

<p>1 Wednesday, 18 August 2021</p> <p>2 (9.30 am)</p> <p>3 (Proceedings delayed)</p> <p>4 (9.48 am)</p> <p>5 (In the absence of the jury - extracted)</p> <p>6 (9.50 am)</p> <p>7 (In the presence of the jury)</p> <p>8 Summing-up</p> <p>9 MR JUSTICE HILLIARD: Good morning, ladies and gentlemen.</p> <p>10 It's now my task to sum the inquest up to you, and</p> <p>11 when I've done that you'll retire to consider your</p> <p>12 conclusions. Each of you has in front of you two</p> <p>13 further documents -- and I am going to take you through</p> <p>14 each of those in a moment or two -- but you should have,</p> <p>15 just make sure each of you has this, you have</p> <p>16 a document, second line down which says "Legal</p> <p>17 directions to the jury", then you should have another</p> <p>18 document that says, second section down, "Questionnaire</p> <p>19 for jury determinations".</p> <p>20 Does everybody have one each of those? Oh, it's</p> <p>21 split into two. In fact, you may actually have three</p> <p>22 documents there. You'll have something that says</p> <p>23 "Questionnaire for jury determinations", and then how</p> <p>24 does the third one start? There we are, then you have</p> <p>25 a page that begins "Short-form conclusion: lawful</p> <p style="text-align: center;">Page 1</p>	<p>1 different.</p> <p>2 But, as I say, there can't now be any more evidence</p> <p>3 and so it's no use sending me a note when you're</p> <p>4 deliberating asking if you can hear from such-and-such</p> <p>5 a witness, or why haven't you heard from such-and-such</p> <p>6 a witness, because the answer is always the same: there</p> <p>7 can't now be any more evidence or any new information.</p> <p>8 I can't give you copies of statements which</p> <p>9 witnesses made or of the documents put up on the screen</p> <p>10 unless they're already in your jury files because that</p> <p>11 would be giving you a new exhibit and there can't be any</p> <p>12 more of those either.</p> <p>13 I can remind you of any parts that were read to you</p> <p>14 if you want me to, but I can't give you copies.</p> <p>15 You mustn't speculate or guess about evidence you</p> <p>16 haven't heard. Your task is to come to conclusions on</p> <p>17 the basis of the evidence you have heard.</p> <p>18 You decide the case only on the evidence you've</p> <p>19 heard during the proceedings and not on any other</p> <p>20 consideration.</p> <p>21 On any view, Sudesh Amman was trying to do dreadful</p> <p>22 things on 2 February 2020. He caused injuries to two</p> <p>23 people who, for obvious reasons, attract all our</p> <p>24 sympathy. But you must put emotion to one side, so</p> <p>25 disapproval in any direction or sympathy in any</p> <p style="text-align: center;">Page 3</p>
<p>1 killing". All right? So you have three documents.</p> <p>2 I just have that one in one. We'll come back to those</p> <p>3 in a moment.</p> <p>4 Now, the summing-up will have two elements within</p> <p>5 it. There will be some directions about the law as it</p> <p>6 relates to this inquest. The law is my responsibility</p> <p>7 and when I give you directions about the law you must</p> <p>8 accept those directions and follow them.</p> <p>9 I'll also remind you about some of the evidence</p> <p>10 you've heard, but whereas the law is my responsibility,</p> <p>11 the facts are your responsibility and only yours, no one</p> <p>12 else's. So if I make a comment about some part of the</p> <p>13 evidence and you don't agree with that comment, then</p> <p>14 ignore it. If I miss out some part of the evidence that</p> <p>15 you think is important, then you should have regard to</p> <p>16 it. If I mention something which, after consideration,</p> <p>17 you don't think is important, then you'll put it to one</p> <p>18 side. All those things are because it is your view and</p> <p>19 only your view of the evidence you've heard which</p> <p>20 matters.</p> <p>21 There can't now be any more evidence, the time for</p> <p>22 that is over, we have to draw a line somewhere, and it's</p> <p>23 been drawn. In any inquest like this, there will always</p> <p>24 be some matters which cannot be fully and finally</p> <p>25 resolved. Life is like that, and court cases are no</p> <p style="text-align: center;">Page 2</p>	<p>1 direction, considerations like that, play no part in</p> <p>2 your deliberations. What's required of you is a cool,</p> <p>3 calm, careful and impartial assessment of the evidence</p> <p>4 in the inquest. You make your decisions on the evidence</p> <p>5 in the inquest, not on anything else, or on any other</p> <p>6 consideration.</p> <p>7 Sometimes you have direct evidence of facts,</p> <p>8 a witness who saw or heard something, or a photograph,</p> <p>9 for example, or a piece of film. You're also entitled</p> <p>10 to draw conclusions or inferences from facts which you</p> <p>11 accept -- so, "I accept fact A, I accept fact B, and</p> <p>12 conclusion C faithfully follows from those facts."</p> <p>13 That's a legitimate process of reasoning. But what you</p> <p>14 mustn't do is to indulge in speculation or guesswork.</p> <p>15 That is not permitted.</p> <p>16 You'll be considering some of the decisions people</p> <p>17 made and the actions they took. Were they appropriate</p> <p>18 in all the circumstances, difficult though they may have</p> <p>19 been and demanding for all concerned? No doubt. Were</p> <p>20 opportunities missed which may have prevented the attack</p> <p>21 by Sudesh Amman and his consequent death? Should any</p> <p>22 action have been taken which wasn't taken?</p> <p>23 There's a questionnaire you have, and which we'll</p> <p>24 come to, which identifies the issues the law allows you</p> <p>25 to consider, but you're considering these questions on</p> <p style="text-align: center;">Page 4</p>

1 (Pages 1 to 4)

<p>1 the basis of what individuals knew or were aware of at 2 the time they were making decisions or taking action or 3 deciding not to do something. We can all be very wise 4 with the benefit of hindsight, but you're considering 5 what was done, or not done, through the prism and on the 6 basis of what was known at the time. That's a very 7 important thing to keep in mind. 8 All right, let's take the legal directions, if you 9 have those to hand, first of all. I am going to read 10 through this. I shall add a little bit on occasions. 11 As the coroner in this inquest, as I've said to you, 12 I'm responsible for giving legal directions to you as 13 the jury and you must accept those directions and apply 14 them to the evidence. It's for you to reach factual 15 conclusions following the legal directions. Your 16 findings must be based solely on the evidence you've 17 heard or seen in court. You should ignore anything 18 else, such as media coverage of the case. 19 I'll summarise the evidence for you. I should 20 really say I'm going to do that but, however, subject to 21 these legal directions, you should decide what features 22 of the evidence are important and you should form your 23 own view of the evidence, as I've just told you. 24 The primary purpose of an inquest is to provide 25 answers to four factual questions: who the deceased was;</p> <p style="text-align: center;">Page 5</p>	<p>1 of you, although you will, together, complete just one 2 copy with your collective conclusions. I repeat, you 3 will only complete one copy of this questionnaire 4 between all of you. It's in two parts. The first three 5 pages stapled separately contain notes to guide you, 6 we'll go through those, and the remaining pages form the 7 actual questionnaire. We'll come to that in a moment. 8 When we do, you'll see that it has two introductory 9 questions and three numbered questions. 10 Once you've reached your conclusions and completed 11 the questionnaire, you'll be asked to sign a formal 12 record of inquest, which I shall ask the usher to 13 provide you with a single copy of the request for all of 14 you together, not one copy of each, not one copy for 15 each of you. As you will see when you get it, the 16 undisputed facts and the death registration information 17 have already been entered onto the record of inquest 18 form. If you have any concerns about what has been 19 entered, then you should pass a note to the Jury 20 Bailiff. 21 Next heading: "Short-form conclusion: lawful 22 killing". 23 A short-form conclusion is a word or short phrase 24 which expresses a conclusion as to the death. Now, the 25 law says that in an inquest a coroner may only leave to</p> <p style="text-align: center;">Page 7</p>
