

1 Monday, 19 July 2021  
 2 (10.00 am)  
 3 THE CHAIRMAN: Good morning, everybody.  
 4 MS BLACKWELL: Good morning, sir.  
 5 Sir, the gentleman in the witness box is Mr Murray,  
 6 retired detective inspector, who is returning to  
 7 complete his evidence.  
 8 THE CHAIRMAN: Yes.  
 9 MS BLACKWELL: He is already under oath.  
 10 THE CHAIRMAN: Yes he is, thank you.  
 11 MR ROBERT MURRAY (recalled)  
 12 Questions from MS BLACKWELL  
 13 MS BLACKWELL: Mr Murray, I would like to begin this morning  
 14 by returning to an issue that we dealt with when you  
 15 were last here, and that is the concerns that were held  
 16 about the corruption that may exist within the  
 17 organisation Serco, and the steps that were taken as  
 18 a result of those concerns.  
 19 You explained to the inquiry that, because of  
 20 concerns about leakage in terms of your operation,  
 21 decisions were taken not to inform the organisation of  
 22 what was being planned in terms of 11 December?  
 23 **A. That's correct.**  
 24 Q. And you explained your reasons for that?  
 25 **A. Yes.**

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1 those enquiries, that there was information of  
 2 involvement at a lower level, not corruption at a higher  
 3 level within the organisation?  
 4 **A. I could have done, but I trusted the assessment of**  
 5 **DI Mayes, the Prison Intelligence Unit officer, who came**  
 6 **to advise me and I took his assessment there were**  
 7 **corruption issues and I assessed the operation as**  
 8 **a need-to-know basis, and didn't.**  
 9 Q. Right.  
 10 Dealing with Mr Mayes, you are aware now that he was  
 11 informed about the breakout plan on 30 October by  
 12 Mr Sparks?  
 13 **A. That's correct, yes.**  
 14 Q. When you gave evidence on the last occasion, I asked you  
 15 whether you had concerns that the PIU may inform Serco  
 16 of the breakout plan and you said "potentially". Does  
 17 that mean that you were concerned that somebody in the  
 18 PIU might themselves bring Serco into the loop?  
 19 **A. No, I trusted the PIU to pass the information on to the**  
 20 **prison governor, which I believe he did. I think the**  
 21 **point I made last time is what the prison decided to do**  
 22 **about it prior to me meeting them is a matter for them**  
 23 **that we had no control over.**  
 24 Q. Right. Because the PIU became aware of the operation,  
 25 the plan, on 30 October and yet it wasn't until

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1 Q. Did you consider identifying a means through which you  
 2 could perhaps work with the company and secure its  
 3 active involvement in the planning of the arrest phase  
 4 of your operation, whilst addressing the risks that you  
 5 considered there were in terms of leakage?  
 6 **A. No.**  
 7 Q. Since you were last here, the inquiry has been provided  
 8 with two witness statements, I think, relating to  
 9 information intelligence crime reports that were in  
 10 existence at the time reflecting concerns about Serco  
 11 staff being involved in matters such as smuggling  
 12 contraband into prison, drugs, mobile phones and that  
 13 sort of thing. Have you had an opportunity to consider  
 14 those statements and that information?  
 15 **A. No.**  
 16 Q. Did you know that the inquiry had been provided with  
 17 that information?  
 18 **A. No.**  
 19 Q. All right.  
 20 Did you direct your team to make any enquiries about  
 21 the concerns that you had in relation to the possibility  
 22 that Serco employees might leak details of your  
 23 operation?  
 24 **A. No.**  
 25 Q. Were you aware that if you had invited your team to make

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1 10 November that, in your initial meeting with those who  
 2 took the command positions on 11 December, that the  
 3 decision was taken not to share the intelligence with  
 4 Serco, wasn't it?  
 5 **A. Yes, that's correct.**  
 6 Q. So you had no control over what may have happened to  
 7 that information in those intervening 10 days?  
 8 **A. No.**  
 9 Q. Right. But your evidence is that you trusted those in  
 10 the PIU not to share it any more widely?  
 11 **A. Correct.**  
 12 Q. Right.  
 13 When you met with Governor Nichols on 13 November,  
 14 you spoke to him about your concerns in relation to  
 15 leakage.  
 16 **A. There was a discussion about leakage, yes, I can't**  
 17 **remember exactly what was said.**  
 18 Q. Governor Nichols has attended at the inquiry and given  
 19 evidence that that was the level at which you expressed  
 20 your concerns, that I don't think you used the word  
 21 "corruption" during the course of that meeting, do you  
 22 agree?  
 23 **A. I can't recall what I said, but certainly the risk of**  
 24 **corruption and tipping off and the need-to-know basis**  
 25 **was emphasised, like I think I have said and I think he**

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1 **may have mentioned.**  
 2 Q. Thank you. Did you ask Governor Nichols about whether  
 3 or not there was a means to address the concerns about  
 4 leakage from the Serco operatives?  
 5 **A. No, I can't remember a conversation about that, no.**  
 6 Q. Did you ask him whether there was anyone within Serco at  
 7 Wormwood Scrubs in whom he had confidence that you could  
 8 perhaps trust?  
 9 **A. No.**  
 10 Q. Can you confirm that it was not until 8 December that  
 11 Mr Mayes was informed that Serco were not to be made  
 12 aware of the plan?  
 13 **A. I can't remember when. I can't remember that.**  
 14 Q. Do you remember speaking to Mr Mayes about that?  
 15 **A. I remember speaking to Mr Mayes about corruption. The**  
 16 **first time I met Mr Mayes was I believe the same day**  
 17 **I met Mr -- Mr -- the prison governor.**  
 18 THE CHAIRMAN: Mr Nichols.  
 19 **A. Mr Nichols, thank you.**  
 20 MS BLACKWELL: That would be 13 November, I think.  
 21 **A. Yes that's correct and in the interim period I believe**  
 22 **it was DC Sparks had spoke and communicated with**  
 23 **DI Mayes.**  
 24 Q. The inquiry has heard, as you know, from  
 25 Governor Nichols, whose opinion it was that Serco had

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1 THE CHAIRMAN: Well, you said it didn't. So I am asking you  
 2 why.  
 3 **A. I can't remember -- well, my assessment was not to**  
 4 **consult with Serco because of the risk to the operation.**  
 5 **I can't remember what I said with Mr Nichols --**  
 6 THE CHAIRMAN: I'm sorry, you may be misunderstanding my  
 7 question.  
 8 You have said that you effectively took a deliberate  
 9 decision, whether it is a valid one or not is irrelevant  
 10 for the purpose of my question, not to ask Mr Nichols  
 11 whether there was anyone in Serco at the Scrubs who  
 12 could be trusted.  
 13 I am asking, and I think Mr Blackwell is also  
 14 asking, why you didn't raise that with Mr Nichols?  
 15 **A. I can't recall why. I can't remember why I didn't say**  
 16 **that.**  
 17 THE CHAIRMAN: Shouldn't you have done?  
 18 **A. Potentially, potentially, but the information --**  
 19 THE CHAIRMAN: Why potentially, why not actually?  
 20 **A. I can't recall. I can't recall any decision in relation**  
 21 **to that.**  
 22 THE CHAIRMAN: No, why are you saying potentially it is  
 23 something that you should have done, rather than, "Yes,  
 24 I should have done it".  
 25 **A. Because I can't remember if we had that discussion or**

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1 a right to know about the plan. Do you agree with his  
 2 perspective on that, as a prison governor?  
 3 **A. That is his opinion, it is certainly something that was**  
 4 **not emphasised at our meetings.**  
 5 Q. You appreciate, do you not, that the prison and the  
 6 criminal justice system relies on a relationship of  
 7 trust with companies such as Serco?  
 8 **A. Yes.**  
 9 Q. Did you consider that during the time that you were  
 10 deciding not to bring them into the loop?  
 11 **A. Not in balance against the risk to the operation, no.**  
 12 THE CHAIRMAN: In other words, did you consider it and  
 13 reject it or did you not consider it at all?  
 14 **A. Well, I may have considered it in relation to the**  
 15 **intelligence I had that there was corruption risks,**  
 16 **added to the fact we didn't know how, when and who could**  
 17 **have been involved in it, how they were going to know**  
 18 **which van he was going to be in, how they were going to**  
 19 **know which cell he could be in. There was all those**  
 20 **unknowns, so the assessment was there was a risk there**  
 21 **and that we didn't want -- or I didn't want that risk to**  
 22 **prevent the operation moving forward.**  
 23 THE CHAIRMAN: Why didn't you ask Mr Nichols whether there  
 24 was anyone in Serco at the Scrubs who could be trusted?  
 25 **A. I can't remember if that conversation took place.**

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1 **not.**  
 2 THE CHAIRMAN: Well, you said you didn't. So let's assume  
 3 you didn't. I think the point that you are being asked  
 4 to consider is whether you should have done.  
 5 **A. Yes, potentially I could have done.**  
 6 THE CHAIRMAN: I don't think we can take it any further,  
 7 thank you.  
 8 MS BLACKWELL: Could I take you back, please, to the first  
 9 meeting that you had with Mr Williams and Mr Turner and  
 10 invite you to explain to the inquiry how the issue of  
 11 Serco corruption or Serco leakage was first raised and  
 12 if you are able to identify who first mentioned it and  
 13 what the reaction of the others was.  
 14 **A. It would certainly have been me that would have raised**  
 15 **it, as I gave the background to the intelligence into**  
 16 **the operation and the fact that we had been notified**  
 17 **there was a risk of corruption from Serco. So it would**  
 18 **have been me that would have raised that at the meeting.**  
 19 **I can't recall what the reaction to that was, but it**  
 20 **certainly would have been me that raised it.**  
 21 Q. Thank you.  
 22 Since your last visit to the inquiry Mr Williams has  
 23 given evidence and he described what was said to him as  
 24 being an issue of inherent corruption. Is that what you  
 25 told him?

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1 **A. I can't remember what I would have said. I can't**  
 2 **remember what phrase I used. I certainly would have**  
 3 **raised corruption definitely. That is what I had been**  
 4 **told, or been fed back from DI Mayes and potentially**  
 5 **another officer that we spoke about last time, a DCI at**  
 6 **the TSU. So there was two credible sources for my**  
 7 **gathering that information.**  
 8 Q. Do you agree with Mr Williams's opinion in evidence to  
 9 this inquiry that it was, "A general condition that we  
 10 felt was in existence and we were not prepared to  
 11 jeopardise this covert operation by including them in  
 12 it"?"  
 13 **A. Yes.**  
 14 Q. Do you agree these issues were well known within the  
 15 Organised Crime Command, a command of which you were  
 16 a member?  
 17 **A. Yes. Yes.**  
 18 Q. Would you agree that these real or perceived risks of  
 19 corruption within Serco presented challenges for  
 20 Operation Ankaa and specifically challenges in the  
 21 arrest phase on 11 December?  
 22 **A. Yes.**  
 23 Q. Because given your concerns, was it a possibility that  
 24 Izzet Eren may have bribed the driver of the van or had  
 25 him in his pocket -- you know what I mean by that?

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1 **be able to follow a prison van, given the nature of the**  
 2 **size of a prison van against the mobile assets a**  
 3 **surveillance team would have.**  
 4 Q. I am asking you these questions several years later,  
 5 were these concerns and issues which went through your  
 6 mind and that you considered with others in your command  
 7 at the time, in the run up to 11 December?  
 8 **A. There was various considerations discussed with others,**  
 9 **I can't remember if that particular scenario that you**  
 10 **have advanced about, about the rogue prison driver, was**  
 11 **discussed. But there was lots of contingencies put in**  
 12 **place. It could have -- things that could have happened**  
 13 **and it all built the picture of we didn't know and hence**  
 14 **that is why we didn't consult with Serco, because of the**  
 15 **potential risk.**  
 16 Q. Right, and these challenges, which we have just been  
 17 exploring together, would have been relevant for your  
 18 consideration in deciding whether to allow the  
 19 conspiracy to run as against sustained public  
 20 protection?  
 21 **A. Yes.**  
 22 Q. So did you consider these additional risks which you and  
 23 I have discussed this morning?  
 24 **A. Yes, we did consider additional risks but the safeguards**  
 25 **and the support we had in place were to reduce those**

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1 **A. Yes, that is a potential risk, yes.**  
 2 Q. Was that a consideration that you had in the run up to  
 3 11 December.  
 4 **A. Yes.**  
 5 Q. That activity or that event would in itself create  
 6 a risk that the van taking Izzet Eren to court that day  
 7 might be directed on a different course, or certainly to  
 8 engage in anti-surveillance matters?  
 9 **A. Potentially it could have done, yes.**  
 10 Q. And there was a possibility that the occupants of the  
 11 Audi may have been warned about that?  
 12 **A. Possibly.**  
 13 Q. In which case, the risk of the Audi and the prison van,  
 14 becoming uncontrolled, would increase?  
 15 **A. Not -- well, not if there was surveillance on both the**  
 16 **prison van and the Audi, which there were. So we would**  
 17 **have had control of both the prison van and the Audi, so**  
 18 **we were going to manage that risk and ensure that**  
 19 **wouldn't happen.**  
 20 Q. But if you had a rogue driver in the Serco van, that  
 21 would have necessarily have created a heightened risk  
 22 that the surveillance on that van might not be  
 23 effective.  
 24 **A. It would create a risk, but I would be very confident**  
 25 **that a surveillance team with the assets they had would**

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1 **risks and manage them.**  
 2 Q. Your evidence, Mr Murray, is that at all times, and at  
 3 each stage, when consideration was given to bringing  
 4 Serco into the loop, you remained of the view that the  
 5 risk was too great?  
 6 **A. Absolutely, yes.**  
 7 Q. Thank you.  
 8 Let's now pick up the chronology from where we left  
 9 off last time. I would like us to look, please, at your  
 10 notebook, at MPS3788, please, Mr Coates. This is behind  
 11 tab 9 in our bundle.  
 12 THE CHAIRMAN: Thank you.  
 13 MS BLACKWELL: Thank you. Could we go to next page, please.  
 14 It looks as if the notes at the top of the page,  
 15 Mr Murray, are those made on 9 December, is that right?  
 16 **A. That's correct, yes.**  
 17 Q. We can see that there is a meeting, what are the three  
 18 letters that appear before the word "Meeting"?  
 19 **A. "MIB."**  
 20 Q. Relating to?  
 21 **A. Intelligence.**  
 22 Q. Right.  
 23 I think the series of initials below denote who was  
 24 present at the meeting; is that right?  
 25 **A. That's correct, that is "RM", that is me, "GK" is**

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1 **DC Kinch and "ASP" is DC Sparks.**  
 2 Q. Thank you.  
 3 If we go through the questions, could you read  
 4 through the series of bullet points please and then  
 5 I will go back to the top and ask you some additional  
 6 matters.  
 7 **A. Certainly:**  
 8 **"Who is on the job, U/K [unknown] suspects, N plus 2**  
 9 **IC3 and poss Turk.**  
 10 **"Number of subjects possibly three.**  
 11 **"Role and location of Ozcan?**  
 12 **"Ozcan same three assets, no PGP.**  
 13 **"Confirm IE had asset prison van calls and outgoing**  
 14 **directions.**  
 15 **"Location of 'Attack'.**  
 16 **"Confirm of knowledge of van route/identity.**  
 17 **"Initial breakout already passed to MIB/PIU/Scrubs.**  
 18 **"Use for cat A status application.**  
 19 **"Indications 'Real gun' for job."**  
 20 Q. Thank you, let's return back to the first bullet point,  
 21 who is on the job, "Unknown suspects". So what was  
 22 being discussed there?  
 23 **A. Well this was a range of questions I had to see whether**  
 24 **the officers that were dealing with the intelligence**  
 25 **could answer the questions that I wanted, which is who**

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1 **A. Phone, telephone, mobile phone.**  
 2 THE CHAIRMAN: Thank you.  
 3 MS BLACKWELL: You were being told here that there were  
 4 a number of suspects, possibly three, involved. And  
 5 what were you being told about the role and location of  
 6 Ozcan? That that was unknown at that time?  
 7 **A. Yes.**  
 8 Q. That is why there is a question mark next to his name?  
 9 **A. Correct.**  
 10 Q. What about the following line where we have already  
 11 identified "no PGP".  
 12 Same three assets?  
 13 **A. I think that relates to telephones, I think.**  
 14 Q. Telephones, right because on the next bullet point down,  
 15 we can see "Confirm IE" is that "had asset"?  
 16 **A. Yes.**  
 17 Q. Then we see, "Prison van calls and ongoing directions."  
 18 Is that a reference to the previous aborted breakout  
 19 on 29 October?  
 20 **A. I can't remember.**  
 21 Q. Right, because it may be that what you are noting there  
 22 is that it had been suggested to you that on that  
 23 occasion calls had been made, ongoing directions had  
 24 been given and Izzet Eren had a mobile phone in prison.  
 25 Do you think that is what was being discussed?

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1 **is the people involved in the case, who are the suspects**  
 2 **going to be involved in this job and the answer was we**  
 3 **don't know and then there is possible N, might be**  
 4 **a Turkey and two IC3, that would refer to African/West**  
 5 **Indian skinned males.**  
 6 Q. Right. The way in which you have recorded that is the  
 7 letter N in inverted commas. Was that an initial that  
 8 was being given to you from the intelligence that was  
 9 known at that time?  
 10 **A. I think so, yes. That is why I would have written that**  
 11 **down.**  
 12 Q. You put underneath it, possibly Turk but possibly not?  
 13 **A. It is -- well I have wrote "poss Turk".**  
 14 Q. That is the information that has come into you?  
 15 **A. That what I have written down.**  
 16 Q. Plus 2 IC3.  
 17 **A. Yes.**  
 18 Q. You were told the intelligence at that stage indicated  
 19 two IC3 I am going suggest males, but it may not have  
 20 been?  
 21 **A. All I've got is two black people. We will presume**  
 22 **assessed as male.**  
 23 Q. What does "No PGP" in line 4 relate to?  
 24 **A. I think that relates to type of phone, I think.**  
 25 THE CHAIRMAN: Type of?

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1 **A. I can't remember what that was.**  
 2 Q. Right. Location of attack, what was being told to you  
 3 about the intelligence on that issue?  
 4 **A. I think that was one of the questions I had, do we know**  
 5 **the location of the attack and there is nothing written**  
 6 **there, I assume we didn't know the exact location of the**  
 7 **attack.**  
 8 Q. All right, "Confirm of knowledge of van route/identity".  
 9 What about that?  
 10 **A. That is me seeking to see if we can confirm the route**  
 11 **the van is going to take or the identity of the van,**  
 12 **I think it must be a point in relation to that. To see**  
 13 **if we can confirm the knowledge of the van.**  
 14 Q. Were you aware as at 9 December, that you would not be  
 15 able to identify the route that the van was going to  
 16 take until the morning because Serco were not being told  
 17 of the operation?  
 18 **A. Absolutely, right, yes and the van in question, the**  
 19 **identity as I discussed in my reference last occasion,**  
 20 **we didn't know that until 5.00 or 6.00 in the morning.**  
 21 Q. So those two important factors would have to wait until  
 22 the morning of 11 December?  
 23 **A. Absolutely correct, yes.**  
 24 Q. Then the following bullet point is -- what is the first  
 25 word there, please?

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1 **A. I think it is "initial".**  
 2 Q. "Initial breakout, already ..."  
 3 **A. " ... passed to MIB, then PIU, then Scrubs."**  
 4 Q. That was your note recording that the information about  
 5 the breakout had already gone?  
 6 **A. Yes.**  
 7 Q. Then this:  
 8 "Used for cat A status application ..."  
 9 With an asterisk and what looks like a tick, I think  
 10 next to it. What does that mean?  
 11 **A. I assume that was going to be used as to support the**  
 12 **cat A application status, that information. We had them**  
 13 **in the system.**  
 14 Q. Were you being told during this meeting that a cat A  
 15 status application had been made?  
 16 **A. No, I think my assessment of this is that we would be**  
 17 **using that for any subsequent cat A status application,**  
 18 **because I recall there had been an assessment for cat A**  
 19 **status which had been declined, but at this stage we are**  
 20 **days before the actual operation.**  
 21 Q. Yes.  
 22 **A. So we would not be submitting a -- I am just thinking**  
 23 **chronologically and sensibly, that we wouldn't be**  
 24 **submitting a category A status application two days**  
 25 **before the operation we have spent massive time and**

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1 **cat A in itself, but that is why -- that is the only**  
 2 **thing I can interpret this to be, because like the point**  
 3 **you made, sir, it would absolutely -- it would undermine**  
 4 **the planning and the operation itself, so I wouldn't be**  
 5 **looking to submit a category A status application on the**  
 6 **9th or on the days following it.**  
 7 THE CHAIRMAN: Yes.  
 8 MS BLACKWELL: An alternative explanation for this note  
 9 would be that your understanding as at 9 December was  
 10 that the breakout information had been passed through  
 11 the PIU to Wormwood Scrubs for them to use for any  
 12 category A status application.  
 13 **A. It had been submitted to them, yes.**  
 14 **I mean that was the point, I submitted to them on**  
 15 **the 30th, before any planning was put in place and that**  
 16 **was an option, it could have happened without our**  
 17 **control. But I am making this note on 9 December?**  
 18 Q. Yes.  
 19 **A. So that could only be, thinking logically, confirming**  
 20 **that it had been sent to them, so when we came to it,**  
 21 **asked for it -- I mean think of it like this: if the**  
 22 **operation hadn't gone ahead on the 11th, and let's say**  
 23 **it had been aborted then ... and we had no intelligence**  
 24 **to say another offence was going to happen and there was**  
 25 **nothing we could else have done, then the initial**

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1 **effort to plan --**  
 2 THE CHAIRMAN: You wouldn't be submitting a category A  
 3 application, because that would be the one thing that  
 4 would prevent the operation being achieved.  
 5 **A. Absolutely, exactly. Absolutely. So I assume this --**  
 6 **I must be looking at confirming that material has been**  
 7 **passed across and then using that and any possible**  
 8 **subsequent category A states application post any**  
 9 **offence or incident.**  
 10 MS BLACKWELL: Were you aware when you made this note that  
 11 Wormwood Scrubs is not a category A prison, it doesn't  
 12 house category A prisoners?  
 13 **A. I can't recall, I can't remember.**  
 14 Q. Were you aware when you made this note that  
 15 an application for Izzet Eren's category status to be  
 16 raised had been made but had been rejected?  
 17 **A. I think I would have done at this date, yes.**  
 18 Q. What were you suggesting would be used for cat A status  
 19 application in this note?  
 20 **A. I assume it was post any offence, because that is the**  
 21 **only thing that would make sense.**  
 22 THE CHAIRMAN: Post any offence, what do you mean?  
 23 **A. Post the 11th, post the operation on 11 December.**  
 24 THE CHAIRMAN: Post the busting of the gang?  
 25 **A. Yes, which itself would obviously be strong evidence for**

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1 **intelligence that we initially supplied to them I would**  
 2 **suggest would need to be revisited in addition to the**  
 3 **potential planned breakout of the 11th, to support**  
 4 **a category A status.**  
 5 THE CHAIRMAN: Are you able to help as to the significance  
 6 of the circle asterisk and the tick, because it seems to  
 7 have been something of importance, whereas the mere  
 8 recategorisation of a prisoner in the circumstances that  
 9 you have discussed, would perhaps have followed as night  
 10 followed day.  
 11 **A. I can't answer why I've got an asterisk and a tick**  
 12 **there. We certainly didn't send a category ... or seek**  
 13 **a category A status application to be submitted on or**  
 14 **after 9 December.**  
 15 THE CHAIRMAN: Yes.  
 16 **A. So, I'm sorry, I can't assist with that.**  
 17 MS BLACKWELL: Thank you.  
 18 Finally, at the bottom of this note, "Indications  
 19 real gun for job".  
 20 That was the intelligence that was being passed to  
 21 you on 9 December.  
 22 **A. Yes, the indications were a real gun was likely to be**  
 23 **used for the job. That was my assessment of the**  
 24 **intelligence that we had, and I have written that down.**  
 25 Q. Did you seek to explore with Mr Kinch or Mr Sparks the

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1 nature of the firearms or how the strength of the  
 2 intelligence that was leading that information to come  
 3 to you?  
 4 **A. No, that was the only -- any intelligence in relation to**  
 5 **that would have been passed to me, due to the nature of**  
 6 **it, but that was the only information we had.**  
 7 Q. What effect did your receipt of this intelligence that  
 8 we see in your note of 9 December have on proactive  
 9 steps that you and your team were taking to attempt to  
 10 identify who would be in the Audi on the morning of the  
 11 11th?  
 12 **A. Well there was limited further research that could be**  
 13 **done. DC Sparks and DC Kinch would have done any**  
 14 **research possible, or would have given that to the**  
 15 **intelligence unit, but from assessment here it has "N"**  
 16 **possibly a Turk and two black males. Obviously that is**  
 17 **not really going to help us identify who the people**  
 18 **involved could be. That is very limited, very sparse**  
 19 **information. But any further research that would have**  
 20 **been done, I am sure would have been undertaken by them.**  
 21 Q. Was there any research undertaken to consider what was  
 22 known by way of information and intelligence relating to  
 23 the Tottenham Turks and their connection with others in  
 24 the Tottenham area, be it gang members or other  
 25 criminals?

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1 There is a reference to -- in the first entry, can  
 2 you see dated 15 December 2015?  
 3 **A. Yes, there is a number of entries there, yes.**  
 4 Q. Thank you, four lines in:  
 5 "Subject described the Turkish gangs as very  
 6 organised and as often using young naive black boys to  
 7 do their dirty work. He believed the shooting to be  
 8 a prime example."  
 9 I appreciate that that piece of information didn't  
 10 come into being until after the shooting, but from those  
 11 two pieces of information, it is possible to extrapolate  
 12 that the Tottenham Turks were sometimes in the business  
 13 of recruiting young black boys and we know that  
 14 Gokay Sogucakli had a connection with the Tottenham  
 15 Turks and also a connection known to the police in  
 16 July 2015 to Nathan Mason. Somebody whose name  
 17 obviously begins with a N.  
 18 Of course, I am performing that analysis with the  
 19 benefit of hindsight, but I do it to invite you to  
 20 comment on whether or not any level of similar analysis  
 21 was gone into in terms of the run up to 11 December?  
 22 **A. All I can say is that the intelligence we had was**  
 23 **assessed and researched and there was nothing clear that**  
 24 **I ever saw, I can't talk for the other officers, that**  
 25 **indicated anybody by name of the people involved in this**

Page 23

1 **A. I think there had been research undertaken, I can't**  
 2 **remember exactly which, but I am sure there had been.**  
 3 Q. Were you aware, for instance of the connections between  
 4 the Tottenham Turks and the Tottenham Boys or Meridian  
 5 nominals?  
 6 **A. Not from memory, no.**  
 7 Q. Were you aware of the presence of Gokay Sogucakli and  
 8 his connection to the Tottenham Turks?  
 9 **A. No.**  
 10 Q. The inquiry has received intelligence that we can take  
 11 a look at now, please, MPS396.  
 12 We can see here references to the second entry down,  
 13 24 March 2015, GG, known as Gokay Sogucakli, with his  
 14 address, intelligence and research shows him linked to  
 15 the Tottenham Turks. Again, a similar reference  
 16 underneath, July 2015. Then going back in time, but  
 17 further down the page, 1 May 2015, shows being stopped  
 18 and searched by police in an area well known for drug  
 19 dealing and gang violence, three persons searched,  
 20 including Sogucakli and Nathan Mason.  
 21 Let's look at MPS536, please. At page 3.  
 22 Thank you.  
 23 This is a series of statements and references to  
 24 information that was provided after the shooting and  
 25 indeed following a series of public meetings.

