

**INQUEST INTO THE DEATH OF SUDESH AMMAN**

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**QUESTIONNAIRE FOR JURY DETERMINATIONS**

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## Notes for the jury

1. This questionnaire has been prepared by the Coroner after receiving submissions from Interested Persons. By answering the questions, you will give your determinations on the key factual issues in the case. All are intended to address the central question: by what means and in what circumstances did Sudesh Amman come by his death? After the Inquest, a completed copy of this questionnaire will form part of the Record of Inquest for Sudesh Amman. When answering the questions in this document, please follow the directions set out below and any further directions given by the Coroner.
2. You should only give an answer to a question if all of you agree upon the answer. If you find yourselves unable to agree on an answer to one question, you may move on to the next and return to the question later. If a time comes when the Coroner can accept any answer on which you are not all agreed, you will be told.
3. In resolving any factual issues, you should give your answers in accordance with the “balance of probabilities”; what is more likely than not.
4. Some questions in this document ask whether opportunities were missed which, if taken, may have prevented the attack and Sudesh Amman’s consequent death. When resolving such a question, you should ask yourselves two questions:
  - a. Should any action have been taken which was not taken?
  - b. If so, is there a realistic possibility that it would have prevented the attack and Sudesh Amman’s consequent death?If, and only if, you have answered yes to both those questions should you answer the overall question “yes”.
5. Some questions give you the opportunity to provide further explanation in a box. If you choose to do so, please follow these directions when writing your responses:
  - a. Your responses should all be directed to answering the question by what means and in what circumstances the deaths occurred. You should not make any statement or comment which does not assist in answering that question.

- b. It might help you at each stage to consider the cause(s) of Mr Amman’s death; any defects in systems and practices which contributed to his death; and any other factors which are relevant to the circumstances of his death.
- c. You should try to be brief and to the point.
- d. If you wish to write more than the space in the box permits, you may continue on a separate sheet. At the top of the sheet, you should write the number of the question and the words “Answer Continued”.
- e. You should not make any comment on any circumstance, act, omission or event unless there is at least a realistic possibility that it caused or contributed to Mr Amman’s death.
- f. You should not say anything to the effect that a breach of civil law has been committed or that a named person has committed a crime. Because of this legal rule, when writing any explanations, you should avoid using words and phrases such as “negligence / negligent”, “breach of duty”, “duty of care”, “careless”, “reckless”, “liability”, “guilt / guilty”, “crime / criminal”, “illegal / unlawful”.
- g. You may use ordinary and non-technical words which express factual judgments. So, you may say that errors or mistakes were made and you may use words such as “failure”, “missed opportunity”, “inappropriate”, “inadequate”, “unsuitable”, “unsatisfactory”, “insufficient”, “omit / omission”, “unacceptable” or “lacking”. Equally, you may indicate in your answer if you consider that particular errors or mistakes were not made. You may add adjectives, such as “serious” or “important”, to indicate the strength of your findings.
- h. If you are uncertain about what may be written, you may ask a question in writing to the Coroner during your deliberations.

### Short Form Conclusion: Lawful Killing

Question	Answer
Are you satisfied that, on the balance of probabilities, Sudesh Amman was lawfully killed?	Yes

#### Important Note:

The Coroner directs that you return an answer of “yes” in response to this question in the answer section, to reflect the primary conclusion that Sudesh Amman was lawfully killed.

This direction is given because the evidence clearly supports that primary conclusion and because it is important that there should be a short-form conclusion to this effect.

## **Basic Facts of the Death of Sudesh Amman**

The jury has approved the following statement, which is intended to summarise the basic facts of the death of Sudesh Amman. This statement incorporates jury amendments.

