but for completeness, could you see 25 into the vehicle to see what the passenger of the</p> <p style="text-align: center;">Page 64</p>

<p>1 vehicle we know to be Mr Baker was doing at that time?</p> <p>2 A. Not at that time, no.</p> <p>3 Q. What happened after you had heard the gunshot?</p> <p>4 A. So I believe this to be a Hatton round, so I glanced up</p> <p>5 and looked across the vehicle to the tyre positions, it</p> <p>6 appeared that no Hatton gunners had deployed.</p> <p>7 Q. Again, you suggested that there might have been</p> <p>8 a conversation in the car about whether or not to take</p> <p>9 the Benelli or the Hatton round?</p> <p>10 A. Yes.</p> <p>11 Q. If you thought the gunshot was in fact a Hatton round</p> <p>12 shot --</p> <p>13 A. Yes.</p> <p>14 Q. -- were you confused then as to whether W80 had brought</p> <p>15 his Hatton round or did you think it was somebody else's</p> <p>16 round?</p> <p>17 A. I am thinking it is potentially someone else's.</p> <p>18 Q. Thank you.</p> <p>19 What happened after you looked at tyres?</p> <p>20 A. "It appeared that no Hatton gunners had deployed. When</p> <p>21 I turned back W80 had moved to the other side of the</p> <p>22 open front passenger door, which meant I could finally</p> <p>23 gain vision into the vehicle."</p> <p>24 Q. What did you see as you saw into the vehicle?</p> <p>25 A. I could see an IC3 male, wearing what I believed was</p> <p style="text-align: center;">Page 65</p>	<p>1 a black hooded top.</p> <p>2 Q. Could you see anything else that he was wearing?</p> <p>3 A. I noted that the male had a small black bag around his</p> <p>4 chest area.</p> <p>5 Q. Pause there. Can you help us now -- you have given</p> <p>6 a statement to this effect. Can you help us now as to</p> <p>7 where on Mr Baker's body that bag was sitting?</p> <p>8 A. I don't recall, I am afraid. I say chest, so it must</p> <p>9 mean within -- in relation to the chest area.</p> <p>10 Q. But you couldn't be more specific?</p> <p>11 A. No, I could not.</p> <p>12 Q. Could you be more specific as to whether it was open or</p> <p>13 closed?</p> <p>14 A. I think -- can I go to my other statement? I think</p> <p>15 there is a line on the other statement where I write</p> <p>16 about that, I can't remember it.</p> <p>17 Q. When we get to first aid, taking the bag off, you talk</p> <p>18 about the fact that you cannot tell?</p> <p>19 A. Okay, so I think on page 3 --</p> <p>20 Q. Exactly?</p> <p>21 A. -- about midway down, I think it is. I refer to:</p> <p>22 "The small black bag I saw around the front-seat</p> <p>23 passenger's chest area. I cannot assist by adding any</p> <p>24 further information in relation to the black bag.</p> <p>25 I only had a fleeting glimpse of this at the time, when</p> <p style="text-align: center;">Page 66</p>
<p>1 I was then trying at the time assess the risk of being</p> <p>2 shot. My perception at the time was that the bag was</p> <p>3 open and unzipped. When I moved the bag from his chest</p> <p>4 area, I was totally focused on life preservation."</p> <p>5 Q. You didn't focus on the bag?</p> <p>6 A. No.</p> <p>7 Q. While you have that statement open, if I can, as you</p> <p>8 were looking into the car, whilst Mr Baker was still in</p> <p>9 the car, could you see the position of his hands?</p> <p>10 A. Yes, so:</p> <p>11 "I do not recall the exact positions of the male's</p> <p>12 hands, but they were both still on view."</p> <p>13 Q. Please continue.</p> <p>14 A. "I am cautious as to the position of them in relation to</p> <p>15 his pockets, trouser line, the bag and any other hidden</p> <p>16 areas. My concern being that the male could attempt to</p> <p>17 arm himself at any time."</p> <p>18 Q. Why did you have a concern at that stage that he might</p> <p>19 try and arm himself?</p> <p>20 A. Partly because at that time I wasn't fully aware of the</p> <p>21 severity of the injury.</p> <p>22 Q. Did you think that he might try and arm himself because</p> <p>23 of anything he said or did or as a result of your</p> <p>24 general threat assessment?</p> <p>25 A. No, sorry, based on the information that I had</p> <p style="text-align: center;">Page 67</p>	<p>1 previously received.</p> <p>2 Q. Based on the information that there was a firearm in the</p> <p>3 car?</p> <p>4 A. Yes.</p> <p>5 Q. Not because of anything he did or said?</p> <p>6 A. No.</p> <p>7 Q. Likewise, if we go back to page 6 of your tab 3</p> <p>8 statement.</p> <p>9 A. Yes.</p> <p>10 Yes.</p> <p>11 Q. What you say is that essentially W80 continued to</p> <p>12 provide firearms cover and at that time you were still</p> <p>13 concerned that the male might be a threat. Was that</p> <p>14 because, again, of the intelligence you had received?</p> <p>15 A. Yes.</p> <p>16 Q. As opposed to anything he actually did?</p> <p>17 A. Yes, that's correct.</p> <p>18 Q. Did you then extract Mr Baker from the car?</p> <p>19 A. I did, but I don't want to cause confusion. It</p> <p>20 wouldn't -- it wasn't in the format that we would</p> <p>21 normally carry out an extraction.</p> <p>22 Q. Okay, and I am going to pause there. I think that might</p> <p>23 be an appropriate time to take our break and come back.</p> <p>24 Sir, I can see Ms Smith is writing, it might be that</p> <p>25 she has a question she would like me to ask while she is</p> <p style="text-align: center;">Page 68</p>

<p>1 still in the room. I am just going to pause, sir, just</p> <p>2 in case.</p> <p>3 THE CHAIRMAN: Yes, very good. Hang on a moment. Thank</p> <p>4 you.</p> <p>5 MS MCNEILL: There is one question that has already been</p> <p>6 passed by Mr Moss and I'm sorry I had not read it yet.</p> <p>7 Prior to arriving in Bracknell Close, had you</p> <p>8 received any intelligence over the radio about whether</p> <p>9 or not those in the car were talking, quiet, asleep or</p> <p>10 agitated or anything about their demeanour?</p> <p>11 A. Possibly, but I don't think I have made recollections</p> <p>12 that in my statement.</p> <p>13 Q. There is no reference to that in your statements. I am</p> <p>14 asking you, if I can, is there anything you remember --</p> <p>15 A. If I can remember, no, I can't.</p> <p>16 MS KAUFMANN: One second, sorry sir, I am just putting the</p> <p>17 question for the family.</p> <p>18 THE CHAIRMAN: Certainly.</p> <p>19 MS MCNEILL: We will do it in real time, if we can.</p> <p>20 Looking at this map, and can we go back to the</p> <p>21 question of contain and call out, please?</p> <p>22 A. Yes.</p> <p>23 Q. Would it have been possible to put someone, an officer,</p> <p>24 in the garden behind the gate? Are you able to answer</p> <p>25 that question?</p> <p style="text-align: center;">Page 69</p>	<p>1 A. So as I am looking at the diagram, sorry, are you asking</p> <p>2 me where the gates are in between the two sort of trees</p> <p>3 where it says "grass", in that area there?</p> <p>4 Q. Exactly.</p> <p>5 A. Potentially yes, but the problem with that is that they</p> <p>6 wouldn't have been able to enter that area whereby the</p> <p>7 vehicle was, so they would have had to have taken</p> <p>8 a route to come in around the back of the vehicle and</p> <p>9 then perhaps clamber -- I don't know the layout of the</p> <p>10 rest of the area --</p> <p>11 Q. Can we go to page 11 of that bundle, just in case it</p> <p>12 helps you slightly. I appreciate very much you are</p> <p>13 working off the cuff, as it were, on this. Does that</p> <p>14 help a little bit?</p> <p>15 A. So that would help. It would be a case of, so, sorry,</p> <p>16 can we go out again as in can we make -- is there</p> <p>17 another map?</p> <p>18 Q. Possibly.</p> <p>19 I believe that after this we get very, very far out.</p> <p>20 A. Sorry, I might mess you around, it might be too far out.</p> <p>21 Q. Don't worry, you are quite right to ask. Bear with me</p> <p>22 while I check our pictures.</p> <p>23 I think if we zoom out any further than this, we are</p> <p>24 just looking at a pure map.</p> <p>25 A. That is fine, I can try and do it off of this.</p> <p style="text-align: center;">Page 70</p>
<p>1 Ultimately, in order to get someone into that position,</p> <p>2 we wouldn't want to put them through the gates that were</p> <p>3 on view on the original map, we would want them to come</p> <p>4 in --</p> <p>5 Q. Through the back?</p> <p>6 A. -- from a completely different direction and then work</p> <p>7 their way -- excuse me, walk their way into that area.</p> <p>8 So it is almost like they have arrived there and no one</p> <p>9 else is aware that they are there. That is the idea of</p> <p>10 the containment. Based on the fact that if we try and</p> <p>11 do it in another way, there is every chance that we are</p> <p>12 then going to compromise the operation.</p> <p>13 Q. I am just going to bring one map up that may or may not</p> <p>14 help. If we go to page 46, Mr Coates, does that help in</p> <p>15 any way, the red box for your information is the black</p> <p>16 Audi, so we might be able to zoom in a little.</p> <p>17 Does that help?</p> <p>18 A. Yes, that helps a little bit.</p> <p>19 If we look at the block where 222 is, we know that</p> <p>20 there a garden there, and that that garden</p> <p>21 potentially -- I mean obviously I cannot make it out</p> <p>22 from this diagram, but that garden potentially leads in</p> <p>23 and around into that whole block of flats and area</p> <p>24 there. So in order to get someone in there, you would</p> <p>25 have to get him to walk and come through the estate all</p> <p style="text-align: center;">Page 71</p>	<p>1 the way from behind. And if we don't get someone there,</p> <p>2 there is every chance that the occupants of the vehicle</p> <p>3 are potentially going to go through the gates or jump</p> <p>4 the fence and run into that area.</p> <p>5 Q. I am going to ask one last question on this.</p> <p>6 Appreciating very much that we are in the realms of</p> <p>7 speculation, would you ever in your experience, for</p> <p>8 example, knock on the door of a house and ask to get</p> <p>9 access to their back garden to do it that way?</p> <p>10 A. No, it doesn't work like that, I am afraid. Based on</p> <p>11 the fact that we don't know who the occupants of that</p> <p>12 premises are, we don't know whether they are friendly to</p> <p>13 police -- no, we don't do that.</p> <p>14 Q. Thank you.</p> <p>15 Two more questions I am asked to ask you, if I can.</p> <p>16 Take that down, please, Mr Coates.</p> <p>17 Taking you back to the time at which you heard the</p> <p>18 gunshot and you said your first instinct was to think it</p> <p>19 was a Hatton round shot?</p> <p>20 A. Yes.</p> <p>21 Q. You told us throughout your evidence that you believed</p> <p>22 this to be a very dangerous operation?</p> <p>23 A. Yes.</p> <p>24 Q. And you believed the likelihood that they had a weapon</p> <p>25 was high or -- we don't need to go back to the precise</p> <p style="text-align: center;">Page 72</p>

1 wording.
 2 **A. Yes.**
 3 Q. Why, given your assessment of the threat and your
 4 assessment of the dangerousness of the individuals
 5 involved, was your first thought to go to Hatton round
 6 and not a gunshot from within the car?
 7 **A. Okay, so the reason for that is that if -- I am in that**
 8 **narrow corridor of those two vehicles and so if my**
 9 **colleague has deployed that Hatton gun, they would have**
 10 **done so based on stimulus of either an engine rev or**
 11 **movement within the vehicle, which I may not have picked**
 12 **up on.**
 13 **So I now need to check that I am not going to get**
 14 **crushed or the vehicle is not going to attempt to move**
 15 **away from that area and potentially injure me as it does**
 16 **so. It is a twofold threat. Yes, I do need to look**
 17 **into the vehicle but at the same time I need to be aware**
 18 **of the movement or potential movement of that vehicle.**
 19 Q. I don't want to paraphrase you, so correct me if I am
 20 wrong. Are you essentially saying that a Hatton round
 21 would indicate that a vehicle is trying to get out and
 22 that would pose a threat to you, so your first instinct
 23 is to essentially think do I need to get on you of the
 24 way or similar?
 25 **A. Yes.**

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1 a black hoody top. He looked as though he was
 2 struggling to breath."
 3 Do you remember that?
 4 **A. Yes.**
 5 Q. "... and it was around this time I could see what I
 6 thought was blood."
 7 Is that right?
 8 **A. Yes.**
 9 Q. Did you at that time think that he had been shot?
 10 **A. Yes.**
 11 Q. You say:
 12 "I said something along the lines of he has been
 13 shot, he has been hit, quick get him out."
 14 **A. Yes.**
 15 Q. The question is, given that you thought he was
 16 struggling to breath and that he had been shot, why
 17 nonetheless did you still think that he was a threat to
 18 you?
 19 **A. Because at the time, so although -- you are correct, he**
 20 **has been shot and I can see that he is struggling to**
 21 **breath, we, during our training, we encounter scenarios**
 22 **whereby people have been shot previously on sometimes --**
 23 Q. Please continue to give your answer.
 24 **A. Sometimes on numerous --**
 25 THE CHAIRMAN: Hang on a moment.

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1 Q. Is that why you go first for a Hatton round rather than
 2 gunshot within the car?
 3 **A. Is that why?**
 4 Q. Your brain goes to Hatton round first as opposed to
 5 gunshot first?
 6 **A. Yes.**
 7 Q. Thank you.
 8 Is it right that when you first looked into the car
 9 and saw Mr Baker, he was struggling to breath and you
 10 could see blood?
 11 **A. That's correct.**
 12 THE CHAIRMAN: Just a moment.
 13 MS MCNEILL: The question has come from the family.
 14 THE CHAIRMAN: Fine, okay. Thank you very much.
 15 MS MCNEILL: I deliberately didn't go to this in detail, but
 16 if they are happy to stay.
 17 THE CHAIRMAN: Thank you.
 18 MS MCNEILL: I will take you to this section of your
 19 statement, please, it is page 6. I will read it out, if
 20 I can.
 21 After you had looked at the tyres, you turned back:
 22 "... W80 had moved to the other side of the opened
 23 front passenger door, which meant I could finally gain
 24 vision into the vehicle. I could see an IC3 male [we
 25 know you could see Mr Baker] wearing what I believe was

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1 MS MCNEILL: Sorry, you were saying in relation to previous
 2 operations, please give your answer.
 3 **A. Okay, sometimes people have been shot multiple times,**
 4 **but they are still capable of arming themselves and**
 5 **causing harm.**
 6 Q. Is that a theoretical possibility or something that you
 7 have seen and experienced?
 8 **A. It is not something I have seen or experienced, it is**
 9 **something that I am aware of. I know on occasions**
 10 **through various shootings that have occurred within our**
 11 **department, one in particular, whereby someone has been**
 12 **shot repeatedly and they have still managed to move away**
 13 **from where they are and in fact run back through the**
 14 **door.**
 15 **So although the male had been shot, at that**
 16 **particular time I wasn't aware of whether or not he was**
 17 **still capable of using --**
 18 THE CHAIRMAN: Is this part of police training?
 19 **A. Yes, sir, yes.**
 20 MS MCNEILL: Although you say you were mindful that he still
 21 might still pose a threat, what was the practical effect
 22 of that, did it change what you did in relation to
 23 Mr Baker?
 24 **A. No, so I think I go on to say that I still cover him --**
 25 **sorry, are you happy for me --**

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1 Q. Carry on, I am sorry to be cutting across.
 2 **A. I still cover him with my firearm as I move across the**
 3 **vehicle to negotiate the door to come the other side,**
 4 **but then I am happy that my colleague is -- has still**
 5 **potentially got firearms cover at that point. So I put**
 6 **my Glock away.**
 7 Q. It didn't slow you down from getting him out of the car
 8 on slow down the treatment you gave to him?
 9 **A. No, I would like to think, no.**
 10 MS MCNEILL: Sir, I wonder if that is a convenient time to
 11 take a quick break. Just for your information, sir,
 12 I have approximately 15 minutes max left for this
 13 witness. After this witness's evidence, we will need
 14 a 15-minute break to take all of the bookshelves,
 15 et cetera, down.
 16 Respectfully, if I could suggest we just a quite
 17 five-minute break to allow the stenographer's hands to
 18 rest.
 19 THE CHAIRMAN: Certainly.
 20 MS MCNEILL: I will finish and then we can take 15 minutes
 21 after this witness's evidence to reset.
 22 THE CHAIRMAN: Entirely in your hands.
 23 What is the length of the break now?
 24 MS MCNEILL: Five minutes, please.
 25 THE CHAIRMAN: Five minutes, hands rest.

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1 **to drag him clear."**
 2 Q. You described his body feeling heavy and his weight
 3 slumped on you?
 4 **A. Yes.**
 5 Q. You could see, could you, blood pouring from the top of
 6 his T-shirt and his chest?
 7 **A. Yes.**
 8 Q. Did you know at that time where he had been shot?
 9 **A. No.**
 10 Q. You were shouting for medic, medic?
 11 **A. Yes.**
 12 Q. Of course you are a police medic, is that asking for
 13 assistance or for --
 14 **A. It is an alert, basically, to let people know that**
 15 **I need assistance but also to let my colleagues know**
 16 **what the potential situation is.**
 17 Q. Did you move Mr Baker to the front of the vehicle and
 18 lie him on the floor?
 19 **A. I did, yes.**
 20 Q. At that stage, did you search for an entry and/or
 21 an exit wound?
 22 **A. Yes.**
 23 Q. You lifted up his T-shirt but you couldn't find
 24 anything. Eventually you found a wound just above the
 25 sternum, around the neckline.

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1 Did you hear that, Ms Kaufmann?
 2 Thank you.
 3 (11.31 am)
 4 (A short adjournment)
 5 (11.38 am)
 6 THE CHAIRMAN: Thank you.
 7 MS MCNEILL: Sir, thank you, neither the family nor their
 8 representatives are here, but they are --
 9 THE CHAIRMAN: They are content for you to proceed in their
 10 absence, because we are dealing with matters that are
 11 not controversial as far as they are concerned.
 12 MS MCNEILL: As always you anticipate me, yes.
 13 THE CHAIRMAN: Not at all.
 14 MS MCNEILL: Officer, we reached the point where you were
 15 removing Mr Baker from the car. Can you please describe
 16 for us, and take a glass of water if you need to --
 17 **A. Yes.**
 18 Q. -- how you removed Mr Baker from the car?
 19 If it helps, there is a sentence beginning,
 20 "Cautious of the positioning ..."
 21 **A. Okay, got that:**
 22 **"Cautious of the positioning of the male's hands**
 23 **I leant in and began to extract him. I would normally**
 24 **place him directly on the floor next to the vehicle, but**
 25 **the small corridor we were in prevented this, so I began**

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1 **A. That's correct, yes.**
 2 Q. You described seeing red blood pulsing from the wound
 3 and immediately placed your hand over it and applied
 4 direct pressure.
 5 **A. That's correct, yes?**
 6 Q. You began shouting instructions, what instructions did
 7 you shout?
 8 **A. Okay, so I wanted a medical pack, I asked for the LAS to**
 9 **be called, I think I also asked for the HEMS to be**
 10 **called, I am not sure, I haven't written that down. And**
 11 **I wanted a vehicle moved out of the way, because**
 12 **although I tried to bring him into a clear area, one of**
 13 **the vehicles was still impacting on the area that we**
 14 **were going to work.**
 15 Q. You outlined for us at the beginning of your evidence
 16 quite extensive first aid training.
 17 **A. Yes.**
 18 Q. Obviously you were within a firearms unit?
 19 **A. Yes.**
 20 Q. How many times have you been called upon to actually
 21 provide first aid to a gunshot wound?
 22 **A. I can't remember exactly. More than 30, probably.**
 23 Q. Right. Did you consider it something that you were
 24 trained and experienced to do?
 25 **A. Definitely, yes.**