<p>1 when did they come by their death; where did they come 2 by their death; and how did they come by their death? 3 A coroner's jury should not address any other matters in 4 their conclusions, except for confirming certain 5 information required for registration of death, which 6 you're going to get on a separate piece of paper that 7 I'll give you. 8 In addition, a jury's conclusions must not be framed 9 in such a way that they appear to determine any question 10 of criminal liability of a named person, or any question 11 of civil liability. 12 Very often the evidence at an inquest will be much 13 more wide-ranging than is necessary to allow the jury to 14 answer the four questions mentioned above. That's 15 mainly because the process of hearing the evidence and 16 conducting a full and rigorous inquiry in public is 17 important in itself. In this inquest, as in many 18 inquests, the answers to the first three questions are 19 clear and obvious. The fourth question is how 20 Sudesh Amman came by his death. That question means by 21 what means and in what circumstances did Sudesh Amman 22 come by his death? 23 In this case you'll give your conclusions by 24 completing a questionnaire. In fact, as I've said, you 25 already have a copy, each one of you, of that in front</p> <p style="text-align: center;">Page 6</p>	<p>1 a jury the short-form conclusion or conclusions that 2 they could safely return on the evidence. If there's 3 only one short-form conclusion that a jury could safely 4 return, then the coroner should direct the jury to 5 return that conclusion. In this case I've decided, with 6 no objection from any interested person, that the only 7 short-form conclusion which you, the jury, could safely 8 return on the evidence is lawful killing; in other 9 words, that Sudesh Amman was lawfully killed. 10 Therefore, you, the jury, are directed to return that 11 short-form conclusion. 12 The first part of the questionnaire, which we'll 13 come to, is the part which deals with this short-form 14 conclusion. As the questionnaire says on that page, I'm 15 directing you to answer "yes" to the question that is 16 there. But let me explain. 17 The reasons why lawful killing is the only 18 short-form conclusion which a jury could safely return 19 are as follows: (a) lawful killing is a conclusion that 20 as a matter of probability death resulted from the use 21 of lawful force. It's a finding that death resulted 22 from an act which would otherwise be a crime, such as 23 murder or manslaughter, but which is legally justified 24 under the criminal law. One example of lawful killing 25 is when a person kills another in lawful self-defence or</p> <p style="text-align: center;">Page 8</p>

<p>1 defence of others. When deciding whether use of force 2 is legally justified in self-defence, or in defence of 3 others, the coroner or a jury asks two questions: first, 4 did the person who used force honestly believe that it 5 was necessary to do so in defence of him or herself, or 6 in defence of others? Secondly, if so, did the person 7 use no more force than was reasonably necessary in the 8 circumstances as they believed them to be? If the 9 answer to each question is "yes", then the use of force 10 is legally justified. The law doesn't require a person 11 in the heat of the moment to calculate precisely the 12 amount of force required. In the addition, the law 13 doesn't require a person who anticipates a threat to 14 wait passively for an attack. Circumstances may justify 15 a pre-emptive use of force. 16 In this case I, as coroner, have decided that the 17 only conclusion which a jury could safely reach on the 18 evidence is that (1) each of the officers who shot 19 Sudesh Amman at every stage honestly believed that it 20 was necessary to use force in defence of himself and 21 others, and (2) the amount of force used at each stage 22 was no more than reasonably necessary in the 23 circumstances. Therefore, the only safe conclusion is 24 that Sudesh Amman was lawfully killed. 25 On that basis, as a matter of law, as the coroner</p> <p style="text-align: center;">Page 9</p>	<p>1 Next heading: "The power to recall to prison 2 a person on licence". 3 The following paragraphs describe the powers which 4 could be exercised to recall a person in Mr Amman's 5 position, a person who had received a determinate 6 sentence of 40 months' detention for offences under 7 sections 2 and 58 of the Terrorism Act 2000, of which he 8 had served half before being released on licence. 9 The person may be recalled to prison by -- and for 10 short, HMPPS, which stands for Her Majesty's Prison and 11 Probation Service, on behalf of the Secretary of State 12 for Justice. This may be on the basis that the person 13 has breached a licence condition and their risk cannot 14 be safely managed in the community, but the power is not 15 limited to cases where a licence condition has been 16 breached. 17 Policy guidance issued by HMPPS indicates that 18 recall should be considered where (a) the person has 19 breached the terms of their licence, (b) the person's 20 behaviour indicates that they present an increased or 21 unmanageable risk of serious harm to the public, or (c) 22 there is an imminent risk of the person committing 23 further offences. 24 The little bit that follows about the guidance, 25 there should really be a paragraph break in there, can</p> <p style="text-align: center;">Page 11</p>
<p>1 I direct you to return a short-form conclusion of lawful 2 killing. 3 "Other directions of law". You'll see how these 4 arise when I remind you of the evidence, but it's just 5 convenient to set these out, paragraphs 15 through to 6 21, at the moment. We'll come back to them in due 7 course and we'll also come back to the questionnaire, 8 but if we just deal with 15 and onwards. 9 Section 5 of the Terrorism Act 2006. Section 5 of 10 the Terrorism Act 2006 creates the criminal offence of 11 preparation of terrorist acts. The offence is committed 12 by a person who engages in any conduct in preparation 13 for giving effect to an intention to either (a) commit 14 acts of terrorism, or (b) assist another to commit such 15 act. Terrorism means an act of serious violence carried 16 out to intimidate the public and to advance a political, 17 religious or ideological cause. The offence might be 18 committed, for example, by a person who possesses items 19 that could be used for terrorism, even if not 20 immediately, and that person has the necessary 21 intention. 22 The offence has a maximum sentence of life 23 imprisonment, though in many cases the judge might give 24 a shorter sentence, depending on the facts of the 25 offence and its seriousness.