*“On 2 February 2020, Sudesh Amman was on Streatham High Road in South London. He had been automatically released from detention on 23 January 2020 after serving half of a custodial sentence for terrorism offences. By 2 February 2020, he was under round-the-clock surveillance by armed police officers. Shortly before 2pm, he entered a shop and took a large kitchen knife without paying. He ran from the shop while removing the packaging and arming himself with the knife. In the following seconds, he attacked two pedestrians, both of whom suffered stab injuries (one very serious injuries). He was pursued by two armed police officers in plain clothes. A shot was fired by one of the police officers but missed Sudesh Amman. After about 100 metres, he stopped and moved towards the officers with the knife raised. In response, the officers fired a further five shots at him, and Sudesh Amman was struck three or four times. This was 62 seconds from the time he had run out of the shop. He suffered two significant gunshot injuries, and these were not survivable. Because he was wearing what appeared to be an explosive vest, he was not treated for his injuries until such time that it could be established that the device posed no danger. Once the apparent explosive vest had been examined and found to be fake, Sudesh Amman was approached by paramedics. He was assessed as dead at the scene.”*

**Question 1: Potential Recall of Mr Amman to Prison by HM Prison and Probation Service**

<b>Question</b>	<b>Answer</b>
Did HM Prison and Probation Service miss an opportunity which may have prevented the attack and the consequent death of Sudesh Amman, in not deciding to recall him to prison after being notified on 31 January 2020 of the purchases he had made on that date?  Answer “yes” or “no” in the box opposite.	Yes

If you can give an explanation for your answer, please do so in the box below. If you wish, you may do so by reference to any of the numbered points below (1 to 7).

Whilst the jury does acknowledge that several other avenues were explored in order to recall, there was a missed opportunity as per point 4.

In answering this Question 1, you should bear in mind the following facts and considerations, and have regard to your understanding of the evidence as a whole:

1. The evidence of Mr Amman’s conduct before release from prison, the risk he posed following release and the assessment of that risk by probation and police.

2. The fact that, between 23 and 31 January 2020, Mr Amman had been compliant with his licence conditions and had behaved appropriately to probation staff and others.
3. The fact that, on 31 January 2020, the police investigation team (a) informed Ms Heckroodt of the National Probation Service that Sudesh Amman had bought items (drink bottles, foil and parcel tape) which the police considered might be used in creating a fake suicide belt; (b) told her that alternatively the purchases might be a tactic to test surveillance; and (c) raised with her the issue of how and when Mr Amman might be recalled to prison.
4. The fact that, based on its Policy Framework, HM Prison and Probation Service could have recalled Mr Amman to prison if satisfied that his behaviour indicated an increased or unmanageable risk of serious harm to the public or that there was an imminent risk of further offences being committed.
5. The fact that there was a significant concern expressed not to compromise the police surveillance operation by revealing to Sudesh Amman that he had been seen by surveillance officers purchasing the items mentioned above.
6. The consideration that the items mentioned above might have been discovered by mounting an apparently routine search of Sudesh Amman's room in his approved premises (so avoiding the need for him to be told of the surveillance operation), but that such a search on a pretext would have been a novel step to take and one which had not been risk-assessed.
7. The consideration that the items Mr Amman had bought were not of themselves dangerous or prohibited, and that he may, if asked, have provided an explanation for having bought the items.

**Question 2: Potential Action by the Police Investigation Team to Request an Overt Search of Mr Amman’s Room at the Approved Premises**

<b>Question</b>	<b>Answer</b>
Did the police investigation team miss an opportunity which may have prevented the attack and the consequent death of Sudesh Amman, in not asking the National Probation Service to organise a search of Mr Amman’s room by staff at the approved premises between (a) the time of his purchases on 31 January 2020 and (b) the time he left the approved premises at 1.22pm on 2 February 2020?  Answer “yes” or “no” in the box opposite	No

If you can give an explanation for your answer, please do so in the box below. If you wish, you may do so by reference to any of the numbered points below (1 to 9).