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<p>1 Q. You say then that you began to strip the male and 2 removed the small bag from around his chest. 3 A. Yes. 4 Q. You provided a further statement very recently, this 5 year. Is it right that you cannot now remember whether 6 or not you lengthened the strap in order to remove that 7 bag from around his -- 8 A. I don't recall, I am afraid. 9 Q. Okay. 10 Please tell us if you can what happened once you 11 received the medic packs that you had called for? 12 A. So I was joined by colleagues -- sorry, I began to strip 13 the male, sorry, yes: 14 "I was joined by colleagues and was giving 15 directions to cut and remove the male's clothing, the 16 medipacks were arriving and I had a colleague place the 17 male on O2 to assist with his breathing." 18 Q. That is an oxygen mask? 19 A. That's correct, yes: 20 "Colleagues began to remove his clothes and I began 21 to search for an exit wound. We rolled the male so that 22 I could check his back area, but I was unable to find 23 an exit wound." 24 Q. Did you speak to Mr Baker? 25 A. I did, yes.</p> <p style="text-align: center;">Page 81</p>	<p>1 Q. You say W112 took over applying pressure so you began to 2 speak to Mr Baker? 3 A. Yes, that's right, yes. 4 Q. Was he responsive? 5 A. He managed to tell me that his name was Jermaine and 6 also that he was allergic to penicillin. 7 Q. What did you do after you spoke to Mr Baker? 8 A. We were still trying to control the bleed and so I have 9 attempted to use what is called an Asherman's dressing 10 on the wound. 11 MS MCNEILL: Sir, we heard yesterday I think it was -- 12 THE CHAIRMAN: We don't need to go into that again. 13 MS MCNEILL: But you were not able to apply it because of 14 the high volume of blood? 15 A. No, that's correct. 16 Q. We heard that you try and wipe it away to get a clean 17 surface to attach it to, but it just kept coming out? 18 A. That's correct. 19 Q. Did W112 continue applying pressure? 20 A. He did, yes. 21 Q. At that stage did Mr Baker become unresponsive? 22 A. Yes. 23 Q. What did you do then? 24 A. Okay, so at that point we could see that he was 25 struggling to breathe and that his breaths had become</p> <p style="text-align: center;">Page 82</p>
<p>1 slow and laboured, and so we commenced CPR. 2 Q. You say in your statement in fact that you also tried 3 a Russell dressing, but again -- 4 A. Sorry. 5 Q. There was still too much blood? 6 A. That's correct, yes. 7 Q. Were you talking to Mr Baker to try and keep him to keep 8 his eyes open? 9 A. And to reassure. 10 Q. Was he able to keep his eyes open? 11 A. I don't think he was, no. 12 Q. How would you describe his breathing at this point? 13 A. So -- sorry, slow and laboured. 14 Q. What did you do because of his breathing? 15 A. So we then commenced CPR. 16 Q. You were giving chest compressions -- 17 A. Yes. 18 Q. -- whilst W112 continued to hold pressure on the wound; 19 is that correct? 20 A. That's correct, yes. 21 Q. We have heard the wound had been packed with Celox, and 22 we know what that does. 23 A. Yes. 24 Q. But you were mindful that the Celox itself might have 25 an impact on his airway; is that right? Because of the</p> <p style="text-align: center;">Page 83</p>	<p>1 location of the wound. 2 A. Not just because of the location of the wound, but when 3 you use Celox you have to apply direct pressure to the 4 area that has been applied to for around three minutes, 5 I think it is. And so obviously in trying to treat one 6 wound, we are then potentially impacting on another part 7 of his primary care, which is the ability to breath. 8 Q. Did V112 come and relieve you from providing CPR? 9 A. He did, yes. 10 Q. Did you at that stage speak to S105? 11 A. I did, yes. 12 Q. What was your conversation with S105? 13 A. Okay, so he had asked me what had happened and 14 I explained the male had a single gunshot wound and 15 I believed the round had been fired by W80. 16 Q. Did you deduce that it was W80 who fired because of his 17 position as opposed to him telling you anything? 18 A. Purely sort of a very quick process of elimination based 19 on the people that are on that side of the vehicle, yes. 20 Q. Did you actually have a discussion with W80 about it? 21 A. No, I didn't talk to him directly, no. 22 Q. At that stage, did you go back to assisting with first 23 aid? 24 A. I did, yes. 25 Q. We know that the London Ambulance Service arrived on</p> <p style="text-align: center;">Page 84</p>

<p>1 scene and you gave them a handover, did you?</p> <p>2 A. That's correct, yes.</p> <p>3 MS MCNEILL: Sir, we have already seen the time at which</p> <p>4 they arrived on scene.</p> <p>5 You watched, did you, as a female paramedic tried to</p> <p>6 fit a needle into Mr Baker's arm?</p> <p>7 A. That's correct, yes.</p> <p>8 MS MCNEILL: Sir, we will hear from the female paramedic the</p> <p>9 week after next.</p> <p>10 THE CHAIRMAN: Yes.</p> <p>11 MS MCNEILL: CPR continued, did you continue to assist the</p> <p>12 paramedics with CPR or did they take over?</p> <p>13 A. No, I think I began to assist -- continued to assist,</p> <p>14 sorry.</p> <p>15 Q. At that stage did the HEMS crew arrive?</p> <p>16 A. Yes, they did, yes.</p> <p>17 Q. And a doctor took over?</p> <p>18 A. Yes.</p> <p>19 Q. At the point at which the doctor took over, did you step</p> <p>20 back to allow him to take over?</p> <p>21 A. I did, yes.</p> <p>22 Q. I think you helped out by holding a bag of blood, for</p> <p>23 example?</p> <p>24 A. That's correct, yes.</p> <p>25 Q. Did you observe the HEMS doctor providing treatment to</p> <p style="text-align: center;">Page 85</p>	<p>1 Mr Baker?</p> <p>2 A. I think I would have done, yes, just in case he needed</p> <p>3 to ask questions I would have been there to answer.</p> <p>4 MS MCNEILL: Again, sir, we will hear evidence from the</p> <p>5 doctor himself --</p> <p>6 THE CHAIRMAN: Yes.</p> <p>7 MS MCNEILL: -- so I will not go into that.</p> <p>8 Were you present when the HEMS doctor pronounced</p> <p>9 Mr Baker's life extinct?</p> <p>10 A. Yes, I was.</p> <p>11 Q. After that, did you go back to Leman Street police</p> <p>12 station --</p> <p>13 A. I did, yes.</p> <p>14 Q. -- to conduct the post-incident procedure?</p> <p>15 A. That's correct, yes.</p> <p>16 MS MCNEILL: Thank you.</p> <p>17 Sir, that concludes all of my questions for this</p> <p>18 witness. I am told there are no further questions from</p> <p>19 core participants. Is there anything that you would</p> <p>20 wish us to --</p> <p>21 THE CHAIRMAN: No. Thank you very much indeed. Thank you</p> <p>22 for your time.</p> <p>23 MS MCNEILL: My apologies for the up and down, we will now</p> <p>24 need 15 minutes.</p> <p>25 THE CHAIRMAN: That is all right, we will resume at 12.00.</p> <p style="text-align: center;">Page 86</p>
<p>1 Are you anticipating completing the next witness's</p> <p>2 evidence before lunch.</p> <p>3 MS MCNEILL: I look to Mr Moss.</p> <p>4 MR MOSS: Yes.</p> <p>5 THE CHAIRMAN: Thank you.</p> <p>6 (11.48 am)</p> <p>7 (A short adjournment)</p> <p>8 (12.04 pm)</p> <p>9 MR MOSS: Sir, you see Ronan O'Conner in the witness box.</p> <p>10 THE CHAIRMAN: Thank you.</p> <p>11 MR MOSS: Can he please be sworn?</p> <p>12 THE CHAIRMAN: Could you stand to take the oath, please.</p> <p>13 MR RONAN O'CONNOR (sworn)</p> <p>14 THE CHAIRMAN: Thank you very much.</p> <p>15 Questions from MR MOSS</p> <p>16 MR MOSS: In December 2015, you were PC O'Conner?</p> <p>17 A. That's correct.</p> <p>18 Q. Since then you have retired, you are now Mr O'Conner?</p> <p>19 A. It is, yes, sir.</p> <p>20 Q. At what rank did you retire and when was that?</p> <p>21 A. PC.</p> <p>22 Q. At PC.</p> <p>23 A. PC. September last year, sir.</p> <p>24 Q. In December 2015, you had 25 years' experience in the</p> <p>25 Met, 16 of those as a firearms officer?</p> <p style="text-align: center;">Page 87</p>	<p>1 A. Yes, sir.</p> <p>2 Q. You were a nationally qualified firearms instructor?</p> <p>3 A. Yes.</p> <p>4 Q. And, at the time, you were posted to a specialist</p> <p>5 firearms team?</p> <p>6 A. That's correct, sir, yes.</p> <p>7 Q. When did you first become aware of Operation Ankaa?</p> <p>8 A. Some time early in December, as far as I can recollect,</p> <p>9 sir.</p> <p>10 Q. You say in your statement there was a meeting on</p> <p>11 6 December with W80 and W97 at Leman Street, so it was</p> <p>12 then or shortly before then?</p> <p>13 A. May I refer, sir?</p> <p>14 Q. When you had that meeting, you were made aware, I think,</p> <p>15 that there was a Turkish male at Wormwood Scrubs --</p> <p>16 A. Yes.</p> <p>17 Q. -- who was going to be taken to the Crown Court on</p> <p>18 11 December 2015 for sentencing?</p> <p>19 A. That's correct, sir, yes.</p> <p>20 Q. You were informed that he had a mobile phone, I think?</p> <p>21 A. Yes.</p> <p>22 Q. That mobile phone was being kept hidden?</p> <p>23 A. I believe that was the case, yes, sir.</p> <p>24 Q. Do you remember who told you that last bit about the</p> <p>25 phone?</p> <p style="text-align: center;">Page 88</p>

<p>1 A. That he had it or it was being hidden, sir?</p> <p>2 Q. Either, who told you?</p> <p>3 A. I believe that was from one of the inspector on the</p> <p>4 third floor at Lemn Street, sir.</p> <p>5 Q. After that date, you were tasked with carrying out</p> <p>6 a recce around Wood Green Crown Court?</p> <p>7 A. Yes, that's correct.</p> <p>8 Q. Who tasked you?</p> <p>9 A. Again, that would have been one of the inspectors who</p> <p>10 was in charge of the operation at the time, sir.</p> <p>11 Q. You couldn't remember who that was?</p> <p>12 A. I don't, sir. I am sorry.</p> <p>13 Q. Do you remember with whom you were tasked to carry out</p> <p>14 the recce?</p> <p>15 A. With W80, sir.</p> <p>16 Q. Just the two of you?</p> <p>17 A. Yes.</p> <p>18 Q. What was the purpose of it?</p> <p>19 A. Like any operation, sir, it was to familiarise ourselves</p> <p>20 with that particular strand of the operation. Although</p> <p>21 we are Metropolitan Police officers, we don't</p> <p>22 necessarily work in the same place all the time so we</p> <p>23 had to familiarise ourselves with the locations and</p> <p>24 various routes and various, if there were any events</p> <p>25 around the Crown Court that we should be made aware of,</p> <p style="text-align: center;">Page 89</p>	<p>1 should we have to deploy around that area on this</p> <p>2 operation.</p> <p>3 Q. Obviously there were just two of you carrying out the</p> <p>4 recce, it wasn't just so the two of you would be</p> <p>5 familiar, but it was for the team more broadly I would</p> <p>6 have thought?</p> <p>7 A. The team more broadly would have been briefed by, as it</p> <p>8 turns out, W80 on the day, sir.</p> <p>9 Q. The recce what do you do?</p> <p>10 A. The recce initially is just a familiarisation around the</p> <p>11 roads, that includes one-way systems, traffic lights,</p> <p>12 the general sort of build up of traffic, just the</p> <p>13 getting a bit of a feel for the local area, and where</p> <p>14 perhaps we could hold up and remain covert, if you were,</p> <p>15 as four police vehicles essentially. So yes.</p> <p>16 Q. Do you also turn your mind to things like where the Audi</p> <p>17 vehicle, the mission vehicle, might hold up?</p> <p>18 A. In terms of where potentially any target vehicle could</p> <p>19 hold up, we try and sort of have a look and see what</p> <p>20 would be suitable, but again it is such a fluid thing to</p> <p>21 be able to pinpoint a particular location, that is why</p> <p>22 we needed to familiarise ourselves in terms of what we</p> <p>23 would brief later on.</p> <p>24 Q. You have your police officer hat on and you are</p> <p>25 thinking, "I, as a firearms officer, or my team as</p> <p style="text-align: center;">Page 90</p>
<p>1 a firearms officer might want to carry out our work here</p> <p>2 or we might want to park our cars here or we might want</p> <p>3 it make use of this cover".</p> <p>4 Do you also have your criminal hat on, are you also</p> <p>5 thinking, "If I was the one perpetrating this, here is</p> <p>6 how I might think to do it, here is the best place that</p> <p>7 I would want to carry out the attack"?</p> <p>8 A. Yes, I mean you try and look at it from, if you like,</p> <p>9 a criminal point of view, if they are wishing ill around</p> <p>10 the Crown Court, but again, how does that mind work,</p> <p>11 what are they looking for. What we are looking to do is</p> <p>12 find routes in, familiarise ourselves with the roads,</p> <p>13 again, sir, so that we can actually direct ourselves to</p> <p>14 where any target vehicle would then decide to hold up.</p> <p>15 Q. Did you go in your recce to the back gate of the Crown</p> <p>16 Court in Bracknell Close?</p> <p>17 A. Yes. We went to Bracknell Close, sir, yes.</p> <p>18 Q. Did you see during the recce the place where it turned</p> <p>19 out the Audi was parked?</p> <p>20 A. Yes.</p> <p>21 Q. That parking space on the edge of Olympus Grove?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Did you more than see it, did you pay attention to that</p> <p>24 area?</p> <p>25 A. Yes, sir, we had a good look around there.</p> <p style="text-align: center;">Page 91</p>	<p>1 Q. Did you form a view when carrying out the recce or did</p> <p>2 W80 form a view or was there any discussion between you,</p> <p>3 about whether Bracknell Close would be a likely place</p> <p>4 for this operation to end up?</p> <p>5 A. We did, sir.</p> <p>6 There were several reasons for that, from my</p> <p>7 perspective. Inasmuch it was away from the main roads.</p> <p>8 A parked vehicle in what was a relatively secluded area</p> <p>9 wouldn't necessarily stand out, parking out on any of</p> <p>10 the main roads may well draw attention, may well have</p> <p>11 been moved on, loads of reasons for it. Bracknell Close</p> <p>12 was one of the established areas that certainly</p> <p>13 I thought, yes, there is potential here, it is quiet, it</p> <p>14 is secluded and they would be able to sit quietly for</p> <p>15 some time.</p> <p>16 Q. Let's be a bit more specific Bracknell Close is not just</p> <p>17 the bit by the back gate of the court and it is not just</p> <p>18 the bit on the corner of Olympus Grove but it is a road</p> <p>19 that goes around the corner, so it's a variety of areas?</p> <p>20 A. Yes.</p> <p>21 Q. Did you take any view as to where within Bracknell Close</p> <p>22 it would be likely that this operation would end up?</p> <p>23 A. You cannot put your finger on stuff like that, sir, as</p> <p>24 I said at the start, it is so fluid.</p> <p>25 Q. Did you understand at that point there was likely to be</p> <p style="text-align: center;">Page 92</p>

<p>1 one mission vehicle, the Audi?</p> <p>2 A. At that point that is what I thought was going to be the</p> <p>3 case, yes.</p> <p>4 Q. Did you turn your mind to the fact that one Audi trying</p> <p>5 to stop a Serco van is probably going to have trouble</p> <p>6 doing it?</p> <p>7 A. It depends on whatever they call tactics, whatever their</p> <p>8 modus operandi I suppose is going to be, sir, but</p> <p>9 anything is possible.</p> <p>10 Q. Does it stand to reason that the most likely way for</p> <p>11 people in an Audi to stop the Serco van is to approach</p> <p>12 the van when it has already stopped, does that stand to</p> <p>13 reason?</p> <p>14 A. And, again, that is why Bracknell Close or an area</p> <p>15 similar to that would have made sense, because the</p> <p>16 vehicle would invariably be slowing down, it may well</p> <p>17 have come to a stop and certainly I don't know what the</p> <p>18 operating procedures are for Serco operatives, pulling</p> <p>19 in front of a van at slow speed, are they meant to stop,</p> <p>20 I wouldn't imagine they are meant to drive through any</p> <p>21 enforced stop.</p> <p>22 Q. The nearer you get to the back gates of the Crown Court,</p> <p>23 the slower the Serco van is going to be going, that</p> <p>24 stands to reason?</p> <p>25 A. I would imagine so.</p> <p style="text-align: center;">Page 93</p>	<p>1 Q. So the most likely place is right at the gates and it</p> <p>2 gets less and less likely the further back on the route</p> <p>3 you go, does that stand to reason?</p> <p>4 A. It stands to reason, sir, but I would imagine, I am not</p> <p>5 sure, if we ever got to the bottom of how long it takes</p> <p>6 the gates to open, does it open before the truck pulls</p> <p>7 up to it, or does the truck become stationary at the</p> <p>8 gate and then the gate opens.</p> <p>9 We were not sure.</p> <p>10 Sorry, just to clarify that, I meant to --</p> <p>11 THE CHAIRMAN: Were enquiries made as to what the practice</p> <p>12 was as far as the gates were concerned?</p> <p>13 A. Sir, they may well have been, but I can't remember.</p> <p>14 THE CHAIRMAN: Was it flagged up as a matter for inquiry?</p> <p>15 A. We mentioned it at the time.</p> <p>16 THE CHAIRMAN: To?</p> <p>17 A. Well certainly between ourselves and I think it was</p> <p>18 passed on to the inspector.</p> <p>19 Now in terms of court personnel and how aware they</p> <p>20 were of what was expected to happen, perhaps, I can't</p> <p>21 remember, sir, if that was a yes.</p> <p>22 THE CHAIRMAN: I was just concentrating on the point that</p> <p>23 you were referring to, which was your state of</p> <p>24 unawareness as to the time at which the gates would open</p> <p>25 for receipt of a van load of prisoners. You have said</p> <p style="text-align: center;">Page 94</p>
<p>1 that as far as you were concerned, it was something that</p> <p>2 was flagged up for the inspector to consider?</p> <p>3 A. Sir, in terms of "flagged up", it may well have been</p> <p>4 something that was mentioned.</p> <p>5 THE CHAIRMAN: Well that is flagged up, isn't it?</p> <p>6 A. Yes.</p> <p>7 THE CHAIRMAN: Thank you.</p> <p>8 MR MOSS: One final question on this topic before we move</p> <p>9 on, you thought it was quite likely that the operation</p> <p>10 would end up in the area near to the back gate of the</p> <p>11 Crown Court and in fact near to Olympus Grove?</p> <p>12 A. It was one possibility, sir, yes.</p> <p>13 Q. How was W80 during this recce?</p> <p>14 A. Exactly the same, sir.</p> <p>15 Q. The same as what?</p> <p>16 A. The same as he always is, sir. So just to clarify, he's</p> <p>17 his normal level-headed sense, very calm, very</p> <p>18 conscientious and so we spent quite a lot of time doing</p> <p>19 the routes from the court, to the court, just to get</p> <p>20 a general feeling as I said at the start around the</p> <p>21 local area. W80 was completely fixed with what he was</p> <p>22 trying to do, because it would have been himself that</p> <p>23 was going to give the briefing to the team on the day.</p> <p>24 Q. In your witness statement, tab 8, bottom of page 1, you</p> <p>25 were asked to comment on W80's demeanour and you</p> <p style="text-align: center;">Page 95</p>	<p>1 described him as "upbeat" at that time. Is that right?</p> <p>2 A. Yes, his natural self, bubbly.</p> <p>3 Q. Quite relaxed?</p> <p>4 A. Yes.</p> <p>5 Q. Then on 8 December 2015 there was a technical</p> <p>6 deployment, with which you were involved?</p> <p>7 A. Yes, that's correct, sir.</p> <p>8 Q. What did you do?</p> <p>9 A. We attended Leman Street, and had our briefing. We went</p> <p>10 on in and had our secondary briefing with the technical</p> <p>11 people. They would do, I presume would have done their</p> <p>12 own briefing in house, that is not for our ears or how</p> <p>13 they do their day job. Myself and W80 were tasked to</p> <p>14 assist with that deployment, should there be</p> <p>15 a compromise, sir, in and around the vehicle.</p> <p>16 And nearby, were several other officers in other</p> <p>17 vehicles, should that compromise, if it happened, have</p> <p>18 escalated and we were not able to essentially deal with</p> <p>19 any compromise around the vehicle without causing more</p> <p>20 trouble.</p> <p>21 Q. You had an opportunity on that day to see the Audi</p> <p>22 mission vehicle?</p> <p>23 A. No.</p> <p>24 Q. You didn't?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 96</p>