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1 **matter came to our attention prior to the operation.**  
 2 **Yes, it is great to say it with hindsight and you**  
 3 **can say we can link this back and we have got that**  
 4 **there. At the time there wasn't anything further than**  
 5 **my note on the 9th says, "N, possibly a Turk and two**  
 6 **IC3", and that's it. I mean we are asking the question,**  
 7 **I am asking my officers: who are involved in this? Who**  
 8 **are the suspects? How much is involved? We didn't**  
 9 **know, and that's on the 9th.**  
 10 **So if we had had that link, we would have tried to**  
 11 **develop it, of course.**  
 12 Q. Are you aware of any direction given by you or anybody  
 13 else in your team for officers to proactively look at  
 14 the intelligence that was known around the Tottenham  
 15 Turks and to see if even the paucity of information that  
 16 was provided by 9 December could be expanded?  
 17 **A. Yes, my officers were researching this. I mean I can't**  
 18 **give you the exact time, but I am very confident that he**  
 19 **would have been, particularly the two officers in the**  
 20 **case, DC Sparks and DC Kinch.**  
 21 Q. Is it your understanding that they had themselves  
 22 performed a search for relevant intelligence?  
 23 **A. I can't say what they did but I would confident they**  
 24 **would have done. That intelligence when we received it**  
 25 **would have been researched to see if we could identify**

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1 anyone. So that is all I can say, I mean I didn't  
 2 personally do it --  
 3 Q. No.  
 4 A. -- I can't recall exactly what would have been done, but  
 5 I would like to think that that was done. Although  
 6 admittedly it is very sparse.  
 7 Q. I would like to move on, please, to ask you some  
 8 questions about surveillance and in particular  
 9 Ozcan Eren. We know that cell site data obtained after  
 10 the arrest -- thank you, Mr Coates -- placed Ozcan Eren  
 11 in the vicinity of Woody's, which is the gunshop from  
 12 which the imitation firearm was purchased on 28 October,  
 13 on that date.  
 14 He wasn't under surveillance on that date, but he  
 15 was a known individual who was a member of the organised  
 16 crime network and was under surveillance from time to  
 17 time and the inquiry has heard and received statements  
 18 from officers involved in that surveillance.  
 19 The inquiry has also heard from Nathan Mason, who  
 20 gave evidence that on a number of occasions Ozcan Eren  
 21 and he met in proximity to 11 December.  
 22 Firstly, on an occasion a day or two before  
 23 11 December when Ozcan Eren went to Nathan Mason's house  
 24 and delivered the imitation firearm.  
 25 Secondly, on 10 December when the two met up at

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1 quick time on Ozcan Eren if you had have considered he  
 2 might be in a particular area?  
 3 A. It is -- there is potential we could seek that.  
 4 Obviously there is a bit of a process to go through  
 5 but -- an application process, et cetera but there was  
 6 potential you could do something like that.  
 7 Q. Was that ever done?  
 8 A. Not to my knowledge, it wasn't. It may have been done,  
 9 but I didn't direct that or task it.  
 10 Q. I am going to go back for a moment and just talk about  
 11 Woody's, Woody's of Wembley, where the imitation firearm  
 12 was purchased. Was that a premises that was on your  
 13 radar?  
 14 A. Not as part of this inquiry it wasn't, no.  
 15 Q. Had you ever come across it before, as a premises and  
 16 a business that amongst other things sold imitation  
 17 firearms and paraphernalia?  
 18 A. I can't recall, I have been involved on a number of  
 19 firearms operations, purchases and seizures, but from my  
 20 memory now, five years later, I can't remember what was  
 21 the case on that.  
 22 Q. Do you know for instance whether or not the street that  
 23 Woody's is on is covered by CCTV?  
 24 A. I don't, no.  
 25 Q. Is that something that might have been helpful

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1 a barber's shop.  
 2 By that time, so a matter of days before  
 3 11 December, Ozcan Eren was being surveyed from time to  
 4 time. Do you consider, reflecting upon the level of  
 5 surveillance that was being mounted against him in the  
 6 days running up to 11 December, that it was sufficient?  
 7 A. Yes, all surveillance deployments which were overseen by  
 8 FE19 were intelligence led. They were not speculative,  
 9 they were intelligence led and there is good reason for  
 10 that.  
 11 We haven't got -- we have got limited resources as  
 12 to what we can actually use. We cannot necessarily keep  
 13 people under surveillance 24 hours a day, so we have to  
 14 be careful as to when we use any surveillance and had  
 15 there been any intelligence that there was something  
 16 significant was going to happen, so for example had  
 17 there been intelligence that Ozcan Eren was going to go  
 18 and pick up a gun and meet one of the people committing  
 19 the offence, then that is obviously an excellent  
 20 opportunity to gather evidence and identify people and  
 21 we would have deployed surveillance on that.  
 22 So to answer your question, I am happy on the  
 23 deployments that we have done was appropriate for the  
 24 intelligence we received.  
 25 Q. Would you have been able to obtain cell site analysis

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1 subsequently in identifying who it was that had  
 2 purchased the imitation firearm?  
 3 A. Well, it depends when we knew about Woody's, it is  
 4 certainly not something I knew about until the last few  
 5 weeks.  
 6 Q. Let's just have a look at that information then, please.  
 7 It is at MPS3113, Mr Coates, page 28. Thank you.  
 8 We can see that cell site on 28 October is being  
 9 considered to see whether 897, that is the mobile  
 10 telephone that is attributed to Ozcan Eren was in the  
 11 vicinity of Woody's of Wembley. We can see that at  
 12 13.47 the mobile telephone is used at a location in the  
 13 vicinity of Woody's of Wembley.  
 14 That is information that you say came to you some  
 15 time after 11 December; is that right?  
 16 A. Well, it is information I have never read before.  
 17 Q. Right.  
 18 A. So I have never seen this before, and the information  
 19 about Woody's of Wembley, I can't recall anything being  
 20 mentioned about Woody's of Wembley. I have heard it in  
 21 the last -- probably in some material I may have read in  
 22 the last few weeks, but prior to that I can't remember  
 23 anything about Woody's of Wembley.  
 24 Q. Is this not something that formed part of the criminal  
 25 case against any of these operatives?

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1 **A. Potentially, yes. It could have done but I was the SIO,**  
 2 **I didn't collate the evidential file.**  
 3 Q. Would you not have been aware of the state of the  
 4 evidence against the defendants?  
 5 **A. Yes, I would have been, the overall, but as far as the**  
 6 **finer technical points as to where they were at set**  
 7 **times, I wouldn't have read through that, no.**  
 8 Q. Would it have been helpful to you to have known this in  
 9 advance, in other words if there had been a quick-time  
 10 ability to cell site Ozcan Eren's mobile telephone,  
 11 would it have been useful for you to have looked into  
 12 his movements in the run up to 11 December?  
 13 **A. Potentially, it could have been, yes. But, again --**  
 14 THE CHAIRMAN: You use the word "potentially" --  
 15 **A. Yes, I do, yes.**  
 16 THE CHAIRMAN: -- a lot.  
 17 I think the answer that you are trying to give is,  
 18 "Yes, it would have been". There is no potentially  
 19 about it. It would have been helpful.  
 20 Yes.  
 21 MS BLACKWELL: I am just going to ask us to look at the time  
 22 by which your team knew that the 897 number was  
 23 attributable to Ozcan Eren.  
 24 Please could we look at MPS2917, Mr Coates, page 6.  
 25 This is a dense page of an application -- thank

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1 phone is.  
 2 **A. I would change that "person" to "phone".**  
 3 THE CHAIRMAN: Yes, it can prove where a phone is not. It  
 4 cannot prove where a phone is.  
 5 **A. Yes.**  
 6 THE CHAIRMAN: But it can be very helpful?  
 7 **A. It can, yes.**  
 8 THE CHAIRMAN: Yes.  
 9 MS BLACKWELL: Could we now go, please, to FE020. Or FE --  
 10 that is it. This is a case summary updated post charge  
 11 and we can see that the date is 8 February 2016, and  
 12 then there are listed the defendants, so this is the  
 13 case summary for the -- as we can see the conspiracy to  
 14 escape. This was the culmination of your operation,  
 15 wasn't it?  
 16 **A. Yes, it was the evidential file, the case summary, yes.**  
 17 Q. Yes. If we can go to page 2, please.  
 18 We can see in the third paragraph down, 28 October:  
 19 "Enquiries have identified that on 28 October  
 20 a fishing and airgun supply shop named ... [we know  
 21 that's Woody's] sold a mini Uzi BB gun, bearing serial  
 22 number ... the buyer is recorded as Mr Ali."  
 23 Then we can see there is a reference to other NG11  
 24 documents.  
 25 This was a limb of the case that was being mounted

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1 you -- under RIPA. If we look seven lines up from the  
 2 bottom, we can see:  
 3 "CAD 9827/13 November 2015 identifies a number of  
 4 [ending in] 897 as belonging to Ozcan Eren, Izzet's  
 5 brother, who has recently visited him in prison."  
 6 I am going to suggest to you, Mr Murray, that by  
 7 13 November your team was aware that the 897 number was  
 8 attributed to Ozcan Eren.  
 9 **A. Yes.**  
 10 Q. So it was a possibility for you, armed with that  
 11 information, to have sought, even retrospectively, cell  
 12 site information but also to have very much in mind  
 13 going forwards from 13 November that it may have been  
 14 possible to obtain quick-time cell site of his  
 15 movements?  
 16 **A. Yes.**  
 17 Q. Sorry, of the movements of that phone, because  
 18 I appreciate the limitation, you can only cell site  
 19 a device, you cannot cell site a person, but the  
 20 attribution was there?  
 21 **A. Correct. I don't want to get into technical, you are**  
 22 **only given a limited area in relation to cell site, you**  
 23 **are not pinpointing it --**  
 24 THE CHAIRMAN: Cell site evidence can prove where a person  
 25 is not, it cannot prove where a person is, or where the

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1 against the defendants?  
 2 **A. Yes, it was an entry in the summary that appears, yes.**  
 3 Q. But you were unaware that information in the case had  
 4 also identified that on 28 October, Ozcan Eren's mobile  
 5 phone was located at a MAST in the vicinity of Woody's?  
 6 **A. Well I can see from this summary there was an entry on**  
 7 **there, the part about the fact his phone was in that**  
 8 **vicinity, I can't recall that. I am not saying we**  
 9 **didn't know that, I am just saying I personally cannot**  
 10 **recall that.**  
 11 THE CHAIRMAN: If you had known it, what would you have  
 12 done?  
 13 **A. Prior to the offence?**  
 14 THE CHAIRMAN: Yes. Prior to 11 December.  
 15 **A. Prior to 11 December, if we had information that there**  
 16 **was someone had gone there, then we could have made**  
 17 **enquiries there, yes.**  
 18 THE CHAIRMAN: Shouldn't that have happened, because that  
 19 information was in the domain of the investigation.  
 20 **A. I can't recall a discussion with anyone about Woody's.**  
 21 **There may have been, but I can't recall any discussion**  
 22 **about Woody's and a gun supply shop. There may well**  
 23 **have been, but I can't recall that period of time.**  
 24 MS BLACKWELL: Thank you, we can take that down now.  
 25 Just for the purposes of clarity, the summary of

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1 cell site that we saw on the document that you say you  
 2 had not seen before, is produced with the benefit of  
 3 a detailed cell site survey, isn't it?  
 4 **A. Yes.**  
 5 Q. I wasn't suggesting to you that there is a similar  
 6 ability to obtain that level of detail in quick time,  
 7 but it is a possibility in certain circumstances for you  
 8 to obtain cell site information, data, in quick time,  
 9 isn't it?  
 10 **A. Yes.**  
 11 Q. It is less detailed and it isn't anything like the  
 12 extent to which we saw on that document, but,  
 13 nevertheless, there is an ability to do that?  
 14 **A. That's correct, yes.**  
 15 Q. Thank you.  
 16 Let's turn then to the following day, please,  
 17 Mr Murray, 10 December 2015, and your attendance at the  
 18 briefing at New Scotland Yard that afternoon.  
 19 Were you aware that it had been the hope and  
 20 expectation, certainly of Mr Williams, and others, that  
 21 the firearms officers would attend that briefing in  
 22 addition to the surveillance officers and members of  
 23 your team?  
 24 **A. Yes, and the reason it was held there was because it was**  
 25 **a large conference room and lecture room in New Scotland**

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1 **recognised him from being there, but I can't recall the**  
 2 **full details of who was on there.**  
 3 Q. He was at the Crown Court with you?  
 4 **A. I think so, yes. Yes.**  
 5 Q. On which occasion, just to clarify?  
 6 **A. I think it was the time when I went to visit the court.**  
 7 Q. Right.  
 8 THE CHAIRMAN: 7 December?  
 9 **A. Let me just check, your Honour, if I could just check**  
 10 **that. Yes, 7 December.**  
 11 MS BLACKWELL: That was the occasion when you walked around  
 12 the court and performed the security assessment?  
 13 **A. Well, I went there to meet the judge and the court**  
 14 **manager. Whilst we were there, I spoke to the court**  
 15 **manager and then it all sounded very positive and it was**  
 16 **potentially going to be but she had to consult with the**  
 17 **judge, so in the interim period we were shown round the**  
 18 **outside of the building and various access roads and**  
 19 **approach roads.**  
 20 Q. What, in your mind, was the purpose of the briefing on  
 21 10 December?  
 22 **A. To ensure there was an overview of the operation, and**  
 23 **that everyone knew what was going to happen and what was**  
 24 **expected of them. Giving them an opportunity to explain**  
 25 **or ask any questions.**

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1 **Yard, so it meant as much people as possible could be in**  
 2 **and get the briefing, yes.**  
 3 Q. When you attended the briefing, were you unfair that in  
 4 fact only one firearms officer was in attendance?  
 5 **A. I know now from reading through the material but at the**  
 6 **time I can't remember.**  
 7 Q. If we look at the list of attendees, please -- the  
 8 inquiry has seen this document before, it is at  
 9 MPS556 -- we can see various officers have signed the  
 10 attendance sheet. Can we go over to the next page,  
 11 please.  
 12 In fact, the one firearms officer who was in  
 13 attendance, who we now know to be W80, has not signed  
 14 the form, so to all intents and purposes, there are no  
 15 firearms officers who have signed the attendees form.  
 16 Have you seen that document before?  
 17 **A. Yes, I would have done, because I am the second**  
 18 **signature from the end.**  
 19 Q. Yes, I was just going to identify that with you.  
 20 Did you become aware then, either at the time that  
 21 you signed this or during the course of the briefing  
 22 itself, first of all, that W80 was there, and, secondly,  
 23 that he was the only firearms officer present?  
 24 **A. I can't recall that, but I believe from reading that W80**  
 25 **was at the court, Wood Green Crown Court, so I may have**

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1 Q. One of the purposes of getting everybody involved in the  
 2 operation on 11 December together the day before, was to  
 3 provide a level of insight for each of them as to what  
 4 each of the teams were expected to do?  
 5 **A. Yes.**  
 6 Q. Was it disappointing to you that there was only one  
 7 firearms officer present?  
 8 **A. I think the normal practice is for firearms officers to**  
 9 **come and then debrief themselves later and they have**  
 10 **subsequent briefings before. I can't remember having**  
 11 **a view on whether or not I was disappointed or not, but**  
 12 **as long as everyone who was needed to be there was**  
 13 **there, and understood or else was going to disseminate**  
 14 **and cascade the information to their teams, that was the**  
 15 **most important thing. So I can't honestly say I took**  
 16 **a view that morning of I am disappointed there is not**  
 17 **many people here, I can't recall that, but there**  
 18 **certainly was, as far as I believe, a representative of**  
 19 **every unit that was going to be involved present at that**  
 20 **meeting.**  
 21 Q. Are you able, now, to confirm whether or not it even  
 22 struck you as -- I am going to say disappointing, or  
 23 something that was not expected in terms of the poor  
 24 attendance of the firearms officers?  
 25 **A. I can't remember any view I took that morning in**

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1 **relation to that, no.**  
 2 Q. Or any discussion you might have had with anybody else  
 3 to try and identify why they hadn't attended?  
 4 **A. No, I can't remember anything like that at all, no.**  
 5 Q. From what you have said, does it follow that it fell to  
 6 W80 to ensure that every firearms officer was appraised  
 7 of what had gone on during the course of that briefing?  
 8 **A. That would have been the interpretation. I mean you**  
 9 **said that W80 wasn't -- was the only person that was**  
 10 **there. That would have been my thought, if there was**  
 11 **someone from the firearms team there, they would then**  
 12 **pass on that information. But I can't remember taking**  
 13 **a view that morning, I can't remember having**  
 14 **a discussion with anyone saying, "It is disappointing"**  
 15 **or, "How many of them are here?" I didn't think I had**  
 16 **that conversation with anyone, so I can't really add to**  
 17 **that I am afraid.**  
 18 Q. Who had organised the briefing?  
 19 **A. I think it was DCI Williams, assisted by DC Kinch**  
 20 **I believe.**  
 21 Q. So who decided on the invitation list?  
 22 **A. I would have assumed that was DCI Williams.**  
 23 Q. It wasn't you?  
 24 **A. It wasn't me, no.**  
 25 Q. Whose responsibility was it for inviting the firearms

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1 Q. We can see this at IPC315, please, Mr Coates.  
 2 That is the first page confirming that this is the  
 3 correct audio log.  
 4 If you could go to page 8, please, I am just going  
 5 to read from the middle of the page, where Mr Kinch  
 6 says:  
 7 "I think if you are concerned around subject Borg  
 8 ..."  
 9 That's Ozcan Eren, isn't it?  
 10 **A. I believe so.**  
 11 Q. Thank you.  
 12 "... going into a location where he might be meeting  
 13 up with people who are subject to armed surveillance,  
 14 I think the idea around that is that the armed team will  
 15 take primacy, everyone, so subject, so their channel  
 16 will take primacy. Then, once subject Borg leaves the  
 17 company of those subjects, it will be taken away,  
 18 separately, but the other armed team by your team again,  
 19 in more specific detail we will talk about it  
 20 afterwards."  
 21 Pausing there, by 10 December did you understand  
 22 that whilst there was going to be armed surveillance  
 23 around the Audi vehicle and the prison van, that there  
 24 was not to be armed surveillance around Ozcan Eren?  
 25 **A. That's correct.**

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1 officers?  
 2 **A. I would assume it was the TFC in liaison with**  
 3 **potentially the TAC adviser, et cetera, would have**  
 4 **arranged that.**  
 5 THE CHAIRMAN: In the context of this case, can we have some  
 6 names? I mean the TFC was Mr Williams.  
 7 **A. The TFC was Mr Williams.**  
 8 THE CHAIRMAN: He is not going to personally send out the  
 9 invitations in whatever form they are to be sent out.  
 10 **A. No, he may well have tasked --**  
 11 THE CHAIRMAN: Who would you have expected to have the  
 12 responsibility of conveying Mr Williams's wishes that as  
 13 many firearms officers as possible should attend this  
 14 meeting?  
 15 **A. He may have tasked that to somebody else. He certainly**  
 16 **didn't task it to me.**  
 17 THE CHAIRMAN: No, I am not saying he did but I am just  
 18 asking you to assist by saying to whom you would have  
 19 expected him to task that responsibility.  
 20 **A. I don't know.**  
 21 THE CHAIRMAN: Thank you.  
 22 MS BLACKWELL: Just before we leave this topic, let's have  
 23 a look at the transcript of the briefing, because it was  
 24 audio recorded, wasn't it?  
 25 **A. That's correct, yes.**

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1 Q. Right.  
 2 Was that something with which you agreed?  
 3 **A. Yes, there is a criteria for deployment of armed**  
 4 **firearms, which I am sure will be discussed or has been**  
 5 **discussed. There was no suggestion from what I heard**  
 6 **that the subject Borg was in possession of a firearm, or**  
 7 **would be in a possession of a firearm that morning.**  
 8 **Hence that was the reason why an armed surveillance team**  
 9 **was not requested or required on him.**  
 10 Q. He was one of the main subjects, and in fact as at  
 11 10 December, was one of only three identifiable  
 12 subjects, wasn't he?  
 13 **A. Yes.**  
 14 Q. Izzet Eren, Sinan Ozger and Ozcan Eren.  
 15 **A. Yes.**  
 16 Q. It was expected, certainly in your mind from the meeting  
 17 you had had with Mr Kinch and Sparks the day before,  
 18 that real guns were going to be used in the breakout.  
 19 Had it crossed your mind that Ozcan Eren may be  
 20 involved in providing the firearms?  
 21 **A. It is possible he could have done, but there was no**  
 22 **intelligence to suggest that.**  
 23 Q. What did you think his involvement was in the  
 24 planning --  
 25 **A. The interpretation was that he had a command and control**

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1 **type role. He was person arranging it. There was no**  
 2 **suggestion, that I was made aware, that he was ever**  
 3 **going to be the person that was going to be there with**  
 4 **a gun breaking him out from the prison van. There was**  
 5 **nothing to suggest that at all. So it was**  
 6 **a control/arranging time of thing, rather than get his**  
 7 **hands dirty in doing it himself.**  
 8 Q. Do you agree, we will come to this in a moment, during  
 9 the course of the morning of 11 December that  
 10 consideration was given to whether or not he was coming  
 11 to drop off, to deliver a firearm to the Audi?  
 12 **A. I can't remember that.**  
 13 Q. All right. Were you aware that in July 2015 there was  
 14 intelligence that he had been in possession of a Luger  
 15 firearm?  
 16 **A. I may have been at that time, but I can't recall that**  
 17 **now.**  
 18 Q. Right. Wasn't the fact that he was one of the main  
 19 subjects involved in a plan in which real guns were  
 20 going to be used, and in conjunction with the piece of  
 21 intelligence that I have just identified, taken all  
 22 together, didn't those propel you or shouldn't they have  
 23 propelled you to consider that perhaps armed  
 24 surveillance should have been mounted on him as well?  
 25 **A. Not necessarily, no. I mean ultimately the decision**

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1 **A. If he was in possession of it or had control of it, then**  
 2 **that would make a difference. If he didn't, and had**  
 3 **given the gun to someone else, then no. But each**  
 4 **intelligence has to be assessed and considered and as**  
 5 **long as that information was passed to the TFC, who was**  
 6 **ultimately making the decisions around it, then I was**  
 7 **happy with that. So in the face of it, I was happy.**  
 8 Q. Thank you. I should point out in fact that the  
 9 intelligence relating to the gun having been purchased  
 10 at Woody's was not known at the time?  
 11 THE CHAIRMAN: Sorry, that is my fault.  
 12 MS BLACKWELL: It was not known until after 11 December, but  
 13 the hypothetical question remains.  
 14 **A. Yes.**  
 15 Q. Let's return then, please, to the transcript and I would  
 16 like to move down to the entry, the penultimate entry on  
 17 that page, where we see the words "Male 3":  
 18 "Just where the Audi is laid there is, is that on  
 19 the usual route for the van from the Scrubs to the court  
 20 or has he got to come out and position himself elsewhere  
 21 to get to the direct route, do we know?"  
 22 That is a question directed to the area that the  
 23 Audi had been parked in Eastern Road in the car park,  
 24 and one of the attendees is asking whether or not the  
 25 vehicle would have to move to get on to the route that

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1 **would have been one for the TFC and -- sorry,**  
 2 **DCI Williams, in consultation with Superintendent**  
 3 **Turner, but as far as I was concerned, I was happy and**  
 4 **I agreed with the level of cover that we had, and for**  
 5 **Ozcan Eren not to be the subject of armed surveillance.**  
 6 THE CHAIRMAN: Would your attitude have been the same if you  
 7 had known that on 28 October his phone had been in the  
 8 location of Woody's, from which there was intelligence  
 9 by December that an imitation firearm had been  
 10 purchased?  
 11 **A. Yes, it would have been.**  
 12 THE CHAIRMAN: It wouldn't have made any difference?  
 13 **A. No, I mean not if you are suggesting that he had**  
 14 **purchased an imitation firearm on that day, no, unless**  
 15 **there was intelligence to suggest he had a real firearm**  
 16 **with him or was going to be present with a firearm, then**  
 17 **that would have been different. But, no, to my**  
 18 **knowledge, there wasn't.**  
 19 MS BLACKWELL: Would your opinion have changed, would your  
 20 desire for him to be under armed surveillance, as well  
 21 as the Audi vehicle and the prison van, have arisen if  
 22 you had known that there was surveillance to suggest  
 23 that he had dropped off an imitation firearm to  
 24 Nathan Mason a couple of days beforehand, would that  
 25 have made any difference?

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1 the prison van was taking from Wormwood Scrubs to the  
 2 court.  
 3 Mr Williams responds:  
 4 "We don't know it definitively and there are some  
 5 reasons why we haven't made direct approaches to Serco.  
 6 I imagine it is probably down to a little bit of a whim  
 7 with the drivers, but we haven't made an approach for  
 8 good reasons, which we have -- which have been  
 9 documented. It appears to be a natural route somebody  
 10 would take on that route and certainly our subjects are  
 11 all Haringey based. It is an environment they are  
 12 comfortable with around there, so that is all I can say  
 13 at the moment."  
 14 Then Mr Kinch responds:  
 15 "Very early in the morning we will be notified of  
 16 the intended route of that particular van."  
 17 That confirms what you have already told the inquiry  
 18 this morning, that it wasn't until the morning of  
 19 11 December that you would become aware of the precise  
 20 route that was going to be taken. And, indeed, the  
 21 number of stops that the van was going to take because  
 22 there was a prospect that the van might have to drop off  
 23 at another Crown Court or a Magistrates' Court on the  
 24 way to Wood Green, wasn't there?  
 25 **A. That's correct, yes.**

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1 Q. Or indeed the number of people on board, because  
 2 although Izzet Eren was to be sentenced together with  
 3 his co-defendant, Erwin Amoyaw-Gyamfi, you didn't know  
 4 until the morning whether or not any other prisoners  
 5 were going to be travelling on that van?  
 6 **A. Correct.**  
 7 Q. How were you going to be informed of that information,  
 8 by what route was it going to come to you, on the  
 9 morning of the 11th?  
 10 **A. I had spoken with the prison governor, Mr Nichols, and**  
 11 **arranged for one of my staff, a Detective Sergeant**  
 12 **Donnelly, to be at the prison, to meet him and him to be**  
 13 **given access to an area and then be in a position to**  
 14 **immediately establish which van he was -- the prisoners**  
 15 **were put on, and to get the description and the**  
 16 **registration number of that van and then pass that**  
 17 **immediately.**  
 18 Q. Did that happen?  
 19 **A. Yes.**  
 20 Q. Let's move, please, to 11 December, the morning. As we  
 21 do so, I would like to ask you about tipping points.  
 22 In your mind, on that morning, what were the tipping  
 23 points for you?  
 24 **A. The main tipping point for me was in relation to the**  
 25 **safety of the operation and that was going to be, I had**

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1 **doing it -- it is a case of building the evidence up and**  
 2 **then I occasionally had short discussions with**  
 3 **DCI Williams and then just assessing it as it went**  
 4 **really. There wasn't a line in the sand, "That is**  
 5 **a tipping point we need for this", it was just a case of**  
 6 **gathering it and then discussing it as it went.**  
 7 Q. Do I understand you correctly that your intention was to  
 8 let the conspiracy run as far as possible, until you  
 9 reached a point at which it was no longer viable because  
 10 of the risk posed in the Audi van coming together with  
 11 the prison van, and you would simply then assess, once  
 12 the conspiracy had been stopped, how much evidence you  
 13 had for whatever offences?  
 14 **A. Yes, I mean you can never have too much evidence.**  
 15 **I mean there is a range of things that could have**  
 16 **happened that day. Ranging between Ozcan Eren not**  
 17 **coming out of his house and then two people ... unknown**  
 18 **people getting into the Audi, driving to the court and**  
 19 **not saying a word. That could have happened. What**  
 20 **happened that day happened and obviously we managed to**  
 21 **gather evidence and link in Ozcan Eren to it and see him**  
 22 **and there could have been further alternatives that may**  
 23 **have happened.**  
 24 **So it was a case of gathering the evidence was safe**  
 25 **as it was, building the picture up and then assessing**

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1 **spoken to DCI Williams about it, the prison van coming**  
 2 **to the junction of North Circular and the A1. Assuming**  
 3 **that the Audi was still in the position in the vicinity**  
 4 **of the court.**  
 5 Q. That a risk-based tipping point, isn't it?  
 6 **A. It is, yes.**  
 7 Q. Also having been described during the course of this  
 8 inquiry as a geographical tipping point, if you like?  
 9 **A. Yes.**  
 10 Q. As the SIO of the investigation, what were your  
 11 evidential tipping points?  
 12 **A. I didn't have any evidential tipping points. It was**  
 13 **a case of assessing, because everything to assess prior**  
 14 **to it actually happening was hypothetical. From my**  
 15 **perspective, I would seek to gather as much evidence as**  
 16 **we possibly can of a conspiracy prior, up to the point**  
 17 **of when it was safe for any action to be taken.**  
 18 **So I was -- I based myself in C3000, and I sought to**  
 19 **be updated on things that are happening within the --**  
 20 **information that was coming ... evidence that was coming**  
 21 **from the probe. And also what was happening with the**  
 22 **surveillance as well.**  
 23 **So it was a case of just gathering the information,**  
 24 **and then assessing the evidence from there. So I didn't**  
 25 **have a: this is the tipping point, this is going to be**

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1 what evidence we have got at that point, but there may  
 2 have been a point where action would have had to have  
 3 been taken.  
 4 **If Ozcan Eren had not come out, two people had got**  
 5 **in the car five minutes before they went to Wood Green,**  
 6 **action had been taken because the prison van had come to**  
 7 **the junction with the North Circular and A1, and we**  
 8 **would have had to have stopped the car. We would**  
 9 **possibly have had no evidence whatsoever of conspiracy**  
 10 **if they had said nothing.**  
 11 **So there were a load of different potential**  
 12 **alternatives that could have happened, so it was just**  
 13 **a case building it as it went and I learned the evidence**  
 14 **as it developed that morning. There may have been**  
 15 **a sequence, something could have happened whereby action**  
 16 **may needed to have been taken, things could have been**  
 17 **said in the van ... sorry, in the Audi. Ozcan could**  
 18 **have got in the Audi and said things, "Oh, here is the**  
 19 **gun, this is a real gun, there is another real gun", and**  
 20 **action could have been taken prior to when it was done.**  
 21 Q. What were you hoping for evidentially out of this  
 22 operation?  
 23 **A. Evidentially I was hoping for strong evidence against**  
 24 **all the people that were involved.**  
 25 Q. For what?