Reference: points 8 and 9.
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In answering this Question 2, you should bear in mind the following facts and considerations, and have regard to your understanding of the case as a whole:



1. The evidence of Mr Amman's conduct before release from prison, the risk he posed following release and the assessment of that risk by probation and police.
2. The facts that, on 31 January 2020 (a) Mr Amman had bought items (drink bottles, foil and parcel tape) which the investigation team assessed might be used to create a fake suicide belt; (b) he had shown interest in a section of a store selling kitchen knives; and (c) these developments caused the police to subject him to round-the-clock armed surveillance with armed response teams and an arrest team in back-up.
3. The absence of evidence as to when Mr Amman made the fake suicide belt and as to where he stored it after it had been made.
4. The fact that the police investigation team were aware that Mr Amman's room at the approved premises could be subject to search by staff there as a matter of routine and/or discretion.
5. The consideration that Mr Amman had been displaying anti-surveillance behaviour and that it was recognised that his purchases might be part of an attempt to test surveillance.
6. The considerations that (a) in view of Mr Amman's awareness of potential surveillance, a search of his room at any time prior to around midday on 2 February might well have revealed the purchased items in their original state; and (b) if the items had been found in that state, the police team considered that there would be no realistic prospect of Mr Amman being charged and prosecuted.
7. The consideration that, if the search had revealed a hoax suicide belt, it may well have been possible to charge Mr Amman, with a view to a prosecution and a substantial custodial sentence.
8. The consideration that asking approved premises staff, who had no special search training, to carry out a search for the purpose of assisting a police operation would have been a novel step and one over which the police would have had limited control.
9. Any risk of compromising the surveillance operation or disclosing intelligence which you consider a search would have created.

**Question 3: Potential Action by the Police to Stop and Search Sudesh Amman on 2 February 2020**

<b>Question</b>	<b>Answer</b>
Did the Metropolitan Police Service miss an opportunity which may have prevented the attack and the consequent death of Sudesh Amman, in not taking steps to have Mr Amman stopped and searched on 2 February 2020, between him leaving the approved premises (at 1.22pm) and the attack beginning (at 1.57pm)?  Answer “yes” or “no” in the box opposite	No

If you can give an explanation for your answer, please do so in the box below. If you wish, you may do so by reference to any of the numbered points below (1 to 9).

Reference: points 7(a), 7(b) and 9.

No further intelligence or suspicions were raised between Saturday and Sunday.

In answering this Question 3, you should bear in mind the following facts and considerations, and have regard to your understanding of the case as a whole:

1. The evidence of Mr Amman’s conduct before release from prison, the risk he posed following release and the assessment of that risk by probation and police.

2. The fact that Mr Amman was observed displaying various anti-surveillance techniques between 24 January and 1 February 2020.
3. The facts that, on 31 January 2020 (a) Mr Amman had bought items (drink bottles, foil and parcel tape) which the investigation team assessed might be used to create a fake suicide belt; (b) he had shown interest in a section of a store selling kitchen knives; and (c) these developments had caused the police to subject him to round-the-clock armed surveillance with armed response teams and an arrest team in back-up.
4. The fact that, on 2 February 2020, Mr Amman left his approved premises at 1.22pm and walked towards Streatham High Road (a busy shopping street) and was under observation by armed surveillance officers at regular intervals up to the time the attack began on the High Road at about 1.58pm.
5. The fact that it would have been possible to call for an armed response vehicle to carry out a stop and search of Mr Amman if there had been a reasonable suspicion that he was carrying a dangerous item and/or intending to engage in an attack.
6. The consideration that Mr Amman was seen to have a white plastic “JD Sports” bag across his front which was apparently empty and that this was commented upon in observations by a number of the surveillance officers.
7. The considerations that (a) none of the experienced surveillance officers considered or suggested the possibility that the bag was being used to conceal a possible fake or actual suicide belt; (b) any decisions of senior officers would be based on observations at the scene; and (c) according to his evidence, the senior investigating officer (HA6) would not have suggested that possibility or called for a stop and search if asked.
8. The considerations that (a) on the one hand, no supervising officer in fact considered a stop and search, and (b) on the other hand, the Tactical Firearms Commander who would have been primarily responsible for such a decision was not monitoring the operation over the relevant period (because she had not received a message about Mr Amman having left the approved premises).
9. Any risk of compromising the surveillance operation or disclosing intelligence which you consider a stop and search would have created.