<p>1 Q. Why not?</p> <p>2 A. It is -- trying not to disturb the environment, sir,</p> <p>3 even at night, vehicles moving in, the less people that</p> <p>4 get out of any vehicle and cause noise, cause</p> <p>5 disturbance around what is essentially residents' car</p> <p>6 parking, that is not what we do. We are there to listen</p> <p>7 for if there is any footfall or any footfall coming</p> <p>8 towards the technical operators and that includes poking</p> <p>9 your head up and ducking down and poking your head up</p> <p>10 and looking through windows.</p> <p>11 Q. You had an opportunity though to speak to the technical</p> <p>12 operatives who did see the vehicle?</p> <p>13 A. The technical operatives did see the vehicle, sir, but</p> <p>14 I certainly didn't speak to them post- or</p> <p>15 pre-deployment.</p> <p>16 Q. Could you have spoken to them afterwards if you had</p> <p>17 wanted, if you wanted to gain information about the</p> <p>18 vehicle?</p> <p>19 A. Yes, we could have done, sir.</p> <p>20 Q. Did you think it would be useful to know does the car</p> <p>21 have tinted windows or is there anything we should be</p> <p>22 aware of about the car? Did you think to ask things</p> <p>23 like that?</p> <p>24 A. I didn't, sir, but in retrospect, perhaps asking about</p> <p>25 windows, whether that came out subsequently, but in</p> <p style="text-align: center;">Page 97</p>	<p>1 terms of anything else, we don't get involved with any</p> <p>2 of the technical deployments whilst we were --</p> <p>3 Q. Tinting of windows is not just something that is</p> <p>4 interesting retrospectively, is that not something that</p> <p>5 you as a firearms officer would always want to know</p> <p>6 about?</p> <p>7 A. We certainly should have asked, would have asked, sir,</p> <p>8 but whether that happened subsequently, I honestly</p> <p>9 cannot remember, sir.</p> <p>10 Q. Between 8 and 10 December, you were working outside of</p> <p>11 London, we don't need to know where.</p> <p>12 A. Yes.</p> <p>13 Q. Were you aware of there being a briefing on Thursday,</p> <p>14 10 December?</p> <p>15 A. I can't remember, sir, if I was out of London or back in</p> <p>16 London at that stage.</p> <p>17 Q. Were you aware that there was a briefing on that day in</p> <p>18 London?</p> <p>19 A. I can't remember, sir.</p> <p>20 Q. Do you remember if you were invited to a briefing?</p> <p>21 A. I can't remember, sir.</p> <p>22 I don't remember being present for it.</p> <p>23 THE CHAIRMAN: Yes.</p> <p>24 MR MOSS: You paraded at Leman Street 11 December at 3.00 in</p> <p>25 the morning?</p> <p style="text-align: center;">Page 98</p>
<p>1 A. Yes, that's correct, sir.</p> <p>2 Q. Where did you spend the night before?</p> <p>3 A. Again, I can't remember, sir. In terms of getting back</p> <p>4 to London, it is not unusual for officers if they</p> <p>5 haven't been assigned a hotel to have their own cot in</p> <p>6 Leman Street and you would sleep in your own cot,</p> <p>7 depending on the circumstances.</p> <p>8 Q. You don't actually remember where you were?</p> <p>9 A. I don't remember, but I think I was in my own cot.</p> <p>10 Q. If I asked you how many hours you slept in your own cot</p> <p>11 you won't remember that either, I suspect?</p> <p>12 A. I can't remember, sir, no.</p> <p>13 Q. When you kitted up in the morning, what firearms did you</p> <p>14 have?</p> <p>15 A. So I booked out my MCX, my Glock and a Taser.</p> <p>16 Q. What less-lethal options, in addition to the Taser, did</p> <p>17 you have if any?</p> <p>18 A. I didn't have any, sir.</p> <p>19 Q. Were there any other bits of equipment you could have</p> <p>20 booked out but chose not to?</p> <p>21 A. I didn't sir, no.</p> <p>22 Q. You went to briefings at 3.00 am and again at 5.00 am,</p> <p>23 what intelligence were you made aware of concerning the</p> <p>24 subjects of the operation?</p> <p>25 A. Can I refer to my statement, sir?</p> <p style="text-align: center;">Page 99</p>	<p>1 Q. Of course, bottom of page 2 of your longest statement,</p> <p>2 I think.</p> <p>3 A. Sir, it was in relation to a Turkish male who had been</p> <p>4 incarcerated at HMP Wormwood Scrubs, and he was</p> <p>5 arranging his escape from a prison van in and around</p> <p>6 Wood Green Crown Court. Either from the prison or</p> <p>7 around the court.</p> <p>8 At that time we were not aware, sir, if anybody</p> <p>9 within the Serco employment was in any way involved in</p> <p>10 this operation.</p> <p>11 Q. Did you have any reason to think anyone in Serco was</p> <p>12 involved?</p> <p>13 A. Like with a lot of our operations, sir, I can only say</p> <p>14 that it has to be something held in the back of our</p> <p>15 head, but that would be more a concern for the</p> <p>16 intelligence officers and the investigating officers.</p> <p>17 Q. You would always be suspicious that Serco are involved?</p> <p>18 A. No, I didn't say that, sir. It is just that when there</p> <p>19 are third parties, so for example Securicor van</p> <p>20 robberies, is the driver deployer of the packagings in</p> <p>21 any way involved? It is always a concern, but that's</p> <p>22 ... again, that is the day job for the investigating</p> <p>23 officers.</p> <p>24 Q. Are you saying "trust nobody" or are you saying</p> <p>25 something more than that, that there is a reason to</p> <p style="text-align: center;">Page 100</p>

<p>1 distrust people like this?</p> <p>2 A. Not distrust, sir, it is just a matter of clarity in</p> <p>3 terms of what you would expect, but invariably if that</p> <p>4 is a problem that is going to be flagged up, that would</p> <p>5 have been flagged up to us.</p> <p>6 THE CHAIRMAN: You always have to be alert to the</p> <p>7 possibility, is that the point?</p> <p>8 A. Yes, sir.</p> <p>9 THE CHAIRMAN: Thank you.</p> <p>10 MR MOSS: At the bottom of page 2 of that statement, you</p> <p>11 say:</p> <p>12 "The male had requested that no boys were used for</p> <p>13 this job and to make sure his helpers the on ground, on</p> <p>14 the outside, got big men to do it. There was mention of</p> <p>15 getting four big black males to carry this plan out."</p> <p>16 Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Do you remember that?</p> <p>19 A. I do, sir, because I have written it in my statement and</p> <p>20 that was from, I believe the 3.00 am briefing given by</p> <p>21 V64.</p> <p>22 Q. Do you have an independent memory of that apart from</p> <p>23 your statement?</p> <p>24 A. I don't, sir, no.</p> <p>25 Q. You go on to say:</p> <p style="text-align: center;">Page 101</p>	<p>1 "It was apparent from the information that had been</p> <p>2 given that this Turkish organised criminal network were</p> <p>3 a danger to the guards, the public and the police."</p> <p>4 Are you able to comment on why that was apparent?</p> <p>5 A. Based on the intelligence that was given, sir.</p> <p>6 Q. What intelligence led you to think that was apparent?</p> <p>7 A. That this male was trying to get himself broken out of</p> <p>8 a prison, rather than face potentially a very long jail</p> <p>9 term, that an attempt was going to be made, perhaps at</p> <p>10 Scrubs or at the Crown Court, and that is not the</p> <p>11 actions of a normal human.</p> <p>12 Q. Did the briefings make you aware of any third eyes or</p> <p>13 spotters?</p> <p>14 A. There was potential that they would be used to perhaps</p> <p>15 help the transit of the Serco van to update in terms of</p> <p>16 locations and whatever the enterprises were that wished</p> <p>17 to perhaps cause harm or stop that vehicle, it would</p> <p>18 make perfect sense there may well be diggers on the</p> <p>19 road, yes.</p> <p>20 Q. Did you understand it to be more than just perfect sense</p> <p>21 and a potential, did you understand it to be reliable</p> <p>22 information that there would be spotters or third eyes?</p> <p>23 A. Can I just have a quick read, sir, thank you.</p> <p>24 Q. Of course.</p> <p>25 I think it is the seventh line on page 3.</p> <p style="text-align: center;">Page 102</p>
<p>1 A. Sorry, sir, are you looking for a specific sort of</p> <p>2 mention?</p> <p>3 Q. You say:</p> <p>4 "Apparently the plan also involved having spotters</p> <p>5 out on the main North Circular road."</p> <p>6 It sounds like you were told the plan did involve</p> <p>7 that, what I am asking you is were you assuming that or</p> <p>8 were you actually told that there would be spotters or</p> <p>9 third eyes?</p> <p>10 A. I believe that was actually part of the briefing, sir.</p> <p>11 Q. You also say in your statement that you believed that</p> <p>12 Borg, that is Ozcan Eren, had sourced the firearms with</p> <p>13 which Izzet Eren had been arrested in October 2015.</p> <p>14 Do you remember why you believed that?</p> <p>15 A. I believed that came out in one of the briefings at the</p> <p>16 base, sir.</p> <p>17 Q. You were told it in those terms?</p> <p>18 A. Yes.</p> <p>19 Q. Do you remember if you were shown pictures of the</p> <p>20 Eastern Road car park during one or both of the</p> <p>21 briefings?</p> <p>22 A. I honestly cannot remember, sir.</p> <p>23 Q. Your role was in the Charlie vehicle in Team B?</p> <p>24 A. Yes, that's correct, sir.</p> <p>25 Q. During the deployment, and while preparing for the</p> <p style="text-align: center;">Page 103</p>	<p>1 deployment, information and intelligence was circulated</p> <p>2 by the radio, and you would have heard that?</p> <p>3 A. Yes.</p> <p>4 Q. That information and intelligence, we know some of it at</p> <p>5 least came from a probe product in the Audi?</p> <p>6 A. That's correct, sir, yes.</p> <p>7 Q. Did you therefore consider the information you heard to</p> <p>8 be particularly reliable, because of the source?</p> <p>9 A. Bearing in mind we were getting it third hand, sir</p> <p>10 because it was being relayed from the probe to, if you</p> <p>11 like, the command centre and then relayed to ourselves,</p> <p>12 but in terms of was the information reliable? Yes.</p> <p>13 Q. Did you hear a transmission over the radio that the</p> <p>14 occupants were driving erratically because they were</p> <p>15 lost?</p> <p>16 A. Yes.</p> <p>17 Q. What did that make you think about the occupants of the</p> <p>18 vehicle, what picture did that paint?</p> <p>19 A. Basically that the occupants were lost, sir, and more</p> <p>20 than that, what can I say?</p> <p>21 Q. Does it make you think a tightly organised criminal gang</p> <p>22 who were trying to lose someone who might be following</p> <p>23 them or does it make you think of people who don't</p> <p>24 really know what they are doing, driving an Audi and</p> <p>25 don't really know where they are?</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 A. There is an element, sir, that we have come across on 2 numerous occasions within our operational scope of 3 criminals using anti-surveillance techniques as much as 4 they see it, and that involves even in heavy traffic 5 driving very fast, driving very erratically, but it is 6 also conceivable much like ourselves, sir, that the 7 individuals used in this operation were not quite 8 familiar with the roads around that area, so it is 9 conceivable, yes, they were lost.</p> <p>10 As far as I am concerned, they were on a closing 11 timescale as well, so perhaps they had to be laid up at 12 a given time.</p> <p>13 Q. At the top of page 5 of your statement, you say in 14 relation to information you received: 15 "The occupants of the black Audi estate were talking 16 about this being a firearms induced stop." 17 A. Yes.</p> <p>18 Q. Presumably that was your understanding at the time and 19 that is what you have recorded in the statement? 20 A. Yes, that's correct, sir.</p> <p>21 Q. Did you understand then for that to be something that 22 came from the audio probe? 23 A. Yes, sir.</p> <p>24 Q. Did you understand therefore that to be reliable? 25 A. I took that to be reliable, sir, yes.</p> <p style="text-align: center;">Page 105</p>	<p>1 Q. Maybe I am asking a question with a very obvious answer, 2 but what did that make you think when you heard that?</p> <p>3 A. That these people were in possession of at least 4 a firearm or firearms, and they were going to be used 5 whilst trying to stop the prison van and help with the 6 escape of the occupant.</p> <p>7 Q. You record in your statement that at one point you 8 believed there to be four occupants in the vehicle? 9 A. Yes, again --</p> <p>10 Q. Do you recall why you formed that view? 11 A. That is my recollection, sir, based again, solely on my 12 statement, I thought that two individuals got into the 13 vehicle at Eastern Road and were joined subsequently by 14 two further individuals. That is my recollection at the 15 time.</p> <p>16 Q. Would it have assisted you to have been informed that 17 between 29 October and 11 December the gang had 18 attempted to source real firearms and ammunition? 19 A. Assisted me in what way, sir, in terms of mindset before 20 this operation, absolutely not, it makes not one 21 difference.</p> <p>22 Q. Why not? 23 A. It is a historic event, I wasn't involved in, what I am 24 involved in was the events on the day, and as far as 25 I am concerned on the day, sir, these guys have already</p> <p style="text-align: center;">Page 106</p>
<p>1 sourced firearms.</p> <p>2 Q. Why were you believing that these people had sourced 3 firearms on the day? 4 A. That was the gist of the intelligence from the 3.00 and 5 the 5.00 briefing.</p> <p>6 Q. What about if you had been told that as of the night 7 before, 10 December, intelligence suggested that only 8 an imitation firearm had been sourced. Would that have 9 affected your mindset? 10 A. Absolutely not. In terms of our deployment, sir, no.</p> <p>11 Q. Why not? 12 A. If I give it from my perspective, from the years of 13 experience that I've got. If someone says, "That is 14 an imitation firearm", based on what knowledge? The 15 only knowledge I've got to establish whether a firearm 16 is real or imitation is to actually touch it and hold 17 it, and essentially prove it, as we would call it.</p> <p>18 In terms of trying to put information in, if that is 19 an imitation firearm, to make any difference to the role 20 that I was deployed on, if there was in need for us, 21 there would have been no need for us.</p> <p>22 Q. Your personal assessment was there was a medium threat, 23 why did you reach that assessment? 24 A. Simply because of the number of armed stops that I have 25 been involved in before, sir, the medium threat is based</p> <p style="text-align: center;">Page 107</p>	<p>1 on what was happening at the time. I haven't gone on to 2 in any way elevate that throughout my statement, but at 3 the time the threat to me was medium.</p> <p>4 Q. You were aware, I think, that there was at least one 5 more subject outstanding, a second vehicle outstanding. 6 A. Yes.</p> <p>7 Q. Did that affect your threat assessment? 8 A. No.</p> <p>9 Q. Why not? 10 A. Because the job is the job at the end of the day, sir. 11 In terms of the threat assessment, for me at the time it 12 remains the same. The problem with a second vehicle or 13 somebody outstanding, I think I referred to later on in 14 terms of any stop that happens involves us deploying and 15 basically whoever is spare, for want of a better phrase, 16 is doing a little bit of a perimeter security to make 17 sure that anybody that is outstanding perhaps wouldn't 18 want to come in and interfere with what we were doing.</p> <p>19 Q. It might be thought that an outstanding vehicle with at 20 least one outstanding subject presented an unknown risk. 21 It might present a risk of further firearms, and it 22 might therefore be said that this was a high-risk 23 operation and that you should have realised that this 24 was a high risk, not a medium risk. Why is that not 25 right?</p> <p style="text-align: center;">Page 108</p>

1 **A. My perception of threat and risk, sir, is my perception.**
 2 **Any third party that is on the scene out of the**
 3 **immediate area that we were dealing with, would have**
 4 **been dealt with I am quite sure with other officers that**
 5 **were now no longer involved in, for example, strand D of**
 6 **this particular security package.**
 7 Q. Later, while you were parked in Mayes Road or when you
 8 moved up to Lordship Lane perhaps, you received
 9 a briefing from S111. Is that right?
 10 **A. Over the radio, sir?**
 11 Q. You say over the radio, yes. S111 gave evidence
 12 yesterday and he wasn't entirely clear on the point but
 13 I understood his evidence to be that he briefed
 14 individuals in each car directly by telephone rather
 15 that doing one briefing to everyone all at the same
 16 time.
 17 **A. Again, sir, I've got no recollection of that, but that**
 18 **perhaps wouldn't necessarily to me in hindsight make**
 19 **a lot of sense, it is very time consuming, you wouldn't**
 20 **be necessarily briefing individuals to let them know**
 21 **what to do, if that is what you are alluding to, sir,**
 22 **and that would not happen. In my opinion that would not**
 23 **happen.**
 24 Q. There is no point me asking you how long that briefing
 25 lasted, presumably?

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1 **my mind's eye because of the time that W80 and myself**
 2 **had spent on the recce initially, and when the**
 3 **surveillance come in, it confirmed where the vehicle was**
 4 **in terms of the hard standing just off Bracknell Close**
 5 **at the junction with Olympus. I could picture that in**
 6 **my mind's eye, where the Audi was.**
 7 Q. I will take this moment to correct something which
 8 I said earlier and you were kind enough to agree with me
 9 without questioning it. I think the gates of the Crown
 10 Court are on Winkfield Road?
 11 **A. Yes.**
 12 Q. They are not on Bracknell Close but that goes off
 13 Bracknell Close, that's right, isn't it?
 14 How many people did you understand to be in the Audi
 15 before you moved in to Bracknell Close?
 16 **A. At the time, sir, I thought initially there were four**
 17 **persons in the Audi. I also thought when it had parked**
 18 **up on Bracknell Close that at least one had got out and**
 19 **was walking about.**
 20 Q. We know that there were the Alpha, Bravo, Charlie Cars,
 21 there is the Control Car, how many firearms officers
 22 were going to jump out of the cars when you got into
 23 Bracknell Close?
 24 **A. In theory, sir, it would have been nine, so there would**
 25 **have been three persons per vehicle. The Control**

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1 **A. Again, sir, sorry, no.**
 2 Q. After that briefing, what did you understand your
 3 personal role to be?
 4 **A. As before, sir, driver of the Charlie Car and to follow**
 5 **the rest of the convoy when we were deployed onto the**
 6 **target vehicle.**
 7 Q. What were you meant to do when you got out of the car?
 8 **A. I would have been initially, sir, supporting the other**
 9 **officers around any target vehicle. As it turns out,**
 10 **I had other matters to deal with.**
 11 Q. Was there any discussion in your vehicle or with S111
 12 over the radio, or with anyone else, about who would
 13 deal with which subjects?
 14 **A. No.**
 15 Q. Was there any discussion about who would approach which
 16 door of the mission vehicle?
 17 **A. No.**
 18 Q. Was there any discussion about who would provide static
 19 cover and who would put their weapon away and use their
 20 hands?
 21 **A. No.**
 22 Q. What information did you have about the exact location
 23 of the Audi before you moved into Bracknell Close?
 24 **A. So from the surveillance officers, they painted a good**
 25 **picture if you like. I could picture it pretty much in**

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1 **vehicle tends not to get involved, because that is**
 2 **carrying the TFC and perhaps a scribe, but certainly at**
 3 **least two unarmed officers. So they are not there to**
 4 **get involved.**
 5 **So the initial, if you like, shock and awe, which is**
 6 **why this tactic works, the nine officers from the**
 7 **vehicles would be getting out and deploying around and**
 8 **that would soon dissipate, as I mentioned earlier, to**
 9 **perhaps one or two having a bit more of a situational**
 10 **awareness about who might try and approach us and cause**
 11 **any harm or in fact try to help perhaps the occupants of**
 12 **the Audi to make their getaway.**
 13 Q. You were expecting nine of you, four of them?
 14 **A. Yes.**
 15 Q. Let's say you had good intelligence, let's say someone
 16 could see into the car and that they knew there was just
 17 one person in the Audi, would nine of you still have
 18 moved in in three vehicles, would that have been the
 19 balance?
 20 **A. Yes.**
 21 Q. Nine of you, one of them?
 22 Should you have more firearms officers when you are
 23 dealing with four subjects? It seems that the balance
 24 has shifted quite a lot when there are four times as
 25 many of them but the same number of you?

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<p>1 A. Sir, in terms of, again, if you can picture a particular 2 vehicle, any vehicle, if you have nine officers 3 surrounding that, where would you put any other 4 officers? 5 Q. Did you have up-to-date information before you moved 6 into Bracknell Close about whether the windows were 7 steamed up? 8 A. Again, sir, I can't remember from my recollection. 9 Q. You don't remember if there was up-to-date information 10 about the proximity of other vehicles and other 11 obstructions? 12 A. I believe at the time the car was actually relatively 13 free either side. 14 THE CHAIRMAN: I was going to say, you had seen the car and 15 presumably when you originally saw it, it was not 16 relatively free -- it was relatively free, there were no 17 cars parked on either side. 18 A. Only as we have driven into Bracknell Close itself, sir. 19 THE CHAIRMAN: When you saw the vehicle? 20 A. Yes. 21 THE CHAIRMAN: Yes. 22 Therefore at that stage, when you first saw the 23 vehicle, on a scale of no degrees to 360, you would have 24 had 270-degree clearance, because you wouldn't have had 25 clearance behind. Is that right?</p> <p style="text-align: center;">Page 113</p>	<p>1 A. Yes, sir, because you have the garden fences of the 2 houses that backed on to essentially Bracknell Close. 3 THE CHAIRMAN: Yes, but what Mr Moss is enquiring about now 4 is whether or not you were aware that far from there 5 being no cars parked on either side, at the time you 6 were going to deploy, there were two cars parked, one on 7 either side in close proximity to the mission car. 8 Is that the point, Mr Moss? 9 MR MOSS: Just so I am clear, had you seen the car parked in 10 Bracknell Close before you drove into Bracknell Close 11 ready to carry out the intervention or interception. 12 A. No, sir. 13 Q. You had seen it in the Eastern Road car park I think on 14 8 December? 15 A. As I say, sir, I didn't see -- 16 Q. You were in the Eastern Road car park, you didn't see 17 the Audi car? 18 A. Yes, sir, that's correct. 19 THE CHAIRMAN: Right, so it's my fault. 20 MR MOSS: In fact you had never seen the Audi before you set 21 eyes on it as you were jumping out of the car. 22 A. Just as we were approaching it from driving in. I could 23 see the nose of it, essentially, and obviously the car 24 opened out as we got closer to it. 25 Q. Do you think you did know from information received over</p> <p style="text-align: center;">Page 114</p>
<p>1 the radio before you drove into Bracknell Close that 2 there was a silver BMW approximately 18-inches away from 3 it? 4 A. I have no recollection of that, sir, sorry. 5 THE CHAIRMAN: Pardon? 6 A. I have no recollection of that, sir. 7 MR MOSS: State amber was called, you then moved from your 8 position in Lordship into Bracknell Close, you are 9 driving the Charlie Car. Can we see please in the 10 images bundle, page 11, and I am going to ask you where 11 you parked. 12 A. So essentially, sir, if you take the driver's side, the 13 headlight if that assists. 14 Q. The driver's side headlight of? 15 A. Of the Audi car. 16 Q. Of the Audi, yes? 17 A. Then, if you like, my passenger headlight would have 18 been pretty much just in front of the driver's side 19 headlight of the Audi. 20 Q. So you very slightly overlapped your bonnet with the 21 bonnet of the Audi? 22 You deployed from the car, what was in your hands? 23 A. I had my MCX in my hands. 24 Q. The carbine? 25 A. Yes.</p> <p style="text-align: center;">Page 115</p>	<p>1 Q. Did you get out of the car immediately? 2 A. Notwithstanding I have to put the handbrake on, sir, 3 which seems flippant, but it is not unusual for that not 4 to have happened. So the time it takes to flip the 5 little button to put the handbrake on and then I was out 6 pretty much straight away, yes. 7 Q. Did the other two officers in the car get out before you 8 or did you all get out at the same time? 9 A. They were probably getting out slightly before me, sir. 10 Q. As well as putting the handbrake on, I think you put on 11 the blue lights? 12 A. So the blue lights I put on and that was my choice, sir, 13 as the Alpha and Bravo Car had passed and stopped in 14 their representative positions. The blue light going on 15 is again another visual reference that this is police 16 that is present, that was to basically try and encourage 17 the fact that, yes, there are three cars just parked in 18 front of us, and it is a visual stimulus that in fact 19 this is the police. 20 Q. The drivers of the Alpha and Bravo cars also gave 21 an audible reference and put their sirens on, but you 22 didn't do so, why not? 23 A. I can't even remember if they put on their sirens. 24 Q. Did it cross your mind that by doing that, that would 25 make it utterly obvious to anyone in the Audi that you</p> <p style="text-align: center;">Page 116</p>