</p> <p style="text-align: center;">Page 10</p>	<p>1 you just put a line between "offences" and the next 2 sentence? Just put a slash mark there. It goes to say 3 the guidance also indicates that any decision to recall 4 must be based on the person's behaviour after release 5 from prison, but if you just put the break in, it will 6 be clear, I hope to you, that that sentence about the 7 guidance, that applies to all of (a), (b) and (c). I'm 8 afraid I typed that wrong, it looks as if it just 9 applies to (c). If you just put a break in, so that 10 guidance, that applies to each one of (a), (b) and (c). 11 21. Where a person is basing their decision to 12 recall P, the person, on facts which they believe to be 13 true, such as, here, purchases which they believe P has 14 made, they should be satisfied of those facts on the 15 balance of probabilities. That means that it's more 16 likely than not that the facts are true. That means 17 they don't need to be sure or certain that the facts are 18 true. 19 Just leaving the document for a moment. Could 20 someone, for example, be satisfied on what was known at 21 the time recall was being considered that it was more 22 probable than not that Mr Amman had bought items with 23 the intention of making a fake suicide vest? Or were 24 they such everyday items that that conclusion could not 25 have been reached to that standard at that time, on the</p> <p style="text-align: center;">Page 12</p>

<p>1 basis of what was known then? Suspicion, everyone 2 accepts there certainly was, but did it go further than 3 that on the information available then? Not just, of 4 course, with the wisdom of hindsight. 5 Back to the questionnaire, general points. I'm 6 going to go through the notes to the jury section of the 7 questionnaire which you can follow there or here. 8 The questionnaire you have has been prepared by me, 9 as coroner, after receiving submissions from interested 10 persons. By answering the questions you will give your 11 determinations on the key factual issues in the case. 12 All are intended to address the central question: by 13 what means and in what circumstances did Sudesh Amman 14 come by his death? 15 After the inquest, a completed copy of this 16 questionnaire will form part of the record of inquest. 17 When answering the questions in this document, please 18 follow the directions set out below and any further 19 directions given by me as coroner. 20 You should only give an answer to a question if all 21 of you agree upon the answer. If you find yourselves 22 unable to agree on an answer to one question, you may 23 move on to the next, and return to the question later. 24 If a time comes when I can accept any answer on which 25 you are not all agreed, I will tell you.</p> <p style="text-align: center;">Page 13</p>	<p>1 causes of Mr Amman's death, any defects in systems and 2 practices which contributed to his death, if any -- let 3 me add, you may conclude that there were none, entirely 4 open to you -- and any other factors which are relevant 5 to the circumstances of his death. 6 (c) You should try to be brief and to the point. 7 (d) If you wish to write more than the space in the 8 box permits, you may continue on a separate sheet. At 9 the top of the sheet you should write the number of the 10 question and the words, "Answer continued". 11 (e) You should not make any comment on any 12 circumstance, act, omission or event unless there is at 13 least a realistic possibility that it caused or 14 contributed to Mr Amman's death. 15 Just pausing for a moment, we are not concerned with 16 unreality or speculation or possibilities that have no 17 foundation in evidence. 18 (f) You should not say anything to the effect that 19 a breach of civil law has been committed or that a named 20 person has committed a crime. Because of this legal 21 rule, when writing any explanations you should avoid 22 using words and phrases such as "negligence", 23 "negligent", "breach of duty", "duty of care", 24 "careless", "reckless", "liability", "guilt", "guilty", 25 "crime", "criminal", "illegal", "unlawful".</p> <p style="text-align: center;">Page 15</p>
<p>1 In resolving factual issues, you should give your 2 answers in accordance with the balance of probabilities, 3 so what is more likely than not, or more probable than 4 not. 5 Some questions in this document ask whether 6 opportunities were missed which, if taken, may have 7 prevented the attack and Sudesh Amman's consequent 8 death. When resolving such a question you should ask 9 yourselves two questions: (a) should any action have 10 been taken which was not taken? (b) if so, is there 11 a realistic possibility that it would have prevented the 12 attack and Sudesh Amman's consequent death? 13 If and only if you have answered "yes" to both of 14 those questions should you answer the overall question 15 "yes". 16 Some questions give the opportunity to provide 17 further explanation in a box. If you choose to do so, 18 please follow these directions when writing your 19 responses: 20 (a) Your responses should all be directed to 21 answering the question by what means and in what 22 circumstances the death occurred. You should not make 23 any statement or comment which does not assist in 24 answering that question. 25 (b) It might help you at each stage to consider the</p> <p style="text-align: center;">Page 14</p>	<p>1 You may use ordinary and non-technical words which 2 express factual judgments, so you may say that errors or 3 mistakes were made, and you may use words such as 4 "failure", "missed opportunity", "inappropriate", 5 "inadequate", "unsuitable", "unsatisfactory", 6 "insufficient", "omit", "omission", "unacceptable" or 7 "lacking". 8 Equally, you may indicate in your answer if you 9 consider the particular errors or mistakes were not 10 made. You may add adjectives such as "serious" or 11 "important" to indicate the strength of your findings. 12 If you're uncertain about what may be written, you 13 may ask a question in writing to me as the coroner 14 during your deliberations. 15 Next heading: "The narrative". On page 5 you're 16 being asked to approved or amend a narrative. It's been 17 drafted with the following principles in mind, and when 18 you consider this matter you should follow these 19 directions. 20 Although there's no fixed limit for this narrative, 21 a length of one or two paragraphs should be sufficient. 22 This narrative should be a summary of the means and 23 circumstances of death. 24 The narrative should address only the means and 25 circumstances of death. It should not make any</p> <p style="text-align: center;">Page 16</p>