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1 **A. For a conspiracy to break Izzet Eren out of custody and**  
 2 **recovery of firearms and ammunition, whilst the**  
 3 **overarching ensuring that he was not able to escape.**  
 4 Q. Did you discuss your evidential expectations or hopes  
 5 with, for instance, Mr Williams?  
 6 **A. Yes, I ... we did -- I discussed what we had hoped to**  
 7 **achieve from that. But that was obviously my angle as**  
 8 **the SIO. He obviously had a different hat all together,**  
 9 **he was dealing with the tactical firearms commander's**  
 10 **role.**  
 11 **So from my perspective I want as much evidence as**  
 12 **possible, but I also understood the role and the risks**  
 13 **that he was dealing with in the armed operation.**  
 14 Q. Let's have a look at an email, please, sent to  
 15 Governor Nichols.  
 16 We can see this at HMP9, this is in our additional  
 17 bundle, sir, at red page 48.  
 18 THE CHAIRMAN: Thank you.  
 19 MS BLACKWELL: This was sent by you to him on 8 December:  
 20 "Following on from our meetings regarding this  
 21 proposed operation at Wormwood Scrubs on  
 22 13 November 2015 and earlier today, I can confirm the  
 23 following:  
 24 "The proactive police operation will take place on  
 25 Friday, 11 December 2015 and will involve the following

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1 vehicle and effect the arrest of suspects involved".  
 2 What did you mean by that?  
 3 **A. As it said, once we had obtained sufficient evidence,**  
 4 **then steps would have been taken.**  
 5 Q. I am going to ask you again: in your mind, what would  
 6 amount to a sufficiency of evidence?  
 7 **A. Well, in the scale of evidence from the probe,**  
 8 **potentially, what, how many people were in the vehicle,**  
 9 **what has been seen placed in the vehicle, the location**  
 10 **potentially of Ozcan Eren, his involvement with those**  
 11 **people that day. But as you had rightly identified,**  
 12 **Ozcan Eren was a key person involved in this and**  
 13 **obviously someone we sought to gather evidence of and**  
 14 **convict.**  
 15 Q. In your mind, were there any evidential tipping points?  
 16 **A. No.**  
 17 Q. Did you consider seeking advice from the Crown  
 18 Prosecution Service prior to 11 December as to what may  
 19 amount to an evidential tipping point --  
 20 **A. No.**  
 21 Q. -- or a threshold --  
 22 **A. No.**  
 23 Q. -- after which the arrests would be effected?  
 24 **A. No.**  
 25 Q. Why not?

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1 assets and support to minimise risk to all persons  
 2 involved.  
 3 "Covert surveillance team with additional covert  
 4 armed support will be in place for the prison van, which  
 5 will carry the two prisoners ... additional uniformed  
 6 support will also be arranged. Covert armed  
 7 surveillance with additional covert armed support will  
 8 be in place for the known suspect vehicle. Once  
 9 sufficiency of evidence has been gathered on the  
 10 suspects, officers will stop the known suspect vehicle  
 11 and effect the arrest of those suspects involved.  
 12 "Should police lose surveillance of control of the  
 13 known suspect vehicle ... the operation will move to  
 14 an overt phase and police will provide overt armed  
 15 support to the prison van to and from the court.  
 16 "The key element of the police operation is that the  
 17 known suspect vehicle will never be allowed to reach the  
 18 prison van, thereby removing the risk to all parties in  
 19 the prison van and reducing the risk to the suspects  
 20 themselves.  
 21 "Thanks for your support in progressing this  
 22 operation."  
 23 I would just like to return to the third bullet  
 24 point, "Once sufficiency of evidence has been gathered  
 25 on the suspects, officers will stop the known suspect

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1 **A. I didn't consider it necessary.**  
 2 Q. Could you expand on that, please?  
 3 **A. Yes. I have done a number of these operations,**  
 4 **conspiracy evidence, as my team have, during Operation**  
 5 **Utara and other operations. This operation in question**  
 6 **was a large-scale, multi-team, multi-faceted operation**  
 7 **but the evidence in this case was going to be, what**  
 8 **I would consider to be, relatively straightforward,**  
 9 **because the evidence in this case was going to be**  
 10 **a fusion between the evidence we gathered from the**  
 11 **probe, the evidence we gathered from the surveillance**  
 12 **update, who went in that vehicle, what they did, were**  
 13 **they -- what they brought into that car, and the**  
 14 **movements of Ozcan Eren.**  
 15 **There would be subsequent things like seizures of**  
 16 **phones and download of phones, et cetera but really the**  
 17 **key parts really were: what are the people in that car**  
 18 **saying they are going to do and what is their movement.**  
 19 **During the course of the day, obviously, some people**  
 20 **got in the car, they had discussions, which gathered**  
 21 **additional evidence and it became clear of what they**  
 22 **were speaking about, between references to guns and**  
 23 **shooting the lock and putting guns in Serco people's**  
 24 **faces, et cetera. And then subsequently the movement of**  
 25 **Ozcan being seen at that location, communications which**

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<p>1 <b>obviously suggested and linked Ozcan by telling them</b>  2 <b>what to do and what they should do and then ultimately</b>  3 <b>when it came to it they actually discussed the location</b>  4 <b>and the cell that Izzet Eren was actually in.</b>  5 <b>Which obviously that gathered together, I consider</b>  6 <b>that to be sufficiency of evidence, which then obviously</b>  7 <b>resulted in subsequent convictions of the people</b>  8 <b>involved.</b>  9 Q. Thank you for that explanation.  10 I am going to ask that we look at a witness  11 statement which you have prepared for this inquiry on  12 18 May of this year. It's MPS3689 and paragraph 2,  13 please, to begin with.  14 THE CHAIRMAN: I think it is 3869, is it or -- sorry, it is  15 the index that is wrong.  16 MS BLACKWELL: 3689.  17 THE CHAIRMAN: Thank you.  18 No, it is 3869.  19 MS BLACKWELL: Yes, it is, thank you, sir.  20 THE CHAIRMAN: Yes.  21 MS BLACKWELL: Mr Murray, this witness statement was  22 provided by you as a result of a specific request from  23 the inquiry on this issue, wasn't it?  24 <b>A. It was, yes.</b>  25 Q. Thank you.</p> <p style="text-align: center;">Page 53</p>	<p>1 As you make clear in paragraph 1. Then if we look  2 to paragraph 2, you say:  3 "I didn't consult with the CPS to seek early advice  4 as to the evidential threshold, there was no need or  5 requirement to do so and I would not have felt it to be  6 useful to discuss evidential tipping points in  7 speculative terms."  8 Just pausing there, you have confirmed that this  9 morning, haven't you?  10 <b>A. Thank you, yes.</b>  11 Q. "... while it was a resource-heavy and complex  12 operation, it appeared to me that this was a relatively  13 simple or straightforward job in terms of the evidence  14 required for conviction, particularly given the  15 availability of evidence from the probe. Warrants and  16 authorities had been sought and authorised by the  17 relevant persons and there was no need in my view for  18 CPS early advice. If there had been a need for it,  19 I would have sought it."  20 Pausing there, it was a facility open to a SIO in  21 a criminal case to seek advice and guidance from the  22 Crown Prosecution Service, even at such an early stage  23 in an operation, wasn't it?  24 <b>A. I have never consulted with the CPS at this early stage</b>  25 <b>before. I have for other matters, undercover officer</b></p> <p style="text-align: center;">Page 54</p>
<p>1 <b>cases, international letter requests et cetera, but</b>  2 <b>never during the course of a proactive operation for</b>  3 <b>something of this level. No, I haven't.</b>  4 Q. All right, that was not an answer to the question, in  5 fact.  6 <b>A. Sorry.</b>  7 Q. Don't apologise, I was simply asking you to confirm that  8 this is available to an SIO, it is a facility that can  9 be used and I think in answering the question you have  10 provided examples of when you have used it?  11 <b>A. Yes, is the answer to your question.</b>  12 Q. But, to be fair, you went on to say that for  13 an operation such as this, you wouldn't have considered  14 it?  15 <b>A. No. If I had, I would have.</b>  16 Q. All right.  17 Paragraph 3:  18 "Whilst the elements of the offence under  19 investigation were relatively simple, the firearms side  20 of the operation handled by the TFCs, SFC and tactical  21 adviser were well resourced and painstakingly planned."  22 Then you go on to set out when you had considered  23 obtaining advice from the CPS?  24 <b>A. Or I have had advice in those cases, yes.</b>  25 Q. Thank you.</p> <p style="text-align: center;">Page 55</p>	<p>1 Then, finally, paragraph 5:  2 "In relation to Operation Ankaa, I recall contacting  3 the CPS to establish who the CPS charging lawyer would  4 be for 11 December or the CPS special case section  5 charging list, in the event that we required a charging  6 decision for this operation."  7 So you did in fact contact in order to obtain the  8 identity of the person that you may wish to provide  9 information to if you needed a charging decision  10 following the conclusion of the operation?  11 <b>A. Correct.</b>  12 Q. Thank you.  13 Did you in fact speak to that person or were you  14 simply given that person's details by somebody else?  15 <b>A. I can't remember. I think I have taken this from one of</b>  16 <b>my notes, where I think I have written Jo Tang in my</b>  17 <b>notes somewhere, I believe.</b>  18 Q. It looks as if she was to be the charging lawyer?  19 <b>A. I think so, yes, but I can't remember if I spoke to</b>  20 <b>someone or I spoke to her, but I can't remember that,</b>  21 <b>but I am fairly sure that was a name I was given.</b>  22 Q. Right, it looks from your statement, and you are  23 referring back to your handwritten notes, that you spoke  24 with Jo Tang or you were advised that she was the  25 charging lawyer?</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

1 **A. I may have done, I can't remember.**  
 2 Q. If you had have spoken with her, and you had felt the  
 3 need to discuss the evidential threshold with her, you  
 4 could have done that?  
 5 **A. I could have if I had spoke to her, yes.**  
 6 Q. Yes, thank you.  
 7 It is a little earlier than we might normally break,  
 8 sir, but I wonder if --  
 9 THE CHAIRMAN: It probably is not, actually.  
 10 MS BLACKWELL: Could we have our mid-morning break now,  
 11 please?  
 12 THE CHAIRMAN: 11.35.  
 13 MS BLACKWELL: Thank you.  
 14 (11.23 am)  
 15 (A short adjournment)  
 16 (11.37 am)  
 17 MS BLACKWELL: Thank you, sir.  
 18 Mr Murray, as part of your duty as senior  
 19 investigating officer, was it important to keep  
 20 an action log during the course of the operation?  
 21 **A. Yes, I made various notes during the course of the**  
 22 **progress of the operation, yes.**  
 23 Q. Was there also an action log kept on what the inquiry  
 24 has heard described as the S: drive?  
 25 **A. I can't remember. I think there was something. There**

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1 **built up, because I am obviously ... prior to anyone**  
 2 **stepping inside that stolen Audi, we didn't have any**  
 3 **evidence at all, we had lots of intelligence, we didn't**  
 4 **have any evidence. So really it was a case of having to**  
 5 **act and assess the evidence, as it came in and we build**  
 6 **up the picture against individuals.**  
 7 Q. Yes.  
 8 **A. As said, the example I gave, if Ozcan Eren had got into**  
 9 **the Audi and had a damning conversation and mentioned he**  
 10 **had a gun there, then obviously the decision may have**  
 11 **been taken by the TFC and advice from the TAC adviser,**  
 12 **the steps may have been taken prior to allowing it to**  
 13 **run. So it was very still fluid.**  
 14 Q. All right.  
 15 You would accept that Article 2 is an obligation  
 16 that is held by all officers involved in an operation  
 17 such as this?  
 18 **A. Yes.**  
 19 Q. Yes. What is required is an assessment of the risk  
 20 versus the benefit at every stage of the operation?  
 21 **A. Yes.**  
 22 Q. Let's just have a look at the College of Policing  
 23 document on this. It is COP32, and I would like us to  
 24 look at page 4, please, Mr Coates:  
 25 "Article 2 -- right to life."

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1 was something kept on the S: drive, because I remember  
 2 it being mentioned earlier about the McQueen or  
 3 something you asked for.  
 4 Q. Yes, that's right.  
 5 **A. I do remember something about some material being kept**  
 6 **on there, yes.**  
 7 Q. What access would you have had to that?  
 8 **A. I would like to think I would have had full access to**  
 9 **it.**  
 10 Q. Right. Do you remember, during the course of this  
 11 operation, how often you accessed the S: drive?  
 12 **A. I can't remember.**  
 13 Q. Because that would have been a place where actions to  
 14 research associates of the Tottenham Turks, that sort of  
 15 thing, could have been recorded, isn't it?  
 16 **A. It could have been.**  
 17 Q. Do you know whether or not it was?  
 18 **A. I can't remember.**  
 19 Q. All right.  
 20 Just before we broke, you confirmed that in your  
 21 mind, as of the morning of 11 December, there were no  
 22 evidential tipping points in this operation, you were  
 23 going to allow it to run as far as you could whilst  
 24 being a safe operation?  
 25 **A. Yes, I mean I was going to review the evidence as it**

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1 "Article 2 of the ECHR states:  
 2 "Everyone's right to life shall be protected by law.  
 3 No one shall be deprived of his life intentionally, save  
 4 in the exception of a sentence of a court following  
 5 conviction of a crime for which this penalty is provided  
 6 by law."  
 7 And it imposes on EU states an obligation to  
 8 safeguard life, consists of the main duties:  
 9 "An obligation to protect the right to life.  
 10 "Prohibition on taking of life.  
 11 "Procedural obligation to investigate deaths  
 12 resulting from the state's use of force or from the  
 13 state's failure to protect the right to life."  
 14 It can also require in certain well defined  
 15 circumstances:  
 16 "A positive obligation on the authorities to take  
 17 preventative operational measures to protect  
 18 an individual whose life is at risk."  
 19 That is one side of the balance, as against, on the  
 20 other side, the benefit to allowing the conspiracy run?  
 21 **A. Yes.**  
 22 Q. Could you explain to the inquiry, please, how that  
 23 assessment can be discharged in the absence of any  
 24 evidential tipping points?  
 25 **A. I think the -- it can be balanced in relation to the**

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<p>1 <b>risk point, the geographical point, the risk point that</b>  2 <b>we spoke, it was something that would have been --</b>  3 <b>because this was an armed operation, it would have been</b>  4 <b>considered by DCI Williams throughout the progress of</b>  5 <b>the operation in relation to the risk to all persons</b>  6 <b>present and they would have had a no doubt a risk threat</b>  7 <b>matrix of low, medium, high et cetera, they would be</b>  8 <b>considering all this as this armed operation progressed.</b>  9 Q. In your mind, how did you carry out that balancing  10 exercise on the morning of 11 December? Did you, for  11 instance, perform the exercise of going through in your  12 mind the possible evidential tipping points, as I am  13 going to call them, and assessing in your mind, if we  14 get to that stage, where we have got conversation in the  15 probe of them talking about live firearms and extracting  16 Izzet Eren from the van, that will be enough for  17 a conspiracy to effect an escape?  18 <b>A. I can't recall the exact scenarios but, as I have said</b>  19 <b>earlier, it was fluid and there could have been a range</b>  20 <b>of things that could have happened there, from</b>  21 <b>Ozcan Eren not coming out to the two people being in</b>  22 <b>there and saying nothing. There was a range of</b>  23 <b>potential things, so I can't tell you exactly the</b>  24 <b>examples that I may have discussed with someone or I may</b>  25 <b>have thought of at that time, but there were a number of</b></p> <p style="text-align: center;">Page 61</p>	<p>1 <b>possibilities and all you can do in this case is just</b>  2 <b>assess it as it is coming and just monitor it as it is</b>  3 <b>coming and build it up, hopefully build up the evidence</b>  4 <b>as it gets collected that morning.</b>  5 <b>To try and answer your question, yes, I was aware of</b>  6 <b>that, obviously the obligation to life, but the armed</b>  7 <b>operation was being run by DCI Williams, and the</b>  8 <b>evidential tipping point would always be, you call the</b>  9 <b>evidential tipping point, that would always happen</b>  10 <b>before the point of safety, which was obviously the</b>  11 <b>A1/North Circular, which was the point that he had in</b>  12 <b>his mind, from our discussions in relation to when that</b>  13 <b>was going to be safe to do something prior to that</b>  14 <b>point.</b>  15 Q. What discussions did you have with Mr Williams about the  16 point at which you and he would be satisfied that there  17 was sufficient evidence to go in and arrest?  18 <b>A. We never had a discussion that this is the point that is</b>  19 <b>going to be, we just spoke about general potential</b>  20 <b>things that could happen.</b>  21 Q. Did you talk about the strength of the evidence that  22 would be needed for a prosecution and what would happen  23 once that point had been reached?  24 <b>A. No, I can't remember us having a specific point that was</b>  25 <b>set because it was so fluid, we were just speculating.</b></p> <p style="text-align: center;">Page 62</p>
<p>1 Q. Did you, for instance, talk about what would happen once  2 you had reached the point at which it would be possible  3 to prosecute the gang for possession of an imitation  4 firearm with intent to endanger life or intent to commit  5 an indictable offence, what would happen at that point?  6 Would that be enough?  7 <b>A. I can't remember a discussion about that.</b>  8 Q. No.  9 <b>A. No.</b>  10 Q. Did it occur to you that once that point had been  11 reached, it would have been possible to move straight to  12 arresting the conspirators because possession of  13 an imitation firearm with intent to endanger life is  14 a serious offence?  15 THE CHAIRMAN: No, with intention to commit an indictable  16 offence.  17 MS BLACKWELL: To commit an indictable offence, sorry.  18 THE CHAIRMAN: That is all right.  19 MS BLACKWELL: To commit an indictable offence is a serious  20 offence.  21 <b>A. Yes, it is a serious offence but obviously looking at</b>  22 <b>the sustained public protection part of things, it</b>  23 <b>depends on what evidence there was against particular</b>  24 <b>individuals at that stage. So it had to be monitored</b>  25 <b>and assessed throughout the period. The key part was,</b></p> <p style="text-align: center;">Page 63</p>	<p>1 <b>particularly in relation to Article 2, the safety point</b>  2 <b>in relation to ensuring that Audi and that prison van</b>  3 <b>never came together to reduce the risk to the people,</b>  4 <b>all the persons involved.</b>  5 Q. Right, but at what point would you and Mr Williams have  6 been prepared to say that is enough evidence, we can  7 stop the conspiracy?  8 <b>A. Well, as we did on that morning, when they called state</b>  9 <b>amber, when we heard that there is a discussion and they</b>  10 <b>are saying he is in the first cell in the back door,</b>  11 <b>first cell on the right, that was sufficient evidence.</b>  12 <b>We had evidence against Ozcan, we had evidence against</b>  13 <b>the unknown people in the vehicle and that showed,</b>  14 <b>obviously a great deal of knowledge of that is exactly</b>  15 <b>what they were talking about. So they wouldn't have</b>  16 <b>been able to explain we are talking about something</b>  17 <b>else, it was clear, there was the registration of the</b>  18 <b>prison van and the exact cell where Izzet Eren was, that</b>  19 <b>was strong evidence that we felt was sufficient.</b>  20 Q. Before state amber was called by Mr Williams, did you  21 and he have a conversation about the stage at which  22 sufficient evidence would have been obtained and the  23 stage at which state amber could be called and the  24 arrests would be made?  25 <b>A. I can't remember any discussion about that is a point.</b></p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



1 **He was separate, his role was looking after the firearms**  
 2 **operation, my considerations as SIO were separate, I did**  
 3 **discuss as things came in, intelligence and evidence,**  
 4 **but it certainly at the time the intel came in in**  
 5 **relation to the location of the cell where Izzet Eren**  
 6 **was in, was a key point and I can't remember what I may**  
 7 **have said to him at that stage, but it may have been**  
 8 **something along the lines of, "There is enough evidence**  
 9 **at this point", but I think that was his view as well.**  
 10 Q. What you are describing then, Mr Murray, is a reaction  
 11 to the evidence that in fact pertained?  
 12 **A. That's correct.**  
 13 Q. There was no plan between you and Mr Williams as to --  
 14 I accept it could only have been a hypothetical plan,  
 15 but there was no prior discussion between you and  
 16 Mr Williams as to the likelihood of the type of evidence  
 17 that you might obtain and the stage at which sufficient  
 18 evidence would have been reached?  
 19 **A. I can't say there was an agreement. There would have**  
 20 **been discussions about things that could have happened**  
 21 **hypothetically.**  
 22 Q. I am asking you to tell us what those discussions were.  
 23 **A. I can't recall what those discussions were, they would**  
 24 **have been in general, in terms of potential things that**  
 25 **could happen.**

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1 were expecting or hoping to obtain and after which the  
 2 completion of that would have led to state amber?  
 3 **A. I could have had a tick list of evidence, yes, but I did**  
 4 **write down various bits of evidence in my notebook,**  
 5 **I believe of --**  
 6 Q. As it arrived?  
 7 **A. As I was informed of it. Obviously secondary to**  
 8 **Mr Williams getting it.**  
 9 Q. We will have a look at that in a moment.  
 10 Could we put up MPS897, please. This is your first  
 11 witness statement and go to page 4, please, Mr Coates.  
 12 It is the penultimate paragraph, Mr Murray, at the  
 13 bottom of page 4:  
 14 "The decision had been made to run this operational  
 15 deployment from the C3000 Covert Operations Room, where  
 16 the TFC, FE16 [that's Mr Williams] and key personnel  
 17 would be based. I decided that I would base myself in  
 18 that room in order to observe the development of the  
 19 operation and seek/task evidential opportunities where  
 20 appropriate."  
 21 It is that final description I would like to ask you  
 22 about, please. What did you mean by, "... observe the  
 23 development of the operation and seek/task evidential  
 24 opportunities where appropriate"?  
 25 **A. The development operation was the gathering of evidence**

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1 THE CHAIRMAN: Was there ever a discussion to this effect:  
 2 have we got enough, haven't we got enough? Yes/no?  
 3 **A. Yes, I think there was something in relation just prior**  
 4 **to calling state amber, when we got the update from the**  
 5 **probe that the cell that Izzet Eren was in, it was**  
 6 **absolutely clear that this is --**  
 7 THE CHAIRMAN: Was there ever any discussion between you  
 8 before, which led you to the conclusion that you didn't  
 9 have enough? Or was this the first time that the  
 10 sufficiency of evidence was considered between you?  
 11 **A. I think it was, yes.**  
 12 THE CHAIRMAN: This was the first time --  
 13 **A. That we thought we had got enough, yes.**  
 14 THE CHAIRMAN: This was the first time that you discussed  
 15 whether or not you had enough?  
 16 **A. Yes, because at that stage, I certainly thought I had**  
 17 **enough, or we had enough and there was enough.**  
 18 THE CHAIRMAN: Yes.  
 19 MS BLACKWELL: If there had been prior discussions about the  
 20 type of evidence that you were expecting or were hoping  
 21 to obtain and the stage at which perhaps sufficient  
 22 evidence would have been reached, that could have been  
 23 noted down in your notebook, couldn't it?  
 24 **A. Yes, it could have been, yes.**  
 25 Q. You could have compiled a tick list of issues that you

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1 **and how the operation progressed that day.**  
 2 Q. Yes.  
 3 **A. That's fairly straightforward.**  
 4 **Seek to task any opportunities where possible would**  
 5 **have been if other things would have happened, we would**  
 6 **have received hypothetically speaking, let's say we had**  
 7 **received intelligence that someone else somewhere,**  
 8 **Joe Bloggs, has actually got the gun and it is at**  
 9 **another address, he is going to be at McDonald's in Wood**  
 10 **Green at a certain time, then I could have tasked**  
 11 **somebody else to go to that area and conduct**  
 12 **surveillance there or look out for the vehicle or to**  
 13 **research Joe Bloggs, whatever it is. So any opportunity**  
 14 **that came up, that we could have tasked to do something**  
 15 **that was relevant.**  
 16 Q. Did that happen, did you operationally task anybody over  
 17 the course of that morning?  
 18 **A. Not prior to -- not prior to state amber, no.**  
 19 Q. All right.  
 20 At 6.30 am or thereabouts, once the Audi vehicle  
 21 started moving, were you aware that it had been driven  
 22 out of the car park in Eastern Road where it had been  
 23 stored?  
 24 **A. Yes, I was notified it had moved, yes.**  
 25 Q. One evidential opportunity was provided or could have

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<p>1 been provided by the static camera that was overlooking 2 the area where the vehicle was parked. Yes? 3 <b>A. Potentially, yes. Yes.</b> 4 Q. Were you aware on the morning of 11 December that the 5 camera was not able to provide any assistance in the 6 hours of darkness? 7 <b>A. I can't recall that. I think there was some officers 8 deployed there, if my memory serves me right.</b> 9 Q. Yes. 10 Were you aware prior to 11 December that the 11 inability for the camera to provide assistance in the 12 hours of darkness had been raised twice by an officer? 13 <b>A. I do recall something about the imagery or the quality 14 of the imagery being mentioned by someone.</b> 15 Q. Yes, being so poor in darkness, in the hours of 16 darkness, that it was effectively of very little use? 17 <b>A. I can't remember the specifics but you mentioned -- I do 18 recall something of that nature being mentioned.</b> 19 Q. Yes. Had that been dealt with, had the quality of the 20 camera been improved during the hours of darkness, that 21 would have provided a better evidential opportunity, 22 wouldn't it, to have identified the person moving the 23 vehicle at 6.30 in the morning? 24 <b>A. Yes, it could have done, yes, depending on the light, 25 I suppose, and depending on the vision of the officers</b></p> <p style="text-align: center;">Page 69</p>	<p>1 <b>that were deployed already, it may have been they got 2 better control of the movement of the Audi.</b> 3 Q. There was nothing captured of any significance on the 4 camera, was there, that was sufficient to identify 5 anybody? 6 <b>A. Not from memory, no.</b> 7 Q. Nor were any of the surveillance officers able to 8 provide any description of the driver or the passenger? 9 <b>A. That is from my recollection, yes.</b> 10 Q. Yes. 11 Or indeed was there any evidence available of 12 whether or not the person driving the vehicle had been 13 carrying anything when he got to the vehicle? 14 <b>A. I can't remember being told anything about him carrying 15 anything to the vehicle.</b> 16 Q. What was the plan for identifying who was going to be 17 moving the vehicle that morning? 18 <b>A. There was control on the vehicle, so any movement at all 19 would be given by the officers that were conducting the 20 observation on the van and then subsequently the 21 surveillance team following would then have gathered 22 evidence and any imagery where possible to try and 23 identify who they were.</b> 24 Q. Right. 25 I want to move now to ask you about the intelligence</p> <p style="text-align: center;">Page 70</p>
<p>1 that you received during the course of the morning, that 2 the planned escape may be firearms enabled and your 3 understanding of that phrase. 4 Were you informed of the intelligence received on 5 the morning of 11 December that as of the night before, 6 the conspirators had only been able to obtain 7 an imitation firearm? 8 <b>A. Yes, I was informed of that, that morning, when I was at 9 C3000, yes.</b> 10 Q. By whom? 11 <b>A. I believe it was one of the intelligence officers. It 12 wouldn't have been DC Sparks, I suspect it may have been 13 FE19.</b> 14 Q. Right. 15 THE CHAIRMAN: Thank you. 16 MS BLACKWELL: Did that -- sorry. 17 THE CHAIRMAN: No, I just said thank you. 18 MS BLACKWELL: Did that information cause you to reflect 19 upon the state of the evidence that you were expecting? 20 <b>A. It did make me consider the planning had always been for 21 we believed to be a real gun, so it was unexpected, but 22 of course until that firearm actually gets examined or 23 any firearm gets examined, any firearm is going to be 24 treated as real until that. As a former AFO myself on 25 the Flying Squad and the national crime squad, if I was</b></p> <p style="text-align: center;">Page 71</p>	<p>1 <b>deployed operationally with a firearm, then anyone who 2 had possession of a firearm, until any firearm was 3 actually checked and tested at the lab to say this is 4 capable of firing or not, any firearm would be treated 5 as real until proved otherwise.</b> 6 Q. I am going to suggest that that information came to you 7 around about 7.00 am. Do you think that once you became 8 aware of that piece of intelligence, that there was 9 an imperative for you to reassess the operation? 10 <b>A. No, I think the operation was still going to progress in 11 the same manner.</b> 12 <b>The information was that the firearm, at that stage, 13 and that was obviously as of the night before, things 14 could obviously change, how many weapons was going to be 15 brought along? Was it going to be one? Was it going to 16 be more than one? Is one is going to have an imitation 17 and one is going to have a real? Things could obviously 18 change, but the intention still appeared to be that they 19 were going to go ahead with this conspiracy and attempt 20 to break this man out of prison.</b> 21 Q. Yes, but wasn't there a need to assess whether or not 22 the risk and benefit balance had changed? 23 <b>A. No.</b> 24 Q. There was, according to that intelligence, thereafter 25 less likelihood of taking a real firearm off the street,</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

1 wasn't there?

2 **A. If at that stage all they had managed to get was**

3 **an imitation, then there was nothing to say in the**

4 **interim period between that point and that morning, or**

5 **the offence being committed, that other firearms might**

6 **be being used or be able to access a real firearm in**

7 **that interim period ...**

8 Q. If all that was in the Audi vehicle at the time of

9 interception and arrest was an imitation firearm, did

10 that create a greater likelihood that if there was shots

11 fired thereafter, that it would be an unarmed rather

12 than an armed subject who was the focus of those shots?