<p>1 were there, would that have been a good idea to put your 2 sirens on?</p> <p>3 A. Yes, to be fair, sir, I was unaware that the Alpha and 4 Bravo Cars had put on their sirens. In my head I had it 5 fixed that there was still somebody on foot from the 6 Audi and I thought by not putting on the siren, then 7 that is not going to alert a possible third eye from 8 perhaps either escaping or getting information out that 9 in fact there had been a compromise in their vehicle.</p> <p>10 Q. I understand your second point, that the third eye might 11 tell someone else, a fourth eye, that there had been 12 a compromise, but your point about stopping the third 13 eye from escaping, no one was trying to catch the third 14 eye at that point were they, it is not like you had 15 other cars in the area looking for them?</p> <p>16 A. No, absolutely not, sir. It was an option, my main 17 concern was that that didn't encourage the third eye to 18 come back in perhaps with other persons and try and 19 interfere with what we were doing.</p> <p>20 Q. What was the first thing you did after you got out of 21 the car?</p> <p>22 A. Pretty much I went straight towards the flats that you 23 can see opposite where the builders were.</p> <p>24 Q. That is towards the bottom of the picture, as we are 25 looking at it now?</p> <p style="text-align: center;">Page 117</p>	<p>1 A. And directly in front of the Audi as we look at it now.</p> <p>2 They were out and about, they were already</p> <p>3 transfixed because of the disturbance that we had now</p> <p>4 made, and they were starting to become a bit more</p> <p>5 interested, so I went towards them --</p> <p>6 Q. Sorry, they were starting to become a bit more?</p> <p>7 THE CHAIRMAN: Interested.</p> <p>8 A. Interested.</p> <p>9 So I went towards them just to encourage them to</p> <p>10 stay away, and I think even shouted "just stay down".</p> <p>11 MR MOSS: Did they respond to your shout to stay down?</p> <p>12 A. I am not sure if it was my response to "stay down" or</p> <p>13 the sound of a shot going off, sir.</p> <p>14 Q. You were with them when the sound of the shot went off?</p> <p>15 A. Yes.</p> <p>16 Q. What did you do when you heard the sound of the shot, 17 did you stay with them?</p> <p>18 A. Initially, sir I was still looking at them. My feeling</p> <p>19 was that perhaps a Hatton round had been fired, and by</p> <p>20 that I -- do you want me to explain what that is, sir?</p> <p>21 THE CHAIRMAN: We know what a Hatton round is, why did you 22 think it was a Hatton round?</p> <p>23 A. Only because, sir, the vehicle had been boxed in and</p> <p>24 that perhaps doesn't still stop a driver, either</p> <p>25 intentionally or perhaps through panic, from suddenly</p> <p style="text-align: center;">Page 118</p>
<p>1 hitting an accelerator and deflating a tyre certainly on</p> <p>2 the steering, the running wheels, would greatly reduce</p> <p>3 that and therefore would greatly reduce any injuries to</p> <p>4 officers in and around that vehicle.</p> <p>5 MR MOSS: Were the builders on the pavement as we look at 6 the picture?</p> <p>7 A. I seem to remember at least level one on scaffolding,</p> <p>8 sir.</p> <p>9 Q. They were not actually down on the floor, they were up 10 at some height?</p> <p>11 A. Again, that is my recollection, sir.</p> <p>12 Q. They definitely were not in a position to run towards 13 the Audi, not sure why anyone would want to do that, but 14 they weren't in a position to do that, they were up some 15 scaffolding?</p> <p>16 A. That's correct, sir.</p> <p>17 Q. In order it talk to them up the scaffolding, how close 18 to them did you have to go, did you go as far as the 19 pavement?</p> <p>20 A. I didn't have to, sir, I think I got out of the car and</p> <p>21 was already looking towards them, just shouting to get</p> <p>22 down, essentially.</p> <p>23 Q. Why did it matter that builders up scaffolding were 24 interested, why did you have to do anything?</p> <p>25 A. Why should I have to do anything, sir? They are members</p> <p style="text-align: center;">Page 119</p>	<p>1 of the public, are they vulnerable, should there be</p> <p>2 shots fired from inside of the vehicle out and there is</p> <p>3 still a duty of care to members of the public and --</p> <p>4 Q. What about your duty of care though to the four people 5 that you thought were in the vehicle, it was nine versus 6 four, but by going over to talk to builders you had made 7 it eight versus four. Did that not increase the risk to 8 the people in the Audi?</p> <p>9 A. I didn't think so, sir, no.</p> <p>10 Q. Why not?</p> <p>11 A. Because they are in the Audi. It is not as if they have</p> <p>12 got out and they are starting to run, they have pretty</p> <p>13 much been dominated physically and verbally by eight</p> <p>14 armed officers, there was nowhere for them to go.</p> <p>15 Q. What tactic were you carrying out on that day?</p> <p>16 A. It was just a pure interception, sir.</p> <p>17 Q. With an extraction?</p> <p>18 A. With an extraction.</p> <p>19 Q. Did you know it was with an extraction?</p> <p>20 A. It would have been presumed I imagine by everybody, sir,</p> <p>21 we would never do anything other.</p> <p>22 Q. Was it presumed by you?</p> <p>23 A. Yes.</p> <p>24 Q. Is it safer for one officer to extract one subject from 25 a vehicle or is it safer for more than one officer to</p> <p style="text-align: center;">Page 120</p>

<p>1 extract one subject from a vehicle?</p> <p>2 A. Sir, again in terms of if I can get you to put in your</p> <p>3 mind's eye getting out of your own vehicle with the door</p> <p>4 open, there is not a lot of working room. So two</p> <p>5 officers would more than likely get in each other's way,</p> <p>6 on the person that is being extracted, at least,</p> <p>7 certainly bodily out of the vehicle. If that makes</p> <p>8 sense, sir.</p> <p>9 Q. Is it right that if you were one officer dealing with</p> <p>10 one subject, without any support around you, and you</p> <p>11 thought that that one subject could well have access to</p> <p>12 a real firearm, you would want to keep both hands on</p> <p>13 your weapon, does that stand to reason?</p> <p>14 A. If that had been the case, sir, you wouldn't have been</p> <p>15 doing the extraction to begin with. The whole idea of</p> <p>16 extraction is that people's hands are visible and they</p> <p>17 are not able to cause any harm to certainly the officers</p> <p>18 and more to themselves as well.</p> <p>19 Q. Could we please look at IPC219.</p> <p>20 This is some training with which I am sure you were</p> <p>21 familiar in December 2015, "Subject: extraction from</p> <p>22 motor vehicles refresher".</p> <p>23 A. Yes, sir.</p> <p>24 Q. I will make the point, which otherwise I am sure I will</p> <p>25 be asked to make, that if you look at the second bullet</p> <p style="text-align: center;">Page 121</p>	<p>1 point in the penultimate set of bullet point in the</p> <p>2 pages, you see:</p> <p>3 "Three stooges, one per vehicle."</p> <p>4 So this is a training exercise which is designed for</p> <p>5 getting one person out of a vehicle, but with that</p> <p>6 caveat, lets go deeper into the document. If we can go</p> <p>7 to the next page, please.</p> <p>8 And the next, and the next:</p> <p>9 "Operational experience has proven that the safest</p> <p>10 and most effective way of dealing with a subject inside</p> <p>11 the vehicle to maintain the speed and surprise with</p> <p>12 controlled aggression and verbal stunning."</p> <p>13 Then it is the next paragraph that we are going</p> <p>14 focus on:</p> <p>15 "The second officer to arrive at the vehicle having</p> <p>16 cleared the rear cabin area will, after ensuring that</p> <p>17 the firearms cover is in place onto the subject, stow</p> <p>18 their MP5 or holster their Glock. They will then open</p> <p>19 the door and taking hold of the subject by closest wrist</p> <p>20 to them, pull their arm out to 90 degrees, initiating</p> <p>21 a straight armlock. This should be done whilst standing</p> <p>22 beside the driver's door post, to ensure the officer</p> <p>23 stays outside of the cabin area and the fighting arc of</p> <p>24 the subject. The officer's other hand should be above</p> <p>25 the elbow joint to complete the armlock. They will tell</p> <p style="text-align: center;">Page 122</p>
<p>1 the subject so get out of the vehicle, whilst levering</p> <p>2 them out using the armlock and take-down technique,</p> <p>3 assisting them from the vehicle and taking to the ground</p> <p>4 to be detained. This should be accompanied by the</p> <p>5 repeated commands of, 'Out, out, down, down, down!'</p> <p>6 I appreciate I read that at speed and I know you</p> <p>7 hadn't seen that document before you came into the</p> <p>8 witness box, so I will take you a moment to think about</p> <p>9 what it is I have just read. But you are familiar with</p> <p>10 that?</p> <p>11 A. Yes.</p> <p>12 Q. Right.</p> <p>13 Do you accept then, that this is training for two</p> <p>14 officers to get a subject out of a vehicle, one of whom</p> <p>15 provides cover with a firearm, the second of whom</p> <p>16 holsters his firearm and uses his hands to remove the</p> <p>17 person from the vehicle?</p> <p>18 A. Yes, that's correct, sir.</p> <p>19 Q. Do you therefore accept that the safest way for</p> <p>20 an officer or some officers to extract someone from</p> <p>21 a vehicle is for more than one officer to do it?</p> <p>22 A. In terms of you are talking about more than one officer,</p> <p>23 sir, more than one officer in terms of eight officers</p> <p>24 covering, but essentially extraction as it happened by</p> <p>25 one officer. As in the laying on of hands if that</p> <p style="text-align: center;">Page 123</p>	<p>1 assists, sir.</p> <p>2 Q. Was it important to extract the subjects from the car</p> <p>3 quickly?</p> <p>4 A. Yes.</p> <p>5 Q. That is because if they didn't have a firearm in their</p> <p>6 hand but it was somewhere in the car, you were taking</p> <p>7 them away from that firearm?</p> <p>8 A. You were taking them away from the threat, you were</p> <p>9 trying to take the driver out, because ultimately the</p> <p>10 driver could, you know, cause damage by driving off.</p> <p>11 But ultimately if all subjects are out of the car, and</p> <p>12 on the floor and subdued in the form of handcuffs or</p> <p>13 Plasticuffs, then everything slows down their search,</p> <p>14 the car is searched and that is it.</p> <p>15 Q. Then does it follow that by you going over to the</p> <p>16 builders, and still being there at the time the shot was</p> <p>17 fired, and therefore reducing the number of officers in</p> <p>18 team to eight rather than nine, you increased the</p> <p>19 likelihood that one of your officer colleagues would</p> <p>20 have to deal with a subject on their own?</p> <p>21 A. I can't quite work out the maths on that, sir, it is</p> <p>22 still two officers.</p> <p>23 Q. Is it more likely that one of your colleagues would be</p> <p>24 left on their own? They had fewer people to support</p> <p>25 them, surely that is more likely?</p> <p style="text-align: center;">Page 124</p>

<p>1 A. No, I don't agree with that, sir, there is still a duty 2 of care to members of the public that were in the 3 immediate area. 4 THE CHAIRMAN: I don't think the question was about the duty 5 of care, the question was the likelihood that Mr Moss 6 was referring to. 7 A. In terms of the likelihood of an officer being left 8 along, sir, I don't agree with that, there were still 9 eight officers surrounding the vehicle. Which left 10 still two officers, as I thought at the time, with four 11 occupants, that is two officers per occupant. 12 MR MOSS: We heard from your colleague R116 this morning, 13 I don't know if you heard the evidence of that officer? 14 A. No, sir. 15 Q. The evidence that that officer gave is that if you, as 16 a firearms officer, because he was the driver of the 17 vehicle, are coming to where the officers are gathered 18 slightly later than other officers, you look for gaps 19 and by that he doesn't mean physical gaps but he means 20 tactical gaps, you plug those gaps? 21 A. That's correct, sir. 22 Q. I understand from that the tactic gets built up in 23 layers, that the first officers would look to get cover 24 and the next officers who get there might do what we are 25 seeing on the screen, extract somebody with their hands?</p> <p style="text-align: center;">Page 125</p>	<p>1 A. Yes. 2 Q. It follows from what R116 said, and it follows from what 3 you have said, that this was a dynamic operation and 4 that you didn't all know exactly who was going to do 5 what when you got you out of vehicles, did you? 6 A. That's correct, sir, but by the nature of the placement 7 of each of the vehicles, so if we think back to 8 I stopped the Charlie vehicle at the front of the Audi, 9 on the driver's side, the Alpha Car would have pushed 10 past the Audi, so essentially the tail of the Alpha Car 11 would have now been slightly beyond the nearside front 12 of the targeted car and the Bravo Car directly in front. 13 Now that naturally allows itself for people to peel 14 around into certain sides, if you like, either the 15 passenger's side, or the driver's side. In any event, 16 the police officers involved have done this often enough 17 that you are talking about gap filling, sir, that is 18 exactly what happens. 19 Q. I am going to suggest to you this is a simple numbers 20 game, because as you understood it there were eight 21 officers, there were four subjects, and the tactic that 22 we are looking at requires two officers per subject in 23 order to make it work safely for the subjects in the 24 vehicle. 25 By not going over to the Audi car immediately, you</p> <p style="text-align: center;">Page 126</p>
<p>1 left only the minimum number of officers who would be 2 required to extract four subjects from the vehicle. 3 That is right, isn't it? 4 A. The minimum number of officers, yes, sir. 5 Q. So if one of those officers went to the wrong place, if 6 they didn't all go in pairs and they didn't each go 7 exactly where randomly they might be expected to go, 8 then it wasn't going to work? 9 A. Again, sir, the only thing I can throw in terms of that 10 is the experience of all the officers involved. If 11 there is a hole to be filled people move around the 12 vehicle very quickly. 13 Q. Should you not have gone over sooner to see if there was 14 a hole to be filled? 15 A. To try and put that this perspective, sir, the time it 16 took me to get out of my vehicle to take a few steps 17 towards the builders and to shout "get down" and the 18 shot going off, and then returning back to the vehicle 19 is a matter of seconds. 20 Q. But it was a matter of seconds in which something has 21 gone dramatically wrong, isn't it? 22 A. It is a matter of seconds in terms of something has 23 happened around that vehicle, sir, yes. 24 Q. Do you think if you had gone over sooner, the outcome 25 might have been different?</p> <p style="text-align: center;">Page 127</p>	<p>1 A. No, sir. 2 Q. Why not? 3 A. I've got my own perspective. 4 Q. What does that mean? 5 A. So I've got out of the vehicle, I would still have been 6 in terms of the line up of the vehicle, been walking 7 around the back of my vehicle to approach the driver's 8 side of the target vehicle. 9 Q. When you did approach the vehicle, you went over to 10 where S111 and P2 had Gokay Sogucakli on the ground? 11 A. That's correct, sir, yes. 12 Q. On the rear of the passenger side? 13 A. Well, there or thereabouts, sir, but the rear of the 14 vehicle. 15 Q. Did you have any involvement with Gokay Sogucakli? 16 A. Inasmuch as when I was looking at S111, I took -- he was 17 with Sogucakli on P2, so I assisted and released S111. 18 Q. Following this, is it right that you cleared the boot of 19 the vehicle in case anybody was in there? 20 A. Again, sir, standard practice, if you like, is there 21 a likelihood that someone was hiding within the 22 vehicle -- 23 THE CHAIRMAN: It is a yes or a no. 24 A. Did I clear it, yes. Yes, sir. 25 THE CHAIRMAN: Thank you.</p> <p style="text-align: center;">Page 128</p>

32 (Pages 125 to 128)

<p>1 MR MOSS: Then you kept a general watch for possible third 2 eyes? 3 A. Yes, sir. 4 Q. After that you returned to Leman Street? 5 A. That's correct, yes. 6 Q. I am asked to make one more correction, which is that 7 perhaps the Alpha and Bravo Cars didn't put their sirens 8 on, but that you didn't know that they did, did you? 9 A. I was of the opinion that they hadn't, sir. 10 MR MOSS: It looks as if you might be right after all on 11 that one. 12 THE CHAIRMAN: If that is the case, then nobody put their 13 sirens on. Is that right? That's your understanding? 14 A. That would have been standard, sir, yes. 15 THE CHAIRMAN: Yes. 16 MR MOSS: Are you able to say anything about the demeanour 17 of W80 on this day, on 11 December? 18 A. Sir, all I can do again is clarify that W80 is in my 19 opinion the consummate professional, very calm, level 20 headed and a good operator. 21 THE CHAIRMAN: You are being asked about whether or not you 22 can assist as to his demeanour on this particular day. 23 A. On that day, sir, was the way that sentence was going to 24 finish. 25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 129</p>	<p>1 MR MOSS: Could we finally, please -- there might be another 2 finally -- look at COP4 which is a College of Policing 3 training document and it is page 26 of that, that I am 4 asked, please for us to turn to. 5 THE CHAIRMAN: Yes. 6 MR MOSS: Sir, you and others in the room are familiar with 7 this, because we saw it yesterday, but perhaps 8 Mr O'Conner is not. I am not going to read it aloud, 9 I am not going to ask Mr O'Conner to read it aloud. But 10 could you, please, Mr O'Conner look at the first five 11 paragraphs of it and we will read them to ourselves as 12 well. (Pause) 13 THE CHAIRMAN: Yes. 14 MR MOSS: You will see, Mr O'Conner, that this deals with 15 the situation where there are multiple occupants in the 16 vehicle, is this training of which you were aware? 17 A. Yes. 18 Q. Does it emphasise the point that it is impossible to 19 give definitive guidance as to what each person will do, 20 because you don't know what the subjects will do? 21 A. That is pretty much what I was alluding to earlier, sir, 22 yes. 23 Q. Are there any other points you would wish to take from 24 this, is there anything else you would like to emphasise 25 that would help with the answers you already gave?</p> <p style="text-align: center;">Page 130</p>
<p>1 A. No, sir. 2 Q. I'm asked to make this point to you, and I happily will, 3 there were not actually four occupants in the vehicle, 4 there were three occupants in the vehicle. There were 5 therefore more than two officers to deal with each 6 person, but you didn't know that, did you? 7 A. Not at the time, sir, no. 8 THE CHAIRMAN: You approached the scene and the deployment 9 on the basis that there were four people in the car? 10 A. Yes. 11 THE CHAIRMAN: Yes, thank you. 12 MR MOSS: If I might just have a moment, please. 13 THE CHAIRMAN: Certainly. (Pause) 14 MR MOSS: At the bottom of what we see on the screen, do you 15 see this: 16 "The success of these tactics requires coordination, 17 surprise and asserted control, when conducting 18 an extraction there are two general responsibilities in 19 relation to each subject, cover and approach. This 20 could include a cover officer and an approach officer." 21 First, is that something with which you were 22 trained? 23 A. Yes, sir. 24 Q. "However there may be environmental or other constraints 25 which limit the number of officers deployed. In such</p> <p style="text-align: center;">Page 131</p>	<p>1 circumstances a prioritisation of roles will be required 2 and an officer may perform a dual role of cover and 3 approach." 4 A. Yes, sir. 5 Q. Your colleagues were trained what to do if they found 6 themselves on their own; is that what that means? 7 A. Exactly. 8 Q. But ideally you would have someone to cover and someone 9 to approach? 10 A. Yes, sir. 11 MR MOSS: Sir, I have no further questions, I don't think 12 anyone else does. 13 Do you? 14 Questions from THE CHAIRMAN 15 THE CHAIRMAN: I just want to deal with one matter. 16 When I asked you a question before it was about the 17 position and accessibility of the mission car, which you 18 haven't seen until the day in location. 19 A. That's correct, sir, yes. 20 THE CHAIRMAN: You said I think that you believed it to be 21 clear; is that right? 22 A. In terms of space around the vehicle, sir? 23 THE CHAIRMAN: Yes. 24 On what was that based? 25 A. As far as I can remember, sir, as we were driving in,</p> <p style="text-align: center;">Page 132</p>

1 **I could only see the nose of the target vehicle, I was**
 2 **focused on that. I couldn't see in my recollection any**
 3 **other vehicles.**
 4 THE CHAIRMAN: That was purely based on what you had seen or
 5 not seen, rather than what you had been told or not
 6 told?
 7 **A. Again, sir, there may have been transmission but I don't**
 8 **remember making a note of that.**
 9 THE CHAIRMAN: You were not aware at any time of the limited
 10 access to the nearside of the car because of the
 11 presence of the car on its left?
 12 **A. I have no recollection of that, sir, I am sorry.**
 13 THE CHAIRMAN: Thank you.
 14 Further questions from MR MOSS
 15 MR INGRAM: Can I make sure I am clear about when it is you
 16 are talking about, because I am not entirely clear, when
 17 is it that you could only see the nose of the vehicle
 18 and you thought it was clear around it?
 19 **A. Sir, as we were driving into Bracknell Close to effect**
 20 **the stop.**
 21 Q. A second, a couple of seconds before you realised that
 22 it wasn't clear and you saw the BMW, so you were not --
 23 **A. I don't even recollect if I saw the BMW, sir, if I am**
 24 **perfectly honest.**
 25 Q. You must have seen it at some point, because you got out

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1 MR CHRIS NELSON (sworn)
 2 Questions from MR MOSS
 3 MR MOSS: Can you please state your name and rank.
 4 **A. Chris Nelson, chief superintendent.**
 5 Q. At the time, Chief Superintendent, I think you were
 6 a superintendent, December 2015?
 7 **A. I was a chief inspector.**
 8 Q. Chief inspector, thank you.
 9 In December 2015 you were acting, I imagine you had
 10 other roles as well but one of them was as an on-call
 11 post-incident manager in SCO19?
 12 **A. That's correct, sir.**
 13 Q. And what does that mean in general terms?
 14 **A. It means that for a weeklong period I would be**
 15 **responsible for managing any post-incident procedures**
 16 **which occurred as a result of a firearms discharge.**
 17 Q. What was the day job, when you were not doing that week?
 18 **A. I was a chief inspector responsible for the command**
 19 **cadre, so I would look after the tactical firearms**
 20 **commanders and to some extent the strategic firearms**
 21 **commanders as well and be somewhat of a kind of subject**
 22 **matter expert in that role.**
 23 Q. On Monday, 14 December 2015, Chief Superintendent
 24 Gallagher made you aware of a situation. What was that
 25 situation?