<p>1 statement or comment on any other subject.</p> <p>2 When deciding any question of fact for the purpose</p> <p>3 of approving or amending the narrative, you should apply</p> <p>4 the "balance of probabilities" standard of proof. In</p> <p>5 other words, you should ask yourselves whether something</p> <p>6 is more probable than not.</p> <p>7 You should try to be concise and to the point. The</p> <p>8 narrative should not be long or complicated. As far as</p> <p>9 possible, clear and simple language should be used in</p> <p>10 a narrative of this kind.</p> <p>11 You should avoid using words or phrases such as</p> <p>12 "crime", "criminal", "illegal", "unlawful",</p> <p>13 "negligence", "negligent", "breach of duty", "duty of</p> <p>14 care", "careless", "reckless", "liability" or "guilt",</p> <p>15 "guilty". However, you may use ordinary and</p> <p>16 non-technical language which expresses actual judgments.</p> <p>17 Then the heading: "Questions 1 to 3". I've already</p> <p>18 mentioned key questions which you will be asked to</p> <p>19 address, and let me now run through all the questions.</p> <p>20 Question 1 on page 6 asks whether there was any</p> <p>21 opportunity missed by the National Probation Service</p> <p>22 which may have prevented the attack and the consequent</p> <p>23 death of Sudesh Amman in that the National</p> <p>24 Probation Service did not decide to recall him to prison</p> <p>25 after being notified on 31 January 2020 of the purchases</p> <p style="text-align: center;">Page 17</p>	<p>1 Again, pages 8 and 9 set out facts and</p> <p>2 considerations to bear in mind when answering</p> <p>3 question 2, and we'll look at those in a moment.</p> <p>4 Question 3, page 10, is the final question. It's in</p> <p>5 similar form to questions 1 and 2, and it asks whether</p> <p>6 the Metropolitan Police Service missed an opportunity</p> <p>7 which may have prevented the attack, the consequent</p> <p>8 death of Sudesh Amman, in not taking steps to have</p> <p>9 Mr Amman stopped and search on 2 February 2020 between</p> <p>10 him leaving the probation hostel at 1.22 pm and the</p> <p>11 attack beginning at 1.57 pm.</p> <p>12 Again, pages 10 and 11 set out facts and</p> <p>13 considerations to take into account in answering</p> <p>14 question 3 and we'll look at those in a moment.</p> <p>15 You should aim to produce a set of answers on which</p> <p>16 you all agree so that you all agree on all parts of</p> <p>17 a single questionnaire. We can give you as many copies</p> <p>18 of the questionnaire as you wish, prepare draft answers,</p> <p>19 but when you've reached a set of conclusions on which</p> <p>20 you're all agreed we shall want one single completed</p> <p>21 master copy of the questionnaire containing answers to</p> <p>22 all the questions on which you are all agreed.</p> <p>23 There are a few points I should emphasise in respect</p> <p>24 of the facts or considerations which are listed</p> <p>25 variously after questions 1, 2 and 3.</p> <p style="text-align: center;">Page 19</p>
<p>1 he made on that date.</p> <p>2 Look at the questionnaire in a moment, but if you</p> <p>3 think that there was, you answer "yes" in the upper</p> <p>4 right box and you provide any reasons in the box at the</p> <p>5 bottom of the page. If not, you answer "no" in the</p> <p>6 upper right box and provide reasons in the box at the</p> <p>7 bottom of the page, and then you go on to the next</p> <p>8 question.</p> <p>9 On pages 6 and 7, you will find a series of facts or</p> <p>10 considerations which -- the word missed out there is</p> <p>11 "you" -- which you should consider in answering</p> <p>12 question 1. We'll look at those in a moment, but just</p> <p>13 put the word "you" in there, if you would.</p> <p>14 Question 2, page 8, is in a similar form to</p> <p>15 question 1. It asks whether there was any missed</p> <p>16 opportunity by the police investigation team which may</p> <p>17 have prevented the attack, the consequent death of</p> <p>18 Sudesh Amman, in not asking the National Probation</p> <p>19 Service to organise a search of Mr Amman's room by staff</p> <p>20 at the approved premises between (a) the time of his</p> <p>21 purchases on 31 January 2020 and (b) the time he left</p> <p>22 the approved premises at 1.22 pm on 2 February 2020.</p> <p>23 Again, you approach the question in the same manner,</p> <p>24 giving any reasons for your answer in the box at the</p> <p>25 bottom of page 8.</p> <p style="text-align: center;">Page 18</p>	<p>1 First, that the facts or considerations are only</p> <p>2 examples. The lists are not exhaustive. You may take</p> <p>3 into account other facts or considerations which you</p> <p>4 consider to be relevant to the questions to which you</p> <p>5 are responding.</p> <p>6 Secondly, the fact that a particular fact or</p> <p>7 consideration has been included in a list is not</p> <p>8 an indication that I believe that the presence of that</p> <p>9 fact or consideration would on its own, or in</p> <p>10 combination, indicate that you should answer "yes" or</p> <p>11 "no" to the question of whether particular omissions or</p> <p>12 failures have caused or contributed to the death.</p> <p>13 As I've said before, any comment I have to make</p> <p>14 about the facts is neither here or there; the facts are</p> <p>15 entirely a matter for you, as this last sentence says,</p> <p>16 that's all a matter for you .</p> <p>17 Final directions we will come back to when I've</p> <p>18 completed my summing up to you. We'll come back to</p> <p>19 those in due course, but let's now go, if you would,</p> <p>20 please, to the questionnaire.</p> <p>21 That, as you know, is in two parts. First of all,</p> <p>22 there are notes for you, the jury, and I've read those</p> <p>23 pages out. They're at pages 2 and 3. All right? So we</p> <p>24 can turn through those.</p> <p>25 If you would be kind enough then to turn on to the</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 next bit, which has: "Short-form conclusion: lawful 2 killing". 3 There you can see the question: 4 "Are you satisfied that, on the balance of 5 probabilities, Sudesh Amman was lawfully killed?" 6 There's a space for the answer, but important note: 7 the coroner directs that you return an answer of "yes" 8 in response to this question, the answer section, to 9 reflect the primary conclusion that Sudesh Amman was 10 lawfully killed. This direction is given because the 11 evidence clearly supports that primary conclusion and 12 because it's important that there should be a short-form 13 conclusion to that effect. 14 Over the page, heading, "Basic facts of the death of 15 Sudesh Amman": 16 "Do you agree with the following statement, which is 17 intended to summarise the basic facts of the death of 18 Sudesh Amman?" 19 "On 2 February 2020, Sudesh Amman was on Streatham 20 High Road in South London. He had been automatically 21 released from detention on 23 January 2020 after serving 22 half of a custodial sentence for terrorism offences. By 23 2 February 2020, he was under round-the-clock 24 surveillance by armed police officers. Shortly before 25 2 pm he entered a shop and took a large kitchen knife</p> <p style="text-align: center;">Page 21</p>	<p>1 "Did HM Prison and Probation Service miss 2 an opportunity which may have prevented the attack and 3 the consequent death of Sudesh Amman, in not deciding to 4 recall him to prison after being notified on 5 31 January 2020 of the purchases he had made on that 6 date? 7 "Answer 'yes' or 'no' in the box opposite. 8 "If you can give an explanation for your answer, 9 please do so in the box below. If you wish, you may do 10 so by reference to any of the numbered points below 11 (1 to 7)." 12 Then further down: 13 "In answering this Question 1, you should bear in 14 mind the following facts and considerations and have 15 regard to your understanding of the evidence as a whole: 16 "1. The evidence of Mr Amman's conduct before 17 release from prison, the risk he posed following release 18 and the assessment of that risk by probation and police. 19 "2. The fact that between 23 and 31 January 2020, 20 Mr Amman had been compliant with his licence conditions 21 and had behaved appropriately to probation staff and 22 others. 23 "3. The facts that, on 31 January 2020, the police 24 investigation team (a) informed Ms Heckroodt of the 25 National Probation Service that Sudesh Amman had bought</p> <p style="text-align: center;">Page 23</p>