13 **A. Well, the intelligence was shared with the TFC --**

14 Q. All right.

15 **A. -- and the steps taken by the firearms officers, as**

16 **I discuss later, and how I would treat any imitation**

17 **firearm would be treated as a real firearm unless proved**

18 **otherwise. So that risk still existed.**

19 Q. Sorry, I interrupted you.

20 **A. That risk still existed and the operation, the planning,**

21 **the offence was still going to happen, and just because**

22 **he has an imitation firearm, they were still going to**

23 **try and break him out, that is still an offence that**

24 **needs to be dealt with.**

25 **But again, the interim period they could quite**

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1 **an imitation and it could be catastrophic if it turns**

2 **out that it is actually not an imitation firearm and is**

3 **a real firearm.**

4 Q. What about the possibility of passing it down to the

5 CTSFOs with a caveat or a health warning:

6 "As of last night, the gang had only been able to

7 source an imitation firearm but of course you understand

8 that each firearm scene must be treated as real until

9 you know for certain otherwise."

10 **A. That could have been done, that was a decision for**

11 **whoever was making that decision.**

12 Q. Whose decision was that to make?

13 **A. It could have been -- it was the TFC's decision or**

14 **DCI Williams's decision.**

15 Q. Right.

16 **A. But of course with the risks involved in that, yes.**

17 Q. Armed with that information, did you put into train any

18 additional actions to seek to clarify if there had been

19 any subsequent success in the gang obtaining a real

20 firearm?

21 **A. No, I don't think there was any further opportunities**

22 **from my memory to try and gather that.**

23 Q. Did you make a record of that intelligence when it came

24 to you that morning?

25 **A. Is it in my -- it may be in my notes. I can't answer**

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1 **easily -- I say "quite easily", they could have, it was**

2 **possible that they could have obtained a real firearm or**

3 **other firearms.**

4 Q. I understand that in terms of the effect -- thank you,

5 Mr Coates -- that that information had upon your mind,

6 it was of limited assistance because of the time gap

7 between the receipt of that intelligence and the

8 overnight period, but I would just like to ask you about

9 your most recent answer.

10 Did you say that the information about the imitation

11 firearm was shared with the firearms officers?

12 **A. No, I said that information was shared with the TFC,**

13 **DCI Williams.**

14 Q. Ah.

15 What is your view on the importance of passing that

16 information up to the TFC and the SFC? Was it important

17 that they were both aware that, as of the night before,

18 only an imitation firearm had been sourced?

19 **A. Absolutely.**

20 Q. What is your opinion as to the importance of passing

21 that information down the chain to the officers on the

22 ground, the CTSFOs?

23 **A. Well, that is a decision for who had the position ...**

24 **but the danger with that is someone may be influenced to**

25 **treat this firearm as being -- any firearm as being**

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1 **that question without checking.**

2 Q. Let me identify where your notes of 11 December are, and

3 we will go and have a look at them in a moment.

4 I think we will find them at MPS3788. These should

5 be behind tab 9 in your bundle. Page 3, please.

6 Thank you.

7 It looks as if, certainly on the first part of the

8 page, you have drawn out a table with the three areas of

9 surveillance in the left-hand column going from top to

10 bottom, and then across the rest of the page, we can see

11 that there are timed entries. Is that right?

12 **A. Yes.**

13 Q. Yes.

14 Could you take us through, please, the entry

15 starting at 6.35 am?

16 **A. 6.35 am:**

17 **"Car drive out car park."**

18 **Then:**

19 **"Prison van no change.**

20 **"Ozcan Eren location U/K [unknown]."**

21 **7.00 am there is reference to:**

22 **"Me, G, Jez in Selby."**

23 **No change to the prison van, Ozcan Eren unknown.**

24 **Then at 7.10:**

25 **"Best two crews, hit door, real ting, alarm on van."**

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1 **Apologies, I am struggling to read my own writing.**  
 2 Q. Thank you.  
 3 **A. Something about Denby, I can't make out what that that**  
 4 **is, "Denby credit" or something? "Derby Crescent"? And**  
 5 **then "Selby Road".**  
 6 Q. Yes?  
 7 **A. Then 7.15:**  
 8 **"Pub, meet by astroturf, call from Oz."**  
 9 **Then just to go back to 7.10, Ozcan Eren Tottenham**  
 10 **area, not confirmed.**  
 11 Q. Yes.  
 12 **A. 7.20.**  
 13 THE CHAIRMAN: Something White Hart Lane?  
 14 **A. Yes, "sweep [or swap] White Hart Lane, and then burnt**  
 15 **car (after event)."**  
 16 **I think that is.**  
 17 **Then down to 7.30.**  
 18 Q. Yes.  
 19 **A. By 7.30, "Get to spot, near court".**  
 20 Q. Yes.  
 21 **A. Then a reference to, "Put gun in face and can't press**  
 22 **it, male bust door open".**  
 23 **Then at 7.32:**  
 24 **"Direction to area [possibly]."**  
 25 **7.34:**

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1 that page.  
 2 There is no reference there to the imitation  
 3 firearm, is there?  
 4 **A. Not on that page, no.**  
 5 Q. No. And nor is there any reference to firearms enabled?  
 6 **A. No.**  
 7 Q. If we just look for the sake of completeness on the next  
 8 page, please, we can see that the first entries are call  
 9 to Serco, call to Wood Green Crown Court, Serco, call to  
 10 control prison van, so these are notes made after the  
 11 event, aren't they?  
 12 **A. Yes.**  
 13 Q. So let's go back to the previous page, please.  
 14 Are you able to explain why there is no reference in  
 15 these notes to the fact that the gang had only been able  
 16 to source an imitation firearm?  
 17 **A. No, I just had not written it down, but I was aware of**  
 18 **it.**  
 19 Q. You were aware of it?  
 20 **A. Yes, I had definitely been told that morning whilst**  
 21 **I was at C ... I remember it.**  
 22 Q. Nor is there any reference to firearms enabled?  
 23 **A. No.**  
 24 Q. No. What did you take that phrase to mean?  
 25 **A. Firearms enabled is using a firearm to commit**

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1 **"Second car on plot."**  
 2 **7.38:**  
 3 **"Audi in convoy with other vehicle. Stop. 2 Audi**  
 4 **Norfolk Place, Audi 4 occupants."**  
 5 **7.53:**  
 6 **"Car at rear of Wood Green Crown Court, may have**  
 7 **another."**  
 8 **7.58:**  
 9 **"Audi vicinity Bracknell."**  
 10 **7.59:**  
 11 **"G and unknown, Ali, call."**  
 12 **8.00:**  
 13 **"Oz knows we are on point."**  
 14 **8.06:**  
 15 **"Call in waiting "Be here any time soon. 3 people**  
 16 **in around car."**  
 17 **9.20:**  
 18 THE CHAIRMAN: Do you want to go to the bottom line first,  
 19 because it is 8.49.  
 20 **A. Sorry, thank you, your Honour.**  
 21 **8.49:**  
 22 **"Izzet text, index of prison van. From unknown.**  
 23 **9.20:**  
 24 **"Oz to [something] police all over. Get rid of it."**  
 25 MS BLACKWELL: Right, could we just go back up to the top of

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1 **an offence, it is the context I used it for.**  
 2 Q. A real firearm, a live firearm?  
 3 **A. It could be anything. Could be a real firearm, could be**  
 4 **an imitation firearm, it could be a finger in someone's**  
 5 **pocket indicating there was a firearm, but from either**  
 6 **a police or potentially firearms aspect or a legal**  
 7 **aspect, that is what I understood that phrase to mean.**  
 8 Q. So any type of firearm or indication of a firearm, not  
 9 necessarily a live one?  
 10 **A. It could be, yes.**  
 11 Q. All right. Have you been able to listen to or review  
 12 the evidence that the inquiry has so far heard from the  
 13 firearms officers?  
 14 **A. I could, but I haven't, no.**  
 15 **I have read some evidence of some people's evidence,**  
 16 **I have not watched them but I have read some summaries.**  
 17 Q. Would it surprise you to hear that they overwhelmingly  
 18 took that phrase to mean that the attack would include  
 19 the use of real firearms?  
 20 **A. That is their interpretation of it, but I mean I can**  
 21 **only say how I understood it.**  
 22 Q. Wouldn't it be important, in your opinion, in  
 23 an operation such as this, for there to be clarity about  
 24 the messages that are being given over the radio to the  
 25 officers on the ground?

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1 **A. Yes.**  
 2 Q. It appears from your evidence that your understanding of  
 3 that phrase may be different to how it was understood on  
 4 the morning by the firearms officers?  
 5 **A. It could be. I mean I can only explain how I understand**  
 6 **that phrase to be.**  
 7 Q. Were you involved in any discussions with Mr Williams  
 8 about the phrase "firearms enabled" being given over the  
 9 radio?  
 10 **A. No.**  
 11 Q. Were you aware that that had been done?  
 12 **A. No. I am now, but I wasn't at the time.**  
 13 Q. Were you in the room C3000 throughout the course of the  
 14 morning?  
 15 **A. Pretty much so.**  
 16 Q. Were you physically close to where Mr Williams was?  
 17 **A. On most occasion I wasn't that far from him. I wasn't**  
 18 **sitting right next to him, it depends on what was**  
 19 **happening in there, but in the general vicinity I was,**  
 20 **I think I was, yes.**  
 21 Q. Explain to the inquiry, if you can, the level of contact  
 22 that you had with him over the course of the morning?  
 23 **A. I think I spoke to him, I did speak to him several times**  
 24 **throughout the morning at various phrases -- stages,**  
 25 **with significant things happening, like, for example**

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1 Q. Sorry?  
 2 THE CHAIRMAN: I would like to think they were.  
 3 **A. As they are a key stakeholder in this.**  
 4 MS BLACKWELL: The Covert Monitoring Post was the room,  
 5 proximate to C3000 --  
 6 **A. Yes.**  
 7 Q. -- in which the officers were going to be stationed who  
 8 were listening to any conversation through the probe  
 9 that was taking place in the Audi?  
 10 **A. Yes.**  
 11 Q. This was important evidentially, wasn't it, for your  
 12 operation?  
 13 **A. Yes, it was.**  
 14 Q. You, as the senior investigating officer, would have  
 15 been keen to ensure, firstly that the most suitable and  
 16 effective equipment was installed?  
 17 **A. I would have trusted the TSU to -- I mean I've got**  
 18 **limited technical ability, I would be relying on them to**  
 19 **provide suitable equipment.**  
 20 Q. Whether or not you delegated that task, and it is quite  
 21 obvious and appropriate that you did so, the  
 22 responsibility for ensuring that the very best equipment  
 23 that could be used was used, effectively came from you,  
 24 didn't it? That was your role as the senior  
 25 investigating officer?

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1 **definitely when the car initially moved, when there was**  
 2 **significant updates from surveillance, when the prison**  
 3 **van moved and key or interesting things came through**  
 4 **from the CMP.**  
 5 Q. Right, let's then move to your involvement with the  
 6 Covert Monitoring Post, please.  
 7 Who was tasked with arranging for the staffing of  
 8 the Covert Monitoring Post?  
 9 **A. FE19.**  
 10 Q. Who was tasked with ensuring that there was suitable  
 11 equipment within the Covert Monitoring Post?  
 12 **A. The TSU.**  
 13 Q. Who briefed the TSU?  
 14 **A. On the whole operation?**  
 15 Q. On the Covert Monitoring Post.  
 16 **A. I can't recall who briefed the TSU.**  
 17 Q. Would that have been a job for you?  
 18 **A. I may have -- I certainly did speak to the TSU at**  
 19 **various points. As far as a briefing is concerned,**  
 20 **I don't know who gave them a formal briefing.**  
 21 **I certainly would like to think someone from the TSU**  
 22 **would have been present on 10 December.**  
 23 Q. Were they?  
 24 **A. I can't recall if they were. I would like to think they**  
 25 **would have been.**

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1 **A. I wouldn't agree with that. I would expect it is the**  
 2 **CMP gathered important information to help direct the**  
 3 **operation and evidence, absolutely. I would have wanted**  
 4 **the best equipment possible to be used, absolutely,**  
 5 **I agree with that --**  
 6 Q. Yes.  
 7 **A. -- but whether I would have any knowledge or.**  
 8 MS BLACKWELL: I am not suggesting --  
 9 THE CHAIRMAN: You are being asked who had the  
 10 responsibility for ensuring that the equipment which you  
 11 agree should have been there was there, as I understand  
 12 the question.  
 13 MS BLACKWELL: That's right.  
 14 **A. Yes.**  
 15 THE CHAIRMAN: So who had that responsibility?  
 16 **A. Well I was the SIO in charge of the operation,**  
 17 **ultimately, but I am reliant on the people to advise me**  
 18 **to put that equipment in there, so ...**  
 19 MS BLACKWELL: In terms of staffing, you would have wanted  
 20 the best qualified, the best trained, most able officers  
 21 listening to the probe, wouldn't you?  
 22 **A. I would want -- absolutely, competent officers to be**  
 23 **able to do it, yes.**  
 24 Q. Was it important in your view that those officers, once  
 25 they had been identified, were properly briefed about

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1 the operation generally and what it was expected they  
 2 might be listening to?  
 3 **A. Yes.**  
 4 **Q. Right.**  
 5 You have provided a witness statement dated 1 April  
 6 that lies behind our tab 2 as a result of questions  
 7 posed to you by the inquiry relating to the Covert  
 8 Monitoring Post. That is right, isn't it?  
 9 **A. Yes.**  
 10 **Q. The first matter that I would like to ask you about is**  
 11 **the absence of a Covert Monitoring Post manager.**  
 12 The inquiry has established that there was no  
 13 manager appointed, and you have been asked to explain  
 14 why that is so and you have provided your explanation in  
 15 this witness statement.  
 16 I am going to ask that we look at it together,  
 17 please, it is MPS3799.  
 18 Thank you. Could we highlight paragraph 2, please.  
 19 In your explanation as to why there was no CMP  
 20 manager, you say:  
 21 "The intention was for this CMP to be in operation  
 22 for only a matter of hours. Given the length of the CMP  
 23 deployment -- no CMP manager was allocated."  
 24 Just pausing there, are you there explaining that,  
 25 because this was a short operation, and a short

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1 **was a very short period of time.**  
 2 **A lot of the responsibilities and tasks required of**  
 3 **the CMP manager were not required. There was not going**  
 4 **to be reviews, there was no additional identification of**  
 5 **subject documents created. It was going to be done**  
 6 **within a short space of time, so that was why someone**  
 7 **was not specifically given the stand-alone**  
 8 **responsibility of being a CMP manager.**  
 9 **But I accept there should have been.**  
 10 **Q. All right, so who considered what you have just set out**  
 11 **to the inquiry and came to the decision that a CMP**  
 12 **manager was not required?**  
 13 **A. Well, that was a discussion I think between me and FE19,**  
 14 **that he was going to take the role.**  
 15 **Q. Right. It is probably me and I think we need clarity on**  
 16 **this if we can achieve it. You appear to be saying that**  
 17 **there was no CMP manager, but at the same time**  
 18 **identifying that FE19 took that role.**  
 19 I had understood you to be saying that a decision  
 20 had been taken not to appoint a CMP manager because the  
 21 operation was only of short duration. Doing the best  
 22 that you can now, can you explain to the inquiry what  
 23 consideration was given by you to the appointment of  
 24 a CMP manager and why a decision was taken not to  
 25 appoint one, or whether that is not right and FE19 was

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1 deployment for the CMP, that was a deciding factor in  
 2 not appointing a manager?  
 3 **A. It was the role of a CMP manager -- the role of a CMP**  
 4 **manager for that day was taken as well as by FE19, he**  
 5 **was the sort of acting or perceived to be CMP manager,**  
 6 **because the operation was only going to run for a matter**  
 7 **of hours.**  
 8 **Q. Can I interrupt you there. Is it your evidence that**  
 9 **FE19 was effectively the CMP manager?**  
 10 **A. I fully accept there wasn't a CMP manager. In hindsight**  
 11 **there should have been a CMP manager, but as far as**  
 12 **looking after the role of supervising the officers that**  
 13 **were in the CMP, that was something that FE19 was going**  
 14 **to do and I think did.**  
 15 **Q. What was the relevance of the fact that the operation**  
 16 **was only running for a matter of hours to the absence of**  
 17 **a CMP manager?**  
 18 **A. Because everyone -- the supervision and staff level that**  
 19 **was there was sufficient to be able to deal with that,**  
 20 **we believed. Normally, and I have been involved in**  
 21 **previous CMPs before, which are considerable lengthier**  
 22 **and a lot more involved. On this occasion, it was going**  
 23 **to be a case it would run from when someone got into**  
 24 **that car to likely someone turned up at court or when**  
 25 **the prison officers prisoners were taken to court, so it**

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1 appointed as the CMP manager?  
 2 **A. No, let me clarify.**  
 3 **There wasn't a CMP manager, but some of the**  
 4 **responsibilities of a CMP manager, what a CMP manager**  
 5 **would do, was undertaken by FE19. I hope that clarifies**  
 6 **it.**  
 7 **Q. It does.**  
 8 I am just going to return to the question that  
 9 I asked before that one. What consideration was given  
 10 by you to the appointment of a CMP manager and was it  
 11 your decision not to appoint one?  
 12 **A. Ultimately I am the SIO, I will take responsibility for**  
 13 **not allocating --**  
 14 **THE CHAIRMAN: I think you are being asked a specific**  
 15 **question.**  
 16 **A. Ultimately --**  
 17 **THE CHAIRMAN: Because of your answers, you see, there seems**  
 18 **to be some uncertainty as to whether there was one, what**  
 19 **FE19 was told, and whether there should have been one.**  
 20 **So can you help us?**  
 21 **A. Yes, I can.**  
 22 **There wasn't a CMP manager. I think I have made**  
 23 **that clear. There should have been one. I cannot**  
 24 **recall what conversation I had with FE19 at the time in**  
 25 **relation to the allocation of a CMP manager. Ultimately**

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1 **there should have been one, I will take responsibility**  
 2 **for that, I should have done. But as far as the**  
 3 **specifics of why I didn't, I think I have tried to**  
 4 **assist by saying because of the short duration of this**  
 5 **deployment, that was the decision.**  
 6 THE CHAIRMAN: Did you or did you not have a discussion with  
 7 FE19 to the effect that he was taking the role of CMP  
 8 manager?  
 9 **A. No, he wasn't take the role, he was taking some of the**  
 10 **role, he would identify the staff.**  
 11 THE CHAIRMAN: I only ask because that was what you said  
 12 a few moments ago. Those were your very words, so  
 13 I just need to understand what it is.  
 14 **A. Well there wasn't one. And I --**  
 15 THE CHAIRMAN: No. Did you or did you not say to FE19 words  
 16 to the effect that he was taking the role of CMP  
 17 manager?  
 18 **A. No.**  
 19 THE CHAIRMAN: No. Thank you.  
 20 **A. What I am trying to establish is that some of the role**  
 21 **of a CMP manager was taken by FE19.**  
 22 THE CHAIRMAN: Without using the word "manager"?  
 23 **A. Correct.**  
 24 THE CHAIRMAN: Thank you.  
 25 **A. Sorry if I have not made that clear.**

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1 **A. Yes.**  
 2 Q. "Ensure appropriate recording systems are in place."  
 3 Was that something that fell to FE19?  
 4 **A. Yes.**  
 5 Q. Now then, you go on to say:  
 6 "It was felt that the persons present at the  
 7 operation had the suitable experience to operate the  
 8 CMP."  
 9 Let me just pause there. Who felt that the persons  
 10 present at the operation had suitable experience?  
 11 **A. FE19 had selected the staff that was going to be used.**  
 12 Q. Did you understand that he had selected those people  
 13 based upon their experience?  
 14 **A. I believe so, yes.**  
 15 Q. Right. Were you satisfied to leave that responsibility  
 16 to him or to delegate that responsibility to him?  
 17 **A. Yes.**  
 18 Q. Right. You go on to say -- I am just going to go back  
 19 to the beginning of the sentence:  
 20 "It was felt that the persons present at the  
 21 operation had the suitable experience to operate the CMP  
 22 and had been briefed accordingly in the role and the use  
 23 of the equipment."  
 24 Again, was that FE19 who felt that the persons  
 25 present had been appropriately or accordingly briefed in

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1 MS BLACKWELL: No need to apologise. Was that a discussion  
 2 that you had with FE19, that you expected him to take  
 3 certain responsibilities that morning?  
 4 **A. Yes.**  
 5 Q. Right. Let's look back at your witness statement,  
 6 please, for a moment, and see which of these  
 7 responsibilities he did take on. I am still at  
 8 paragraph 2, and I am on the third line now.  
 9 You prefaced what I am going to go to by saying:  
 10 "The role of a CMP manager is to manage the  
 11 day-to-day running of the CMP, ensure sufficient staff  
 12 are allocated to the CMP ..."  
 13 Let's just pause there. Was that something that  
 14 fell to FE19?  
 15 **A. Yes.**  
 16 Q. "... decision on how long it will be operational for,  
 17 including which days and hours, eg only weekday office  
 18 hours 9 to 5 or every day and full 24-hour coverage."  
 19 That was not something which fell to him, was it,  
 20 because it was quite obvious to you that the operation  
 21 would only be live for a matter of hours?  
 22 **A. Correct.**  
 23 Q. Next:  
 24 "Ensure staff are briefed on the objectives."  
 25 Was that something that fell to FE19?

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1 the role and briefed in the use of the equipment?  
 2 **A. Yes.**  
 3 Q. You were happy to delegate that responsibility to him?  
 4 **A. Yes.**  
 5 Q. Then you go on to say:  
 6 "Due to the nature of the incident and the locations  
 7 it was anticipated that the operation would finish  
 8 within one day, hence the decision not to assign  
 9 a dedicated CMP manager but to utilise officers within  
 10 the role who had undertaken training."  
 11 Is that a reference there to FE19?  
 12 **A. Yes, yes.**  
 13 Q. Your reference there is to "officers" in the plural.  
 14 Did you understand that there was another or other  
 15 officers who had undertaken training in order to carry  
 16 out some of the responsibilities of the CMP manager?  
 17 **A. No, it was to do with -- maybe I have worded that**  
 18 **slightly differently. It should have been able to**  
 19 **perform the role in the CMP.**  
 20 Q. So just one officer and that was FE19?  
 21 **A. Yes, FE19 for the supervisory part of it, but the five**  
 22 **officers in there were the actual listening, monitoring,**  
 23 **relaying officers, that is what their role was in there.**  
 24 Q. Let's move to paragraph 3, please, Mr Coates.  
 25 Here you state:

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1 "FE19 arranged for five suitable officers to staff  
 2 the CMP. I believe he selected them from their ability  
 3 and possibly from previous experience. Two of the  
 4 officers were selected due to their ability to speak and  
 5 understand the Turkish language."  
 6 What did FE19 tell you about the criteria that he  
 7 had used in order to identify and appoint the five  
 8 individuals who were to man the CMP?  
 9 **A. I can't recall the exact conversation. I know that he**  
 10 **had selected three people from our command, or our unit,**  
 11 **our team, and two other officers that were able to speak**  
 12 **and understand Turkish.**  
 13 Q. All right.  
 14 Did he tell you whether or not any of those that he  
 15 had identified as suitable for the role had received any  
 16 formal training in working in a CMP?  
 17 **A. I can't remember that.**  
 18 Q. Would that have been something that you would have  
 19 thought was important in identifying the suitability of  
 20 an officer?  
 21 **A. It would either have been from them completing the**  
 22 **training or else their ability and any previous**  
 23 **experience in undertaking that role.**  
 24 Q. Did you have any knowledge of the level of training and  
 25 experience of any of the officers who were identified as

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1 both of those functions could be carried out  
 2 simultaneously?  
 3 **A. Yes, that was my understanding, yes.**  
 4 Q. All right.  
 5 Are you able to say from any discussions that you  
 6 had with him, whether that was the expectation of FE19?  
 7 **A. I can't recall specifics but I would have expected that.**  
 8 Q. In the event, we know that the review facility didn't  
 9 work?  
 10 **A. That's correct.**  
 11 Q. The inquiry has heard from EG39, the TSU engineer, who  
 12 was present in the room and who took the decision not to  
 13 attempt to rectify the problem for reasons which he gave  
 14 to the inquiry.  
 15 When did you become aware that there was a problem  
 16 with the review facility?  
 17 **A. Whilst I was in the C3000 that morning.**  
 18 Q. Did you at any point over the course of morning go into  
 19 the CMP?  
 20 **A. I think I went in there first of all, prior to -- just**  
 21 **after the 5.00 am briefing to make sure everyone was**  
 22 **there and there was no issues at all, but otherwise, no,**  
 23 **the CMP should be left sterile and people should be**  
 24 **listening to what is going on and then not be interfered**  
 25 **with or have any other additional distractions, should**

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1 suitable for the role?  
 2 **A. Not personally, no, I left that with FE19.**  
 3 Q. Could we look at paragraph 4, please. Here you say:  
 4 "I recall the technical support unit tested the CMP  
 5 equipment and gave instruction on how to use it to the  
 6 allocated officers in C3000 either on the day or in the  
 7 days prior to the operation. TSU officers were present  
 8 in C3000 on 11 December ... during the operation to  
 9 assist."  
 10 Had you been present either in the days prior to the  
 11 operation or on the morning of 11 December in the CMP  
 12 and seen the instruction provided to the officers by the  
 13 TSU operatives?  
 14 **A. No.**  
 15 Q. You had not been present during any of the training?  
 16 **A. No, I hadn't, no.**  
 17 Q. Or any of the instruction by the TSU operatives as to  
 18 how the officers were to use the machine?  
 19 **A. No. No, I hadn't, no.**  
 20 Q. What was your expectation as to the capacity of the  
 21 equipment that was installed there? I am asking you  
 22 that for a specific purpose. Did you understand that  
 23 there was the ability for the officers to listen to the  
 24 live feed as it came in, and also if they required to  
 25 review certain parts of it at the same time, so that

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1 **I say. So, no, I didn't, other than saying -- going in**  
 2 **and introducing myself, et cetera, and checking**  
 3 **everything was okay, that was about it.**  
 4 Q. Any issues that arose, in that room, over the course of  
 5 the morning, you expected to be handled by FE19?  
 6 **A. FE19, yes, or any -- if I was not present in that room**  
 7 **as was the TSU in C3000 as well, along with other**  
 8 **officers, but primarily I would have expected FE19 to**  
 9 **deal with that.**  
 10 Q. Who was it that brought to your attention the fact that  
 11 there was a problem with the review function?  
 12 **A. I can't remember.**  
 13 Q. Did you take any action when you were provided with that  
 14 information?  
 15 **A. It may have been at the same time as being told there**  
 16 **was an issue, at the same time the TSU were trying to**  
 17 **rectify it.**  
 18 Q. At any point during the course of the morning, did you  
 19 consider the opportunity that you had to go and listen  
 20 to the feed, to check its quality?  
 21 **A. No, absolutely not.**  
 22 Q. Why not?  
 23 **A. There was five officers in there, and that wasn't my**  
 24 **role. My role was to supervise and watch the larger**  
 25 **scale operation progress. There was no need for me to**

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1 go in there and listen to it.

2 Q. Were you not curious to see the quality of the feed?

3 A. I would have been interested but, that said, having

4 worked in a CMP, I wouldn't have appreciated some

5 supervising officer coming in and asking me questions

6 what is happening? What is going on now? They need to

7 focus on what they need to listen to and that is the key

8 objective.

9 Q. What input had you had in deciding the detail of

10 briefing that those officers were given prior to the

11 operation commencing?

12 A. The CMP officers, you are talking about?

13 Q. Yes.

14 A. That was dealt with by FE19. But they were certainly

15 present at the overarching briefing on the 10th, they

16 would certainly have been present at the 5.00 am

17 briefing given by DCI Williams into C3000, any

18 additional briefings on top of that by FE19 that he may

19 have given, I was not present at.

20 Q. Right. Do you think it is important that the officers

21 who were charged with listening to the feed coming in

22 were given as much information as possible in order for

23 them to anticipate the types of conversations that they

24 might be overhearing?

25 A. No, I think it is important to give them an overview of

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1 a live firearm in that vehicle. What would have been

2 wrong with saying to those who were carrying out their

3 function in the CMP:

4 "Listen out specifically for anything and the

5 context of the conversation within which firearms are

6 mentioned."

7 A. I think that would be evident. I mean we are talking

8 about detectives who are experienced, who investigate

9 serious crime day in and day out on other operations.

10 Not only ours, they would be fully aware of that.

11 I wouldn't expect to say, "You have got to listen out

12 for firearms", it would be abundantly obvious.

13 Q. By the time the CMP was getting going, you were in

14 possession of the piece of information that we have

15 discussed earlier in your evidence about the fact that

16 overnight the gang had only managed to source

17 an imitation firearm. What would have been wrong with

18 saying to the officers in the CMP:

19 "We think there might only be an imitation gun in

20 there, so it is particularly important for you to assess

21 the context within which there are any discussions about

22 firearms."

23 A. Again, like my previous answer, it is important that the

24 people listening to the feed relay exactly what is being

25 said. If the exact information is being taken from the

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1 what the operation is all about and what is likely to

2 happen. But then the danger of what we are asking those

3 people to do, having done it myself, is listen to what

4 is actually being said, and relay exactly what is being

5 said, and not try and add their -- add a slant on it.

6 Their job is to listen to exactly what those people say

7 and relay what is said, so the important things that

8 come up from the CMP was then relayed back, which was

9 evidence, could affect the planning of the operation, it

10 what was being said was the most important, rather than

11 trying to influence some additional information that may

12 or may not happen.