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1 of the car and you stood next to it.
 2 **A. Perhaps at some point, sir, but certainly in driving in.**
 3 MR MOSS: I think we are done.
 4 Thank you, Mr O'Conner.
 5 Sir, I promised two witnesses before lunch, I don't
 6 think I can manage that.
 7 THE CHAIRMAN: It is entirely up to you. I didn't say that
 8 we would break in case you wanted to deal with the next
 9 witness before lunch, but unless he is going to be
 10 a witness whose evidence will take a very limited time
 11 I think it is better to break now.
 12 MR MOSS: I think he will take 20 to 30 minutes, we might
 13 then have 20 to 30 minutes of read evidence.
 14 THE CHAIRMAN: Let's break now until 1.50. Is that
 15 convenient for everybody?
 16 MR MOSS: Thank you.
 17 THE CHAIRMAN: Thank you.
 18 (1.00 pm)
 19 (The Luncheon Adjournment)
 20 (1.50 pm)
 21 THE CHAIRMAN: Good afternoon.
 22 MR MOSS: Good afternoon, sir.
 23 Sir in the box you have Chris Nelson, can he please
 24 be sworn?
 25 THE CHAIRMAN: Yes.

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1 **A. That's correct, sir, yes, so I picked up responsibility**
 2 **as post-incident manager on Monday morning, which was**
 3 **14 December. I had a phone call in the evening from**
 4 **Chief Superintendent Gallagher, who was my boss, to**
 5 **highlight that one of the officers involved in Operation**
 6 **Ankaa had gone missing from his home address. I had**
 7 **been informed that Superintendent Dobinson had attended**
 8 **his home address to serve him with some paperwork in**
 9 **terms of suspending the officer, but that had not**
 10 **occurred, for whatever reason, and since then, on that**
 11 **day, it was believed that the officer had gone missing**
 12 **and some investigations were being made to try and**
 13 **locate the officer.**
 14 Q. For the avoidance of any doubt and out of caution of
 15 course I am not going to ask you to name the officer,
 16 but Chief Superintendent Gallagher presumably did name
 17 the officer who we are calling W80?
 18 **A. That's correct, sir, yes.**
 19 Q. Did that name mean anything to you?
 20 **A. The name of the officer? Yes, I served on the command**
 21 **for approximately eight years on and off. On that**
 22 **period I was trained as a firearms officer, to varying**
 23 **degrees, and that officer had been involved to a very**
 24 **limited extent, I think on one or two days of months of**
 25 **training, in training me. So I did know who the officer**

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1 was.
 2 Q. Your experience of him was that he trained you in
 3 a limited capacity?
 4 **A. In a very limited capacity, yes.**
 5 Q. Had you ever worked operationally with him?
 6 **A. No. Not that I recall, sir.**
 7 Q. For the avoidance of doubt, you didn't know him
 8 socially?
 9 **A. No, I didn't, sir.**
 10 Q. You were tasked by Superintendent Gallagher to attend
 11 W80's home address; is that right?
 12 **A. Yes.**
 13 Q. Then you were tasked to progress the investigation to
 14 find him, that's what you say in your statement?
 15 **A. Yes.**
 16 Q. What does that last bit mean?
 17 **A. It means make local enquiries to try and establish the**
 18 **location of the officer.**
 19 Q. Which command was looking for W80 at that point?
 20 **A. It was our command, so it was SCO19 at that time.**
 21 Q. Is that a fair question for me to ask, was it limited to
 22 the one command looking or was this a wider operation?
 23 **A. No, it is a reasonable question. It was at that time**
 24 **but at that point, the person who was responsible for**
 25 **the gold group had made a decision to assign another**

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1 December 2015?
 2 **A. No.**
 3 Q. Have you worked with him in any other capacity?
 4 **A. To some extent, sir, because I then moved roles to**
 5 **become the superintendent responsible for specialist**
 6 **operations, which gave me some level of line management**
 7 **responsibility for all of the CTSFOs within the MPS, so**
 8 **I would have some responsibility for that officer. Over**
 9 **that period as well.**
 10 Q. In relation to W80, is that line manager on paper or has
 11 it actually involved any tasks?
 12 **A. A line manager on paper I would describe it as.**
 13 Q. When you were assigned to go to W80's home address and
 14 progress the investigation to find him before the murder
 15 investigation team was involved, did it cross your mind
 16 that it was clearly important that all officers ensured
 17 that W80 did not confer with anybody and didn't discuss
 18 his account of the incident?
 19 **A. It wasn't my responsibility, however I'm mindful and**
 20 **I wouldn't discard my responsibilities as a**
 21 **post-incident manager. There was a post-incident**
 22 **manager who was assigned to the operation who dealt with**
 23 **the incident on 11 December, and that person maintained**
 24 **that responsibility as post-incident manager.**
 25 **I was contacted on the evening of the 14th, so I was**

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1 **command to search for the officer and I was waiting for**
 2 **the lead from that command to attend.**
 3 Q. Is that other command SCO1?
 4 **A. That's correct, yes.**
 5 Q. Am I right that that is MIT, the murder investigation
 6 team?
 7 **A. That's correct, sir, yes.**
 8 Q. But they had not been assigned at that point?
 9 **A. Not at that stage, no.**
 10 Q. Jumping back a couple of questions, you had told us
 11 about your experience of W80 before 14 December 2015.
 12 Once this incident is resolved, have you had any
 13 contact with W80 since then, let's say from January 2016
 14 onwards?
 15 **A. Well, from 16 January I was in contact with the officer**
 16 **every single day, as part of his bail conditions, which**
 17 **was a prerequisite of the bail conditions. So I had to**
 18 **speak to him every single day for a period of about two**
 19 **months before they were lifted. And since then I have**
 20 **maintained a responsibility as the welfare lead for the**
 21 **officer and coordinated the welfare support to that**
 22 **officer.**
 23 Q. I presume the answer is no, but have you had any contact
 24 with W80 that is not connected to this particular
 25 operation or this particular deployment since

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1 **at home, I was aware that officer W80 was missing, so**
 2 **there would be no opportunity to provide a conferring**
 3 **reminder to that officer. I am also aware, having**
 4 **spoken with the post-incident manager, that all of the**
 5 **other officers involved in the incident had received**
 6 **a number of conferring reminders during and after the**
 7 **incident.**
 8 THE CHAIRMAN: By conferral reminders, do you mean reminders
 9 not to confer?
 10 **A. Yes, sir.**
 11 THE CHAIRMAN: Thank you.
 12 MR MOSS: I would like to explore the issue slightly of
 13 other personnel who were involved in this investigation
 14 to find W80.
 15 You were not in the role of post-incident manager at
 16 that point, but you were in charge of the investigation
 17 to find W80. Did the importance of W80 not conferring
 18 with people inform your choice of personnel that would
 19 help you on that operation?
 20 The point I am making, rather dancing around the
 21 issue, is you are part of the same command that W80 is
 22 part of and all the officers are part of.
 23 **A. Absolutely, but equally none of the officers who went to**
 24 **the officer's home address or supported me in the search**
 25 **for him were involved in the incident that we are here**

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1 **for today.**
 2 Q. I am not trying to make any criticism, just trying to
 3 understand the facts. Is that coincidence that none of
 4 the people who were involved in it were also involved in
 5 the incidents, or was that a conscious decision on your
 6 part?
 7 **A. No, it is no coincidence. None of those officers would**
 8 **have been assigned to support me during that, because**
 9 **they would have been involved in the incident and also**
 10 **it would mean they would go through the post-incident**
 11 **procedure as well, so their release to do any other work**
 12 **wouldn't have been possible at that time.**
 13 Q. When did you go to W80's home address, and of course we
 14 don't need to know when where it is?
 15 **A. Tuesday morning, so it would have been 15th.**
 16 Q. It's somewhere outside of London, we will limit it to
 17 that?
 18 **A. Yes.**
 19 Q. You met another officer in your statement, you say he
 20 was arriving at the same time?
 21 **A. That's correct.**
 22 Q. That is a police constable who was appointed to be the
 23 welfare officer for W80 and W80's family?
 24 **A. That's correct, sir.**
 25 Q. Were there also two senior officers there when you

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1 about W80's welfare?
 2 **A. Because I had been involved as a key police witness in**
 3 **a number of incidents myself. I have also managed**
 4 **a number of key police witnesses in post incidents as**
 5 **well and I know the effect it has on officers when they**
 6 **are involved in an incident, whether they had direct**
 7 **involvement or command involvement has a huge impact on**
 8 **them and it can be life changing for some people. And**
 9 **the fact that the officer had gone missing since the day**
 10 **before, caused me some concerns around that.**
 11 Q. What information, if any, did W80's partner give about
 12 her partner's welfare?
 13 **A. Well, about his welfare?**
 14 Q. Yes.
 15 **A. Just about his welfare, that she had had some**
 16 **conversations with him but limited over the weekend.**
 17 **She wasn't particularly concerned for his welfare, until**
 18 **the fact she realised that he had gone missing. So that**
 19 **was a surprise to her.**
 20 Q. So from the conversations she had had with him over the
 21 weekend, she hadn't expected that he would go missing?
 22 **A. Not from memory, no, sir.**
 23 Q. Then, his whereabouts, what information and in general
 24 terms, don't identify the area, was she able to give
 25 about his possible whereabouts?

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1 arrived?
 2 **A. There was, yes.**
 3 Q. Who were they?
 4 **A. Detective Superintendent Jane Gyford and Superintendent**
 5 **Simon Dobinson.**
 6 MR MOSS: Sir, you will hear the live evidence of
 7 Superintendent Dobinson next week and the evidence
 8 I think will be read of Detective Superintendent
 9 Jane Gyford.
 10 THE CHAIRMAN: Thank you.
 11 MR MOSS: Did you, Chief Superintendent, speak with W80's
 12 partner?
 13 **A. I did, yes.**
 14 Q. What was that conversation?
 15 **A. It was about his welfare, it was discussing any**
 16 **opportunities to explore where he might be at that time,**
 17 **any conversations that he had had with her or she had**
 18 **had with him, and her concerns at that time and any**
 19 **welfare support that I need to place to provide for her**
 20 **or his family.**
 21 Q. This sounds like two different points, so we will deal
 22 with them separately.
 23 One of them is questions about W80's welfare.
 24 The second is his whereabouts.
 25 Let's start with welfare. Why were you concerned

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1 **A. She was very helpful in supplying just information about**
 2 **where he might go, his local places where he might**
 3 **attend, his movements in general, so that we could**
 4 **explore those to see if we could find him.**
 5 Q. How did the information about welfare and whereabouts
 6 inform what you did next?
 7 **A. Well, it identified some locations where we might --**
 8 **I sent some of the officers to go and search for him and**
 9 **also some searches back at the police station to**
 10 **establish whether there was any link to him going**
 11 **missing over that time.**
 12 Q. Am I right that there were two officers who you tasked
 13 with carrying out the search, Sergeant Burke and
 14 a member of police staff, in fact, Mr Davies?
 15 **A. That's correct, sir, yes.**
 16 Q. Was it just those two people who were physically
 17 looking?
 18 **A. From memory, at that stage, on that day, yes, I believe**
 19 **so.**
 20 Q. Was that because those were the only resources you had
 21 available or is that because you thought that was
 22 enough?
 23 **A. To be honest it was because -- that was the only**
 24 **resource I had available, but to be honest that was**
 25 **sufficient for the lines of enquiry that we had at that**

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<p>1 time.</p> <p>2 Q. Did you consider using local units as well, asking</p> <p>3 another force to help?</p> <p>4 A. I did speak to the local force, I spoke to a --</p> <p>5 I believe it was a chief inspector from the local force</p> <p>6 to discuss the ... what was happening in some limited</p> <p>7 detail.</p> <p>8 Q. When was W80 first treated as a missing person within</p> <p>9 the specific meaning of the word of the Met?</p> <p>10 A. Probably around 24 hours after we believed that he went</p> <p>11 missing, I would imagine.</p> <p>12 Q. Is that before or after you were involved, was he</p> <p>13 a missing person when you got that phone call on</p> <p>14 14 December?</p> <p>15 A. It feels like we are labelling him a "missing person",</p> <p>16 but I was informed that he had gone missing on the</p> <p>17 evening of the Monday, which is the 14th. By the time</p> <p>18 I got down and started speaking to members of his family</p> <p>19 and doing the search, I felt that he was a missing</p> <p>20 person at that stage.</p> <p>21 Q. The police service categorises missing persons into</p> <p>22 levels of risk and that is why I am asking this</p> <p>23 question.</p> <p>24 A. They do.</p> <p>25 Q. On 15 December, when you were carrying out the searches,</p> <p style="text-align: center;">Page 145</p>	<p>1 what level of risk was attached to W80's status as</p> <p>2 a missing person?</p> <p>3 A. I can't recall whether it was set at a medium or high</p> <p>4 risk, but it certainly would have been between the two.</p> <p>5 Q. Is there a "very high" or does it max out at high?</p> <p>6 A. It is some time since I dealt with -- as a duty officer</p> <p>7 and inspector I dealt with missing persons and also gave</p> <p>8 risk assessments as well, but from memory, no, it is</p> <p>9 low, medium and high risk.</p> <p>10 Q. So it is quite understandable that you don't have the</p> <p>11 detail in front of you, this not something you address</p> <p>12 in your statement. On the spectrum of risk, he was at</p> <p>13 the higher end, that is your recollection, it seems?</p> <p>14 A. Yes, that is correct. Yes.</p> <p>15 Q. At 11.30 in the morning, on 15 December, you had a gold</p> <p>16 group conference with DAC Peter Terry, is that right?</p> <p>17 A. I believe so, yes.</p> <p>18 Q. What was your role after that conference?</p> <p>19 A. From memory, I don't think my role changed</p> <p>20 significantly, there was still the welfare support to</p> <p>21 the officer and locating him and the welfare support to</p> <p>22 his family, but I was aware at that stage that</p> <p>23 an officer from the MIT was being deployed with the team</p> <p>24 to assist in the search.</p> <p>25 Q. That is Detective Chief Inspector Nicola Wall, who</p> <p style="text-align: center;">Page 146</p>
<p>1 became the SIO from the MIT team on the afternoon or</p> <p>2 early evening of the 15th?</p> <p>3 A. That's correct.</p> <p>4 Q. What was your role after that point?</p> <p>5 A. I -- after I briefed her?</p> <p>6 Q. After she took over?</p> <p>7 A. Okay, so I briefed her, I had a role to stay and provide</p> <p>8 that welfare support to members of W80's family, and</p> <p>9 also to provide some support to DCI Wall as well, in</p> <p>10 terms of any searches, et cetera. I wanted to ensure</p> <p>11 that officers who were colleagues or friends of officer</p> <p>12 W80 were not carrying out other kind of searches</p> <p>13 independent of her directions.</p> <p>14 Q. What was the reasoning, what was the -- why did the MIT</p> <p>15 team take over from your command?</p> <p>16 A. Because it makes absolute sense you think right a small</p> <p>17 team who work very closely together on investigations</p> <p>18 quite often to search and find people in terms of murder</p> <p>19 investigations, and we were concerned about the safety</p> <p>20 of the officer. So I think it was quite a good decision</p> <p>21 to deploy a team like that who could then search for</p> <p>22 effectively follow much more detailed lines of enquiry</p> <p>23 than I could, because I wouldn't have the experience to</p> <p>24 do that.</p> <p>25 Q. They had done it before. Did they though have access to</p> <p style="text-align: center;">Page 147</p>	<p>1 any assets or technical expertise or anything that you</p> <p>2 couldn't in theory have accessed?</p> <p>3 A. Yes, they would.</p> <p>4 Q. Was it also a reason that they were not part of your</p> <p>5 command?</p> <p>6 A. Not that I was aware of. Not that I was aware of, but</p> <p>7 that could have been a decision made by DAC Terry.</p> <p>8 Q. Do you think that would be a sensible decision, even if</p> <p>9 just for appearance of bias, even of actual bias?</p> <p>10 A. Potentially, I think actually it would give a bit</p> <p>11 independence to it, because as a member of the same</p> <p>12 command you might be focused a bit more around the</p> <p>13 welfare of officer than perhaps DCI Wall may have been.</p> <p>14 Q. Is it not funny then that you remained involved?</p> <p>15 A. Not for the short period of time that I was.</p> <p>16 Q. Why not?</p> <p>17 A. Because I still had some responsibility to the officer</p> <p>18 in terms of his welfare, in terms of providing any</p> <p>19 post-incident directions at the location and also the</p> <p>20 welfare of the officer's family as well.</p> <p>21 Q. Did anyone else from your command remain involved with</p> <p>22 the investigation to find W80 after Nicola Wall took</p> <p>23 over?</p> <p>24 A. In terms of the investigation, no.</p> <p>25 In terms of the welfare support, yes.</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

<p>1 Q. Would you say, just for the avoidance of doubt, that you 2 were involved in the investigation or were you only 3 involved in the support? 4 A. I was only involved in the welfare support, however 5 I made it clear to DCI Wall that I was there to support 6 her as well, so if she needed anything, I could provide 7 some detail on the officer's background, colleagues, 8 friends, et cetera, that I was aware of. 9 Q. There was another gold group conference call on the 10 morning of Wednesday, 16 December, again with DAC Terry, 11 do you remember that? 12 A. I do, sir, yes. 13 Q. Do you remember who was on that call? 14 A. I remember DAC Terry, I was dialing into the call. 15 I don't recall others, other than there was a few other 16 officers who were still there with me. 17 Q. Was the MIT team on that call? 18 A. I don't recall. 19 Q. What was your purpose of joining that call? 20 A. As welfare support to the officer. 21 Q. Were any instructions in respect of the investigation to 22 find W80 given by DAC Terry on that call? 23 A. Sorry, that is a call that is five or six years ago, 24 I really cannot remember the exact details of that call. 25 Q. Was the call just about welfare or was it also about</p> <p style="text-align: center;">Page 149</p>	<p>1 whereabouts? 2 A. No, it was about whereabouts as well. 3 Q. Why would you be on a call about whereabouts? 4 A. It was the same call. 5 It wasn't broken into two parts about welfare and 6 location, it was a gold group call which would be 7 covering a lot of different aspects. It would be 8 different agenda points on there: one of the agenda 9 points would be avenues of exploration or investigation 10 to identify where the officer is; another point would be 11 welfare of the officer; another point would be any 12 post-incident issues going forward; another point would 13 be welfare of the family, so DAC Terry would run through 14 a number of different points. 15 Q. Do you think you had any involvement in the discussion 16 about whereabouts as opposed to just welfare? 17 A. I think I may have, because I might have mentioned that 18 we had explored everything in terms of searching areas 19 that had been searched by our officers prior to DCI Wall 20 taking over. 21 Q. I thought you said that you couldn't remember if anyone 22 from the MIT team was on the call, but since they were 23 the ones looking for W80 and since the call was partly 24 about whereabouts, surely they must have been on the 25 call?</p> <p style="text-align: center;">Page 150</p>
<p>1 A. You asked me a question, can you recall if anybody from 2 the MIT investigation team was on that call and I will 3 be honest with you I can't remember. I would suggest 4 that they probably were, but I can't remember whether 5 they were or not. 6 Q. After the gold group call, what did you do? 7 Where were you that day, perhaps we will start with. 8 A. I was in a vehicle, I can't remember exactly the 9 location I was, but I was in a vehicle whilst I was 10 making the call. 11 Q. Nearer W80's home address than your base in London? 12 A. Yes, definitely. 13 Then I received a call -- and I can't recall who 14 phoned me, but it was someone who was with his partner. 15 He had made contact with her by telephone and he had 16 highlighted where he currently was. 17 Q. I think the person who contacted you was the PC who was 18 there as a welfare role; is that right? 19 A. Yes, there was -- I think there was two PCs at the time 20 though. 21 Q. You say in your statement then that you made your way 22 with colleague to the location that it was understood 23 W80 was at? 24 A. That's correct. 25 Q. Was anyone else in your vehicle?</p> <p style="text-align: center;">Page 151</p>	<p>1 A. No, I think it was me and one other person. I can't 2 recall which of the officers it was. 3 Q. I think in your statement you talk about there being 4 separate vehicles and you being alone, this maybe is not 5 an important point. 6 A. No, it is a good point though, because somebody was with 7 me at the time I went to location to try and find him 8 but I dropped that person off when we were looking 9 around the area, because they might have had a better 10 option to find him on foot than I would have in 11 a vehicle. 12 Q. So you spread out? 13 A. Yes. 14 Q. When you got to the place that W80 was at, you were the 15 only person in the vehicle that you were driving? 16 A. I was, yes. 17 Q. How far behind you were any colleagues? 18 A. I don't know their locations at that time. 19 Q. Is it right that you found W80 near a bridge in a small 20 village -- we don't need to be more specific? 21 A. Near to a small village, yes. 22 Q. Near to a small village, yes, and near to a bridge? 23 A. Yes. 24 Q. Was he at the same height as the top of the bridge, was 25 there a bridge going over the road and he was under the</p> <p style="text-align: center;">Page 152</p>