<p>1 without paying. He ran from the shop while removing the 2 packaging and arming himself with the knife. In the 3 following seconds, he attacked two pedestrians, both of 4 whom suffered stab injuries (one very serious injuries). 5 He was pursued by two armed police officers in plain 6 clothes. After about 100 metres, he stopped and moved 7 towards the officers with the knife raised. In 8 response, the officers fired a total of five shots at 9 him, and Sudesh Amman was struck three or four times. 10 This was 62 seconds from the time he had run out of the 11 shop. He suffered two significant gunshot injuries, and 12 these were not survivable. Because he was wearing what 13 appeared to be an explosive vest, he was not treated for 14 his injuries for some time. Once the apparent explosive 15 vest had been examined and found to be fake, 16 Sudesh Amman was approached by paramedics. He was 17 assessed as dead at the scene." 18 Then this: 19 "In the box below, please either write that you 20 confirm the statement above or state in what respects 21 you would like it to be amended." 22 Then over the page: 23 "Question 1: Potential recall of Mr Amman to prison 24 by HM Prison and Probation Service. 25 "Question.</p> <p style="text-align: center;">Page 22</p>	<p>1 items (drink bottles, foil and parcel tape) which the 2 police considered might be used in creating a fake 3 suicide belt; (b) told her that alternatively the 4 purchases might be a tactic to test surveillance; and 5 (c) raised with her the issue of how and when Mr Amman 6 might be recalled to prison. 7 "4. The fact that, based on its Policy Framework, 8 HM Prison and Probation Service could have recalled 9 Mr Amman to prison if satisfied that his behaviour 10 indicated an increased or unmanageable risk of serious 11 harm to the public or that there was an imminent risk of 12 further offences being committed. 13 "5. The fact that there was a significant concern 14 expressed not to compromise the police surveillance 15 operation by revealing to Sudesh Amman that he had been 16 seen by surveillance officers purchasing the items 17 mentioned above. 18 "6. The consideration that the items mentioned 19 above might have been discovered by mounting 20 an apparently routine search of Sudesh Amman's room in 21 his approved premises (so avoiding the need for him to 22 be told of the surveillance operation), but that such 23 a search on a pretext would have been a novel step to 24 take and one which had not been risk assessed. 25 "7. The consideration that the items Mr Amman had</p> <p style="text-align: center;">Page 24</p>

<p>1 bought were not of themselves dangerous or prohibited</p> <p>2 and that he may, if asked, have provided an explanation</p> <p>3 for having bought the items."</p> <p>4 Over the page:</p> <p>5 "Question 2: Potential action by the police</p> <p>6 investigation team to request an overt search of</p> <p>7 Mr Amman's room at the approved premises.</p> <p>8 "Question:</p> <p>9 "Did the police investigation team miss</p> <p>10 an opportunity which may have prevented the consequent</p> <p>11 death of Sudesh Amman, in not asking the</p> <p>12 National Probation Service to organise a search of</p> <p>13 Mr Amman's room by staff at the approved premises</p> <p>14 between (a) the time of his purchases on 31 January 2020</p> <p>15 and (b) the time he had left the approved premises at</p> <p>16 1.22 pm on 2 February 2020?</p> <p>17 "Answer 'yes' or 'no' in the box opposite.</p> <p>18 "If you can give an explanation for your answer,</p> <p>19 please do so in the box below. If you wish, you may do</p> <p>20 so by reference to any of the numbered points which</p> <p>21 follow below (1 to 9)."</p> <p>22 The bottom of the page:</p> <p>23 "In answering this Question 2, you should bear in</p> <p>24 mind the following facts and considerations and have</p> <p>25 regard to your understanding of the case as a whole:</p> <p style="text-align: center;">Page 25</p>	<p>1 of his room at any time prior to around midday on</p> <p>2 2 February might well have revealed the purchased items</p> <p>3 in their original state; and (b) if the items had been</p> <p>4 found in that state, the police team considered that</p> <p>5 there would be no realistic prospect of Mr Amman being</p> <p>6 charged and prosecuted.</p> <p>7 "7. The consideration that, if the search had</p> <p>8 revealed a hoax suicide belt, it may well have been</p> <p>9 possible to charge Mr Amman with a view to a prosecution</p> <p>10 and a substantial custodial sentence.</p> <p>11 "8. The consideration that asking approved premises</p> <p>12 staff, who had no special search training, to carry out</p> <p>13 a search for the purpose of assisting a police operation</p> <p>14 would have been a novel one and one over which the</p> <p>15 police would have had limited control.</p> <p>16 "9. Any risk of compromising the surveillance</p> <p>17 operation or disclosing intelligence which you consider</p> <p>18 a search would have created."</p> <p>19 Over the page:</p> <p>20 "Question 3: Potential action by the police to stop</p> <p>21 and search Sudesh Amman on 2 February 2020.</p> <p>22 "Question:</p> <p>23 "Did the Metropolitan Police Service miss</p> <p>24 an opportunity which may have prevented the attack and</p> <p>25 the consequent death of Sudesh Amman, in not taking</p> <p style="text-align: center;">Page 27</p>
<p>1 "1. The evidence of Mr Amman's conduct before</p> <p>2 release from prison, the risk he posed following</p> <p>3 release, and the assessment of that risk by probation</p> <p>4 and police.</p> <p>5 "2. The facts that, on 31 January 2020, Mr Amman</p> <p>6 had bought items (drink bottles, foil and parcel tape)</p> <p>7 which the investigation team assessed might be used to</p> <p>8 create a fake suicide belt; (b) he had shown interest in</p> <p>9 a section of a store selling kitchen knives; and (c)</p> <p>10 these developments caused the police to subject him to</p> <p>11 round-the-clock armed surveillance with armed response</p> <p>12 teams and an arrest team in back-up.</p> <p>13 "3. The absence of evidence as to when Mr Amman</p> <p>14 made the fake suicide belt and as to where he stored it</p> <p>15 after it had been made.</p> <p>16 "4. The fact that the police investigation team</p> <p>17 were aware that Mr Amman's room at the approved premises</p> <p>18 could be subject to search by staff there as a matter of</p> <p>19 routine and/or discretion.</p> <p>20 "5. The consideration that Mr Amman had been</p> <p>21 displaying anti-surveillance behaviour and that it was</p> <p>22 recognised that his purchases might be part of</p> <p>23 an attempt to test surveillance.</p> <p>24 "6. The considerations that (a) in view of</p> <p>25 Mr Amman's awareness of potential surveillance, a search</p> <p style="text-align: center;">Page 26</p>	<p>1 steps to have Mr Amman stopped and searched on</p> <p>2 2 February 2020 between him leaving the approved</p> <p>3 premises (at 1.22) and the attack beginning at (1.57)?</p> <p>4 "Answer 'yes' or 'no' the box opposite.</p> <p>5 "If you can give an explanation for your answer,</p> <p>6 please do so in the box below. If you wish, you may do</p> <p>7 so by reference to any of the numbered points below</p> <p>8 (1 to 9).</p> <p>9 "In answering this Question 3, you should bear in</p> <p>10 mind the following facts and considerations, and have</p> <p>11 regard to your understanding of the case as a whole.</p> <p>12 "1. The evidence of Mr Amman's conduct before</p> <p>13 release from prison, the risk he posed following release</p> <p>14 and the assessment of that risk by probation and police.</p> <p>15 "2. The fact that Mr Amman was observed displaying</p> <p>16 various anti-surveillance techniques between 24 January</p> <p>17 and 1 February 2020.</p> <p>18 "(3) The facts that, on 31 January 2020 (a) Mr Amman</p> <p>19 had bought items (drink bottles, foil and parcel tape)</p> <p>20 which the investigation team assessed might be used to</p> <p>21 create a fake suicide belt; (b) he had shown interest in</p> <p>22 a section of a store selling kitchen knives; and (c)</p> <p>23 these developments had caused the police to subject him</p> <p>24 to round-the-clock armed surveillance with armed</p> <p>25 response teams and an arrest team in backup.</p> <p style="text-align: center;">Page 28</p>