13 Q. These were officers who, according to FE19, had been

14 chosen specifically because of their experience in

15 carrying out this role. What would have been wrong with

16 providing them with a detailed briefing and identifying

17 specific conversations that were of particular

18 importance to you in your role that morning?

19 A. Sorry, from my perspective.

20 Q. Yes.

21 A. From me providing an additional briefing on top of --

22 Q. No, not you. What I am asking you is this, and I will

23 put a specific to you.

24 It was important to you, and I am going to suggest,

25 to Mr Williams to discover whether or not there was

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1 CMP and passed to the TFC, the TFC is in possession of

2 all the information, he is the best person to assess the

3 situation, rather than the CMP people. The CMP people

4 need to listen and accurately record what is being said

5 on there, and then relay that back. Not put a slant on

6 it. It would be blatantly obvious that firearms were

7 a key aspect in this case, as per the subjects, the

8 Erens, Ozcan, any mention of names of that nature, that

9 would be important. I think they would definitely know

10 that.

11 Q. But so far as firearms are concerned, it was imperative

12 that whatever came out of the CMP, and into C3000, was

13 as accurate as possible, wasn't it?

14 A. Yes.

15 Q. Yes.

16 I mean you could say that about any of the

17 information, but particularly in relation to firearms it

18 was imperative that that was as accurate as possible?

19 A. That's correct, yes.

20 Q. What would have been wrong with saying to the officers

21 in the CMP:

22 "If you hear any reference to firearms, review it,

23 review it, review it, until you are certain, sure of

24 what is being said."

25 A. Yes, that is a valid point, absolutely.

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<p>1 Q. There would have been nothing wrong with doing that, 2 with giving that order?</p> <p>3 <b>A. No, had the review facility been working, absolutely.</b></p> <p>4 Q. That is a different issue but yes, at the beginning, 5 before it was discovered that the review facility wasn't 6 working, there would have been nothing wrong with 7 somebody, you or FE19, instilling within the officers, 8 the importance of reviewing any reference to a firearm 9 and making sure that they were certain of what was being 10 said before it was passed through?</p> <p>11 <b>A. Absolutely. Yes.</b></p> <p>12 Q. Were you receiving any of the information from the 13 probe -- you personally?</p> <p>14 <b>A. No.</b></p> <p>15 Q. I just want to look for a moment at what others within 16 the CMP have had to say to the inquiry about that issue. 17 May we look, please, Mr Coates, at MPS70. 18 This is our red page 639, sir, this is the witness 19 statement of FE12.</p> <p>20 THE CHAIRMAN: Thank you.</p> <p>21 MS BLACKWELL: I would like to look at the penultimate 22 paragraph on that page, please. Could we highlight 23 that, please, Mr Coates. Thank you.</p> <p>24 He says: 25 "I was tasked with being one of several officers</p> <p style="text-align: center;">Page 101</p>	<p>1 staffing a Covert Monitoring Post, within this CMP were 2 three officers tasked with listening to the product, two 3 of whom were Turkish interpreters. In addition to these 4 three officers was myself and FE13, who were responsible 5 for relaying the key parts of the intelligence product 6 direct to the senior investigating officer. This meant 7 that whilst FE13 was updating the SIO, I was still 8 available to receive intelligence from the three 9 listening officers or vice versa."</p> <p>10 Does he have that wrong?</p> <p>11 <b>A. Yes. I was the SIO, the information wasn't coming 12 directly to me, it was coming directly to DCI Williams, 13 the TFC. So he has described the wrong person.</b></p> <p>14 Q. Let's look please at the statement of FE13, at MPS118. 15 Thank you, Mr Coates. Could we highlight the final 16 paragraph on that page that begins, "I was informed ..." 17 Thank you: 18 "I was informed the monitoring equipment was 19 recording audio from within an Audi vehicle that was 20 parked in a car park in the Wood Green area. I was 21 aware that the recording equipment had been switched on. 22 My designated role with FE12 was to relay information 23 heard from the vehicle from the officers listening to 24 the audio to the senior investigating officer, who was 25 in the main operational suite. Shortly after 6.30 am</p> <p style="text-align: center;">Page 102</p>
<p>1 I was aware that there was movement from within the 2 vehicle. At intervals I would take it in turns with 3 FE12 to share the key information relayed to the 4 listening officers to the operational room and the 5 senior investigating officer."</p> <p>6 Does FE13 have that wrong?</p> <p>7 <b>A. Yes, I could interpret their assessment of DCIs tend to 8 be senior investigating officers and on average, on most 9 occasions, DIs and inspectors would be TFCs, so 10 potentially their interpretation is that because it is 11 DCI Williams, and DCIs are usually an SIO, that he has 12 described him as the SIO.</b></p> <p>13 Q. Right. Can we take that down, please. 14 How was the information coming to you if it wasn't 15 coming directly from FE12 and FE13?</p> <p>16 <b>A. After it was sent to -- after it was passed to 17 DCI Williams, others would learn about it.</b></p> <p>18 Q. How did you learn about it?</p> <p>19 <b>A. Possibly from DCI Williams or someone else within C3000, 20 when the updates were shared out.</b></p> <p>21 Q. Can you describe to us in practical terms how you were 22 provided with that information, did you overhear it, 23 were you -- did you ask about it, were you specifically 24 in conversation with Mr Williams?</p> <p>25 <b>A. There was times when I was sitting next to Mr Williams,</b></p> <p style="text-align: center;">Page 103</p>	<p>1 <b>so if anyone that I saw who had been in the CMP came 2 into the room, then I was very interested to see what 3 was being said, so I would try and overhear and sit next 4 and overhear what was being said to him. There were 5 occasions that I would overhear it, but it is ... the 6 fact is that the information came directly to him, 7 because of the nature of the operation.</b></p> <p>8 Q. Was there any reason why you didn't put yourself very 9 much in the loop of being in receipt of this 10 information?</p> <p>11 <b>A. Oh I was certainly in the loop, but not directly to me. 12 I mean obviously, DCI Williams had to make the 13 decisions, he had to consult with others in relation to 14 the direction of the armed operation.</b></p> <p>15 <b>So it was important he received it first. There was 16 no point creating an additional barrier of it being 17 passed to FE19, who would then pass it to the 18 supervising officer, me, for me then pass it to 19 DCI Williams --</b></p> <p>20 Q. You mention that, and I'm sorry to interrupt you, but 21 that is what was happening at first, wasn't it? FE19 22 was providing an additional layer of -- I am going to 23 describe as unnecessary --</p> <p>24 <b>A. Not to my knowledge there was. It came from any 25 intelligence that came out was sent straight to</b></p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

1 **DCI Williams, that was the aims and that was what should**  
 2 **have happened.**  
 3 Q. Right. What would have been wrong with you positioning  
 4 yourself right next to Mr Williams, so that --  
 5 **A. Yes, I have said that, yes. On a number of occasions**  
 6 **I was sitting next to him and I overheard -- whenever**  
 7 **I saw one of those officers come into C3000, I knew**  
 8 **there was an update and I wanted to know what was being**  
 9 **said and I did. Sometimes directly about overhearing**  
 10 **the officers speaking to DCI Williams, other times when**  
 11 **convenient I would say, "What is the latest?" Or from**  
 12 **someone else who may have been involved in the update.**  
 13 Q. Did you write down everything that you heard?  
 14 **A. No.**  
 15 Q. Why not?  
 16 **A. I didn't need to, it was all being -- it was all**  
 17 **recorded on a system, notes were obviously taken by the**  
 18 **CMP officers, and DCI Williams was making notes in**  
 19 **relation to the armed operation.**  
 20 Q. All right, now --  
 21 **A. But I have made -- I think I did make some notes,**  
 22 **because --**  
 23 Q. Let's look back at your notes, please, because, yes ...  
 24 I think they are at MPS3788.  
 25 Our tab 9, sir.

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1 by the IPCC.  
 2 **A. Thank you.**  
 3 Q. Which seeks to compare the transcript of the audio  
 4 footage -- which is down left-hand side of the page --  
 5 with the notes that were kept by various individuals,  
 6 I think FE12 and then the bottom three entries are FE16,  
 7 to show a comparison of what was said and what was  
 8 recorded.  
 9 We can compare that as against your note as well,  
 10 which we can now see on the left-hand side of the  
 11 screen.  
 12 I am just going to read from the top of the page, we  
 13 can see that there was a discussion in the vehicle --  
 14 thank you, Mr Coates -- at 07.06.19, which is familiar  
 15 now to the inquiry, in which the occupants of the  
 16 vehicle were discussing this:  
 17 "So where is the shottey?  
 18 "The shottey ... we are not getting it.  
 19 "But where is it?"  
 20 That has not been recorded by either FE12 or  
 21 subsequently Mr Williams.  
 22 Then the conversation continued:  
 23 "It is best to have two things you know.  
 24 "I told him, bruv, he said don't bring the real  
 25 thing."

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1 THE CHAIRMAN: Thank you.  
 2 MS BLACKWELL: In answer to that question, as to why you  
 3 didn't write everything down, can we have page 3,  
 4 please. You said because it was being recorded.  
 5 Did you mean that it was being recorded by the store  
 6 and retrieve device in the vehicle?  
 7 **A. Well, both. Both by the device that is for evidence**  
 8 **subsequently, and it was being written down by the**  
 9 **listeners, who were then putting the information on**  
 10 **documents and then bringing that through to**  
 11 **DCI Williams.**  
 12 Q. What was the purpose of you making a note?  
 13 **A. Just to assist me to gauge at which evidential stage we**  
 14 **were.**  
 15 Q. How did you choose of the information that was coming to  
 16 you which you should write down for your evidential  
 17 note?  
 18 **A. Just what I consider at the time was important salient**  
 19 **points.**  
 20 Q. We are going to look at your notes in a little more  
 21 detail in a moment, but before we do so, I think I would  
 22 like to put up -- in fact, can we put these up side by  
 23 side, please, Mr Coates. This document with MPS229.  
 24 Thank you.  
 25 This is a document that has been prepared, I think

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1 That has been recorded by FE12 as, "Best attack two  
 2 teams", rather than "... best to have two things, don't  
 3 bring the real ting".  
 4 Going back to the transcript:  
 5 "I told him, bruv, we need the real ting though,  
 6 bruv, he said what is the point, even if you had the  
 7 real thing., nobody let you bust it, you lot bust it,  
 8 you get the real thing you get caught, you lot are  
 9 fucked, he said."  
 10 Which has been recorded by FE12 as:  
 11 "Even if you don't have the real thing, no one is  
 12 going to let you bust it."  
 13 There is then subsequent discussion:  
 14 "We are not going to get caught, bruv, we are going  
 15 to drive away. This ain't even a joke thing yeah, we  
 16 are actually trying to get someone out."  
 17 Then this:  
 18 "You know what that big thing is for, you see that  
 19 door, if you don't open that fucking side door, just  
 20 shoot the lock three times, fam, and open it. Do you  
 21 understand? Or even bark it off at the door, you know  
 22 them ones, just bark it off, what is this thing going to  
 23 do? Nothing, bruv, nothing, it is just going to look  
 24 like ..."  
 25 Then the conversation continues:

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<p>1 "30 seconds yeah, bruv, 30 seconds, say oi, oi if, 2 presses the thingy alarm we are gone. You understand 3 that, he presses that alarm we are gone, fam. If we 4 stop that van and he presses the alarm it is not our 5 fault, you understand." 6 Going back to our discussion a few moments ago about 7 the importance of context and the importance of 8 instructing the listeners in the CMP, whenever they 9 heard reference to firearms, to review it, review it, 10 and review it, until they were certain of what was being 11 said. Had that instruction been given, when we see at 12 the top of the page of the transcript, "Where is the 13 shottey? The shottey ... we are not getting it". If 14 that had been captured, that would have had the prospect 15 of putting what subsequently was heard into context, 16 wouldn't it? 17 <b>A. Yes.</b> 18 <b>Q. Yes.</b> 19 It has been missed by FE12, and by the time that 20 information is passed on to FE16 what is recorded by 21 FE16 is less detailed than what was recorded by FE19: 22 "Best attack two teams, discussion re bringing real 23 ting, ie FLA, shoot lock three times if he presses the 24 alarm we are gone." 25 The indication, according to the note from FE16, is</p> <p style="text-align: center;">Page 109</p>	<p>1 that they are bringing the real thing. Yes? 2 <b>A. Yes.</b> 3 <b>Q.</b> The meaning of what was taking place during the course 4 of the conversation has completely changed, hasn't it? 5 <b>A. Yes, the interpretation of what they have heard, yes.</b> 6 <b>Q.</b> What is your note of that conversation taking place at 7 7.03/7.06? 8 <b>A. I don't think I've got a note at that time.</b> 9 <b>Subsequently there may be the odd bullet point, but</b> 10 <b>not -- there is not full details there -- so I didn't</b> 11 <b>write everything that I was told down, I just wrote the</b> 12 <b>odd point down.</b> 13 <b>Q.</b> Are you able to help us now with why -- first of all, 14 did you hear that as it came into C3000, that 15 conversation? 16 <b>A. I certainly record the shooting the lock three times,</b> 17 <b>certainly, yes, I was made aware of that.</b> 18 <b>THE CHAIRMAN:</b> Because that was one of the pieces of 19 information that led you to believe they had a real 20 firearm. 21 <b>A. Correct.</b> 22 <b>THE CHAIRMAN:</b> Yes. 23 <b>MS BLACKWELL:</b> I am just going to go back to the transcript, 24 please, and the bottom entry, which is 07.09.11, the 25 conversation along these lines:</p> <p style="text-align: center;">Page 110</p>
<p>1 "Oi, listen that thing yeah, make sure it comes back 2 in the car because there is a canister in there with my 3 prints and his prints on it. 4 "What thing? 5 "That fucking thing. 6 "Ah ... don't worry, man, I would never do that." 7 That has been recorded by Mr Williams as: 8 "See black thing canister has me, his prints on it." 9 How has that been recorded in your note? 10 <b>A. I don't think it has.</b> 11 <b>Q.</b> Right. Do you have a recollection of overhearing that 12 piece of information as it came into C3000? 13 <b>A. I can't recall.</b> 14 <b>Q.</b> Then at 07.25, there is conversation about Serco people: 15 "Bruv, I hope one of them don't try and be a super 16 man. 17 "Nah, they are not allowed to though, they are not, 18 they are not, when it is life in danger, they are not 19 allowed to do shit. A couple of them already told me 20 that, yeah, as soon as they see a gun in their face, 21 they put their hands up, straight away doing whatever we 22 want. 23 "Bruv, that is it, hand up, do not press that or it 24 is getting let off and after that open the fucking door. 25 You know when man makes this guy open the door, we are</p> <p style="text-align: center;">Page 111</p>	<p>1 going to go inside, Jermaine, yeah, we need to make him 2 bust the door open, innit, innit Notts, yeah, the guy in 3 the back needs to bust it." 4 That has been recorded by FE16 as: 5 "Put gun in face, can't press it, make him bust door 6 open ..." 7 Then he goes on to "need to be in place spot near 8 court at 730". 9 How has that been recorded in your note? 10 <b>A. I don't think it has.</b> 11 <b>THE CHAIRMAN:</b> It has. Halfway down page 3. 12 <b>A. Yes, thank you, your Honour. Thank you.</b> 13 <b>THE CHAIRMAN:</b> That is all right. 14 <b>A. 7.30, "Put gun in face and can't press it".</b> 15 <b>MS BLACKWELL:</b> Yes, "... make bust door open". 16 <b>A. Yes, thank you.</b> 17 <b>Q.</b> When you received that piece of information, did you 18 believe that it related to a real firearm? 19 <b>A. Yes.</b> 20 <b>Q.</b> Do you accept now, looking at the context in which that 21 was being said and what goes before about them not 22 getting a real firearm, that in fact the discussion was 23 not about a real firearm? 24 <b>A. Well, in the context of that, then that could be</b> 25 <b>interpreted, yes.</b></p> <p style="text-align: center;">Page 112</p>

28 (Pages 109 to 112)

1 THE CHAIRMAN: Yes.  
 2 MS BLACKWELL: Thank you, we can take those down now.  
 3 I just want to take back for a couple of moment,  
 4 please, Mr Murray, to the briefing that took place in  
 5 C3000 at 5.00 am, you have touched upon it already in  
 6 your evidence.  
 7 The briefing was given by Mr Williams. Were you  
 8 aware whilst the briefing was being given that it wasn't  
 9 being recorded?  
 10 **A. In C3000?**  
 11 Q. Yes.  
 12 **A. Yes.**  
 13 Q. Right.  
 14 Did that concern you?  
 15 **A. No.**  
 16 Q. Why not?  
 17 **A. There was no obligation to record, for a tactical**  
 18 **firearms briefing there is, and that had been done the**  
 19 **day before at New Scotland Yard and there had obviously**  
 20 **been recorded briefings by the on-ground TFCs when they**  
 21 **briefed the firearms teams that morning.**  
 22 Q. There was no obligation to have it recorded. Do you  
 23 think in hindsight it might have been of use to have  
 24 that briefing recorded so that anybody else wishing to  
 25 check the veracity of it and the adequacy of what was

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1 Q. There was nothing missed out and had there been  
 2 something missing, you would have had the opportunity to  
 3 have shouted up and joined in?  
 4 **A. Yes.**  
 5 Q. All right. Just to confirm, you were not involved in  
 6 any subsequent briefing of the officers manning the CMP?  
 7 **A. No.**  
 8 Q. Right.  
 9 Over the course of the morning, you remained in  
 10 C3000, you have described how from time to time you  
 11 would have been proximate to Mr Williams, receiving the  
 12 intelligence from the probe. Were you also privy to the  
 13 information that was coming in via the surveillance  
 14 teams?  
 15 **A. Yes.**  
 16 Q. Right. How would you receive that information?  
 17 **A. By just listening to what was going on and where the**  
 18 **teams were. And I think that is why in the grid here**  
 19 **I have put the Audi prison van and Ozcan Eren, so at**  
 20 **various times I know where they are, so that is why**  
 21 **I drew that small little handwritten graph.**  
 22 Q. There doesn't appear to be any delineation on your chart  
 23 between information that you were getting from the probe  
 24 and information you were getting from the surveillance  
 25 team, but is it your evidence that whichever sort of

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1 said would have something to measure?  
 2 **A. No, I didn't think to brief to record it.**  
 3 THE CHAIRMAN: What about the fact that the firearms  
 4 officers were not present at the briefing the day  
 5 before? So they hadn't heard the briefing that had been  
 6 recorded.  
 7 **A. Yes, could I just separate, the briefing of those**  
 8 **firearms officers would be separate recorded**  
 9 **briefings --**  
 10 THE CHAIRMAN: I see.  
 11 **A. -- where both DI Smith and DI Whitewood, they would have**  
 12 **done, I am sure they would have done, audio-recorded**  
 13 **briefings with the firearms team, so all the firearms**  
 14 **officers involved would have had an audio-recorded**  
 15 **briefing.**  
 16 THE CHAIRMAN: They would all have had a recorded briefing,  
 17 whether or not they were at the 3.00 briefing the  
 18 previous day or the afternoon briefing, I don't think we  
 19 know precisely what time it was.  
 20 **A. Correct.**  
 21 THE CHAIRMAN: Thank you.  
 22 MS BLACKWELL: You have already touched upon the content of  
 23 Mr Williams's briefing, and you were content that it  
 24 covered broadly speaking what it needed to cover?  
 25 **A. Absolutely.**

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1 information was coming to you, or from whatever source,  
 2 you would when you thought it appropriate put it on your  
 3 grid?  
 4 **A. I may have, yes.**  
 5 Q. You also liaised with Detective Sergeant Donnelly at  
 6 Wormwood Scrubs prison and he provided you with the  
 7 detail of the registration of the Serco van and its time  
 8 of departure?  
 9 **A. That's correct, yes.**  
 10 Q. There must have been a stage at which you became aware  
 11 that state amber was being called. Did Mr Williams seek  
 12 your approval or opinion as to whether or not it was  
 13 appropriate to call state amber at that stage?  
 14 **A. No.**  
 15 Q. How did you become aware that that was happening?  
 16 **A. I think I was standing next to him, or in very close**  
 17 **proximity to him.**  
 18 Q. Had there been any discussion between you and him at  
 19 that point as to evidential thresholds, evidential  
 20 tipping points, evidential sufficiency?  
 21 **A. I think there had been a mention of, prior to that, of**  
 22 **that the index number of the prison van, being passed**  
 23 **and then the information about which cell Izzet Eren was**  
 24 **in, and I think it was shortly after that, if my memory**  
 25 **serves me right, when DCI Williams called state amber.**

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<p>1 Q. It was, you are right, in terms of the chronology. I am 2 asking you whether that was preceded by any discussion 3 between yourself and Mr Williams as to the evidence 4 point which had been reached? 5 <b>A. I can't recall.</b> 6 Q. Did you then become aware that shots had been fired? 7 <b>A. Yes.</b> 8 Q. Did you thereafter liaise with the Serco control room to 9 request an alternative route be taken by the prison van? 10 <b>A. That's correct, yes.</b> 11 Q. That must have come as a surprise to them? 12 <b>A. Yes.</b> 13 Q. What instruction did you give to them and what 14 information did you pass on to them as to what had just 15 taken place? 16 <b>A. I believe that I had passed on that there had been 17 an incident, that there was a live investigation, and 18 requesting them to take an alternative route to Wood 19 Green Crown Court, and also to -- I had officers at Wood 20 Green Crown Court who ... I am not sure if I spoke or 21 mentioned it to the first person at Serco or possibly 22 the Serco manager at Wood Green Crown Court, I informed 23 him two of my officers would be there, please could the 24 van remain in situ, prisoners locked in the cells and my 25 officers would come and discussion it further.</b></p> <p style="text-align: center;">Page 117</p>	<p>1 Q. Whilst taking on board your concerns about the Serco 2 operatives on the ground, did you have the same concerns 3 about the Serco control room employees, in other words, 4 could they have been warned that there might be a need 5 at short notice to reroute the van? 6 <b>A. Prior to the incident happening?</b> 7 Q. Yes, prior to the incident happening. 8 <b>A. No.</b> 9 Q. Why not? 10 <b>A. For the exact same reasons as before, the potential 11 compromise risk.</b> 12 Q. Did you then task Detective Constable Kinch to arrest 13 Izzet Eren and Erwin Amoyaw-Gyamfi -- 14 <b>A. That's correct.</b> 15 Q. -- upon their arrival at Wood Green Crown Court, and did 16 you make arrangements with the court for their 17 sentencing hearing to take place -- to take place that 18 afternoon, I think? 19 <b>A. Yes.</b> 20 Q. Were you involved in any consent arrangements for their 21 categorisation to be upgraded and indeed for them to be 22 transferred to Belmarsh prison? 23 <b>A. Yes, I think I was. I think I had some conversations 24 with someone, updated them on and made arrangements for 25 armed officers to come and escort the prisoners for</b></p> <p style="text-align: center;">Page 118</p>
<p>1 <b>Belmarsh.</b> 2 Q. Right. 3 How practically would you have made those 4 arrangements? 5 <b>A. I think I did it from -- on the phone, later that day.</b> 6 Q. Right. 7 It may seem like an obvious question, why did you at 8 that point consider it important that they go to 9 a high-risk category A prison? 10 <b>A. Because of the potential risk of escape.</b> 11 Q. Right. Thank you. 12 Sir, I haven't quite finished my questioning, I have 13 come very close to it but I know there will be others 14 who will want to reflect upon Mr Murray's evidence this 15 morning. So -- 16 THE CHAIRMAN: That might give them an opportunity to 17 discuss with you the points that you have left to raise 18 and what they would like me to raise. 19 MS BLACKWELL: Thank you. 20 THE CHAIRMAN: Shall we say 2.00 pm? 21 MS BLACKWELL: Yes, thank you. 22 THE CHAIRMAN: Thank you very much. 23 (1.05 pm) 24 (The Luncheon Adjournment) 25 (2.01 pm)</p> <p style="text-align: center;">Page 119</p>	<p>1 THE CHAIRMAN: Yes. 2 MS BLACKWELL: Thank you, sir. 3 Mr Murray, I only have two discrete issues to 4 discuss with you this afternoon. 5 The first relates to the intelligence that you 6 received on the morning of 11 December about the gang 7 only being able to source an imitation firearm 8 overnight. 9 We have established from looking at your note of 10 11 December that you didn't record that intelligence? 11 <b>A. It appears not, on the pages we have seen here.</b> 12 Q. Yes. Are you suggesting it may have been recorded 13 elsewhere? 14 <b>A. I don't think so, I would like to think it would be 15 there, but I have a habit of numbering notes, but 16 I don't think that it's there, no.</b> 17 Q. Certainly it is not in a place proximate to your notes 18 that day. 19 When you received that intelligence, was it 20 incumbent upon you to grade it? 21 <b>A. Not for me, no, that would have been dealt with by the 22 people initially getting the intelligence and then 23 passing it. So I wouldn't have graded it or I would 24 have taken it and assessed it, how it could impact upon 25 the operation, but I didn't disseminate it or do</b></p> <p style="text-align: center;">Page 120</p>

1 **anything else with it.**  
 2 Q. We know you didn't disseminate it.  
 3 In terms of grading, would you have sought from the  
 4 person providing that information to you any assistance  
 5 in terms of a grading that had already been applied to  
 6 it, would that even be something which you discussed  
 7 with them?  
 8 **A. No, I was confident, I was happy I would have known what**  
 9 **the grade was, by the nature of it.**  
 10 Q. Right.  
 11 The second matter that I would like to ask you about  
 12 is your evidence during the course of this morning's  
 13 session about the lack of any evidential tipping points  
 14 or thresholds. In particular what you said just before  
 15 we broke for lunch about the moment before state amber  
 16 was called and whether or not to your recollection there  
 17 was any discussion at that point between yourself and  
 18 Mr Williams about the sufficiency of evidence.  
 19 This morning you said that there wasn't as far as  
 20 you recollect any discussion at that point. I would  
 21 just like to remind you of what you said in relation to  
 22 that moment in time when you came to give evidence  
 23 previously.  
 24 You said that there had been a discussion at the  
 25 point before state amber was called, between yourself

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1 level of evidential sufficiency/tipping point, however  
 2 it is described, would you have made a note of that  
 3 discussion?  
 4 **A. Not necessarily, no. No.**  
 5 Q. In hindsight, should you have made a note of that  
 6 discussion?  
 7 **A. I don't think it was necessary. I agree -- it was state**  
 8 **amber, I was happy with the quality of evidence. That**  
 9 **was going to be presented and it was. So, no, I was --**  
 10 **I mean in the scale of things, and what has happened,**  
 11 **obviously I wish I had made more notes of course, but at**  
 12 **the time I didn't think it was necessary.**  
 13 MS BLACKWELL: Thank you very much.  
 14 Sir, that completes my questions for this witness.  
 15 Do you have any questions?  
 16 Questions from THE CHAIRMAN  
 17 THE CHAIRMAN: Yes. I wonder if you can help in relation to  
 18 this, it is really about the desire to achieve sustained  
 19 public protection.  
 20 Do you agree that the shorter the sentence that the  
 21 court imposes, the less sustained public protection can  
 22 be achieved?  
 23 **A. Yes.**  
 24 THE CHAIRMAN: Do you agree, and would you have been aware,  
 25 that the sentence for offences of conspiracy to escape

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1 and Mr Williams, along the lines of evidential  
 2 sufficiency, et cetera.  
 3 Obviously those two pieces of evidence don't sit  
 4 comfortably together. I would like to give you the  
 5 opportunity of thinking for a moment about that  
 6 particular moment in time and seeing whether you can  
 7 assist the inquiry with your best recollection now. Was  
 8 there any discussion at that point between yourself and  
 9 Mr Williams about evidential sufficiency?  
 10 THE CHAIRMAN: For the record, just before you answer, in  
 11 case anybody is looking for what appears on the face of  
 12 it to be an inconsistency, the first piece of evidence  
 13 from Mr Murray in relation to this matter was on the  
 14 transcript at about pages 64 and 65.  
 15 MS BLACKWELL: Thank you very much, sir.  
 16 THE CHAIRMAN: Thank you.  
 17 **A. I had a number of conversations with him briefly during**  
 18 **the development of that morning. I certainly spoke**  
 19 **about the fact that the probe evidence was suggesting --**  
 20 **I can't remember what I said to him or who I spoke to at**  
 21 **the time. I did have, but I can't -- it is five and**  
 22 **a half years ago, so I can't be specific.**  
 23 **I think I may have spoken to him about it, but**  
 24 **I can't remember the details of it.**  
 25 MS BLACKWELL: If you had spoken to him about it, about the

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1 and conspiracy to possess an imitation firearm with  
 2 intent to commit an indictable offence, would have been  
 3 significantly less than the sentence for offences of  
 4 conspiracy to escape and an offence of conspiracy to  
 5 possess firearms with intent to endanger life.  
 6 **A. Yes, that would be my understanding, yes.**  
 7 THE CHAIRMAN: Yes.  
 8 The decision to call state amber, whether you were  
 9 a party to it or consulted about it or knew about it,  
 10 coincided with your belief that at that time, when state  
 11 amber was called, the conspirators were in possession of  
 12 a real firearm?  
 13 **A. Yes.**  
 14 THE CHAIRMAN: Thank you.  
 15 MS BLACKWELL: Sir, there may be one further matter, if you  
 16 would just give me a moment, please.  
 17 THE CHAIRMAN: Certainly. (Pause)  
 18 MS BLACKWELL: Sir, thank you very much for the time.  
 19 I have been invited to ask additional question which  
 20 touches upon this witness's understanding of the grading  
 21 of the intelligence that was received in relation to the  
 22 imitation firearm. Having discussed the matter with my  
 23 learned friend Mr Butt, I would like us to go into  
 24 closed session so that we can explore the manner in  
 25 which that question should be asked --

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1 THE CHAIRMAN: Certainly.  
 2 MS BLACKWELL: -- and even the propriety of asking it at  
 3 all.  
 4 I am keen to provide as much assistance to the  
 5 family as possible, but I don't want to put this witness  
 6 or indeed anybody else in the room in any precarious  
 7 position.  
 8 THE CHAIRMAN: Do you want to us go into closed session now?  
 9 MS BLACKWELL: Yes, please, it will only be for five minutes  
 10 or so. It won't be very long at all.  
 11 THE CHAIRMAN: Very good, I am sure everybody understands  
 12 that these things happen from time to time.  
 13 MS MURPHY: Thank you very much. Sir, it is actually  
 14 a question from the family that we have communicated.  
 15 If I could perhaps place on the record, in the hope  
 16 it might be of some assistance, that the difficulty that  
 17 we are experiencing and, sir, we appreciate fully the  
 18 impediments that the inquiry faces, but the difficulty  
 19 we are experiencing is understanding why we have not had  
 20 the evaluation of the various forms of communication  
 21 disclosed, I simply place that on the record in the hope  
 22 that it might assist --  
 23 THE CHAIRMAN: That is the background and that is very  
 24 helpful.  
 25 Thank you very much.