<p>1 bridge or was he on a road that was about to turn into 2 a bridge? 3 A. When I say bridge, that would be very small, kind of 4 humpback country lane bridge, which I think the officer 5 was next to. 6 Q. Is it fair to say that he was exactly where you had been 7 told he would be? 8 A. As much as you can describe someone in a location where 9 I have no knowledge of and I am just searching for 10 someone on the description of where that might be. 11 Q. Was he moving or standing when you turned up? 12 A. From memory, I believe he was just walking slowly 13 towards me. 14 Q. Did he seem surprised to see you? 15 A. No. I'm trying to recall whether he was still on his 16 mobile phone or not. But I don't think he was 17 particularly surprised to see me. 18 Q. Did he know, do you know now, did he know that he you, 19 a police officer, was coming? 20 A. I believe that he would have known that. From the 21 conversation -- sorry, from the conversation he was 22 having with his partner. 23 Q. Do you know how long it took to you get there after 24 being told that he would be there waiting for you? 25 A. From memory, I think up to about 30 minutes.</p> <p style="text-align: center;">Page 153</p>	<p>1 Q. 30? 2 A. Yes. 3 Q. When you got there, what did you do? 4 A. I stopped my vehicle and approached him on foot and 5 I had a conversation. 6 Q. What was that conversation? 7 A. The first thing came into my head was everyone was 8 concerned for him, including his partner, his family, 9 colleagues, friends and we needed to make sure he was 10 all right and get him home. 11 Q. Did he respond? 12 A. Yes, he did, yes. 13 Q. To what extent? 14 A. Very brief conversation, just to say that, yes, he would 15 get in the vehicle with me and come and would like to go 16 back home. 17 Q. Did you try and engage him in more detailed conversation 18 than that? 19 A. No. Only just to highlight the fact that people were 20 concerned for his welfare. 21 Q. What was his physical appearance, anything you could 22 comment on? 23 A. Yeah, he look like someone who had probably slept rough 24 last night, I would describe it as that, quite 25 disheveled if anything.</p> <p style="text-align: center;">Page 154</p>
<p>1 Q. What about any injuries? 2 A. I did notice some marks to his wrists which had -- 3 I believe -- sort of dried bloodstains. 4 Q. Was that both wrists? 5 A. From memory, yes. 6 Q. Did you speak to him about those injuries? 7 A. I didn't at the time, no. 8 Q. What view did you form about those injuries? 9 A. I got the impression that they were self-inflicted 10 injuries. 11 Q. At that time, was there any need to seek medical help 12 and did you seek medical help? 13 A. Yes, that was one of my priorities at the time, clearly 14 he was still fit and healthy because he wasn't badly 15 affected by the fact that he had these marks on his 16 wrists, and then it was a balance of whether I needed to 17 get home for his welfare -- 18 THE CHAIRMAN: You were more concerned about his mental 19 health than his physical health? 20 A. I was about to say, sir, yes, a bit of both really. 21 I am thinking whether I need to take him straight for 22 medical support to a hospital or is it more important to 23 get him home to see his partner. 24 Q. Where did you take him? 25 A. I took him to his partner.</p> <p style="text-align: center;">Page 155</p>	<p>1 Q. Was he happy to be in your car? 2 A. Yes. 3 Q. Did you give any consideration at that time to steps 4 that might be taken to ensure he didn't discuss his 5 evidence about what happened on 11 December or were you 6 more concerned with the situation as it presented 7 itself? 8 A. It is fair to say I was much more concerned about the 9 welfare of the officer than that and also there was 10 no one there to have any conversations with him about 11 the incident or discuss the incident. 12 Q. On the evening of 16 December, I think you spoke again 13 with Chief Superintendent Gallagher? 14 A. That's correct, sir, yes. 15 Q. You were directed to suspend W80? 16 A. I was. 17 Q. Did you think that was the right decision? 18 A. No -- 19 Q. Why not? 20 A. -- and I gave a rationale as to why. Because I was 21 concerned the officer had gone missing for two days, was 22 in a position where he needed to go to hospital, and 23 I was concerned around both his health and mental state 24 at that time. I actually thought if I suspended him, 25 then he wouldn't really listen to much of the</p> <p style="text-align: center;">Page 156</p>

<p>1 conversation.</p> <p>2 THE CHAIRMAN: Was it more a case of the timing of the</p> <p>3 decision rather than whether the principle of suspension</p> <p>4 was appropriate?</p> <p>5 A. Absolutely. Absolutely, sir.</p> <p>6 THE CHAIRMAN: Thank you.</p> <p>7 MR INGRAM: What would the effect of suspension have been at</p> <p>8 that time, not as in the effect on W80's mental health</p> <p>9 and wellbeing, but in practical terms.</p> <p>10 A. It would mean I would take the officer's warrant card</p> <p>11 from him, he would be informed about the restrictions</p> <p>12 that would be placed on him, so he wouldn't be able to</p> <p>13 attend a police station, he wouldn't be able to meet</p> <p>14 with his colleagues et cetera. There is a certain list</p> <p>15 of things that I need to read out as part of that</p> <p>16 suspension, but ultimately he would -- his position as</p> <p>17 a police officer would be suspended.</p> <p>18 Q. I understand his warrant card would be taken,</p> <p>19 I understand that he wouldn't be able to carry out any</p> <p>20 of the duties of a police officer and go to police</p> <p>21 buildings and access police system, but the last point</p> <p>22 you said, he wouldn't be able to contact any of his</p> <p>23 colleagues, is that right?</p> <p>24 A. He could contact -- he could have conversations with his</p> <p>25 colleagues, but they would need to be recorded because</p> <p style="text-align: center;">Page 157</p>	<p>1 it is more on their side, so that if he had colleagues</p> <p>2 who wanted to speak to him and he had been suspended and</p> <p>3 he was under investigation for something, then we would</p> <p>4 have to record the fact that those officers were having</p> <p>5 meetings or having conversations with him.</p> <p>6 Q. It would lead to some degree of social isolation; is</p> <p>7 that fair?</p> <p>8 A. It would effectively, yes.</p> <p>9 Q. Chief Superintendent Gallagher told you to do one thing,</p> <p>10 you thought, "I don't think that is the right thing to</p> <p>11 do"?</p> <p>12 A. Yes.</p> <p>13 Q. What happened?</p> <p>14 A. I did what I was ordered to do.</p> <p>15 Q. How did W80 take it?</p> <p>16 A. How can I describe how he took it --</p> <p>17 Q. Where were you?</p> <p>18 A. At his home address.</p> <p>19 Q. In what room?</p> <p>20 A. In the front room.</p> <p>21 Q. Who else was there?</p> <p>22 A. His partner and I believe one of my colleagues as well</p> <p>23 in terms of welfare support for the officer.</p> <p>24 Q. Help us imagine the scene, are you all sitting down, are</p> <p>25 you standing around?</p> <p style="text-align: center;">Page 158</p>
<p>1 A. Yes, asked to sit down in a room so we can just talk</p> <p>2 through, it was something that I needed to serve on him,</p> <p>3 which was the suspension paperwork.</p> <p>4 Q. Then what happened?</p> <p>5 A. I recorded any response that he gave me during that,</p> <p>6 I took his warrant card, I believe, and then we talked</p> <p>7 about next steps, ie we need to get him to hospital.</p> <p>8 Q. Was it an inevitably that after what happened on</p> <p>9 11 December, the very fact that he had shot somebody,</p> <p>10 fatally, that he would be suspended, was there any</p> <p>11 degree of discretion on anybody's part?</p> <p>12 A. No, certainly not an inevitably, because there are lots</p> <p>13 of officers who have shot people and officers who have</p> <p>14 fatally shot people who have not been suspended.</p> <p>15 Q. Did it surprise him that he was being suspended?</p> <p>16 A. No, because he had been informed on the Sunday night</p> <p>17 that he was going to be suspended.</p> <p>18 Q. How did that conversation end then on the evening of the</p> <p>19 16th?</p> <p>20 A. It ended with a discussion about getting him to</p> <p>21 hospital.</p> <p>22 Q. Why was that? Why did he need to go to hospital?</p> <p>23 A. Because of the injuries that I explained --</p> <p>24 Q. The physical injuries?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 159</p>	<p>1 Q. You spoke with Chief Superintendent Gallagher again and</p> <p>2 then shortly after that you went to hospital. When you</p> <p>3 were at the hospital, did you receive contact from</p> <p>4 someone from the IPCC?</p> <p>5 A. I did, yes.</p> <p>6 Q. Who was that and what did they say?</p> <p>7 A. I don't have their name from memory. They informed me</p> <p>8 that they had been deployed or sent to arrest the</p> <p>9 officer W80.</p> <p>10 Q. For what?</p> <p>11 A. For murder.</p> <p>12 Q. Did you express any concerns to that officer or that</p> <p>13 investigator?</p> <p>14 A. Yes, I had a discussion with the investigator, informed</p> <p>15 him that the officer was currently being seen by</p> <p>16 a doctor, who would potentially be in hospital for</p> <p>17 a period of a few hours. He had some -- he had slept</p> <p>18 rough for a couple of days, is my belief, was in</p> <p>19 a position where he needed rest in relation before any</p> <p>20 sort of investigation or being subjected to any</p> <p>21 interview and just explained this to the investigator</p> <p>22 from the IPCC and discussed the option of arranging for</p> <p>23 the officer to attend a local police station the</p> <p>24 following day to be arrested.</p> <p>25 I did highlight a few things about the investigation</p> <p style="text-align: center;">Page 160</p>

<p>1 from my own experience, in that if the IPCC lead 2 investigator was to turn up and arrest the officer then 3 I would withdraw my officers, at which point they would 4 be there to provide security for the person that they 5 arrested, take them back to the police station. The 6 officer would not probably -- 99 per cent sure he 7 wouldn't be fit for interview, so there would be quite 8 a lengthy period of time which would not change anything 9 overnight.</p> <p>10 Q. Would one effect of that be that the IPCC would lose 11 time that they had to question W80?</p> <p>12 A. Yes.</p> <p>13 Q. Did the IPCC investigator agree with you, what did they 14 do?</p> <p>15 A. After a bit of a discussion, yes, I think they saw my 16 point of view, and their main concern then was possibly 17 the officer going missing.</p> <p>18 Q. You later took W80 home. Before taking him home, had 19 you told him about that conversation with the IPCC?</p> <p>20 A. No, I hadn't.</p> <p>21 Q. Why not?</p> <p>22 A. I made a decision based on my experience as being a key 23 police witness and the experience of dealing with 24 a number of other key police witnesses as well. 25 I took into account the fact that the officer was</p> <p style="text-align: center;">Page 161</p>	<p>1 injured and he had marks to his wrists, that he had 2 slept rough for two days, that he had gone missing and 3 decided that it was not a good decision to tell him he 4 would be arrested for murder and then allow him to go to 5 his home address and sleep there for the night.</p> <p>6 Q. I am sorry to be teasing this out, but are you just 7 saying he would have had a sleepless night or are you 8 saying more than that?</p> <p>9 A. Lots more reasons as well. So sleepless night, the main 10 thing for me, I would have concerns about, you know, if 11 he had gone missing at that point, would I be able to 12 control the fact that he would go missing as a result of 13 being told this information? Possibly not. 14 That is the other thing I was perhaps worried about.</p> <p>15 Q. So for whatever reason he might not have been there to 16 be arrested by the IPCC the next day, had you told him?</p> <p>17 A. Potentially, although that was not my main concern. It 18 was actually to make sure that the officer had 19 a reasonable night's sleep, and it didn't impact on the 20 health and welfare of his partner as well, because if 21 she was to find out that he was about to be arrested for 22 murder I think she would be particularly upset as well.</p> <p>23 Q. When you took W80 home, what assurances did you have 24 that he would stay there?</p> <p>25 A. I had a lengthy conversation with members of the team</p> <p style="text-align: center;">Page 162</p>
<p>1 who were down there, the officer who was going to stay 2 there that night, who was taking on the role of the 3 welfare support, just to ensure that it was clear that 4 we, you know, need to ensure that he gets the relevant 5 welfare support, but also that he doesn't, you know, 6 consider potentially going missing again.</p> <p>7 Q. You left him there, you then returned the next day, 8 17 December, to his home address, why did you go back?</p> <p>9 A. I went back to do exactly the same process I did with 10 suspension, I asked him to sit down in front of him with 11 me, with his partner and his welfare support officer and 12 then explained that he was going to be arrested for 13 murder by the IPCC.</p> <p>14 Q. What was his reaction to being told that?</p> <p>15 A. Quite shocked. I think it is one thing to be involved 16 in an incident as a key police witness in a post 17 incident, it is certainly another to be told that you 18 are going to be investigated for murder. And another 19 step on top of that is to be told you are going to be 20 arrested for murder as well.</p> <p>21 Q. Why did you tell him rather than waiting for the IPCC to 22 turn up and tell him themselves?</p> <p>23 A. Well, two reasons. 24 The first and main reason I think I had a duty of 25 responsibility to have that conversation with him,</p> <p style="text-align: center;">Page 163</p>	<p>1 manage his expectations and make sure that he was aware 2 he was going to get fully supported throughout the whole 3 process.</p> <p>4 The second would be when he asked me why I am asking 5 him to get in a police car and take him to a police 6 station.</p> <p>7 Q. So the IPCC were not coming to him?</p> <p>8 A. No, we arranged to meet at a local police station where 9 he was arrested.</p> <p>10 MR MOSS: Sir, those are all the questions I have. We have 11 agreed with representatives of the family that we will 12 take a short break of just a few minutes at this point, 13 so they can take instructions but before that do you 14 have any questions?</p> <p>15 Questions from THE CHAIRMAN</p> <p>16 THE CHAIRMAN: Just a few.</p> <p>17 You obviously were in the position of having known 18 him professionally for a long time and it is clear from 19 what you have been telling us and the way you have told 20 us that you didn't find this an easy situation to be in.</p> <p>21 A. Probably, I would say the most difficult decision I have 22 ever made in 30 years of policing.</p> <p>23 THE CHAIRMAN: I am not suggesting you did anything other 24 than professional, that is not for me to comment upon. 25 But it is clear from what you have said you didn't</p> <p style="text-align: center;">Page 164</p>

<p>1 agree necessarily with the timing of the decision to</p> <p>2 suspend, and you wanted to manage his expectations by</p> <p>3 telling him yourself about the fact he was going to be</p> <p>4 arrested, so there was clearly an anxiety on your part</p> <p>5 to conduct yourself in a humane manner. He had been</p> <p>6 told, you have told us, that on the Sunday he was going</p> <p>7 to be suspended?</p> <p>8 A. That my belief, sir, yes.</p> <p>9 THE CHAIRMAN: Do you know how he had been told or by whom</p> <p>10 he had been told?</p> <p>11 A. I believe he was told by Superintendent Dobinson, who</p> <p>12 attended his home address to speak with him and his</p> <p>13 partner and explained that the IPCC were now</p> <p>14 investigating him for misconduct or criminality.</p> <p>15 THE CHAIRMAN: That may well emerge when we hear from</p> <p>16 Superintendent Dobinson.</p> <p>17 A. Yes, sir.</p> <p>18 Further questions from MR MOSS</p> <p>19 MR MOSS: Sir, there is one question I am asked to ask and</p> <p>20 will on behalf of the family, and it is this.</p> <p>21 THE CHAIRMAN: Yes.</p> <p>22 MR MOSS: In your role as line manager, even if it is just</p> <p>23 a paper role as line manager, for W80 since these</p> <p>24 events, did you play any part in the decision to permit</p> <p>25 W80 to commence duties in a training role?</p> <p style="text-align: center;">Page 165</p>	<p>1 A. When you say line manager, so four ranks removed, so</p> <p>2 I wouldn't have as much responsibility or contact with</p> <p>3 an individual officer from a superintendent's position</p> <p>4 to a constable's position.</p> <p>5 Q. Having said that, this is an unusual situation as you</p> <p>6 said --</p> <p>7 A. Absolutely.</p> <p>8 Q. It is unusual for someone to be suspended, unusual for</p> <p>9 them to be investigated for murder, very unusual for</p> <p>10 them to be arrested for murder, you were aware of it?</p> <p>11 A. Absolutely, sir.</p> <p>12 THE CHAIRMAN: Perhaps unusual for them to be reinstated</p> <p>13 before the outcome of this inquiry.</p> <p>14 MR MOSS: Did it cross your desk, Chief Superintendent?</p> <p>15 A. Yes, it did.</p> <p>16 MR MOSS: Did it do more than cross your desk, were you</p> <p>17 involved in discussions about it?</p> <p>18 A. I was asked -- invited to give a view on it, yes, sir.</p> <p>19 Q. By whom were you asked and what view did you give?</p> <p>20 A. I was invited to give a view by the head of</p> <p>21 professionalism for the Metropolitan Police Service.</p> <p>22 Q. Is that someone of the same rank to you or a more senior</p> <p>23 rank?</p> <p>24 A. No, that is someone who a commander, who at that time</p> <p>25 would have been three ranks above me.</p> <p style="text-align: center;">Page 166</p>
<p>1 Q. They are asking your opinion but not for to you make</p> <p>2 a decision?</p> <p>3 A. Yes.</p> <p>4 Q. What opinion did you give?</p> <p>5 THE CHAIRMAN: Before you say what opinion you gave, what</p> <p>6 were you being asked to express an opinion about?</p> <p>7 A. A view on the role in which the officer should be placed</p> <p>8 into.</p> <p>9 MR MOSS: Was it a given that it would be a role in SCO19?</p> <p>10 A. Sorry, this is when he returned to duty from being</p> <p>11 suspended, the suspension was lifted.</p> <p>12 MR MOSS: Was it a given it would be a role in SCO19?</p> <p>13 A. Not given, because there are opportunities to allow the</p> <p>14 officer to work elsewhere.</p> <p>15 MR MOSS: So one question is which command and a question</p> <p>16 then is what role within the command?</p> <p>17 A. Yes, absolutely.</p> <p>18 Q. What was your opinion as to whether he should be part of</p> <p>19 the firearms command?</p> <p>20 A. My opinion was that he should, in that he was in the</p> <p>21 firearms command for most of the service and all of his</p> <p>22 friends and colleagues worked within the firearms</p> <p>23 department. It was my view that it wasn't quite time to</p> <p>24 go -- an early stage to go into an operational role,</p> <p>25 however there were other roles that he could be placed</p> <p style="text-align: center;">Page 167</p>	<p>1 into and I could facilitate him going into a number of</p> <p>2 different roles.</p> <p>3 Q. So out of kindness to him, he should return to something</p> <p>4 within the command?</p> <p>5 A. Not out of kindness, that would be an expectation for</p> <p>6 anyone who has been involved in an incident where they</p> <p>7 have carried out their duties, that they would be able</p> <p>8 to return to the job that they originally started.</p> <p>9 Q. If not out of kindness, is it fair to say because it was</p> <p>10 a personal benefit to him, not a benefit to the command?</p> <p>11 A. It was definitely a benefit to the command as well, so</p> <p>12 if I could use that officer in another capacity within</p> <p>13 the command, that would provide support to the command</p> <p>14 but also provide support to the officer. I think by</p> <p>15 suggesting that he would go and work elsewhere, would</p> <p>16 not provide support to the command and it would not</p> <p>17 provide support to that officer either.</p> <p>18 Q. When you say provide support to the command, what do you</p> <p>19 mean by that?</p> <p>20 A. To the command?</p> <p>21 Q. Yes.</p> <p>22 A. In that he can use the skills and training that he has</p> <p>23 to deliver work for me or for the command itself.</p> <p>24 MR MOSS: Sir, I think --</p> <p>25 THE CHAIRMAN: When were you asked to consider this</p> <p style="text-align: center;">Page 168</p>