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<p>1 "4. The fact that, on 2 February 2020, Mr Amman 2 left his approved premises at 1.22 pm and walked towards 3 Streatham High Road (a busy shopping street) and was 4 under observation by armed surveillance officers at 5 regular intervals up to the time the attack began on the 6 High Road at about 1.58. 7 "5. The fact that it would have been possible to 8 call for an armed response vehicle to carry out a stop 9 and search of Mr Amman if there had been a reasonable 10 suspicion that he was carrying a dangerous item and/or 11 intending to engage in an attack. 12 "6. The consideration that Mr Amman was seen to 13 have a white plastic JD Sports bag across his front 14 which was apparently empty and that this was commented 15 upon in observations by a number of the surveillance 16 officers. 17 "7. The considerations that (a) none of the 18 experienced surveillance officers considered or 19 suggested the possibility that the bag was being used to 20 conceal a possible fake or actual suicide belt; (b) any 21 decisions of senior officers would be based on 22 observations at the scene; and (c) according to his 23 evidence, the senior investigation officer (HA6) would 24 not have suggested that possibility or called for a stop 25 and search if asked.</p> <p style="text-align: center;">Page 29</p>	<p>1 overall picture was complex or straightforward, or 2 complex in some places and straightforward in others, 3 whether components were interlocking or not, one piece 4 of the jigsaw depending upon another with a need for 5 different agencies to act in concert, all the while 6 mindful of their own particular roles and 7 responsibilities. 8 You will want to look to see what information 9 decision-makers had at the time. Sometimes in life 10 reasonable people can differ. There may be defensible 11 and sensible reasons for different judgments on the same 12 facts in some situations. That's all for you to say. 13 Detective Superintendent Dominic Murphy-Jones was 14 the senior investigating police officer for the 15 investigation into Mr Amman's attack on 2 February 2020, 16 his stabbing of two people, and then what followed. 17 That investigation, you heard, was called Operation 18 Stylospore. Mr Murphy-Jones and Detective Chief 19 Inspector Williams helped us with some of Mr Amman's 20 background history and I will run these parts of their 21 evidence together so you have it in one sequence. 22 Sudesh Amman was born on 27 December 1998 in 23 Coventry, and so he was 20 at the time of the stabbings 24 and of his death. Sudesh Amman was sometimes referred 25 to as Sudesh Faraz or as Faraz Amman, but they're all</p> <p style="text-align: center;">Page 31</p>
<p>1 "8. The conclusions that (a) on the one hand, no 2 supervising officer in fact considered a stop and 3 search; and (b) on the other hand, the tactical firearms 4 commander who would have been primarily responsible for 5 such a decision was not monitoring the operation over 6 the relevant period (because she had not received 7 a message about Mr Amman having left the approved 8 premises). 9 "9. Any risk of compromising the surveillance 10 operation or disclosing intelligence which you consider 11 a stop and search would have created." 12 All right, I hope that's clear. That's the 13 framework. 14 I'm going to turn now to the evidence. One of the 15 reasons for reviewing it at this stage is that now you 16 know the questions you have to consider. Another reason 17 is that it may be something you didn't think was 18 important first time around has now assumed more 19 significance and it may be helpful to be reminded of it. 20 Equally, it may be that something has assumed less 21 significance, or been modified or put in a different 22 light by later evidence. 23 Finally, of course, even when deciding particular 24 questions, you would want to be mindful of the overall 25 picture. It will inform your assessment of whether the</p> <p style="text-align: center;">Page 30</p>	<p>1 the same person. 2 His parents came here as refugees from Sri Lanka and 3 after a time his father returned there. Sudesh Amman's 4 mother and the children moved to London in 2007, and 5 Mr Amman himself went to school in London. 6 2010, the local Children's Services in London had 7 become involved with the family because of problems with 8 Sudesh Amman's attendance at school and there were some 9 concerns for his mental health in 2014, he was becoming 10 angry with family members and at school. 11 2015, it was believed that he brought a knife to 12 school. In the same year he was referred to the 13 Children's and Adolescent Mental Health Services, known 14 as CAMHS for short. He then went to a school which 15 specialised in dealing with students with behavioural 16 difficulties. He was suspended for being under the 17 influence of illegal substances whilst at school, and 18 then in 2016 he was alleged to have attacked another 19 student whilst armed with a sword and revolver. He was 20 arrested for causing grievous bodily harm with intent, 21 but the other party wasn't prepared to make a statement 22 and so no further action was taken. 23 He went to college in 2016 but was excluded for 24 fighting in 2017. He was alleged to have tried to hit 25 a classmate across the face with broken glass and to</p> <p style="text-align: center;">Page 32</p>

<p>1 have threatened to shoot and to kill him. In the event, 2 he was dealt with for threatening behaviour with 3 an offensive weapon and possessing cannabis. That went 4 to court and he was required to engage with Youth 5 Offending Services for 12 months. He wasn't sent 6 straight to custody or anything like that. He was given 7 a chance and Children's Services and Youth Offending 8 Services were all trying to help him.</p> <p>9 2017, his mother said that he had become more 10 religious and there was concern about the influence he 11 was having over his brothers and over his mother, who 12 was frightened of him. The social worker drew attention 13 to his unstable and volatile behaviour.</p> <p>14 There was a mental health assessment in 2017, which 15 referred to anger outbursts and behavioural problems and 16 to the fact that he had seen people being decapitated in 17 Sri Lanka when he was 10 years old. Divulged that he 18 had violent tendencies and thoughts of committing 19 violent attacks upon others, and some paranoid thoughts 20 about the police hacking into his phone. He spoke about 21 worshipping at a secret mosque which was under police 22 surveillance. However, the mosque he attended was 23 identified and there were in fact no concerns about it. 24 But even at this stage he seems to have been mindful of 25 at least the possibility of police surveillance, and</p> <p style="text-align: center;">Page 33</p>	<p>1 terrorist attacks and instructions for how to make 2 explosive devices. He declined to answer questions when 3 he was interviewed by the police in 2018 after his 4 arrest.</p> <p>5 In the event, he was charged with collecting 6 material useful for terrorism and with disseminating 7 terrorist publications and he pleaded guilty.</p> <p>8 In December 2018 he was sentenced to 40 months' 9 imprisonment. He was released on January 23, 2020, 10 having served his sentence in Belmarsh Prison. In 11 prison, he appeared to retain his extremist mindset and 12 still seemed to be intent on carrying out an act of 13 violence on release. He felt he had a celebrity status 14 in prison because he had been convicted of terrorist 15 offences.</p> <p>16 In a phone call to his mother in July 2018, he'd 17 said, "Just you watch, I'm going to do something to 18 those gobs here", that apparently meaning prison staff.</p> <p>19 In a letter to his mum at the same time, he'd said 20 that Belmarsh was a blessing.</p> <p>21 In August 2018, he said he wanted the death penalty 22 as there was no point in prison and death in Islam was 23 good.</p> <p>24 In October 2018, it was reported that he had openly 25 shared a desire to kill the Queen, become a suicide</p> <p style="text-align: center;">Page 35</p>