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1 As far as you are aware, is it right that that  
 2 intelligence was not graded before FE19 received it?  
 3 **A. Yes.**  
 4 Q. Again, as far as you are aware, FE19 did not apply  
 5 a grading to it when he disseminated it to you?  
 6 **A. No.**  
 7 Q. You did not apply any grading to that intelligence?  
 8 **A. No.**  
 9 Q. But you did know its source?  
 10 **A. I did.**  
 11 Q. Is that as far as we are able to go in open session?  
 12 **A. Yes.**  
 13 MS BLACKWELL: Thank you.  
 14 Thank you, sir, that does complete Mr Murray's  
 15 evidence. May he be released, please?  
 16 THE CHAIRMAN: He may. Thank you, Mr Murray.  
 17 **A. Thank you.**  
 18 MS BLACKWELL: Sir, the final witness today is Detective  
 19 Constable Sparks.  
 20 THE CHAIRMAN: Thank you.  
 21 MR ANDREW SPARKS (recalled)  
 22 THE CHAIRMAN: Yes, you are still under oath, of course.  
 23 MS BLACKWELL: Thank you, sir.  
 24 Just to confirm, whilst we were in closed session,  
 25 sir, you also heard some evidence on the issue of

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1 MS MURPHY: Thank you, sir.  
 2 THE CHAIRMAN: How long should we indicate that we are  
 3 likely to be in closed session for?  
 4 MS BLACKWELL: We will be no longer than 10 minutes.  
 5 THE CHAIRMAN: Thank you.  
 6 MS BLACKWELL: Could I invite to you rise, sir, while we  
 7 make the necessary arrangements, thank you.  
 8 THE CHAIRMAN: Yes.  
 9 (2.11 pm)  
 10 (The Inquiry continued in closed session)  
 11 (3.00 pm)  
 12 Further questions from MS BLACKWELL  
 13 MS BLACKWELL: Thank you, sir. We are now back in open  
 14 session and I just have four final questions to ask  
 15 Mr Murray, based upon the evidence that you have heard  
 16 in closed session.  
 17 THE CHAIRMAN: Very good.  
 18 MS BLACKWELL: Mr Murray, I preface these questions by  
 19 reminding us that I was asking you about the  
 20 Intelligence that you received on the morning of  
 21 11 December that as far as the night before, the night  
 22 of 10 December, the criminal gang had only managed to  
 23 source an imitation firearm.  
 24 That information had come to you from, or through,  
 25 FE19.

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1 intelligence from this witness, Mr Sparks --  
 2 THE CHAIRMAN: Yes.  
 3 MS BLACKWELL: -- but it would be inappropriate for us to  
 4 refer to any of that in open session.  
 5 THE CHAIRMAN: Noted.  
 6 MS BLACKWELL: Thank you.  
 7 Questions from MS BLACKWELL  
 8 MS BLACKWELL: Mr Sparks, I would like to begin your  
 9 questioning, please, by asking you to summarise your  
 10 experience as a Metropolitan Police officer as at  
 11 11 December 2015.  
 12 **A. My career as such?**  
 13 Q. Yes, please.  
 14 **A. Overall I served 25 years with the Met. Some of it,**  
 15 **well nearly all of it, in the CID remit. I worked also**  
 16 **with the national crime squad and Serious Organised**  
 17 **Crime Agency, the SCO MIT teams, murder teams, and SCO7,**  
 18 **central task force.**  
 19 Q. Thank you, you were involved in Operation Utara?  
 20 **A. I was.**  
 21 Q. It was through your involvement with that operation,  
 22 that you became aware of the arrest of Izzet Eren and  
 23 Erwin Amoyaw-Gyamfi on 13 October 2015?  
 24 **A. I did, yes.**  
 25 Q. Are you able to explain to the inquiry your

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<p>1 understanding of how Operation Ankaa was born out of 2 Operation Utara?</p> <p>3 <b>A. Yes, Operation Utara has been an ongoing operation for 4 some time.</b></p> <p>5 Q. Yes.</p> <p>6 <b>A. When Ankaa came out, by itself it was very much a small 7 part of that operation, so rather than run it as part of 8 Utara, we moved it so it became its own entity as such. 9 So that the paperwork, the evidence, would just be based 10 around that. We did it with other operations as well.</b></p> <p>11 Q. Right, so Operation Ankaa was really based around the 12 arrest of Izzet Eren and Erwin Amoyaw-Gyamfi and the 13 plan to effect Izzet Eren's escape?</p> <p>14 <b>A. Yes, but the escape wasn't obviously apparent when they 15 got arrested, that didn't come until later on. So it 16 didn't -- Ankaa didn't become Ankaa until after that 17 became knowledge, intelligence.</b></p> <p>18 Q. You were involved in, amongst other things, receiving 19 intelligence in relation to both operations?</p> <p>20 <b>A. Yes, that's right.</b></p> <p>21 Q. Right. Are you in fact one of three officers receiving 22 intelligence for both operations?</p> <p>23 <b>A. That's right, yes.</b></p> <p>24 Q. Yourself, Mr Kinch, and FE19?</p> <p>25 <b>A. That's correct, yes.</b></p> <p style="text-align: center;">Page 129</p>	<p>1 Q. I would like us to look, please, because it may assist 2 the inquiry, and I think it is something which may 3 assist you to follow too, at your witness statement 4 dated 20 May of this year, it lies behind divider 1 in 5 our bundle. This was a witness statement, Mr Sparks, 6 provided by you at the request of the inquiry to set out 7 your involvement in Operation Ankaa.</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. We can see -- in fact we can display this, please, 10 Mr Coates, MPS3852, thank you. Let's just look at 11 paragraph 1 here, which provides a handy succinct 12 summary of the operation and when you first became 13 involved in it:</p> <p>14 "Over the course of late October to December 2015, 15 whilst a serving officer within the MPS specialist crime 16 command, my duties included working to assist the MPS on 17 Operation Ankaa, which was established to deal with 18 intelligence received that Izzet Eren was planning to 19 escape from lawful custody. In this statement, 20 I provide further information about my work on Operation 21 Ankaa and the circumstances in which this intelligence 22 was received."</p> <p>23 We can go straight to paragraph 3, which confirms 24 that on 30 October 2015 you received intelligence that 25 Izzet Eren intended to escape from lawful custody with</p> <p style="text-align: center;">Page 130</p>
<p>1 the assistance of Ozcan Eren and how you communicated 2 that information in the first instance to DI Murray and 3 subsequently by telephone to DI Mayes of the Prison 4 Intelligence Unit.</p> <p>5 You then go on to say:</p> <p>6 "I received an email confirmation that DI Mayes had 7 conveyed that information to Pete Nichols, a prison 8 governor at HMP Wormwood Scrubs ..."</p> <p>9 And you do not recall speaking to anyone else in the 10 prison service about that issue.</p> <p>11 <b>A. That's correct, yes.</b></p> <p>12 Q. All right.</p> <p>13 Was it Detective Inspector Murray who tasked you 14 with telephoning Detective Inspector Mayes of the Prison 15 Intelligence Unit and passing on this piece of 16 intelligence?</p> <p>17 <b>A. I believe so, yes.</b></p> <p>18 Q. Was that a tasking which took place on 30 October itself 19 or in the days that followed?</p> <p>20 <b>A. On the Friday.</b></p> <p>21 Q. Right.</p> <p>22 <b>A. Yes, the 30th.</b></p> <p>23 Q. Do you have a recollection of making that telephone call 24 to Mr Mayes?</p> <p>25 <b>A. I have a recollection of the day, but specifically</b></p> <p style="text-align: center;">Page 131</p>	<p>1 <b>talking to Mr Mayes, not so. I have a recollection of 2 what went on during the day and what we discussed.</b></p> <p>3 Q. Right.</p> <p>4 I would like us to look at an intelligence report. 5 This sits behind our tab 10 in our hard copy bundle but 6 Mr Coates, if we could display this please, it is 7 IPC120.</p> <p>8 This is a document that the inquiry has seen before. 9 Could we put, please, the second page alongside the 10 first page, Mr Coates. Thank you.</p> <p>11 Is this known as a CRIMINT report?</p> <p>12 <b>A. It is, yes.</b></p> <p>13 Q. Could you explain to us, please, the circumstances in 14 which such a document is created?</p> <p>15 <b>A. So this particular one has been created by someone in 16 the Met intelligence unit.</b></p> <p>17 Q. Can you tell that from the document itself or is that 18 from your knowledge?</p> <p>19 <b>A. My knowledge about who the person is. The -- it has 20 been created by Louise Ward, CIS, which I believe is the 21 intelligence --</b></p> <p>22 Q. Thank you.</p> <p>23 <b>A. So she has received intelligence and the intelligence is 24 in the bulk of the information, which says -- indicates 25 that Izzet Eren will escape from custody whilst in</b></p> <p style="text-align: center;">Page 132</p>

1 **transit.**  
 2 Q. Just to interrupt you if I may, that is the one sentence  
 3 that is under the paragraph headed "Information" on the  
 4 second page?  
 5 **A. Yes, that's right.**  
 6 Q. Yes.  
 7 I appreciate you didn't create this document, but  
 8 what happens when a CRIMINT report is created? Why is  
 9 it created and for what purpose?  
 10 **A. So this particular CRIMINT has been created as tangible**  
 11 **intelligence that can be used and can then be**  
 12 **disseminated within the remit of the operation it is**  
 13 **being used for, and this obviously is Operation Ankaa.**  
 14 Q. Yes.  
 15 **A. So this has been created for use in Operation Ankaa, but**  
 16 **has been -- it will be restricted as to who can see it.**  
 17 Q. If we go back to the first page, we can see that about  
 18 halfway down the page there are a series of darker  
 19 coloured boxes and going from left to right, the first  
 20 of which is headed "Evaluation" and underneath we have  
 21 B, 2, 5?  
 22 **A. Yes.**  
 23 Q. Are you familiar with that letter and numbers and are  
 24 you able to explain to the inquiry what they mean?  
 25 **A. Basically, yes.**

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1 **dissemination and how that could be disseminated from**  
 2 **a sensitivity point of view.**  
 3 Q. Right.  
 4 **A. Whether it has been restricted.**  
 5 Q. Thank you for that assistance.  
 6 Just to confirm you had no involvement in grading  
 7 this intelligence?  
 8 **A. No, I didn't, no.**  
 9 Q. Is the sentence that we see under the paragraph headed  
 10 "Information" on the second page, and I am going to read  
 11 it out:  
 12 "Intelligence indicates that Izzet Eren will escape  
 13 from custody whilst in transit."  
 14 The extent of the intelligence that you received or  
 15 were you in receipt of more intelligence than appears  
 16 here?  
 17 **A. I was in receipt of more intelligence than appears**  
 18 **there.**  
 19 Q. Right.  
 20 [Redacted section]  
 21 MS KUZMENKO: Sir, can we stop the proceedings, please.  
 22 I think I need to take instructions about some  
 23 evidence we have just heard as the NCA may be interested  
 24 in making a restriction order.  
 25 THE CHAIRMAN: Yes.

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1 Q. Thank you?  
 2 **A. My memory.**  
 3 **So intelligence is graded in a five by five by five**  
 4 **system, the first letter indicates the where the**  
 5 **intelligence comes from, the person it comes from,**  
 6 **whether it be a reliable source or not.**  
 7 Q. Are there a series of letters that are available from  
 8 which the person who is grading the intelligence needs  
 9 to choose the closest one that reflects how reliable the  
 10 intelligence is?  
 11 **A. Yes, it starts at A.**  
 12 Q. A being the most reliable?  
 13 **A. Yes, and goes through.**  
 14 Q. Thank you.  
 15 **A. The second one is how they know that individual, that**  
 16 **person, would know the intelligence to be accurate,**  
 17 **whether they know it to be true themselves, whether they**  
 18 **have witnessed it, to whether they have heard it second**  
 19 **or third hand.**  
 20 Q. By that person you mean the officer?  
 21 **A. Whoever --**  
 22 Q. Whoever is performing it?  
 23 **A. Wherever this information has come from, so it might not**  
 24 **be that officer, although she put the grading in, it is**  
 25 **where she knows it has come from. Then the five is the**

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1 MS KUZMENKO: Sorry, could we take five minutes, I think  
 2 I may need to take instructions on what we have just  
 3 heard.  
 4 THE CHAIRMAN: Are you in a position to make your  
 5 submissions or not at this stage?  
 6 MS BLACKWELL: I think it is appropriate, sir, if you rise  
 7 for a couple of minutes so that we can deal with this  
 8 matter.  
 9 THE CHAIRMAN: Very good. Thank you.  
 10 (3.23 pm)  
 11 (A short adjournment)  
 12 (3.30 pm)  
 13 MS BLACKWELL: Thank you very much for the time, sir.  
 14 The question that I asked and the answer provided by  
 15 Mr Sparks just before you rose was in fact elicited in  
 16 contravention of a current restriction order and so it  
 17 will be struck from the transcript record and we will  
 18 move on, if we may.  
 19 THE CHAIRMAN: I thank counsel for drawing it to my  
 20 attention.  
 21 MS BLACKWELL: Thank you.  
 22 Thank you, Mr Coates.  
 23 I was asking you about your sharing of the  
 24 intelligence to Detective Inspector Murray, and we had  
 25 established that, at his request, you had spoken to

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<p>1 Mr Mayes in the Prison Intelligence Unit and you had 2 become aware that he in turn had passed the information 3 on to Governor Nichols?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. All right.</p> <p>6 Let me ask you, please, to look behind our tab 3, 7 and to a witness statement that you made much closer in 8 time to the incidents with which we are interested, it 9 is 25 April 2016.</p> <p>10 I don't seek that we put this up on the screen 11 because there is only one sentence I need to ask you 12 about and it is in the middle of the page.</p> <p>13 It confirms that you were instructed to try and 14 obtain further intelligence concerning the "breakout", 15 in inverted commas?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Who instructed to you try and obtain further information 18 about the breakout?</p> <p>19 <b>A. I have written I was instructed, but it would have been 20 part of my duties to continue to do that --</b></p> <p>21 Q. Right.</p> <p>22 <b>A. -- and I would have received this instruction from my 23 immediate supervisor, FE19, and DI Murray.</b></p> <p>24 Q. Right.</p> <p>25 What did you understand by a desire for you to</p> <p style="text-align: center;">Page 137</p>	<p>1 obtain further intelligence concerning the breakout, was 2 that background or what was going to go by way of --</p> <p>3 <b>A. A combination of the whole thing. I was involved in 4 putting together the operation and the preparation of 5 it, which obviously included obtaining more information, 6 more intelligence and performing the more proactive 7 roles.</b></p> <p>8 Q. We are going to come on to touch upon your role as 9 a surveillance officer, because I think during the 10 course of Operation Utara and Operation Ankaa you had 11 acted as a surveillance officer --</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. -- but let's just concentrate for a moment on this 14 issue, this tasking.</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Did you have any direct contact with Mr Murray about 17 this, did you have any conversations with him?</p> <p>18 <b>A. When I initially received the intelligence on the 30th, 19 I had -- I would call it a meeting but I was working in 20 my office, he works in the same office, he was there, 21 I went straight in and communicated with him about it.</b></p> <p>22 Q. Thank you.</p> <p>23 Did he tell you what he wanted you to look for or 24 was it just a general tasking?</p> <p>25 <b>A. We had a fairly length sort of conversation on what the</b></p> <p style="text-align: center;">Page 138</p>
<p>1 <b>intelligence was received, what it involved and we 2 discussed how we might deal with that intelligence.</b></p> <p>3 Q. Right. Let's look, please, at an email.</p> <p>4 It is at MPS2127, please, Mr Coates.</p> <p>5 This comes to a series of officers, including 6 yourself, from FE19. The inquiry has seen this email 7 before. We can see that the instructions are to:</p> <p>8 "Use the drop down in the subjects box for McQueen 9 and it will take you to the relevant bit. Can you 10 update the results box when done and if any further 11 actions have resulted from the completion of the initial 12 action. Any relevant reference numbers that will enable 13 others to chase up jobs in your absence also put in 14 please. Documents can be saved in the McQueen folder on 15 the S: drive."</p> <p>16 Was this a dedicated folder on the S: drive of your 17 computer system into which you could put the results of 18 actions that you had been assigned?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. If we look down the list of actions, are you able to 21 identify which of these fell to you?</p> <p>22 <b>A. AS are my initials and that would be -- yes, obviously 23 myself.</b></p> <p>24 Q. Right, so the first one is to liaise with the TSU about 25 the covert fit of the prison van?</p> <p style="text-align: center;">Page 139</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. The inquiry has heard that, in fact, there was no covert 3 fit of any equipment to the prison van?</p> <p>4 <b>A. No, there wasn't.</b></p> <p>5 Q. Then the third item in that list is to:</p> <p>6 "Research to identify people involved in the 7 conspiracy, then get profiles."</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Having received that from FE19, on 4 November as we see 10 it, what did you set about doing?</p> <p>11 <b>A. So from the -- just the latter one, the third one down?</b></p> <p>12 Q. Yes, please, yes.</p> <p>13 <b>A. I would start researching who the known associates of 14 Ozcan Eren -- I was already familiar with some of them 15 and they already had profiles.</b></p> <p>16 <b>Any that were not included in that, although I have 17 the ability to go and do a lot of the intelligence 18 research myself, we actually had intelligence officers 19 working with us. And I would subsequently go and task 20 those as well.</b></p> <p>21 Q. Right.</p> <p>22 Did you obtain printouts of any profiles of members 23 of the Tottenham Turks and those associated with 24 Izzet Eren and Ozcan Eren?</p> <p>25 <b>A. When you say profiles, they are the profiles that we</b></p> <p style="text-align: center;">Page 140</p>

1 **have generated ourselves.**  
 2 Q. Right, but did you provide any hard copies of those  
 3 profiles to any other officer?  
 4 **A. I can't recall that.**  
 5 Q. All right.  
 6 Did you log any results of this particular inquiry  
 7 on the McQueen system, in the McQueen folder?  
 8 **A. I don't recall exactly. We had a folder but if we**  
 9 **created a profile, they went into a profile folder and**  
 10 **it had the people that would be -- well, could be**  
 11 **involved.**  
 12 Q. All right, and was that profile folder part of the  
 13 McQueen folder?  
 14 **A. I believe so.**  
 15 **There was certainly a profile folder for Utara and**  
 16 **I believe that went into McQueen which is Ankaa, the**  
 17 **same operation.**  
 18 Q. On some police electronic systems, such as the HOLMES  
 19 system, once an officer has completed an action, they  
 20 would create an entry to confirm that that action has  
 21 been completed, in order to provide an audit trail as to  
 22 what was outstanding at any one time.  
 23 Do you know whether or not you were able to use and  
 24 indeed did use the McQueen folder on the S: drive to  
 25 provide a confirmation that you had completed the

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1 Q. Let's look as far as we can at what Mr Murray has  
 2 recorded here:  
 3 "Intel suggests member of Eren OCN are planning to  
 4 break out Izzet Eren from custody, either (1) to/at/from  
 5 a court appearance or (2) another opportunity, eg fake  
 6 illness, heart attack, ambulance to or at hospital.  
 7 They will use vehicle and weapons (firearm)."  
 8 I am not sure whether that's a question mark  
 9 firearm, it may well be:  
 10 "Not known day or time, location, exact MO."  
 11 Does that accord with your recollection of what you  
 12 passed to him during the course of the meeting?  
 13 **A. Generally, yes.**  
 14 Q. All right.  
 15 The information about the opportunity to perform  
 16 this escape being either to/at/from a court appearance  
 17 or another opportunity eg a fake illness or ambulance to  
 18 hospital, was that information coming from your  
 19 intelligence or did that include an element of surmising  
 20 the opportunities that might be available to the gang?  
 21 **A. I think it included the element of surmising. I think**  
 22 **mainly because it was a Friday, and it was limited to**  
 23 **what could be put in place on a Friday.**  
 24 Q. What was a Friday?  
 25 **A. The 30th.**

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1 action?  
 2 **A. I can't tell you exactly what is in it, but we had**  
 3 **an events schedule, so as I gained information on things**  
 4 **that I did, I would generally update the events schedule**  
 5 **with contact details or what I may or may not have done.**  
 6 Q. That was how you would usually work?  
 7 **A. Generally, yes.**  
 8 Q. All right. Thank you.  
 9 Can we take that down, please, Mr Coates and replace  
 10 it with MPS3712.  
 11 We are going to look at Mr Murray's notes of the  
 12 29th and 30th. Indeed, can we look over the page,  
 13 please, to page 2 of the notes. Here we are. This is  
 14 a record made by Mr Murray of a conversation that took  
 15 place between you and him on 30 October, and it is  
 16 apparent from what we see here that this included  
 17 information provided by you as to the escape plan.  
 18 Did you make a note during the course of this  
 19 conversation?  
 20 **A. Not in the conversation, I had notes in another book.**  
 21 Q. Right. So you were not making a note, you were  
 22 providing the information and Mr Murray was taking the  
 23 note?  
 24 **A. Yes, I was providing the information to him, to**  
 25 **Mr Murray.**

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1 Q. Right, so you were trying to -- you were trying to focus  
 2 upon what the opportunity might be and when it might  
 3 happen?  
 4 **A. But because it is a Friday and we are limited in staff**  
 5 **and logistics, we wanted to -- it's a basic risk**  
 6 **assessment, which is why I ended up phoning Mr Mayes, so**  
 7 **that it was covered for the weekend and then the whole**  
 8 **operation could be looked at with fresh eyes so to speak**  
 9 **on Monday, when we could have a proper sort of sit down**  
 10 **meeting about it.**  
 11 Q. Further down the note, there appears to be a record made  
 12 by Mr Murray as to what was done with the information,  
 13 so we see:  
 14 "Intel to be passed to the PIO for dissemination to  
 15 prison governor at believed Wormwood Scrubs, risk and  
 16 threat to prison staff/ambulance staff, increase  
 17 security around Izzet Eren, category status, cat A  
 18 et cetera, consider measures to prevent opportunities,  
 19 eg video-link, court appearance/increased number of  
 20 officers; duty of care to those potentially involved."  
 21 Do you remember having a discussion with Mr Murray  
 22 on that occasion about the possibility of arranging for  
 23 the subsequent sentencing hearing of Izzet Eren to take  
 24 place via a video-link from the prison?  
 25 **A. Not specifically that, but we discussed many different**

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<p>1 <b>avenues that we could go down to resolve this issue,</b></p> <p>2 <b>both in -- yes, using video type things, prison</b></p> <p>3 <b>movement, or mounting an operation, as we did.</b></p> <p>4 Q. Were you tasked with making any enquiries about the</p> <p>5 possibility of using a video-link facility from Wormwood</p> <p>6 Scrubs prison?</p> <p>7 <b>A. No, I don't believe so.</b></p> <p>8 Q. By the time that you received this intelligence, had you</p> <p>9 already acted as a surveillance officer in relation to</p> <p>10 some of the subjects of Operation Utara, including</p> <p>11 Ozcan Eren?</p> <p>12 <b>A. Yes, I believe so.</b></p> <p>13 Q. You have provided the inquiry, or the inquiry has</p> <p>14 certainly received, some short witness statements from</p> <p>15 you confirming that on at least two occasions during the</p> <p>16 course of Operation Ankaa you also acted as</p> <p>17 a surveillance officer. I need do no more I think than</p> <p>18 confirm that those occasions were on 19 November 2015</p> <p>19 and 7 December 2015?</p> <p>20 <b>A. Yes, that's correct.</b></p> <p>21 Q. Thank you.</p> <p>22 I would like to ask you some questions about the</p> <p>23 manner in which you, Mr Kinch and FE19 worked together.</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Were you in the habit of sharing intelligence between</p> <p style="text-align: center;">Page 145</p>	<p>1 the three of you before it was disseminated to your</p> <p>2 team, and by "team" I mean Mr Murray and then, once he</p> <p>3 was appointed, Mr Williams as the TFC, or would you act</p> <p>4 as a sole officer in receipt of the intelligence and</p> <p>5 then passing it straight into the team?</p> <p>6 <b>A. No, the investigative team, if you like is myself, FE19</b></p> <p>7 <b>and DC Kinch, we worked together all the time and were</b></p> <p>8 <b>constantly in touch with each other passing information.</b></p> <p>9 <b>That information would obviously then be passed to</b></p> <p>10 <b>Mr Murray, occasionally by myself but more likely by</b></p> <p>11 <b>FE19.</b></p> <p>12 <b>The rest of the team, it is on a very much</b></p> <p>13 <b>need-to-know basis. It is not openly discussed.</b></p> <p>14 Q. Right, so the three of you would focus your intelligence</p> <p>15 upon Mr Murray.</p> <p>16 <b>A. Yes. Ultimately, he is the SIO and has that</b></p> <p>17 <b>responsibility, but that wouldn't always be myself.</b></p> <p>18 <b>I wouldn't naturally go into Mr Murray, that would be</b></p> <p>19 <b>FE19.</b></p> <p>20 Q. Would you describe FE19 as a line manager?</p> <p>21 <b>A. He is my line manager, yes.</b></p> <p>22 Q. He was your line manager and he would often act as the</p> <p>23 conduit between yourself and Mr Murray?</p> <p>24 <b>A. Yes, Mr Murray is his line manager.</b></p> <p>25 Q. But there were occasions, such as we have just seen on</p> <p style="text-align: center;">Page 146</p>
<p>1 30 October, when you would directly disseminate to</p> <p>2 Mr Murray?</p> <p>3 <b>A. I wouldn't have any problem speaking directly to</b></p> <p>4 <b>Mr Murray, no.</b></p> <p>5 Q. Thank you.</p> <p>6 Let's look for a moment, please, at another email,</p> <p>7 it is MPS2762.</p> <p>8 I want us to look at the email on the lower portion</p> <p>9 of the page, and we can see that this was an email sent</p> <p>10 from Mr Mayes to you on the afternoon of 30 October. It</p> <p>11 reads as follows:</p> <p>12 "Andy.</p> <p>13 "Prison governor Pete Nichols aware, will manage the</p> <p>14 risk without the need to escalate any additional</p> <p>15 security (he understands the need to do so, could</p> <p>16 compromise our own duty of care). He is working the</p> <p>17 weekend. Prisoner was recently transferred to Scrubs</p> <p>18 from Thameside prison. He is not shown as having any</p> <p>19 hospital appointments. Any issues at the weekend, he</p> <p>20 will call me and I will call you."</p> <p>21 Do you remember receiving that email?</p> <p>22 <b>A. Yes, I believe so.</b></p> <p>23 Q. What did you take Mr Mayes to mean when he said he</p> <p>24 would, "... manage the risk without the need to escalate</p> <p>25 any additional security"?</p> <p style="text-align: center;">Page 147</p>	<p>1 <b>A. As I said, this was initially put in place on the</b></p> <p>2 <b>Friday, to carry us over the weekend and that risk of</b></p> <p>3 <b>that period of time.</b></p> <p>4 Q. Yes.</p> <p>5 <b>A. And that is how I assumed that has gone in. I have</b></p> <p>6 <b>spoken to Mr Mayes, I was fairly frank with him about</b></p> <p>7 <b>what the intelligence was, he escalated that up so that</b></p> <p>8 <b>the prison are then aware that there could be an issue,</b></p> <p>9 <b>and it is being managed without any additional security.</b></p> <p>10 Q. Do you think that you would have passed that information</p> <p>11 up the line, either to FE19 or to Mr Murray?</p> <p>12 <b>A. FE19 wasn't working then, so it definitely wouldn't have</b></p> <p>13 <b>gone to him. I would have told Mr Murray that I had</b></p> <p>14 <b>spoken to Mr Mayes, I am not sure what time this -- this</b></p> <p>15 <b>was at 4.30 on a Friday afternoon.</b></p> <p>16 Q. Yes.</p> <p>17 Could we zoom back out, please, Mr Coates. Thank</p> <p>18 you.</p> <p>19 Yes.</p> <p>20 <b>A. So I have responded to that on the Monday.</b></p> <p>21 Q. Yes.</p> <p>22 <b>A. So are you able to tell me when I actually looked at</b></p> <p>23 <b>that?</b></p> <p>24 Q. I can't, it may have been -- you may not have seen it</p> <p>25 until the Monday morning, but that confirms, doesn't it,</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