<p>1 position?</p> <p>2 A. I was initially --</p> <p>3 THE CHAIRMAN: When was this request made of you to consider</p> <p>4 it?</p> <p>5 A. Sir, I was asked initially when the officer's suspension</p> <p>6 was lifted.</p> <p>7 THE CHAIRMAN: When was the suspension lifted?</p> <p>8 A. I can't recall, sir, it would have been I believe after</p> <p>9 the IPCC investigation had concluded and the CPS</p> <p>10 decision -- I am just going from memory here, I was</p> <p>11 asked a number of times --</p> <p>12 THE CHAIRMAN: The IPCC procedure hasn't concluded.</p> <p>13 MR MOSS: Do all CTSFOs play a role in training on</p> <p>14 a cyclical basis.</p> <p>15 A. All of them who are trained as instructors.</p> <p>16 Q. But did W80's posting as a trainer go above and beyond</p> <p>17 that?</p> <p>18 A. He was an instructor, so he would have been considered</p> <p>19 within a role as a trainer of firearms officers.</p> <p>20 THE CHAIRMAN: We need to get to the bottom of this for all</p> <p>21 sorts of reasons, because the superintendent has</p> <p>22 expressed surprise that the IPCC investigation has not</p> <p>23 concluded. Well it is very much alive.</p> <p>24 Did you know that?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 169</p>	<p>1 MS MURPHY: Sir, it may help if we clarify the form of</p> <p>2 words. As we understand it the IOPC had reached</p> <p>3 a conclusion, the conclusion being that there should be</p> <p>4 gross misconduct proceedings --</p> <p>5 THE CHAIRMAN: Yes.</p> <p>6 MS MURPHY: -- on the basis of an exercise of</p> <p>7 an unreasonable decision.</p> <p>8 THE CHAIRMAN: I am sorry, I am not sure that assists me.</p> <p>9 MS MURPHY: I apologise, sir.</p> <p>10 THE CHAIRMAN: I am not sure that assists me, I am in the</p> <p>11 middle of asking a question. The IOPC proceedings are</p> <p>12 very much alive.</p> <p>13 A. Absolutely, sir.</p> <p>14 THE CHAIRMAN: What there may be cause to question is the</p> <p>15 wisdom or propriety of reinstating W80 as a firearms</p> <p>16 trainer before the decision as to his conduct or</p> <p>17 misconduct has been determined.</p> <p>18 A. Yes.</p> <p>19 THE CHAIRMAN: Can you assist in relation to that?</p> <p>20 A. I can, sir, yes.</p> <p>21 So I was contacted by the head of professionalism</p> <p>22 that the suspension of W80, officer W80, was going to be</p> <p>23 lifted and he would be returned to some kind of duties</p> <p>24 in non-operational duties, which would be in support</p> <p>25 roles. I recommended at that time that he provide some</p> <p style="text-align: center;">Page 170</p>
<p>1 support to SCO19, at the time, in a backroom role as</p> <p>2 a support officer, not as a firearms instructor at that</p> <p>3 time.</p> <p>4 THE CHAIRMAN: I was going to say, so you have said let him</p> <p>5 help in the backroom way. How did it come about that</p> <p>6 still at a time when the IOPC proceedings are extant and</p> <p>7 are not concluded, he went back in a training capacity?</p> <p>8 Because it may seem a very strange decision to have</p> <p>9 been taken at a time when there was and remains a cloud</p> <p>10 hanging over his head.</p> <p>11 A. I can only say that it was a decision for the MPS, sir,</p> <p>12 not my decision and it was a decision for the head of</p> <p>13 professionalism.</p> <p>14 THE CHAIRMAN: Right, so you didn't recommend that he go</p> <p>15 back as a trainer?</p> <p>16 A. I cannot recall whether I made that -- can I just</p> <p>17 clarify, sir, there was a number of different stages.</p> <p>18 So over a period of a few years I was asked questions</p> <p>19 about the officer and about what roles would be</p> <p>20 available for the officer and my views on what roles he</p> <p>21 should be put into. And these are probably several</p> <p>22 times over a period of a few years I was asked for</p> <p>23 an opinion around that.</p> <p>24 I cannot recall the point at which the officer went</p> <p>25 into training. I left the command a couple of years</p> <p style="text-align: center;">Page 171</p>	<p>1 after the incident.</p> <p>2 THE CHAIRMAN: Presumably, all the matters that I have asked</p> <p>3 about, Mr Moss has asked about, that the family have</p> <p>4 asked about, will be on his personnel record?</p> <p>5 A. Absolutely, sir.</p> <p>6 THE CHAIRMAN: Fine.</p> <p>7 MR MOSS: Quite aside from whether it was appropriate for</p> <p>8 W80 to return to that role or to be put into a training</p> <p>9 role, given the fact that there may be disciplinary</p> <p>10 proceedings hanging over his head, what consideration</p> <p>11 did you give to his mental health in returning to work</p> <p>12 in that role?</p> <p>13 A. A number of considerations, because I kept a welfare</p> <p>14 support team around him to provide that level of</p> <p>15 support, not only to him but also to his family</p> <p>16 throughout the next few years and we made a record of</p> <p>17 the welfare support that he received as part of that.</p> <p>18 THE CHAIRMAN: Are you aware -- sorry, Mr Moss.</p> <p>19 Are you aware whether an assessment of his mental</p> <p>20 health at the time that he was redeployed in a training</p> <p>21 capacity was undertaken professionally?</p> <p>22 A. I am confident that a referral to Occupational Health</p> <p>23 was carried out, sir.</p> <p>24 THE CHAIRMAN: As I say, the personnel file will enlighten</p> <p>25 us on all these matters, it is probably not fair to ask</p> <p style="text-align: center;">Page 172</p>

<p>1 you to speculate.</p> <p>2 Thank you.</p> <p>3 MR MOSS: Let me just ask you this then, when you were asked</p> <p>4 by the commander, who is the head of professionalism,</p> <p>5 for your view, it seems that maybe you had two potential</p> <p>6 hats on, one was in a welfare role for W80, the role</p> <p>7 approximate in which you continued after these events,</p> <p>8 and the other was as a senior officer and a fourth line</p> <p>9 manager in SCO19.</p> <p>10 Firstly, with which hat did you think you were being</p> <p>11 asked?</p> <p>12 Secondly, with which did you answer?</p> <p>13 A. It depends on which point I was asked, as I mentioned</p> <p>14 before, it was asked a number of times of me over</p> <p>15 a period of a few years. At one point, in the early</p> <p>16 stages, I was not in a supervisory role for the officer.</p> <p>17 Later on I was and all of these requests are coming</p> <p>18 through, our OCU commander as well, so you had the head</p> <p>19 of professionalism asking the question of the OCU and so</p> <p>20 my boss would have given that decision as well or given</p> <p>21 a rationale or view on it as well.</p> <p>22 Q. Is it right though that at the time you had your welfare</p> <p>23 hat on, you did have some responsibility for his mental</p> <p>24 health?</p> <p>25 A. Absolutely.</p> <p style="text-align: center;">Page 173</p>	<p>1 MR MOSS: Sir, I think, unless anyone corrects me, that is</p> <p>2 the last question I am asked to ask.</p> <p>3 THE CHAIRMAN: Thank you very much indeed.</p> <p>4 MR MOSS: Thank you very much, Chief Superintendent.</p> <p>5 THE CHAIRMAN: You are free to go.</p> <p>6 MR MOSS: I think so, but there is movement, so perhaps not.</p> <p>7 THE CHAIRMAN: Thank you very much. Thank you,</p> <p>8 Superintendent.</p> <p>9 MR MOSS: Sir, there is some evidence which Ms McNeill can</p> <p>10 read and there is evidence also that I can read, if it</p> <p>11 is convenient.</p> <p>12 THE CHAIRMAN: Before we start that, whilst we are still on</p> <p>13 this particular point, I am not sure the extent to which</p> <p>14 the evidence yet to be called will deal with the matters</p> <p>15 that have just been discussed. But they are important</p> <p>16 matters, both for the family and for the public.</p> <p>17 And consideration may have to be given to calling</p> <p>18 the officer, whose job description escapes me.</p> <p>19 MR MOSS: The head of professionalism.</p> <p>20 THE CHAIRMAN: The head of professionalism, to whom the</p> <p>21 Superintendent was answerable and expressing an opinion.</p> <p>22 MR MOSS: Sir, yes we will speak to Mr Butt and Ms Shrimpton</p> <p>23 and consider who would be best to sit in that chair and</p> <p>24 answer those questions.</p> <p>25 THE CHAIRMAN: And the personnel file can be considered and</p> <p style="text-align: center;">Page 174</p>
<p>1 insofar as its contents are relevant, the questioning of</p> <p>2 the witness can be based upon those contents.</p> <p>3 MR MOSS: Sir, yes, your team has recently received the</p> <p>4 personnel file and I think the family's team will have</p> <p>5 it very soon, if they don't have it now.</p> <p>6 THE CHAIRMAN: Very good. Thank you.</p> <p>7 MR MOSS: Would you like a break before we go do the read</p> <p>8 evidence?</p> <p>9 THE CHAIRMAN: I am perfectly content, if everybody else is,</p> <p>10 for the read evidence to proceed without delay.</p> <p>11 MR MOSS: It might be, sir, that Ms McNeill and I don't take</p> <p>12 offence if not everybody stays for the read evidence, it</p> <p>13 may be that people want to leave.</p> <p>14 THE CHAIRMAN: The only one who will not leave, who can</p> <p>15 guarantee not to leave is me, so if anybody else wants</p> <p>16 to go, let them feel free to do so.</p> <p>17 MR MOSS: Sir, thank you.</p> <p>18 MS MCNEILL: Sir, then to allow Mr Moss's voice a little</p> <p>19 rest, I am going to read if I can some evidence from</p> <p>20 Zofia Profit, can we please bring up MPS1011.</p> <p>21 Thank you and can we just zoom out the large</p> <p>22 paragraph beginning "At 9.19 am ..."</p> <p>23 Sir, I need read only one paragraph of this</p> <p>24 evidence.</p> <p>25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 175</p>	<p>1 MS MCNEILL: Sorry, sir, is that MPS1011?</p> <p>2 Don't worry we will check if that is the correct</p> <p>3 reference and we will move on to another witness for</p> <p>4 now, please. Thank you much.</p> <p>5 Evidence of MR PAUL TOMBS (read)</p> <p>6 MS MCNEILL: Paul Tombs then, sir, MPS125.</p> <p>7 Sir, you have heard some evidence about Mr Tombs, he</p> <p>8 was known by the cipher V112, he was one of the CTSFOs</p> <p>9 who was in the Bravo team control vehicle, together with</p> <p>10 S105 and DI Smith. He attended the Leman Street</p> <p>11 briefing at 3.00 am, which you have heard plenty of</p> <p>12 evidence about.</p> <p>13 Following that briefing he kitted the vehicle with</p> <p>14 ballistic shields, ladders and a comprehensive first aid</p> <p>15 or medic pack. The control vehicle also contained</p> <p>16 a shotgun, less-lethal options, baton and Taser guns, as</p> <p>17 with the other vehicles we have heard, sir.</p> <p>18 Mr Tombs attended the 5.00 am briefing together with</p> <p>19 the other officers before deploying to Quicksilver</p> <p>20 control base. Again, as with the other officers, he</p> <p>21 continued to hear updates on the movement of the Audi</p> <p>22 mission vehicle.</p> <p>23 Mr Tombs says that whilst they were positioned at</p> <p>24 Quicksilver he was mindful of the busy crossroads</p> <p>25 between them and Wood Green Crown Court. Another factor</p> <p style="text-align: center;">Page 176</p>

<p>1 he was taking into consideration was a likelihood of 2 an attack on the prison van outside the gates of the 3 court. He remembered that this was mentioned at the 4 main briefing and says it was usual practice for the 5 prison vans to queue up Winkfield Road. 6 In his opinion, he considered them to be 7 particularly vulnerable to attack. The team in that 8 control vehicle were informed that the Audi had stopped 9 in Bracknell Close and asked for confirmation as to how 10 many occupants were in the vehicle, but the surveillance 11 team were unable to give them this information. At the 12 time that state amber was declared, he said he was 13 unaware of how many subjects were in the vehicle. He 14 believed that there were two, but thought there could be 15 as many as four. 16 He remembered hearing over the radio that there were 17 a number of builders adjacent to the Audi. 18 As they moved forward, S111 communicated over the 19 radio that the Alpha Car would go beyond the Audi to 20 prevent it escaping, Bravo Car and Charlie Car were to 21 stop behind it. 22 Mr Tombs thought he heard the words "strike, strike, 23 strike" called over the radio. He got out of the 24 control vehicle, stopped and directed a number of 25 builders away towards Winkfield Road.</p> <p style="text-align: center;">Page 177</p>	<p>1 Sir, you will remember we heard some evidence from 2 Mr Thwaites, one of those builders. 3 THE CHAIRMAN: Yes. 4 MS MCNEILL: He heard shouting of "armed police", turned 5 towards the Audi and heard a shot. He, as with other 6 officers, thought it was a shotgun firing a ram round 7 used to deflate tyres. As he approached the Audi he saw 8 R116 pulling a male from between the Audi and the silver 9 car next to it. 10 R116 shouted "medic". Mr Tombs went to the boot of 11 the control vehicle, to collect the med pack, returned 12 to 116 and Mr Baker was lying flat on the pavement as 13 116 leant over him. R116 said that he had been shot, he 14 was applying pressure to Mr Baker's neck and they were 15 joined by W112 and S111. 16 R116 took the lead, as we heard this morning, he 17 describes requesting dressings oxygen and mask. He 18 attempted to control the major bleed, he looked for the 19 exit wound, as Mr Tombs tried to mop up the blood and 20 stem the flow of blood using an Asherman dressing. 21 Again, sir, we heard this morning that that proved 22 extremely difficult, so a Celox dressing was applied and 23 W112 continued to apply pressure. They began to 24 commence CPR and rotated providing compressions and 25 rescue breaths. Mr Tombs heard the male give his name</p> <p style="text-align: center;">Page 178</p>
<p>1 as Jermaine, but Mr Baker then lost consciousness and 2 was unresponsive. They continued to call his name and 3 conduct CPR. After approximately 15 minutes the 4 paramedics arrived. 5 Thank you, we can take that down. 6 Evidence of MR EDWIN HUGHES (read) 7 MS MCNEILL: Sir, I am going to summarise now a little bit 8 of evidence from the Serco side, if we can. 9 Firstly the evidence of Edwin Hughes. I don't need 10 to display the statement but, sir, Edwin Hughes was 11 an operational control supervisor for Serco. He was 12 based in the Serco central control room and responsible 13 for allocating prison vans, as I am sure you are 14 familiar with, sir, to decide which vans go to which 15 courts. 16 At 9.10 he received a call from Detective Inspector 17 Rob Murray, who informed him that there had been 18 an incident at Wood Green Crown Court and shots had been 19 fired. DI Murray asked Mr Hughes to get in touch with 20 the van carrying Izzet Eren to tell them to avoid 21 Winkfield Road and to ensure that the change of route 22 was not disclosed to any of the prisoners onboard that 23 van. 24 25</p> <p style="text-align: center;">Page 179</p>	<p>1 Evidence of MR JOHN ABBOTT (read) 2 MS MCNEILL: Turning sir, to the evidence of John Abbott. 3 Sir, John Abbott was the driver of the Serco van in 4 which Izzet Eren was travelling. He said they left 5 Wormwood Scrubs at 8.35 am to go directly to Wood Green 6 Crown Court. At 9.15 am, as they turned off the A406 7 and were driving along Bounds Green Road, he received 8 a call from the Serco control room supervisor, Ed, who, 9 sir, would appear to be Edwin Hughes, who told him that 10 there had been an incident outside Wood Green Court and 11 to avoid Winkfield Road. 12 At that time Ed, we assume Edwin Hughes, did not 13 know whether the incident was at the front of the court 14 or the rear of court. As a result, Mr Abbott decided to 15 alter his intended route. He noticed that two 16 motorbikes seemed to him to be following him. He had 17 noticed them before, but took more notice of the 18 motorbikes after the telephone call from the control 19 room. He thought he was being followed. So he buzzed 20 his colleague in the rear of the van and told his 21 colleague that whatever happened, he was not to open the 22 side door, as he did not want anyone escaping and he was 23 concerned for Darren, the gentleman in the rear of the 24 van's safety, because he was alone in the rear of the 25 van with the prisoners.</p> <p style="text-align: center;">Page 180</p>

45 (Pages 177 to 180)

<p>1 As Mr Abbott the driver tried to negotiate the road 2 closures around Wood Green Crown Court, one of the 3 police motorbikes pulled up on the passenger side showed 4 Mr Abbott his warrant card and said, "I know you are 5 spooked, but we are police officers".</p> <p>6 As Mr Abbott arrived at court, he was met by 7 DC Kinch and DC Rhodes. DC Kinch arrested Izzet Eren on 8 the van, Izzet Eren was taken off the van to be 9 searched. Izzet Eren's cell on the van was searched, 10 but nothing at that time was found. The same was 11 carried out with Mr Gyamfi.</p> <p>12 Some time later, sir, the van was searched again, at 13 which time they believe that something could be seen in 14 the floor vent of Izzet Eren's cell, so the van was 15 taken away to be searched at a secure location.</p> <p>16 Sir, you have already heard evidence elsewhere that 17 that is where they found the dismantled telephone.</p> <p>18 THE CHAIRMAN: Yes.</p> <p>19 Evidence of MR DARREN RHODES (read)</p> <p>20 MS MCNEILL: Sir, DC Darren Rhodes was the officer who was 21 present with DC Gary Kinch.</p> <p>22 His statement says that when the Serco van arrived 23 at Wood Green, he cautioned Izzet Eren who made no 24 reply. He searched Izzet Eren but did not find 25 anything.</p> <p style="text-align: center;">Page 181</p>	<p>1 He likewise cautioned Erwin Amoyaw-Gyamfi, who made 2 no reply. He searched Mr Amoyaw-Gyamfi but did not find 3 anything.</p> <p>4 On a separate topic, sir, DC Rhodes was also one of 5 the officers who transported Gokay Sogucakli and 6 Nathan Mason to Westminster Magistrates' Court for their 7 first appearance the next morning.</p> <p>8 Mr Sogucakli began to talk about the incident and 9 said:</p> <p>10 "We were just sleeping, man. I was laid out in the 11 back, Jermaine was in the passenger seat, Nathan was in 12 the driver's seat. We were sleeping man, they shot my 13 mate when he was asleep."</p> <p>14 DC Rhodes told him they could not talk about the 15 matter and Mr Sogucakli continued:</p> <p>16 "Check the gun, man, it was a pellet gun, he got it 17 for his boy, it is not a real gun, it cost £200."</p> <p>18 Evidence of MS MAUDE ALLEN (read)</p> <p>19 MS MCNEILL: Sir, finally I am going to move to the evidence 20 of Maude Allen.</p> <p>21 Maude Allen was employed by Serco and she worked at 22 Wood Green Crown Court. At 9.15 she was informed by the 23 driver of a different Serco van, which was leaving Wood 24 Green Crown Court having dropped off its prisoners, that 25 there had been a shooting at the bottom of the road so</p> <p style="text-align: center;">Page 182</p>
<p>1 the vans couldn't get in. Ms Allen went to the main 2 security gate at Wood Green Crown Court, she saw that 3 police tape was blocking the road so she shouted for the 4 officer in charge, she spoke to two police officers to 5 explain that she needed access for the vans to the 6 court, Ms Allen then met DC Kinch and DC Rhodes. They 7 told her they were waiting for the Serco van arriving 8 from Wormwood Scrubs. She was present when Izzet Eren 9 and the other prisoners were removed from the van and 10 searched and then the van was searched. Ms Allen said, 11 sir, that she had thought the shooting outside the court 12 was unrelated to the officers DC Kinch coming to meet 13 the van from Scrubs.</p> <p>14 She hadn't realised the two were connected.</p> <p>15 THE CHAIRMAN: Yes.</p> <p>16 MS BLACKWELL: Sir, that concludes the reading I have to 17 read for today. I think there might be a last little 18 bit from Mr Moss and then we are, sir, caught up on our 19 timetable, as it were.</p> <p>20 THE CHAIRMAN: Very good.</p> <p>21 Yes, Mr Moss.</p> <p>22 Evidence of MR MARK DENNETT (read)</p> <p>23 MR MOSS: Sir, I can offer you a hangover from Week 4, we 24 are starting with Sergeant Mark Dennett, I think he made 25 two statements, both of which it is agreed I will read</p> <p style="text-align: center;">Page 183</p>	<p>1 in full.</p> <p>2 The first dated 18 December 2018 shows the degree of 3 attention that police officers paid to the Audi when it 4 was in the car park.</p> <p>5 "On Wednesday, 4 November 2015, at shortly before 6 discovered a black Audi A6 S Line estate displaying VRM 7 KM13 YPT parked and unattended in the car park at the 8 side of Palace Gates Estate, Eastern Road, Wood Green, 9 N22. The vehicle was parked in the far right end corner 10 of the car park facing towards the curb. As I examined 11 the vehicle, I noticed a silver coloured wheel brace in 12 the middle of the rear seats. It was established later 13 through a check on the vehicle identification number 14 that the true registration was [gives the number] and 15 that the vehicle was reported stolen."</p> <p>16 His second statement says, dated 11 January 2016:</p> <p>17 "On Friday, 11 December 2015, I was on duty engaged 18 on a surveillance operation in company with 19 DC Stoddall(?) and other officers from the Organised 20 Crime Command. During the deployment I made the 21 following observations. At 6.34 in the morning, 22 I noticed the lights on the vehicle illuminating the car 23 park of Palace Gates Estate, Eastern Road, Bounds Green, 24 N22. I could see the vehicle was in the same position 25 that it had previously been parked in, but at this stage</p> <p style="text-align: center;">Page 184</p>