<p>1 that can obviously make it very difficult to keep track 2 of someone.</p> <p>3 In late 2017, early 2018, he was sending religious 4 material and videos of people being beheaded to a friend 5 who didn't want to receive them, and he spoke about 6 fighting in Syria.</p> <p>7 In May 2018 he was arrested for engaging in and 8 preparing for acts of terrorism, an offence, as you 9 know, under section 5 of the Terrorism Act 2006. That 10 makes it an offence for someone to engage in conduct so 11 to do something with the intention of committing an act 12 of terrorism. The definition is set out for you in the 13 document we've looked at.</p> <p>14 He had been posting extremist material and urging 15 an attack upon a gay rights speaker. In text chat with 16 his girlfriend, he talked about preferring knives over 17 guns and making sure that he targeted people who didn't 18 look like Muslims. He talked about wanting to commit 19 a terrorist attack with a machete. In a book, he'd 20 noted that his goals in life include dying as a martyr 21 and going to paradise, and you may think that he was 22 perfectly prepared to die on 2 February 2020, to risk 23 his own life in order to try and murder other people.</p> <p>24 On his computer devices, there was Islamic extremist 25 material, videos showing executions and glorifying</p> <p style="text-align: center;">Page 34</p>	<p>1 bomber and join ISIS, and regretted that he had not been 2 the person to kill the soldier Lee Rigby.</p> <p>3 A month later, he was assessed as having extremist 4 views and having been involved in radicalising others 5 and associating with terrorist act offenders.</p> <p>6 In January 2019, he said he was a terrorist, a bad 7 person, but Allah would forgive him.</p> <p>8 In December 2019, some handwritten notes were found 9 in his cell written in Arabic and pledging loyalty to 10 the leader of Islamic State, but you'll remember his 11 name was not on the document and the handwriting 12 evidence didn't prove that the notes were written by 13 him. The notes were not found in his hand or in his 14 pocket, but in his cell so, as he had said, the notes 15 weren't his and that someone else must have left them in 16 his cell. Given the sort of people he was associating 17 with, that might have been impossible to overcome on the 18 available evidence. There would be a suspicion the 19 notes were his, but the view was taken that there was 20 not enough evidence to prosecute him for any offence.</p> <p>21 What you need to arrest someone, and what you need 22 to charge and prosecute them are different. 23 A reasonable suspicion that an offence has been 24 committed can be enough to arrest someone, but 25 a criminal case has to be proved so that a jury is sure</p> <p style="text-align: center;">Page 36</p>

<p>1 of it. If you charge someone with an offence that the 2 evidence is less than sure, then the charge and the 3 prosecution fail. 4 He was the subject on two occasions of risk 5 assessments by prison psychologist using something 6 called the Extremist Risk Guidance model, or ERG model. 7 That was in July 2019 and again in January 2020. He was 8 assessed as holding extremist views and posing a risk of 9 attacks, specifically with a knife. 10 In July and December 2019, what are called OASys 11 risk assessments were carried out on him by a probation 12 officer. The second one concluded that he posed a high 13 risk of serious harm to the public. That meant that 14 something could happen at any time. 15 On 3 January 2020, at Belmarsh, he became involved 16 in a protest and threw himself onto some netting between 17 the floors of the prison which is there to stop people 18 either jumping over or being thrown over by other 19 inmates. As a result, he was sent to the segregation 20 unit. Whilst there, he said that he was "not finished 21 with these non-believers yet". A disciplinary charge 22 was brought against him of endangering the lives of 23 others. He might perhaps have endangered his own life 24 by jumping onto the netting, but what would have to be 25 established by that charge is that he had endangered the</p> <p style="text-align: center;">Page 37</p>	<p>1 someone's liberty is at stake, the prisoner is allowed 2 legal advice. That takes time to arrange too. 3 It may sound at first sight very easy: just give him 4 extra days for jumping on the net. But he's entitled to 5 a lawyer, perhaps to argue about the charge, and ask, 6 well, how was this endangering the lives of others? One 7 possibility. And then an independent tribunal to decide 8 the issue. And if it found against him -- it might not 9 have done, but if it did, then to consider whether or 10 not to give him some extra days, perhaps 7, perhaps 14, 11 in custody, and so he would be out on 30 January or 12 7 February instead, and what difference would that have 13 made in the long run? 14 But what is clear, you may think, is that the police 15 were trying everything. 16 You'll remember also that Ms Vigurs of the National 17 Probation Service had been going to send a similar 18 letter to the governor. She didn't, in the event, send 19 the letter when she learned of the response to the 20 similar request from the police. She'd have got the 21 same answer to the same question. 22 After Mr Amman was released, he was delivered to 23 probation hostel with a curfew, so there were some times 24 when he had to be inside and there were a number of what 25 are called parole licence conditions, 30 of them.</p> <p style="text-align: center;">Page 39</p>
<p>1 lives of others. 2 On 15 January 2020, Detective Chief Superintendent 3 Boon, a counter-terrorist officer, wrote to the governor 4 of Belmarsh Prison expressing concern at Mr Amman's 5 forthcoming release from prison and asking if anything 6 could be done to delay it. He was aware, was Mr Boon, 7 of the intelligence from the prison which had been 8 shared suggesting that he retained an extremist mindset 9 and posed a risk to the public. 10 Mr Boon was asking about the incident on the netting 11 on 3 January, could that delay Mr Amman's release from 12 custody? The problem was that his automatic date of 13 release was 23 January and if he was to get a punishment 14 that might add extra days to his sentence, the case 15 would have to be referred to an independent adjudicator 16 and Mr Amman would be entitled to get legal advice for 17 that and it couldn't all be arranged before 23 January 18 when he was entitled to be released anyway. 19 This may be -- it's a matter for you, but you may 20 think it's another example of how things can be much 21 more complicated when you look into them more closely. 