1 that you saw the importance when you did read it, of  
 2 disseminating it up the line?  
 3 **A. It was important on the Friday to contain that initial**  
 4 **risk.**  
 5 Q. Were any arrangements made that included you to ensure  
 6 that the intelligence picture continued to be shared  
 7 between the prison and the police?  
 8 **A. No.**  
 9 Q. Can we take that down, please, Mr Coates, and can we  
 10 have a look at MPS2737. This is another email, now it  
 11 is not the easiest to read because you can just about  
 12 make out what is in the boxes, but the left-hand side  
 13 border is missing. It is to the Met intelligence  
 14 department, and it is from you copying in Mr Murray and  
 15 it is sent at 4.00 on Thursday, 5 November 2015, and it  
 16 says:  
 17 "Guys, can I get an urgent INFOS on the following  
 18 information ..."  
 19 This is in respect of Operation Utara and then  
 20 there's reference to a CRIMINT log number and reference  
 21 to the two prisoners, Izzet Eren and  
 22 Erwin Amoyaw-Gyamfi.  
 23 Do you remember sending that email?  
 24 **A. Not specifically remember, but it is one of the things**  
 25 **that I would do in the course of my duties.**

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1 was for authority to place tracking equipment on the  
 2 Audi vehicle.  
 3 Do you remember being involved in this application?  
 4 **A. Yes, it was generally part of my duties to complete the**  
 5 **applications.**  
 6 Q. We can see from the top of page 8, please, Mr Coates.  
 7 This is at the back of the document, that the top  
 8 box confirms you making this application on 15 November?  
 9 **A. Yes.**  
 10 Q. We can then see it is -- well, you tell us, what  
 11 happened to it once you had put the finishing touches to  
 12 it on 15 November, who would have received it next?  
 13 **A. So it goes to an office, what we call the CAB office --**  
 14 **I can't remember what it stands for, but they are the**  
 15 **RIPA desk, they examine it, they go through it, they**  
 16 **make sure it is correct, sort of legally. It will then**  
 17 **be referred to the authorising officer, which I believe**  
 18 **on this occasion was AC Gallan.**  
 19 Q. Yes.  
 20 **A. And then she would authorise it and there would be**  
 21 **another form to say that this had been authorised, which**  
 22 **would then come back to us.**  
 23 Q. Right.  
 24 Let's go back to page 2, please, and could we  
 25 display on the monitor pages 2 and 3 side by side,

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1 Q. Right. Are you able to now to tell the inquiry what the  
 2 urgency was for you to send this email on 5 November?  
 3 **A. So the INFOS system is a system that identifies if**  
 4 **anyone else has an interest in these particular people,**  
 5 **or an address or a vehicle. So when we have**  
 6 **an operation, the people that we are -- are our**  
 7 **subjects, we what is called flag them, so they are**  
 8 **flagged to us and the intel system knows that we are**  
 9 **working on them. It effectively is there to stop blue**  
 10 **on blue.**  
 11 THE CHAIRMAN: To stop what?  
 12 **A. A blue on blue, so that we are not trying to work on**  
 13 **something that some other police officers are working on**  
 14 **or that there is other intel surrounding that.**  
 15 THE CHAIRMAN: Thank you.  
 16 MS BLACKWELL: Thank you.  
 17 Are you able to assist with why this might have been  
 18 a matter of urgency?  
 19 **A. Because we were working on this as an operation, and**  
 20 **pretty much most of the things we do have a sense of**  
 21 **urgency around them.**  
 22 Q. Thank you.  
 23 Let's look, please, at MPS543, this is behind tab 21  
 24 in our hard copy bundle. I would like to you help us,  
 25 please, with your involvement in this application, which

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1 Mr Coates.  
 2 Hopefully pages 2 and 3 will be deployed side by  
 3 side in our hard copy bundle.  
 4 I would just like to ask you, please, about the  
 5 section that's headed "Intelligence case".  
 6 **A. Yes.**  
 7 Q. Which provides a detailed explanation of the  
 8 intelligence that lies behind the application. Did this  
 9 come from you and if so, how did you collate this  
 10 intelligence?  
 11 **A. I did write this, yes.**  
 12 **There are several applications involved in Utara and**  
 13 **Operation Ankaa, and they involve the OCG, the organised**  
 14 **criminal group, as a whole. So this intelligence would**  
 15 **be taken from different areas of Operation Utara to put**  
 16 **a picture together to say: this is the type of people**  
 17 **that we are dealing with, this is the OCG and this is**  
 18 **what they do.**  
 19 Q. Thank you.  
 20 Could we go to the next page, please, Mr Coates. We  
 21 can take both of those pages down and just have a look  
 22 at page 4 of the document, please.  
 23 Thank you.  
 24 There is a box headed "Necessity", it is number 6.  
 25 Again, did you provide the information that we see here,

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1 setting out why it was necessary for the proposed  
 2 activity, that is the insertion of the tracking device  
 3 onto the Audi?  
 4 **A. It is fair to say I completed all of this form.**  
 5 Q. Right, thank you.  
 6 We can take that down, please, Mr Coates.  
 7 We are going to have a look in a moment at a similar  
 8 application for the probe in the Audi.  
 9 **A. Yes.**  
 10 Q. When you made this application on 15 November, was there  
 11 any discussion with you at that time about you also  
 12 making an application to have a probe inserted into the  
 13 vehicle?  
 14 **A. It would have taken -- I had a meeting previously**  
 15 **obviously with the TSU and we had discussed the**  
 16 **different parts of the operation and what from the**  
 17 **technical point of view we would like, so yes, there**  
 18 **was -- I knew that was going to be coming.**  
 19 Q. Right. Let's have a look at MPS3190, please.  
 20 This is the application for the probe.  
 21 Could we travel through to the end of this document,  
 22 please, to the final page. Thank you.  
 23 We can see it is seen by Mr Gilmour, who provides  
 24 his support on 24 November. If we can go back a page,  
 25 please, we can see that in the middle of that page, it

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1 **A. It is something that we actually discussed more**  
 2 **recently, is it possible to do them on the same form?**  
 3 **Probably, yes, it is possible. There would be a reason**  
 4 **why, because obviously it just creates more work doing**  
 5 **it in two separate forms.**  
 6 Q. Yes, but it is neater perhaps to deal with them  
 7 separately?  
 8 **A. We went down the line of doing two separate forms.**  
 9 Q. Yes, thank you.  
 10 Thank you, we can take that down. I am now going to  
 11 ask you about a separate application. In fact, rather  
 12 than an application, this is a risk assessment for the  
 13 deployment which you were involved in. It sits behind  
 14 tab 23 in our bundle.  
 15 Mr Coates, please could we display MPS496.  
 16 Unfortunately, it comes side on in our hard copy  
 17 bundle, so it may assist you, Mr Sparks, as well as  
 18 looking through the hard copy bundle, to look at what is  
 19 displayed on the screen.  
 20 Before we look at any particular aspect of this risk  
 21 assessment, could you explain to this inquiry, please,  
 22 what it is and the circumstances in which you came to be  
 23 involved in making this risk assessment?  
 24 **A. As I understand it, the PLAICE model form is a TSU**  
 25 **originated form and they supply it to us for us to do**

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1 is seen by Mr Williams, who confirms that he has checked  
 2 it and supports it on 20 November. Could we go to the  
 3 previous page, please. We see at the bottom of that  
 4 page that you have signed it off as the applicant on  
 5 20 November.  
 6 **A. Yes.**  
 7 Q. Are you able to help us with what had happened in those  
 8 five days between 15 November and 20 November to cause  
 9 you to make a second application for the probe?  
 10 **A. My recollection is that they were going to be two**  
 11 **specific deployments --**  
 12 Q. Right.  
 13 **A. -- and certainly the tracker is something that could be**  
 14 **done a lot quicker than the organisation and the**  
 15 **logistics that are taken to deploy the probe.**  
 16 Q. As far as the applications were concerned, was there  
 17 anything more involved in the probe application from  
 18 your perspective than from the tracker?  
 19 **A. Certainly the level of interference would be higher.**  
 20 **Without going through the documents properly, I can't**  
 21 **say but the level of interference was clearly higher**  
 22 **because the tracker being outside and the probes being**  
 23 **inside.**  
 24 Q. Would it have been appropriate to have made both  
 25 applications on the same form?

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1 **a risk assessment that looks at just the deployment, so**  
 2 **there is no other part of the operation, as such, the**  
 3 **deployment on the night or during the day, whenever it**  
 4 **might be, and the risks that might be to the personnel**  
 5 **that are deployed during that time.**  
 6 Q. Right, so this is specifically focused on the deployment  
 7 to insert the probe onto the Audi or into the Audi?  
 8 **A. Yes, the probe or the tracker or -- TSU deployment.**  
 9 Q. Is this an assessment that you had experience of at the  
 10 time that you made this one?  
 11 **A. I am sure that I have written one before, but I don't**  
 12 **recall specifically.**  
 13 Q. Was it unusual, in your experience, to be asked to do  
 14 this?  
 15 **A. I do not have a great memory of doing lots of them, but**  
 16 **there are numerous forms and risk assessments for pretty**  
 17 **much everything.**  
 18 Q. All right, could we have a look at the next page,  
 19 please, Mr Coates.  
 20 And the next page.  
 21 These are explanatory notes that I am not going to  
 22 take you through, but we can see on page 3 that it was  
 23 completed by you on 17 November, and if we could,  
 24 please, now display pages 4 and 5 alongside each other,  
 25 we can see that this section of the form is headed

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1 "Methodology" and we can see below an introductory  
 2 sentence or two, we then come to a table which running  
 3 left to right has the headings: Hazard description;  
 4 Existing controls; Risk assessment, with a series of  
 5 level; Additional risk control measures; and then  
 6 Residual risk assessment, again with a series of  
 7 measures.  
 8 Are you able to explain to us, please, Mr Sparks,  
 9 how you went about assessing the risk assessment and the  
 10 residual risk assessment for these various hazards?  
 11 **A. Not more than you can literally see on the page, I don't**  
 12 **recall how I would do it.**  
 13 **The impact is 3, it is going to have a high impact**  
 14 **on the operation. The likelihood of risk is 1, because**  
 15 **there is low likelihood. I can't say more than that.**  
 16 THE CHAIRMAN: Can you explain this, please --  
 17 **A. Sure.**  
 18 THE CHAIRMAN: If you go to the right-hand side:  
 19 "Subject's vehicle is parked in a secluded car park,  
 20 some distance from any known addresses."  
 21 Residual risk assessment impact 2, likelihood 1,  
 22 total score 2.  
 23 I thought 2 plus 1 made three?  
 24 **A. It certainly does, sir, but I really don't recall**  
 25 **putting this into the document.**

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1 **A. I can't answer that, sir, I don't know. It is a total**  
 2 **score of the risk that has been used for the deployment.**  
 3 THE CHAIRMAN: Yes, but what does it mean and how is it  
 4 acted on?  
 5 **A. I believe, without looking at the instructions as such,**  
 6 **that it is obviously a calculation at the end.**  
 7 THE CHAIRMAN: I mean it's not the most difficult sum in the  
 8 world, is it?  
 9 **A. No, it is not and I really cannot understand why that**  
 10 **would be written like that.**  
 11 THE CHAIRMAN: At some stage perhaps somebody will tell me  
 12 what the significance of the total score is, as opposed  
 13 to the first two columns, which explain themselves,  
 14 impact and likelihood.  
 15 MS BLACKWELL: Sir, we will certainly endeavour to find  
 16 those answers for you.  
 17 THE CHAIRMAN: Thank you.  
 18 Sorry for interrupting you.  
 19 MS BLACKWELL: Not at all.  
 20 Could I ask you, please, Mr Sparks about some of the  
 21 text that appears. I am going to go back to the  
 22 "Methodology" box, at the top, and to look at the second  
 23 paragraph there:  
 24 "This part of the operation is designated McQueen  
 25 and is directed against two specific individuals who are

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1 THE CHAIRMAN: Somebody has, haven't they? Do we know who?  
 2 **A. I am assuming it is myself but I don't recall it at all,**  
 3 **sir.**  
 4 THE CHAIRMAN: Because I am afraid it is not the only  
 5 mathematical error, because "Compromise of TSU assets",  
 6 third hazard description on the left-hand side, 3 + 1 =  
 7 3.  
 8 SCO7(7), operatives will be deployed to put in  
 9 an intervention if required, 2 + 1 = 2. Cover stores  
 10 will be used as appropriate 2 + 1 = 2.  
 11 Now your sums have improved on the next page and  
 12 I can't find any errors, but what is the significance of  
 13 the total score?  
 14 **A. I honestly --**  
 15 THE CHAIRMAN: What should it be? What should that  
 16 significance be, because we have out of a total of eight  
 17 total scores, we have six on the first page are wrong.  
 18 **A. Yes, I can see that and I accept that that is clearly**  
 19 **an error, and I can't explain it either.**  
 20 THE CHAIRMAN: What is the significance, please, of the  
 21 column headed "Total score"?  
 22 **A. I assume it would be a total of the numbers there.**  
 23 THE CHAIRMAN: I think we can all assume it is a total of  
 24 the first two columns, what I want to know is what is  
 25 its significance.

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1 currently at HMP Wormwood Scrubs and a third member,  
 2 Ozcan Eren, who plans to assist those offenders in  
 3 escaping lawful custody. The OCN plans to utilise  
 4 a black Audi A6 [registration given] that is parked at  
 5 Eastern Road, N22 in effecting that escape."  
 6 You put that description down in the methodology box  
 7 and you were aware that, as well as Izzet Eren and  
 8 possibly Erwin Amoyaw-Gyamfi, the third identifiable  
 9 person at that stage was Ozcan Eren?  
 10 **A. Yes.**  
 11 Q. If we look at the first hazard description against the  
 12 letter P, we see the following:  
 13 "Subjects have previous convictions for firearms but  
 14 no current intelligence that Ozcan has ready access at  
 15 his home address."  
 16 Did you put that information on the form?  
 17 **A. Yes, I believe so.**  
 18 Q. Right. Did you consider it relevant that the reason  
 19 that Izzet Eren was at Wormwood Scrubs prison was  
 20 because he had been arrested in possession of loaded and  
 21 ready-to-fire weapons?  
 22 **A. Yes.**  
 23 Q. Is there any reason why that information didn't appear  
 24 in this box in relation to the hazard description?  
 25 **A. This is a risk assessment for the deployment on the**

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1 specific night or whenever it was going to be deployed.  
 2 **Clearly Izzet Eren and Gyamfi were both in prison, so**  
 3 **they are not subject to the risk assessment as such.**  
 4 Q. No, but was it relevant, do you think, that they were  
 5 members of the same gang and they had been arrested with  
 6 loaded and ready-to-fire weapons.  
 7 **A. We have recovered many weapons from this gang over the**  
 8 **period of time, this is specifically about Ozcan Eren**  
 9 **and what it basically says is that if he is at home on**  
 10 **the night of the deployment, do we believe that he would**  
 11 **have ready access to a firearm should he then come out**  
 12 **and compromise the operation?**  
 13 **So that is saying that we don't believe he has ready**  
 14 **access at the home address where we expect him to be.**  
 15 **However, if he wasn't at that home address, that would**  
 16 **obviously then be an issue.**  
 17 Q. All right, so the subject really is Ozcan Eren rather  
 18 than the other two?  
 19 **A. The operation, obviously, involves all of them, but for**  
 20 **this specific deployment, the subject, Ozcan Eren, he is**  
 21 **the risk on that, that deployment.**  
 22 Q. How much intelligence did you have in front of you  
 23 relating to Ozcan Eren whilst you were filling out this  
 24 form?  
 25 **A. I would have access to the CRIMINT, the criminal**

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1 1993 and 1998, but at this time there is no current  
 2 intelligence to suggest that the subject has access to  
 3 firearms."  
 4 **A. Yes, and again we are going back to the ready access.**  
 5 Q. The inquiry has heard that in July 2015, so four months  
 6 before you completed this form, that Ozcan Eren was in  
 7 possession of a Luger firearm. Was that something that  
 8 you had at your disposal when you completed this form?  
 9 **A. It is not something that I recall, and it is -- I would**  
 10 **have thought it would be something I would recall if --**  
 11 Q. That was going to be my next question.  
 12 If you had that piece of information, even if it was  
 13 only by way of intelligence, it is unlikely that you  
 14 would have said, "There is no current intelligence to  
 15 suggest that he has access to firearms", would you?  
 16 **A. No, I don't wholly agree with that.**  
 17 **This, as I said before, this is his ready access,**  
 18 **when he is at his home address.**  
 19 **So for the deployment on this particular evening, we**  
 20 **would establish that he was at home, and therefore**  
 21 **contained in that area, and that we believe he doesn't**  
 22 **have ready access to a firearm in that house.**  
 23 Q. But part of the deployment, and one of the reasons why  
 24 it involved the support of the CTSFOs, the firearms  
 25 officers was in case Ozcan Eren turned up at the

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1 **intelligence system, the CRIMINT systems.**  
 2 Q. The CRIMINT systems?  
 3 **A. And probably his previous ...**  
 4 Q. Would you have gathered together everything that you  
 5 could about him in order to inform yourself of the  
 6 up-to-date position and the up-to-date risk that he  
 7 posed in relation to possession of firearms?  
 8 **A. Yes and no. This is specific to that deployment, and**  
 9 **therefore his association with people with firearms and**  
 10 **his possession of firearms, where he would have kept**  
 11 **them, would have been relevant but not necessarily**  
 12 **relevant to this specific deployment, if that makes**  
 13 **sense?**  
 14 Q. I am not going to ask that we display it, but later on  
 15 in this document you confirm that Ozcan Eren was, "Last  
 16 arrested in 2010 for conspiring to supply cannabis", do  
 17 you remember -- you can turn to it if you wish, it is  
 18 page 7 of the document.  
 19 **A. Yes, I see what is written.**  
 20 Q. Would that information have come to you from  
 21 an intelligence report?  
 22 **A. Possibly, or a PNC report, possibly a PNC report.**  
 23 Q. Right. Similarly, just underneath that paragraph,  
 24 headed "Firearms", you have recorded:  
 25 "Subject has previous convictions for firearms in

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1 vehicle, wasn't it?  
 2 **A. Or AN other person.**  
 3 Q. Or AN other. Yes.  
 4 The fact that the intelligence about him having  
 5 a Luger firearm in July 2015, might not have included  
 6 him being at his home address, was only marginally  
 7 relevant, wasn't it?  
 8 **A. It is clearly relevant to the operation. Is it clearly**  
 9 **relevant to the deployment that night? If he goes out**  
 10 **and arms himself or he is not at his home address and he**  
 11 **is somewhere else, and he can arm himself, he can come**  
 12 **on to the plot armed, so it is a risk, but that**  
 13 **specifically is does he keep firearms at his home**  
 14 **address? We have no intelligence to suggest that he**  
 15 **does.**  
 16 THE CHAIRMAN: Does it say that?  
 17 MS BLACKWELL: Let's have a look back at MPS496, page 4,  
 18 please.  
 19 Thank you.  
 20 The hazard description is:  
 21 "Subjects have previous convictions for firearms but  
 22 no current intelligence that Ozcan has ready access at  
 23 his home address."  
 24 **A. Yes.**  
 25 Q. The vehicle was not parked at his home address, was it?

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1 **A. No, it wasn't.**  
 2 Q. Can we agree on this, Mr Sparks, if you had been aware  
 3 that four months prior to your application there was  
 4 intelligence that he was in possession of a Luger  
 5 firearm, wherever he was, that that would have made its  
 6 way somewhere on to this form?  
 7 **A. I would accept what you are saying --**  
 8 THE CHAIRMAN: What did the words "at his home address" add  
 9 to the hazard description and the importance of  
 10 addressing the possibility that Ozcan Eren might have  
 11 access to firearms? Do you understand the question?  
 12 **A. Absolutely, sir.**  
 13 **So in my experience, a lot of our subjects have**  
 14 **access to firearms and they have them stored in**  
 15 **a location where they can go to that location, collect**  
 16 **them.**  
 17 **They rarely will keep them at the home address.**  
 18 THE CHAIRMAN: Exactly, they are rarely going to keep them  
 19 at their home address, which it might be thought makes  
 20 the addition of the words "at his home address" even  
 21 less helpful.  
 22 **A. For the purposes of the deployment, sir, this is likely**  
 23 **to happen at 3.00 in the morning, we would confirm that**  
 24 **he was at his home address at that time, prior to the**  
 25 **deployment taking place. And should most of the time**

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1 Ozcan Eren who was the subject of this application?  
 2 **A. He's the main subject, yes.**  
 3 Q. The L relates to legal, which is risks relating to the  
 4 legislative environment of the operation, including  
 5 RIPA, disclosure, PI and political issues, which we will  
 6 have a look at in a moment.  
 7 The A is for assets -- next page, please,  
 8 Mr Coates -- risks associated with equipment, vehicles,  
 9 IT controls and includes partnerships and finance  
 10 budgets.  
 11 The I is for information management, risks  
 12 associated with information and knowledge management,  
 13 including decision logs communications, document  
 14 security and policies and procedures.  
 15 Over the page, the C is for compromise, risks  
 16 associated with potential actual compromise of the  
 17 operation.  
 18 The E is for environmental, risks associated with  
 19 the operational working environment such as partner  
 20 agencies and command structure, also includes  
 21 access/egress routes, overseas issues, community  
 22 relations and exit strategy.  
 23 With that explanation in mind, could we return,  
 24 please, to page 4.  
 25 The hazard description under P, P for physical,

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1 **these actually happened, the car park is very close to**  
 2 **the house, so if it happened that he walked out of his**  
 3 **home address and compromised the deployment, is it**  
 4 **possible that he could have a firearm?**  
 5 **It is always possible, but is it likely? There is**  
 6 **no intelligence to say that he would be able to arm**  
 7 **himself. So the suggestion being there that it is**  
 8 **marginally safer. In this actual operation, he lived**  
 9 **some way away from the vehicle, so it would take him**  
 10 **time to get there anyway.**  
 11 MS BLACKWELL: Let's just move, please, Mr Coates, to  
 12 page 16 of this document. I just want to provide some  
 13 clarity around the use of the acronym "PLAICE", because  
 14 although when we are looking at the detail that you have  
 15 put on to the form we can see the letters spelling out  
 16 the word PLAICE down the left-hand column, and we here,  
 17 at page 16 of the document, have an explanation of what  
 18 each letter refers to.  
 19 So the P in PLAICE represents the word physical and  
 20 the description here at the back of the document says:  
 21 "Risks relating to the security of premises and  
 22 people."  
 23 Premises wasn't relevant here because it was  
 24 a vehicle rather than premises, wasn't it? But the  
 25 people was relevant and it relates on this occasion to

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1 risks relating to the security premise and people, you  
 2 have described, as we have seen, the subjects have  
 3 previous convictions for firearms but no current  
 4 intelligence that Ozcan has ready access at his home  
 5 address.  
 6 The existing controls are that the two main suspects  
 7 are incarcerated in prison, to which you have already  
 8 made reference. Ozcan Eren resides in central London.  
 9 How was that an existing control, that he lived in  
 10 central London?  
 11 **A. That if he was to compromise the operation, he would**  
 12 **have to travel from central London to where the car was.**  
 13 Q. What you were saying there was he lived some distance  
 14 away from the vehicle?  
 15 **A. Yes.**  
 16 Q. Then we move to the risk assessment, how did you go  
 17 about assessing the risk assessment of impact and  
 18 likelihood with the figures 3 and 1? And what was the  
 19 scale that you used.  
 20 **A. I can only work on what the duty says on there, on**  
 21 **a scale of zero to 5.**  
 22 Q. Let me just ask you to pause and let's go to page 10,  
 23 because I don't want you to be at a disadvantage.  
 24 **A. Okay.**  
 25 Q. We can see the scale set out at page 10.

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<p>1 This is the scale of likelihood and then below it is 2 the scale of impact. 3 Did you use these scales on this document in order 4 to make your own assessment of where the relevance 5 figure lay? 6 <b>A. Yes, I don't specifically recall using these particular 7 figures but they are in the form, so I would have read 8 them at some stage.</b> 9 Q. Did you draw upon any additional intelligence that you 10 had of all of the subjects, including Ozcan Eren and the 11 wider organised crime network, in order to assess where 12 on the scale these risks truly lay? 13 <b>A. I believe, yes, I think that would be correct.</b> 14 Q. How would additional control measures have reduced the 15 impact scores? 16 <b>A. So the facts on this one, the subject vehicle is parked 17 in a secluded car park some distance from the address.</b> 18 Q. Right, some distance from Ozcan Eren's address? 19 <b>A. Ozcan Eren's address, yes.</b> 20 Q. Right. 21 Let's look at page 5, please, Mr Coates. 22 We are still under the letter P. This entry 23 records: 24 "Neighbours, the car park is overlooked by the 25 residents of the flats but not on the ground floor and</p> <p style="text-align: center;">Page 169</p>	<p>1 is walled. It is overlooked by the rear of a house in 2 an adjacent street, but not clearly visible. There are 3 no known links between any of the subjects and this 4 venue." 5 The next column, "Existing controls" is: 6 "Night time observations of plot indicate that 7 neighbour is asleep during the hours of the proposed 8 deployment." 9 <b>A. Yes.</b> 10 Q. So the deployment was going to take place in the hours 11 of darkness. 12 <b>A. Yes.</b> 13 Q. How were you able to put this information onto the form, 14 had you engaged in any night-time observations and did 15 you have personal knowledge of the situation relating to 16 the neighbours overlooking the car park or was that 17 provided to you by other officers? 18 <b>A. I don't recall exactly. I have been to the car park, so 19 I am familiar with it. I am familiar with the layout 20 and the walls, where it says the first floor, you can't 21 look over because the car park is fairly walled on one 22 side.</b> 23 <b>Whether or not I went down there during the hours of 24 darkness, that would be normal that we would go down 25 there at the proposed operational time and find out what</b></p> <p style="text-align: center;">Page 170</p>
<p>1 <b>it is like round there, whether there is things going 2 on, whether there is small shops for instance, serving, 3 whether there are people that habitually stay up late, 4 there are lights on, that sort thing.</b> 5 Q. Across the table, under the heading which we cannot see 6 on this page, but I can confirm is "Additional risk 7 control measures", we see: 8 "Parameter team will be in place to put in 9 an intervention if required." 10 What did that refer to? 11 <b>A. So the TSU do the deployment itself and then there is 12 a perimeter team, a surveillance team that are in the 13 vicinity at different points to watch for anyone that 14 might approach the area, and if a compromise happened, 15 to deal with it.</b> 16 Q. All right. Could we go back to page 4, please, 17 Mr Coates. 18 Looking at the right hand columns on this page that 19 are headed "Residual risk assessment", how was that 20 score reached in conjunction with the additional risk 21 control measures and the original risk assessment? Can 22 you tell us what steps you went through in order to 23 arrive at the residual risk assessment? 24 <b>A. I can't tell you exactly. What I can say is that we had 25 things -- these are the things that we put in place to</b></p> <p style="text-align: center;">Page 171</p>	<p>1 <b>try and reduce that risk and deal with it, should it 2 occur.</b> 3 Q. Moving back to the first entry, which is in relation to 4 the firearms issue. 5 <b>A. Yes.</b> 6 Q. The existing control is that two of the subjects are in 7 prison and that Ozcan Eren resides elsewhere in London. 8 You have then taken that information and performed 9 a risk assessment. You have then noted additional risk 10 control measures, which, on this occasion, is: 11 "Subject's vehicle is parked in a secluded car park 12 some distance from any known addresses." 13 You have then come out with a residual risk 14 assessment, which is reduced in relation to impact from 15 the original risk assessment. 16 How have you used the additional risk control 17 measure in order to reduce the impact risk assessment 18 from 3 to 2? 19 <b>A. I can't tell you again specifically, but the fact that 20 Ozcan Eren lives some distance away and the fact that it 21 is parked in a secluded park some distance from any 22 known addresses, that would be lower but the risk 23 assessment still exists because the vehicle is parked in 24 the middle of Wood Green, which is where most of the 25 associates would originate from in some way or form.</b></p> <p style="text-align: center;">Page 172</p>

1 Q. I am just wondering how you concluded that that  
 2 particular additional risk control measure warranted  
 3 a reduction from the original risk assessment of impact  
 4 of 3 down to 2.  
 5 If you go down the chart, the second entry,  
 6 "Compromise of deployment by subject", the original risk  
 7 assessment of impact is 3, and then it is reduced down  
 8 to 2.  
 9 Again, the entry below, "Compromise of TSU assets  
 10 during installation", original impact of 3, reduced down  
 11 to 2.  
 12 Finally, we don't need to go over the page again,  
 13 but the issue relating to the neighbours overlooking the  
 14 car park, original risk assessment impact 3, reduced to  
 15 2.  
 16 Is it just a coincidence that each of those entries  
 17 had an initial risk assessment and impact of 3, which is  
 18 in all cases reduced down to 2 following your  
 19 consideration of the additional risk control measures?  
 20 **A. I can't answer that completely. What I can say is that**  
 21 **the existing controls were the risk and how we went**  
 22 **about -- sort of how I went about negating that risk and**  
 23 **attempting to reduce it by putting other things in**  
 24 **place.**  
 25 THE CHAIRMAN: Ms Blackwell, as far as the questions I asked

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1 **and I don't really recall these forms, in fact until**  
 2 **this was produced to me, I don't really remember it**  
 3 **before.**  
 4 MS BLACKWELL: Until I produced it to you now?  
 5 **A. No, when I had it in the pack.**  
 6 Q. Earlier, right.  
 7 I am not going to ask you any more detailed  
 8 questions about this form. We can take it down, please,  
 9 Mr Coates.  
 10 Just so the inquiry is clear, your recollection is  
 11 you may filled in one or possibly two before?  
 12 **A. Yes.**  
 13 Q. All right. Do you have any recollection of filling any  
 14 forms like this in after this one?  
 15 **A. No, we fill in many, many forms.**  
 16 Q. I appreciate that.  
 17 **A. Specifically PLAICE forms, no.**  
 18 Q. I want to now ask you about the mission vehicle itself.  
 19 I would like us to look at IPC1212, please, and I want  
 20 to establish with you -- could we display this and the  
 21 next page together, please?  
 22 I want to establish with you when you first became  
 23 aware of the Audi being used or potentially being used  
 24 during the escape plan on 11 December as what the  
 25 inquiry has heard described as a mission vehicle.