<p>1 I could not confirm that it was the black Audi A6 VRM 2 KM13 YPT, due to it being dark and the poor lighting 3 conditions within the car park, the vehicle ..." 4 That was why he couldn't see: 5 "The vehicle then manoeuvred within the car park and 6 drove towards the exit. The vehicle then stopped 7 outside the gates at Palace Gates Estate in Eastern 8 Road. I then saw a male run in front of the vehicle and 9 get into the front passenger seat. The officer and 10 I then confirmed the vehicle was a black Audi state 11 [gives the number plate]. 12 "At 6.35 in the morning the black Audi estate drove 13 out of Eastern Road and turned right on to Bounds Green, 14 N22 and drove towards Wood Green High Road." 15 Evidence of MS ELIZABETH FUJAH (read) 16 MR MOSS: Sir, the next evidence is from dedicated detention 17 officer Elizabeth Fujah, it is a statement dated 18 13 December 2015: 19 "I am DDO Fujah, this statement is in conjunction 20 with a constant watch I conducted on Mr Gokay Sogucakli. 21 "On the above date I was on duty in full uniform as 22 a designated detention officer working at Edmonton 23 custody. At 44 minutes after midnight I was given 24 a task of taking over the constant watch of the 25 above-named detainee. During the course of the watch,</p> <p style="text-align: center;">Page 185</p>	<p>1 at about 1.58, Mr Sogucakli started to talk unsolicited 2 about the shooting incident, saying the gun was not real 3 but a BB gun. He said that his friend was in the front 4 and the gun at the back, so he could not have threatened 5 the officers with it. He said his solicitor told him 6 about his friend's death and he is deeply upset by it. 7 He continued by saying 'the police cannot charge me as 8 I have nothing to do with it'. 9 "He continued further, 'The gun can be bought for 10 between £250 and £300 and it is not real. It belongs to 11 my friend. Jermaine was not armed and could not have 12 pointed a gun at the officers. They aimed at Nathan but 13 he ducked and they got Jermaine. They got the wrong 14 man'. He proceeded it talk about his friend and then 15 said that his five year old daughter would grow up 16 without a dad. The above details were recorded on the 17 original custody record." 18 Evidence of MR DONALD CAMPBELL (read) 19 MR MOSS: Sir, next, we move to the evidence of 20 Donald Campbell, the first of a number of eyewitnesses 21 whose statements I will read paragraphs from. This is 22 a statement dated 23 November 2015: 23 "On 11 December 2015 I was tasked with resurfacing 24 a footway in Bracknell Close in Wood Green. I arrived 25 with Nick Lindsay in a lorry belonging to my employers</p> <p style="text-align: center;">Page 186</p>
<p>1 at approximately 7.30 in the morning, I parked on the 2 south side of the road, just beyond the junction with 3 Olympus Grove. When I first arrived I could hear people 4 arguing close to where I parked. They were male voices 5 arguing in a foreign language. I did not see who was 6 arguing at the time. We unloaded the tools and 7 equipment from the lorry and put our sign and barriers 8 out. While I was doing this I had to open the door of 9 the cap of the lorry several times to retrieve various 10 items and had to close the door to allow a number of 11 vehicles to pass as Bracknell Close is a narrow road. 12 I vaguely remember a black car, which may have been the 13 one involved in the incident, that went past me. 14 I believe this was around 7.30 or 7.40. 15 "When I first saw the car it was driving past me as 16 I opened the door of my lorry, I saw a bloke inside who 17 put his head down, I am sure I only saw one person in 18 the car, he was in the driver's seat. I cannot describe 19 the person, but I thought he looked Turkish. 20 "When I saw what I believed to be the same car again 21 it was stationary in front of the parking bay in 22 Bracknell Close, and later parked in the parking bay. 23 I said this to the police at the scene. Before we start 24 work, I have to take a photograph of the work area and 25 the surrounding area on the PDA, which is a handheld</p> <p style="text-align: center;">Page 187</p>	<p>1 electronic device. I took a picture about 15 minutes 2 after we arrived. Approximately 15 or 20 minutes after 3 I took the photos, a second lorry arrived with 4 Stephen Sproul and Calum Thwaites [I will read the 5 evidence of Stephen Sproul, and we have heard the 6 evidence of Calum Thwaites]. They parked their lorry 7 behind mine and we began to prepare the job we were 8 there to do. 9 "There seemed to be more traffic than usual that 10 morning, I thought so because I had been to that street 11 about half a dozen times before. I was not aware of any 12 person or vehicle in particular as we prepared the job. 13 I am not sure of the time, but at approximately 8.45 or 14 9.00 am, I got into the cab of the lorry and began to 15 tip the back of the lorry up to empty the tarmac from 16 it. As I sat in the cab the engine was running and the 17 back was tipping up, but I could hear quite a lot of 18 shouting coming from behind me. The shouting was loud, 19 because to hear it over the sound of the lorry tipping 20 meant it was loud. It also sounded like there was more 21 than one person shouting. I could not make out what was 22 being said, but it sounded like some blokes were having 23 a row. I looked through my driver's side wing mirror 24 when I heard the shouting, I saw something going on, but 25 I was not focused on this enough to be sure what it was.</p> <p style="text-align: center;">Page 188</p>

<p>1 The shouting lasted for about five seconds, I was 2 expecting for see workmates while this was going on, so 3 I looked for them in the passenger side wing mirror. 4 "Then I heard a bang. So I looked into the driver's 5 side wing mirror again. I am sure I definitely heard 6 the shouting then I heard the bang about five seconds 7 afterwards. The bang sounded like the noise made when 8 the wheel of one of our wheelbarrows explodes. I am 9 sure I only heard one bang and I thought that I saw 10 a flash after the bang. I am not sure what the flash 11 was, but I thought at the time it could have been light 12 reflecting off the car window as I flicked my head to 13 look into my driver's side wing mirror when I heard the 14 bang. 15 "I cannot say whether the flash was associated with 16 the bang. Initially I expected to see my workmates at 17 the back of the lorry to direct me as I was tipping up, 18 but no one was there. When I heard the bang go off, 19 I looked for them again in the passenger side wing 20 mirror. I saw them crouching down as they were going up 21 the side of the lorry as I was still tipping up. I then 22 saw Stephen Sproul motioned me, I think, to either turn 23 the engine off or to stop tipping. 24 "Around this time I thought I saw someone run across 25 the road towards the black car from my side of the road,</p> <p style="text-align: center;">Page 189</p>	<p>1 but this person was a blur to me and I cannot describe 2 the person any further. 3 "When I looked into my driver's wing mirror again 4 I then saw a policeman on top of someone. The policeman 5 was knelt down above the person on the floor, while 6 holding him down. This is when I realised the bang was 7 a gunshot, but I was not 100 per cent sure what had 8 happened. I then saw a policeman up on the balcony on 9 my nearside, he was slightly behind me so I couldn't 10 really see him. When I turned my head up to look at him 11 properly he signaled at me to get out by pointing his 12 hand. Initially I didn't recognise him as a policeman, 13 I just assumed he was because of the clothes he was 14 wearing. He was also wearing a baseball cap with 15 a checked pattern on it." 16 Evidence of MR STEPHEN SPROUL (read) 17 MR MOSS: Sir, next we heard about Stephen Sproul and I will 18 now turn to his evidence. While doing so, could we 19 please look at MPS139, which is exhibit SBS1. 20 THE CHAIRMAN: Thank you. 21 MR MOSS: "I cannot recall the time but it was early 22 morning. The weather was dull and cold, I was wearing 23 contact lenses at the time and I have good vision. On 24 the day I was wearing high-visibility yellow trousers 25 and jacket. I have produced a sketch plan of the area.</p> <p style="text-align: center;">Page 190</p>
<p>1 I cannot recall the name of the road I was working in, 2 but have marked it on my plan. I have drawn the 3 location of our work vehicles, numbered 1 and 2. I have 4 marked my location with the letters A, B, C and D, which 5 I will refer to in the statement. I have also marked 6 the location of a police officer, I will refer to, 7 I have marked that with a X. 8 "Finally, I have marked the position of a vehicle 9 with the number 3. Vehicle number 3 was parked in the 10 middle of a bay. I can recall that it was a black 11 saloon-type car and its headlights were on. I didn't 12 see anyone in the vehicle, but was not paying much 13 attention to it. I saw this vehicle around 15 minutes 14 before the incident I will be describing. I was working 15 at the back of vehicle 1, marked with position A. One 16 of my colleagues was standing by me, there was a driver 17 in the vehicle cab. A fourth colleague was present, but 18 I couldn't see him throughout the incident. I started 19 to walk around the vehicle on the roadside, when 20 I noticed several vehicles passing very close to me. 21 I did not notice how many vehicles there were. There 22 could have been two, three or four. 23 "I had just started to walk down the side of the 24 lorry as the vehicles went past. I can't remember the 25 details of the vehicles, but they were large dark</p> <p style="text-align: center;">Page 191</p>	<p>1 vehicles, maybe people carriers or 4x4s. After the 2 vehicles had passed I started to walk towards the front 3 of the vehicle to talk to the driver. When I got to 4 point B I heard a lot of shouting coming from behind me. 5 I would describe this as muffled. There was more than 6 one person doing the shouting, I did not hear anything 7 specific, I thought it was a fight or something like 8 that going on. My colleague, who had been behind me, 9 moved past me quite quickly around the front of the 10 vehicle to see what was going on and I followed him. 11 "From when the vehicles drove past me to when 12 I heard the shouting there was not much of a gap, but 13 I can't tell how long it was. 14 "When I got to point C I heard a loud bang. It was 15 a loud but a tinny bang, I would describe it as the same 16 as when you hear a gunshot on television. I only heard 17 one bang. I don't remember hearing any shouting at this 18 time. The loud bang made me stop straight away. From 19 when I heard the shouting and the bang there was 20 a period of a few seconds that felt like quite a while. 21 "I started to move around the vehicle, I then saw 22 the officer standing at point X, he was in a flat on the 23 first floor of a block of flats. I think he was at some 24 sort of balcony or patio window, because I could see his 25 top half more than if he had been leaning out of the</p> <p style="text-align: center;">Page 192</p>

1 window. He said words to the effect of, 'Stop, don't go
 2 any further, move away towards the end of road'. I did
 3 what he said straight away and walked around towards the
 4 other end of the road with my colleagues, except for
 5 driver who was still in the cab. He was wearing a blue
 6 top and a blue cap, both of which I identified as police
 7 uniform but cannot describe them in detail. He was
 8 white. I can't tell how tall he was and I didn't take
 9 much notice as I moved straightaway when he told us to
 10 move. I did not look back down the road once I had been
 11 told to leave.
 12 "As we walked towards the main road I saw a group of
 13 officers, again they were wearing blue clothing, may
 14 have been wearing caps. I didn't see how many officers
 15 there were. Some of them were carrying firearms. There
 16 was more than one officer, maybe as many as four or
 17 five. The weapons they were carrying I would describe
 18 as machine guns, they were not handguns. These officers
 19 walked into the road from another small road that runs
 20 across the top of it. They gestured for us to move
 21 further out of the road. I think the driver of
 22 vehicle 1 joined us or was just behind us at this time.
 23 "We walked to the end of road around point D and saw
 24 other officers, they were dressed differently in
 25 civilian clothes wearing blue anoraks. Again, they were

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1 an A4 estate was there when we got there. I noticed it
 2 because the headlights were on. There was a man in the
 3 front driver's seat of the car, but didn't really pay
 4 any attention to him. I guess I just thought he was
 5 waiting to pick someone up. I can't give any
 6 description of man because I didn't pay any attention to
 7 him. I don't think he was white or black, but I can't
 8 give any other description. I think the car might have
 9 been parked at the side of the road when we first got
 10 there and then might have backed into the parking bay,
 11 I don't recall exactly.
 12 "I noticed that the driver's car window went about
 13 halfway down and then up at some stage, I don't remember
 14 when this was. The lorries were parked roughly 20 to
 15 30 feet from the Audi, on foot the closest I got to the
 16 Audi was 12 feet. When the police arrived, Don was
 17 tipping up the lorry, Steve and I were standing at the
 18 back of Don's lorry so we could direct him when to stop
 19 tipping up. We were about 35 feet away from the Audi.
 20 Calum was somewhere near his lorry, I can't recall
 21 exactly where. All the police cars came flying past us,
 22 all the police officers were shouting but I didn't hear
 23 what they were saying. Don's lorry was on, ready for
 24 tipping the tarmac and this is quite noisy. The police
 25 got out with their balaclavas and guns and ran up to the

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1 immediately identifiable as police officers but I cannot
 2 describe them in detail. Uniformed officers arrived on
 3 the scene much later. I discussed the incident with my
 4 colleagues. I initially thought it had taken around
 5 three minutes, but one of my colleagues said it was
 6 quicker than that. In hindsight, I think it lasted
 7 around two minutes."
 8 Evidence of MR NICHOLAS LINDSAY (read)
 9 MR MOSS: Sir, there are two more witnesses' evidence to
 10 read.
 11 The first is the evidence of Nicholas Lindsay,
 12 a tarmac operative, dated 12 December 2015.
 13 "I have been asked to provide a witness statement to
 14 the IPCC in relation to what I witnessed on
 15 11 December 2015.
 16 "On that day, I was contracted to work in Bracknell
 17 Close, it was the first day of a two-day job to
 18 resurface the area. There were four of us, I was
 19 working with Donald Campbell. The other two were
 20 Steve Sproul and Calum Thwaites. Don and I got to
 21 Bracknell Close first, I think we arrived between
 22 7.30 am and 8.00 am but the company will know exactly.
 23 Don got out of the van and was using the PDA to take
 24 photos of the road. I was getting the equipment off the
 25 truck. The black Audi, which I think might have been

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1 Audi. I think I heard a smashing sound, but it was
 2 really difficult to hear because there was so much other
 3 noise, car engines, doors slamming and shouting.
 4 I thought the smashing sound might have been glass, it
 5 was really noisy with the police shouting. I think
 6 there were about 12 officers in the road and then
 7 I think two officers were at the window of a flat above
 8 us. The officers at the window were one male, one
 9 female, both plainclothes.
 10 "After the smash there was a gunshot, I recognised
 11 the sound immediately because I have shot guns before.
 12 I only heard one gunshot, I am definite about this.
 13 There were two or three unmarked vehicles, which I think
 14 came up the road behind each other. I didn't realise
 15 they were police cars at the beginning. When the
 16 officers got out of the cars I realised they were police
 17 officers when all the shouting began. I don't remember
 18 seeing any police uniform, but they might have been
 19 wearing blue or black caps, again I am not sure, I might
 20 have seen some of the officers wearing something like
 21 stab vests with "Police" on them. It was really quick,
 22 I think it was about 10 seconds that it took for the
 23 cars to drive up the road and stop. They parked all
 24 around the front of the Audi. When the police cars
 25 stopped they blocked my view of the Audi and I couldn't

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<p>1 see what happened at the Audi.</p> <p>2 "The police officers got out of the cars so quickly</p> <p>3 they must have been getting out of the cars before they</p> <p>4 even stopped. I think one of the cars, a BMW X5, was</p> <p>5 either the first or second of the cars, one of the</p> <p>6 others might have been a Skoda. I think four offsidiers</p> <p>7 got out of the BMW, I can't be sure.</p> <p>8 "I am not sure how many officers got out of the</p> <p>9 other cars, the police officers were in plain clothes</p> <p>10 and carrying big guns, some of them wearing balaclavas.</p> <p>11 I think the officers were shouting for about 10 to 15</p> <p>12 seconds before I heard the gunshot. I don't know what</p> <p>13 the officers were shouting, there were too many of them</p> <p>14 shouting at the same time.</p> <p>15 "Steve and I went round the back of the lorry after</p> <p>16 the gunshot, because we were shouted at by the officers</p> <p>17 in the flat and told to go round and move. Our view of</p> <p>18 the fence was obscured when we moved round to the back</p> <p>19 of the lower."</p> <p>20 Sir, that is the last paragraph I will read from</p> <p>21 that statement.</p> <p>22 Evidence of MS JANICE GOSNEY (read)</p> <p>23 MR MOSS: The final evidence I will read is from</p> <p>24 Janice Gosney, this is a statement dated 6 January 2016,</p> <p>25 and I will just read a couple of paragraphs from it.</p> <p style="text-align: center;">Page 197</p>	<p>1 THE CHAIRMAN: As you wish.</p> <p>2 MR MOSS: "I went to get a paper from the Tesco opposite the</p> <p>3 court at about 8.30 am.</p> <p>4 "I got back at about 8.40 and I went inside.</p> <p>5 "I went upstairs and I got changed.</p> <p>6 "About two minutes later I went to put the kettle on</p> <p>7 to make myself a coffee. I went into the lounge and</p> <p>8 checked the dog, he was in his chair, I did not hear any</p> <p>9 shouting at that point. The front room faces onto</p> <p>10 Bracknell Close, the TV was on but it wasn't very loud.</p> <p>11 I then went and poured myself a coffee. After that,</p> <p>12 I went to go into the front room at about 9.00 am and</p> <p>13 I heard a lot of shouting. This loud shouting made the</p> <p>14 dog bark, opened the door and ran outside onto the</p> <p>15 balcony. The balcony is at the back of the front room</p> <p>16 and faces Bracknell Close, I followed him out. As</p> <p>17 I went out, I heard a male voice shout, 'Get down, get</p> <p>18 down', but almost straight after that I heard a pop,</p> <p>19 like a car backfiring, it was just one pop. The pop was</p> <p>20 not as loud as a car backfiring, but it was a loud sound</p> <p>21 then shouting then continued. I can't remember what the</p> <p>22 shouting was, I was panicked and it all became a bit of</p> <p>23 a blur after that point.</p> <p>24 "I looked over the balcony to see what the dog was</p> <p>25 barking at. I had a clear view of what was below.</p> <p style="text-align: center;">Page 198</p>
<p>1 I could see the road in front of my flat, the pavement</p> <p>2 and beyond that three parked cars. I saw lots of what</p> <p>3 I think were police with guns and their faces covered in</p> <p>4 the road. There were loads of officers. I couldn't say</p> <p>5 how many. I remember only two of the officers clearly,</p> <p>6 they were bending down with their guns pointed at</p> <p>7 something. It could have been the man on the floor.</p> <p>8 "All of the other officers were behind them and they</p> <p>9 were running around. I did not hear any officers saying</p> <p>10 anything during this time, but they may have spoken,</p> <p>11 I can't remember. I also saw someone, it could have</p> <p>12 been a police officer, running away up Bracknell Close.</p> <p>13 I did not see anyone else on the road at the time.</p> <p>14 "I cannot remember if there were any guns around,</p> <p>15 apart from the ones the officer had. On the opposite</p> <p>16 side of the road, past the pavement, I could see three</p> <p>17 cars on the other side of the road. The middle car had</p> <p>18 reversed in, the boot was open and all three of these</p> <p>19 cars were what I would say are normal cars, ie not</p> <p>20 police cars. There was another car parked in front of</p> <p>21 the three normal cars, I think it may have been</p> <p>22 an unmarked police car.</p> <p>23 "I could see the trainers of a boy lying on the</p> <p>24 pavement between my flat and the three parked cars, the</p> <p>25 rest of his body was covered by the other car parked in</p> <p style="text-align: center;">Page 199</p>	<p>1 front of him. I did not see the boy move or say</p> <p>2 anything. I could not describe him, I could only see</p> <p>3 his trainers.</p> <p>4 "After about five minutes I grabbed the dog and went</p> <p>5 back inside. I went straight upstairs to my bedroom and</p> <p>6 looked out of the window. The view from that window was</p> <p>7 the same, I could see some more from that window. To my</p> <p>8 left, past the parked cars, I saw another young man</p> <p>9 lying face down on the floor with his hands behind his</p> <p>10 back. He was being held down by his hands by a female</p> <p>11 policewoman. She had a long gun on her back and was</p> <p>12 bending over him, I did not see any handcuffs. I could</p> <p>13 not hear anything that was being said from the window.</p> <p>14 "The other young man was on the floor in that</p> <p>15 position for a long time, I would not like to say how</p> <p>16 long. The female officer helped the man up and moved</p> <p>17 him to the other side of the road. So he left to the</p> <p>18 left of me. He had his hood up, so I couldn't see what</p> <p>19 he looked like, I think he fell on his own volition back</p> <p>20 on the floor on the other side of the road.</p> <p>21 "I looked to my right, on the other side of the</p> <p>22 road, and when I looked back he was gone.</p> <p>23 "When I looked across to the boy with the trainers</p> <p>24 I saw there were people around him on the floor.</p> <p>25 I could see about three people, I could not describe</p> <p style="text-align: center;">Page 200</p>

1 them. There was blood all over their hands. I think
 2 these three people were working on the man. I could see
 3 their shoulders going up and down, they were working on
 4 him for quite a while. I wouldn't like to be specific
 5 as to how long.
 6 "Then the ambulance turned up and blocked the young
 7 man with trainers from my view. I saw a female
 8 paramedic get out of the ambulance and go behind the
 9 back of the ambulance towards the young man in the
 10 trainers. I could see some police officers still there,
 11 they were all walking around and talking, I couldn't
 12 identify them or hear what they were saying. I did not
 13 see any police officers remove anything from the area,
 14 while I was watching. A marked police van came across
 15 to the left at this point. I could just see the front
 16 of the van, I did not see if anyone got in or out of
 17 this van. Then I saw the air ambulance trying to land,
 18 I think it must have landed in the park.
 19 "Shortly after that, another van came with the air
 20 ambulance people in it, they were in orange jackets,
 21 I could not describe them. They walked over to the boy
 22 with trainers and they then went behind the ambulance
 23 and I couldn't see them. A few minutes later, they came
 24 back out from the ambulance, took their gloves off and
 25 put them in a bag. They left shortly after this.

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1 The replay facility on the recording equipment.
 2 MR MOSS: Yes.
 3 THE CHAIRMAN: And evidence about what can perhaps be
 4 neutrally, but accurately, described as W80's
 5 reinstatement?
 6 MR MOSS: Yes, on the first issue, enquiries are already in
 7 train with the Metropolitan Police Service.
 8 As to the second issue, we haven't set them in
 9 train, but I would suspect they are already.
 10 THE CHAIRMAN: It has only arisen this afternoon.
 11 It may be necessary in due course to try to
 12 understand a little more clearly the circumstances of
 13 the invitations extended to the briefing on 10 December.
 14 MR MOSS: Yes, I suspect we will be starting with Mr Murray
 15 on Monday morning on that and we will see where we get
 16 to.
 17 THE CHAIRMAN: Fine, thank you very much indeed.
 18 Other than that, I shall see you all on Monday at
 19 10.30, have a good weekend. Thank you.
 20 10.00, I'm sorry. I'm not sitting in the Crown
 21 Court. 10.00 it is.
 22 MR MOSS: I was not going to look a gift horse in the mouth.
 23 (3.16 pm)
 24 (The inquiry adjourned until 10.00 am on Monday,
 25 19 July 2021)

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1 "There are some parts that I didn't see, because
 2 I did not stand at the window the whole time. I was
 3 going back and forth checking on the dog for a few
 4 minutes at a time, however I have mentioned everything
 5 that I saw."
 6 Sir, that is everything I am going to mention.
 7 THE CHAIRMAN: Thank you very much.
 8 MR MOSS: That is all the evidence for today.
 9 THE CHAIRMAN: We are, as it were, exactly where we wanted
 10 to be at the end of Week 5?
 11 MR MOSS: We are, yes.
 12 THE CHAIRMAN: It seems to me -- I have the timetable for
 13 next week, I am not sure whether there have been any
 14 changes to it.
 15 MR MOSS: Not that I know of, sir.
 16 THE CHAIRMAN: On Monday Detective Inspector Murray and
 17 Detective Constable Sparks will be recalled.
 18 MR MOSS: Yes.
 19 THE CHAIRMAN: There seem to me to be two areas of evidence
 20 outstanding which will have to be fitted in --
 21 MR MOSS: Yes.
 22 THE CHAIRMAN: -- at some stage, there may be more.
 23 The two that I have particularly in mind are the
 24 question of the -- there are three actually, two at the
 25 moment. There may be another one.

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