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1 before are concerned, if we look at page 14, of that  
 2 document.  
 3 MS BLACKWELL: Yes.  
 4 THE CHAIRMAN: We can see the first heading "To calculate  
 5 the overall risk rating, simply multiple the allocated  
 6 impact score by the likelihood score".  
 7 So likelihood score "L" times impact score "I",  
 8 equals risk rating score.  
 9 So it is not adding up, but whether it is adding up  
 10 or multiplying it is wrong in many of the examples.  
 11 I think that is what the sum is proposed to produce.  
 12 MS BLACKWELL: Had you received any guidance in how to  
 13 complete your risk ratings on this form?  
 14 **A. As I said at the beginning, this is not one of our**  
 15 **forms, it was -- I believe it was a TSU form, and**  
 16 **I believed I had seen it before.**  
 17 THE CHAIRMAN: Is that a no?  
 18 **A. I think so, yes, no, I did not remember --**  
 19 THE CHAIRMAN: I think it probably is a no, because when  
 20 I raised with you before, how do you explain this? And  
 21 I suggested, because I didn't know, that you add them  
 22 together. In fact, you don't add them together, you  
 23 multiply them. If you had been familiar with it, you  
 24 would have corrected me, I suspect.  
 25 **A. I agree with you, sir, but equally it is five years ago**

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1 We can see this is an another CRIMINT report, it's  
 2 a form of words, if we look at the second page, which  
 3 reads as follows:  
 4 "Intelligence indicates that Ozcan Eren has access  
 5 to a vehicle parked in a car park in Eastern Road, Wood  
 6 Green.  
 7 If we go back to the first page, this report was  
 8 created on 6 November 2015.  
 9 **A. Yes.**  
 10 Q. Does that help you in identifying when you first became  
 11 aware that this vehicle might be used?  
 12 **A. I believe we found the vehicle on 4 November.**  
 13 Q. With whom did you share this intelligence, can you  
 14 remember?  
 15 **A. This specific intelligence?**  
 16 Q. Yes.  
 17 **A. This intelligence was created as a tangible document**  
 18 **that could be used in the compilation of authorities and**  
 19 **other parts of the operation.**  
 20 Q. All right.  
 21 We know that you didn't create it, we can see it was  
 22 created by Maria McFarlane(?), again from the same  
 23 department as the previous CRIMINT was created?  
 24 **A. Yes.**  
 25 Q. When you first became aware of the vehicle, did it soon

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1 become apparent that it was on false plates, that it was  
 2 displaying a registration number that wasn't in fact  
 3 related to the vehicle itself?  
 4 **A. I believe we identified all that on the same day.**  
 5 Q. On the same day?  
 6 **A. I believe so, yes.**  
 7 Q. Would that be a simple matter of putting in the vehicle  
 8 registration into a system and establishing that it  
 9 didn't in fact relate to that particular vehicle?  
 10 **A. I think it does relate to a vehicle very similar.**  
 11 Q. A similar one, yes?  
 12 **A. I think from recollection it was identified from the VIN**  
 13 **number, which is displayed on the windscreen, generally**  
 14 **speaking.**  
 15 Q. Yes, all right.  
 16 What investigative opportunities did that provide to  
 17 you in terms of establishing where the individual had  
 18 originated?  
 19 **A. I can't remember if I did it personally, but I think we**  
 20 **fairly quickly established that it had been stolen in**  
 21 **a burglary.**  
 22 Q. Yes, and so were there enquiries made about the  
 23 circumstances of that burglary?  
 24 **A. I can only assume, I am afraid, that, yes, there would**  
 25 **be, and I may have made them. I do recall seeing the**

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1 vehicle marker".  
 2 **A. Yes.**  
 3 Q. We can see:  
 4 "In order to facilitate effective use of covert  
 5 markers, administration through this unit, the following  
 6 should be observed ..."  
 7 This was an application for a covert vehicle marker  
 8 to be placed on this vehicle. Do you remember being  
 9 involved in that?  
 10 **A. Yes.**  
 11 Q. Can you explain to us what effect that would have?  
 12 **A. Yes, there are two types of markers that can be placed**  
 13 **onto the PNC, which is Police National Computer, if**  
 14 **someone does a check on that vehicle or that index**  
 15 **number, a covert marker will alert me, if I set it up.**  
 16 **An overt marker will alert the officer who is doing the**  
 17 **check and me, I think.**  
 18 Q. Right, and so that would alert to you the enquiry?  
 19 **A. Yes.**  
 20 Q. Right. Is that something that you had experience of  
 21 when you made that application?  
 22 **A. Yes.**  
 23 Q. Were you aware of there being a static camera installed  
 24 to monitor the movements around the Audi vehicle where  
 25 it was parked on Eastern Road?

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1 **CRIS, which is the crime report, around that. I don't**  
 2 **recall its content.**  
 3 Q. Because it might have been useful to establish, for  
 4 instance, if there were CCTV cameras that had captured  
 5 the time at which the vehicle was stolen, in order to  
 6 attempt to identify who had stolen it --  
 7 **A. Absolutely, yes.**  
 8 Q. -- and whether or not they had any connection to the  
 9 Tottenham Turks and to Ozcan Eren.  
 10 **A. Yes.**  
 11 Q. But your evidence on that is that may have happened and  
 12 you may have involved, but given the passage of time,  
 13 you cannot now remember?  
 14 **A. No, I have no recollection right now.**  
 15 Q. What about ANPR and the possibility of checking with the  
 16 areas between that where from which the vehicle was  
 17 stolen and where Ozcan Eren lived? Were checks done to  
 18 see whether the stolen vehicle was clocked on any of the  
 19 ANPR cameras?  
 20 **A. I believe -- it is certainly something that could be**  
 21 **deny and I believe it is something that was done.**  
 22 **I don't have 100 per cent recollection.**  
 23 Q. Let's look, please, at MPS1203, please.  
 24 Thank you.  
 25 We can see that this is a document headed "Covert

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1 **A. Yes.**  
 2 Q. Did you become aware that the camera was not  
 3 particularly helpful during the hours of darkness, in  
 4 that it was incapable of providing any clarity of  
 5 footage?  
 6 **A. Yes.**  
 7 Q. Did you raise that with anyone?  
 8 **A. I recall it being discussed, it was part of an issue,**  
 9 **part of the many issues that happen during an operation.**  
 10 Q. Do you know whether or not that issue was rectified  
 11 prior to 11 December?  
 12 **A. I had some involvement with the TSU, whether or not**  
 13 **I spoke to them specifically about it, we would have**  
 14 **asked "Can it be improved?" And the actual location of**  
 15 **the camera is down to the TSU, where they can put it.**  
 16 MS BLACKWELL: All right. Could we have a look at MPS1809,  
 17 please, and the main part, the middle part of the  
 18 document check Kim Overall to the CGIC mailbox and to  
 19 you:  
 20 "Andy, we are going forward with this application  
 21 for the tracking but after speaking with the TSU I need  
 22 a briefing sheet around the proposed operation to  
 23 include the operational plan, the supporting  
 24 intelligence and what authorities you would like to  
 25 apply for. This is to be put before AC Gallan to see if

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1 she is willing in principle to support the operation as  
 2 planned because of the risks involved. I suggest that  
 3 this prepared by SIO as he made be required to present  
 4 to the AC."

5 This is something that you touched on before, that  
 6 the tracking application, after it was made, would  
 7 eventually find its way to the desk of AC Pat Gallan and  
 8 she, as we know, did in fact approve it?

9 **A. Yes.**

10 Q. Here you are being asked to provide additional material  
 11 and information in order for Pat Gallan to support the  
 12 operation, because of the risks involved.  
 13 What did you understand that reference to mean?

14 **A. So I believe what actually happened as a result of the**  
 15 **email, that the following day there was a personal**  
 16 **presentation to AC Gallan, by, I believe, it's**  
 17 **Mr Williams and other officers, I was not involved.**

18 Q. What did you understand Kim Overall to be referring to  
 19 when they wrote that Pat Gallan would need additional  
 20 information in order to support the planned operation,  
 21 because of the risks involved?

22 **A. That she wanted more information and it was dealt with**  
 23 **by way of a personal presentation.**

24 Q. Had you in your role, or roles, put any thought to what  
 25 the risks of the operation might be?

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1 a listening device would be placed inside the prison  
 2 van?

3 **A. Early -- certainly earlier on in the operation**  
 4 **everything was on the table, all the aspects we could**  
 5 **think of.**

6 Q. The purpose that that would have served is in order to  
 7 capture any conversation that was taking place either  
 8 between the prisoners or relating to one prisoner,  
 9 perhaps using a mobile phone device?

10 **A. If we could get some, clearly if you could put recording**  
 11 **equipment into a vehicle, you can record things.**  
 12 **We know the problem with the prison vans is that**  
 13 **they are all segregated.**

14 Q. Right, but were you involved in the discussion that took  
 15 place within these meetings, either within your team or  
 16 with the TSU, as to the viability of placing such  
 17 a device in a prison van?

18 **A. I am certainly aware of them, I would have discussed it**  
 19 **with the TSU on the initial meeting, and I believe**  
 20 **I left it with the TSU for their considerations and then**  
 21 **there is obviously ongoing discussions over the**  
 22 **following weeks with our team about how we was going to**  
 23 **progress.**

24 Q. As far as you are concerned, whatever initial  
 25 discussions took place, they came to nothing because no

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1 **A. Yes, clearly, I have considered there are several**  
 2 **obviously different parts of the operation and each has**  
 3 **its own risks. So, yes, I have been involved in the**  
 4 **risk assessment.**

5 Q. I am not going to take us back to the original action  
 6 log that was sent to you and other officers by FE19, but  
 7 you remember that we identified two actions for you, one  
 8 related to the obtaining of intelligence profiles or the  
 9 creation of intelligence profiles?

10 **A. Yes.**

11 Q. The other referred to the possibility of placing  
 12 a listening device in the prison van?

13 **A. Yes.**

14 Q. Or a probe or something of that nature?

15 **A. Yes.**

16 Q. I want to ask you about that action first.  
 17 How far did you get into an application for any sort  
 18 of device being placed in the prison van?

19 **A. I didn't fill out any applications specifically for that**  
 20 **purpose. I believe as a result of that -- it was a team**  
 21 **meeting that day when the actions were given out. As**  
 22 **a result of that meeting, I then arranged a meeting with**  
 23 **the TSU which I went to them to discuss all the aspects**  
 24 **of this operation, from a TSU point of view.**

25 Q. Right. Was it being considered at one point that

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1 application was made?

2 **A. That's correct.**

3 Q. The second aspect of those actions that I would like to  
 4 ask you about, is in relation to your creation of  
 5 intelligence profiles and your research into those who  
 6 might be involved in the escape plan.  
 7 I would like us to look back, please, at a document  
 8 which the inquiry has certainly seen before during the  
 9 course of this morning's evidence.  
 10 It is MPS3788, which is the notebook of Mr Murray.  
 11 Page 2, please, Mr Coates.  
 12 The top half of this page displays a note created by  
 13 Mr Murray, as he has told the inquiry today, on  
 14 9 November 2015. We can see that there was a meeting on  
 15 that day and I am going to suggest that the three  
 16 initials that we see on the first line under the heading  
 17 relate to Mr Murray, Mr Kinch and yourself.

18 **A. Yes.**

19 Q. Do you remember this meeting that took place on  
 20 9 December?

21 **A. Not specifically, but we had a number of meetings.**

22 Q. I want to ask you, please, about the entry at the first  
 23 bullet point, which Mr Murray has made, "Who is on the  
 24 job, [unknown] suggests, the letter 'N', possibly Turk,  
 25 plus two IC3."

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<p>1 <b>A. Does it say "unknown suggests" or "unknown suspects"?</b>  2 Q. It might be "suspects", you are probably right.  3 Although I am not 100 per cent sure.  4 Anyway, what I want to ask you about is not that  5 word, but what follows that word, which is the letter N  6 and poss Turk, plus two IC3?  7 <b>A. Yes.</b>  8 Q. That information was provided to Mr Murray either by you  9 or by Mr Kinch or possibly by you both? Do you agree  10 with that?  11 <b>A. No, I don't agree with that.</b>  12 Q. Oh.  13 <b>A. I could tell you that he has written that down, but</b>  14 <b>I can't tell you where it has come from. I don't recall</b>  15 <b>that.</b>  16 Q. Was there anybody else in the meeting?  17 <b>A. I don't recall the meeting. It suggests clearly that</b>  18 <b>there was only the three of us.</b>  19 THE CHAIRMAN: It wouldn't be the first meeting that -- the  20 details of attendance of which, at which, have not been  21 accurately recorded, so don't feel bound by that. If  22 you think others were there, you tell us.  23 <b>A. I don't know who was there. I specifically don't</b>  24 <b>remember this day. We had a number of meetings and we</b>  25 <b>had a number of updates about what was going on, so</b></p> <p style="text-align: center;">Page 185</p>	<p>1 <b>I can't tell you that's what happened on this particular</b>  2 <b>day, I don't recall that.</b>  3 MS BLACKWELL: Would you agree with this, Mr Sparks, that if  4 the meeting included just yourself, Mr Kinch and  5 Mr Murray, the overwhelming likelihood is that it would  6 have been you and Mr Kinch providing Mr Murray with  7 information, rather than the other way round?  8 <b>A. Yes.</b>  9 Q. Do you remember being provided with information about  10 somebody whose name included the letter N, possibly turk  11 and two IC3, which is black, males being involved in the  12 escape plan?  13 <b>A. I don't recall that.</b>  14 Q. Were you tasked with identifying any possible black  15 associates of Izzet Eren or Ozcan Eren?  16 <b>A. Again, I don't recall that. It doesn't mean I didn't do</b>  17 <b>it.</b>  18 Q. Did any of your subsequent enquiries reveal any black  19 associates of either Ozcan Eren and Izzet Eren?  20 <b>A. I don't recall that either, sorry.</b>  21 Q. All right, thank you.  22 You can take that down, Mr Coates, thank you.  23 I would just like to ask you some final questions  24 about your conversation with Mr Mayes on 30 October, so  25 back to where we began in your evidence.</p> <p style="text-align: center;">Page 186</p>
<p>1 <b>A. Yes.</b>  2 Q. What did Mr Mayes tell you about a concern about  3 possible corruption within Serco or what was discussed  4 between the two of you about that issue?  5 <b>A. I can't tell you specifically what happened during that</b>  6 <b>conversation.</b>  7 <b>I can say that there was a conversation or certainly</b>  8 <b>that subject came up, but I can't tell you exactly if</b>  9 <b>I discussed that with Mr Mayes, but certainly I am aware</b>  10 <b>that that subject came up.</b>  11 Q. Right. Are you able to assist in this regard, as to who  12 of the two of you may have raised it, did it come from  13 him or did it come from you, if it was discussed?  14 <b>A. I wouldn't have that knowledge, so I don't believe it</b>  15 <b>had come from me.</b>  16 Q. The purpose of your call to him was to pass on the  17 intelligence about the prison breakout or -- not the  18 prison breakout, the breakout on the way to court.  19 Do you think it likely that during the course of  20 that conversation, the issue of Serco was raised?  21 <b>A. It is possible that I may have discussed with him</b>  22 <b>potentially how the operation could go forward. And</b>  23 <b>that is something I may have discussed with him, yes.</b>  24 Q. All right, did you speak to Mr Mayes on any other  25 occasions?</p> <p style="text-align: center;">Page 187</p>	<p>1 <b>A. I don't think so, no.</b>  2 Q. My final question relates to your completion of the  3 PLAICE form that we have just been through. I am going  4 to suggest that there are aspects of the form which may  5 reveal a lack of understanding by you as to how to  6 complete the form.  7 Is that something with which you agree or disagree?  8 <b>A. No, I would agree with that.</b>  9 Q. All right. If that was the state of your knowledge at  10 the time that you filled out the form, did you think of  11 asking for assistance or help from anybody else as to  12 how you should complete those risk assessments?  13 <b>A. I don't recall speaking to anyone else about it, no.</b>  14 Q. Did it occur to you that that might have been useful?  15 <b>A. No, it didn't.</b>  16 MS BLACKWELL: Would you excuse me a moment. (Pause)  17 There is one -- no, I think that is it, unless you  18 have any questions, sir?  19 Questions from THE CHAIRMAN  20 THE CHAIRMAN: Well, I do.  21 This PLAICE model form, which you have conceded, if  22 I may say so, very frankly, was a form-filling exercise  23 for which you were perhaps not best equipped or as well  24 equipped as you might have been, was prepared because  25 TSU deployment was being requested, all right?</p> <p style="text-align: center;">Page 188</p>

47 (Pages 185 to 188)

1 **A. Yes.**  
 2 THE CHAIRMAN: Is it reasonable to assume that as Assistant  
 3 Commissioner Gallan wanted to have a presentation  
 4 because of the risk involved, that she would have had,  
 5 just as Mr Williams would have had, copies of this  
 6 document?  
 7 **A. I assume so, I would need to look at the dates it was**  
 8 **produced and whether or not -- I believe this form would**  
 9 **go to the TSU. Normally the TSU would be at that**  
 10 **presentation, I believe.**  
 11 THE CHAIRMAN: Yes, because otherwise it is not going to  
 12 achieve very much, is it?  
 13 **A. Yes, sir.**  
 14 THE CHAIRMAN: Because you see, if you look at page 3, we  
 15 see that it was completed on 17 November by you, and why  
 16 it was to be completed, but below it there is a box for  
 17 the date when the next review was due, when the review  
 18 was carried out and the person conducting the review.  
 19 This was nearly four weeks before Operation Ankaa state  
 20 amber was declared. Okay.  
 21 So who carried out, if anyone, the subsequent  
 22 reviews of this risk assessment?  
 23 **A. This risk assessment isn't for Operation Ankaa, this**  
 24 **risk assessment is specific to the deployment of**  
 25 **technical equipment on that particular night or day,**

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1 **evening.**  
 2 THE CHAIRMAN: Does that mean that a similar document would  
 3 have been completed for any subsequent deployment, such  
 4 as, for example, the probe?  
 5 **A. The latter, the latter deployment -- I can't tell you**  
 6 **whether that was the case or not.**  
 7 MS BLACKWELL: But, presumably, if you were instructed that  
 8 this level of risk assessment for covert tactics was  
 9 necessary for the insertion of the tracking device, then  
 10 it follows, doesn't it, that the same risk assessment  
 11 process would have to be undertaken?  
 12 **A. Unless this risk assessment is written at the time -- at**  
 13 **the beginning of the operation and maybe up for**  
 14 **a review, as you say, sir.**  
 15 THE CHAIRMAN: Either there is going to be a fresh PLAICE  
 16 model document --  
 17 **A. Yes.**  
 18 THE CHAIRMAN: -- because if anything it might be said that  
 19 a probe is more intrusive than surveillance --  
 20 **A. Yes.**  
 21 THE CHAIRMAN: -- or this document is going to form the  
 22 basis for the subsequent deployment and is going to  
 23 require a review?  
 24 **A. I am -- I don't know if I am having a recollection or**  
 25 **a false recollection, sir, but I believe this deployment**

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1 **whenever it was deployed.**  
 2 THE CHAIRMAN: Okay, and when was the deployment made?  
 3 **A. I would need to look at the schedule for --**  
 4 THE CHAIRMAN: Do we know?  
 5 MS BLACKWELL: Yes, 8 December.  
 6 THE CHAIRMAN: 8 December.  
 7 **A. Yes.**  
 8 THE CHAIRMAN: So between 17 November and 8 December, there  
 9 were three weeks.  
 10 **A. Yes.**  
 11 THE CHAIRMAN: Clearly time for a review or reviews to have  
 12 been carried out.  
 13 **A. Yes, sir, it is normally very specific about when the**  
 14 **review will take place.**  
 15 THE CHAIRMAN: Exactly. That is why I am asking you to help  
 16 me, if you can, whose responsibility would it have been  
 17 to decide when the reviews should be carried out and by  
 18 whom?  
 19 **A. Actually, sir, looking at this and thinking about the**  
 20 **dates, so this was completed on 17/11, and the**  
 21 **deployment -- there was a deployment in the**  
 22 **evening/early hours of the morning of the 17/18 of the**  
 23 **11th. So the way I am thinking that this PLAICE model**  
 24 **risk assessment was written for the deployment of the**  
 25 **tracking equipment, that then later occurred that**

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1 **was authorised on the 16th and then the deployment took**  
 2 **place on the evening/early hours of the morning of the**  
 3 **17th, and therefore this was written for that**  
 4 **deployment, because that would be reasonable to -- in my**  
 5 **mind, certainly, to be the assumption.**  
 6 **That being said, there is a further deployment on**  
 7 **the 8th, as you say --**  
 8 THE CHAIRMAN: Yes.  
 9 **A. -- a further PLAICE model, but I believe this is a TSU**  
 10 **form, so this will be completed and sent down to the**  
 11 **TSU. It is to tell the TSU what the potential risks are**  
 12 **for that deployment.**  
 13 THE CHAIRMAN: Right, so one can assume therefore that this  
 14 is specific to the particular deployment of the  
 15 surveillance.  
 16 MS BLACKWELL: Tracking.  
 17 **A. Of the tracker.**  
 18 THE CHAIRMAN: Of the tracker, which you say was the night  
 19 of the 17th?  
 20 **A. It was the early hours of 18th, yes.**  
 21 THE CHAIRMAN: That would explain why this was never  
 22 reviewed.  
 23 **A. Yes, if it is specific for that deployment.**  
 24 THE CHAIRMAN: If it was specific for that. But if it  
 25 wasn't specific for that, then Ms Blackwell's point must

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1 be right, there would have been a similar exercise  
 2 carried out by somebody in relation to the probe, or am  
 3 I barking up the wrong tree?  
 4 **A. No, I think you are right, sir. Whether or not it**  
 5 **actually happened, or whether or not this document goes**  
 6 **to the TSU, they have it on their file, and then they**  
 7 **then look at it and agree that that is a risk**  
 8 **assessment, does it change for them?**  
 9 THE CHAIRMAN: It is a totally different set of risks, isn't  
 10 it?  
 11 **A. For the deployment, yes, sir, yes.**  
 12 THE CHAIRMAN: Yes.  
 13 MS BLACKWELL: For the insertion of probe, not least because  
 14 that was taking place in daylight hours, so that would  
 15 have necessitated a different sort of risk assessment,  
 16 wouldn't it?  
 17 **A. Yes.**  
 18 THE CHAIRMAN: That was not something you were asked to  
 19 carry out?  
 20 **A. I can't say I was -- I don't recall it, sir.**  
 21 THE CHAIRMAN: It is something which somebody, you would  
 22 think, would have been asked to carry out.  
 23 **A. Yes, it is a slightly -- the operation of deploying**  
 24 **a tracking device is certainly different from the**  
 25 **operation of deploying a probe.**

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1 **consider.**  
 2 **The other risk assessment, this PLAICE one, is**  
 3 **purely for the TSU --**  
 4 MS BLACKWELL: For the deployment.  
 5 **A. -- and it is not something that I believed that she**  
 6 **would probably consider.**  
 7 THE CHAIRMAN: Right, so she wouldn't necessarily see this?  
 8 **A. There would be another risk assessment, whether or not**  
 9 **she saw the other risk assessment, I can't --**  
 10 MS BLACKWELL: She couldn't have seen yours, because it  
 11 wasn't created until the following day.  
 12 **A. No, the actual RIPA risk assessment for the operation.**  
 13 MS BLACKWELL: Yes, the risk assessment created by  
 14 Mr Sparks --  
 15 THE CHAIRMAN: Post dates.  
 16 MS BLACKWELL: Exactly, and it relates to the TSU deployment  
 17 and the risks that were inherent in the actual fitting  
 18 of the tracking device.  
 19 THE CHAIRMAN: Yes.  
 20 MS BLACKWELL: It has been checked, sir, in the time that  
 21 these matters have been aired and we can confirm that  
 22 there is no other PLAICE risk assessment on our system.  
 23 That would indicate that in relation to the  
 24 insertion of the probe, certainly the inquiry has not  
 25 been provided with a risk assessment in the similar

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1 THE CHAIRMAN: It is more intrusive, isn't it?  
 2 **A. It is a lot more detailed as well.**  
 3 THE CHAIRMAN: Yes.  
 4 Ms Blackwell, I'm sorry if I have set a hare  
 5 running.  
 6 MS BLACKWELL: No, you haven't, sir, we were just attempting  
 7 to locate the warrant that was granted by Pat Gallan.  
 8 I think it is at MPS3664, page 33, please.  
 9 Can we go to the next page, please. There we are.  
 10 We can see that this is the authority to maintain  
 11 the tracking equipment, we see that from the third  
 12 paragraph of the first part, and then --  
 13 THE CHAIRMAN: It is valid for three months.  
 14 MS BLACKWELL: It is, and it is authorised by AC Gallan on  
 15 16 November 2015 at 2.40 pm.  
 16 That is the authority, but of course your risk  
 17 assessment was carried out the following day and it may  
 18 well be that it was having received information that the  
 19 authority had been granted, that you then went on to  
 20 perform your risk assessment, which was in turn provided  
 21 to the TSU?  
 22 **A. Well, there are two different types of risk assessment.**  
 23 **So there is a risk assessment that goes with the**  
 24 **RIPA-type forms, so this would have its own risk**  
 25 **assessment that goes up to the AC and she would**

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1 terms that Mr Sparks has taken us through today.  
 2 THE CHAIRMAN: Would you have expected one to have been  
 3 prepared at some stage?  
 4 **A. I can't answer. The only -- the only difference could**  
 5 **be in the risk assessment, sir, would be the subjects,**  
 6 **because the rest of the -- where the venue is, the**  
 7 **location, how it is overlooked, how it is lit, would**  
 8 **remain the same, so that wouldn't change.**  
 9 **So the only part that may change.**  
 10 THE CHAIRMAN: I am not sure that is right, actually.  
 11 **A. I wouldn't say it will not change, but a quick visual**  
 12 **would be able to tell if anything has changed.**  
 13 MS BLACKWELL: Except the timing of the deployment would  
 14 obviously affect the risk assessment, wouldn't it?  
 15 **A. I don't actually recall what time we did the deployment**  
 16 **for the probe.**  
 17 MS BLACKWELL: I know that it was in daylight hours, anyway.  
 18 I think we have taken that as far as we can, sir.  
 19 THE CHAIRMAN: Sorry, thank you.  
 20 MS BLACKWELL: Not at all.  
 21 Unless you have any further questions?  
 22 THE CHAIRMAN: Thank you very much for your assistance.  
 23 MS BLACKWELL: May I invite you please to adjourn until  
 24 10.00 tomorrow morning?  
 25 THE CHAIRMAN: Yes.

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1 MS BLACKWELL: I am so sorry, sir.  
 2 Right, I am being asked to invite you to comment  
 3 upon this.  
 4 Further questions from MS BLACKWELL  
 5 MS BLACKWELL: In relation to the deployment on 8 December,  
 6 as we have, I think, already referred to, there was  
 7 support from CTSFOs. Would that indicate to you that  
 8 they may have required their own risk assessment rather  
 9 than having had one prepared for them by a member of  
 10 your team?  
 11 **A. They may well have done, I would expect them to receive**  
 12 **the venue.**  
 13 MS BLACKWELL: Thank you.  
 14 That is all.  
 15 THE CHAIRMAN: Thank you very much. Thank you very much,  
 16 Mr Sparks.  
 17 MS BLACKWELL: 10.00 tomorrow.  
 18 THE CHAIRMAN: 10.00 tomorrow.  
 19 (4.59 pm)  
 20 (The Inquiry adjourned until 10.00 am the following day)  
 21  
 22  
 23  
 24  
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