22 We don't just have prison governors awarding extra days 23 in custody to prisoners. An independent person is 24 brought in. But that takes time. They don't, I dare 25 say, just stop whatever else they're doing. And because</p> <p style="text-align: center;">Page 38</p>	<p>1 Breach them and you're at risk of being recalled to 2 prison. 3 He had a key worker, do you remember, Mr Everest, 4 who was at the premises to help him with things like 5 training, employment and so on, if he was interested. 6 Mr Everest thought he was proud of having been the 7 youngest terrorist offender in Belmarsh and that, you 8 may think, would not make someone easy to work with. 9 He had an intervention worker at the approved 10 premises and he was also in touch with a charity which 11 we were told helps Muslims under stress. He met his 12 theological mentor on 29 January, and he saw his 13 practical mentor on 30 January. 14 Because he had been convicted of terrorist offences, 15 he was subject to overt oversight, so acknowledged and 16 open oversight, by the police Terrorism Offender 17 Management Unit, or TOMU, and they would see him from 18 time to time. 19 They gave him a Nokia handset. He wasn't allowed 20 a phone of his own or one that was internet-enabled, no 21 doubt for obvious reasons, but he was given a basic 22 phone rather than denied one altogether. That meant, 23 for example, he could speak to his mother on the 24 telephone, as we know he did. 25 He had a GPS tag.</p> <p style="text-align: center;">Page 40</p>

<p>1 TOMU officers saw him on 30 January 2020. He told 2 them that he liked the theological mentor and that he 3 had realised his understanding of Islam was lacking. 4 That, you may think, was obviously a false trail that he 5 was laying. We know that now. The benefit of 6 hindsight. 7 He was also subject to something called Multi-Agency 8 Public Protection Arrangements, or MAPPA, involving 9 police, Probation Services, the Prison Service and 10 others in managing dangerous offenders. The MAPPA 11 process consistently assessed him as high risk. It was 12 as part of the MAPPA process that he was allocated the 13 practical mentor and the theological mentor. Of course, 14 no one can be made to engage sincerely with any of those 15 processes, but is it fair to say that not only was he 16 very much on the radar because of the risks he posed, 17 but that there was help available to him if only he 18 would have taken it. 19 But there was, as you know, much more to it than 20 that. Below the surface, the police had added 21 considerably to all of this because they were monitoring 22 him covertly, secretly. There was what was called 23 a joint priority investigation between the police and 24 MI5, the security service, who plainly have considerable 25 experience of these kinds of thing. It is, after all,</p> <p style="text-align: center;">Page 41</p>	<p>1 conditions, probation workers, hostel staff, mentors, 2 there's TOMU, MAPPA, a joint priority SO15 3 anti-terrorist police and MI5 operation, a tag, 24-hour 4 covert armed surveillance and armed uniformed officers 5 on call. Everyone knew that Mr Amman was extremely 6 dangerous. No one wanted him to hurt anyone. Even so, 7 you will consider if there were missed opportunities or 8 different actions that should have been taken at 9 different stages. You will want to consider how 10 comprehensive was the action that was taken. 11 You know that a high price was put on not doing 12 anything to reveal that a covert operation was 13 happening. Was it right or not to put a high price on 14 that feature? Just how important was secrecy to the 15 police operation? Did it mean, for example, that the 16 police could keep nearer to Mr Amman if he didn't know 17 for sure that he was under surveillance? He may have 18 suspected it, but you may think that is a very different 19 thing from knowing for sure. And did the fact that the 20 police were as close as they were affect the outcome on 21 2 February? We'll look at that. If so, to what extent 22 had secrecy enabled them to be that close? Or had the 23 importance of keeping the operation covert been 24 overvalued in any respect? All for you to consider. 25 All of this is, of course, incredibly labour- and</p> <p style="text-align: center;">Page 43</p>
<p>1 what they do. 2 The overview is that when he was first released from 3 custody he was under covert surveillance for the period 4 of the day when he was not under curfew in the hostel, 5 and at first the officers doing the surveillance weren't 6 armed. But on 28 January a review was concluded and it 7 was decided that there would be armed surveillance. So 8 it's not just set forever; there is, very wisely, you 9 may think, a review process. And on 30 January, the 10 hours of the surveillance were slightly changed. 11 Then on 31 January, the Friday, as you know, he 12 bought the items in Poundland -- the Irn-Bru drinks, the 13 tape, the foil -- and now it was going to be 24-hour 14 surveillance but also 24-hour armed surveillance, and 15 there would also be a uniformed police team nearby, 16 a counter-terrorist team and armed response vehicles. 17 That means, for example, that he could be arrested by 18 armed, uniformed police officers which doesn't reveal 19 that there are undercover officers on the operation. 20 And so on Saturday 1 February and Sunday 2 February that 21 was the nature of the operation. 22 Given that the judge's sentence meant that he had to 23 be released on 23 January and the police were told the 24 reasons why he couldn't be given some extra days, by 25 1 February and 2 February, as well as licence</p> <p style="text-align: center;">Page 42</p>	<p>1 resource-intensive, day shifts, night shifts, teams of 2 officers, and the resources aren't, we heard, limitless. 3 Fortunately, we also heard that he was not the only 4 person thought to be dangerous in our city at the time 5 we're concerned with and who we want the police and 6 others to keep us safe from, so there are competing 7 demands on these resources. That's the point. 8 In summary, the surveillance showed on Thursday 9 23 January, he remained at the approved premises. On 10 Friday the 24th, he went to Croydon and was seen praying 11 outside McDonald's. Saturday the 25th, he went to Lidl 12 with his mum. Sunday the 26th, he bought a broom and 13 a bucket. On the face of it, perfectly ordinary 14 household items. On Monday the 27th and Tuesday the 15 28th, he remained at the hostel. On Wednesday the 29th, 16 he went to Poundland, Lidl, Iceland and Sainsbury's, but 17 didn't buy anything. He could have been carrying out 18 reconnaissance or seeing if he was being watched. On 19 Thursday the 30th, he went with his mother to get 20 something to eat, then to Aldi, then he got a bus back. 21 On Friday the 31st, he bought the items from Poundland, 22 looked at tools in Leyland and at cutlery in the Low 23 Price Store. Saturday 1 February, he went to the 24 chicken shop nearby and then came back. 25 As a result of his behaviour on the 31st, there was</p> <p style="text-align: center;">Page 44</p>

<p>1 a joint operational team meeting involving the police 2 and MI5 and a decision was made to increase the 3 surveillance to 24 hours a day because of particular 4 concerns that his purchases could be used to make a hoax 5 IED belt. Consideration was given to arresting him, but 6 no offence was identified. 7 Now, you could make a hoax device with the items he 8 bought; that is after all what he did do. But, as you 9 know, they had perfectly innocent uses too, just like 10 the broom and the bucket he'd bought for some reason, 11 perfectly innocent household items. Irn-Bru is just 12 a drink. Brown tape could be used to mend something, 13 anything, any broken item at the hostel. Silver foil to 14 wrap food in if he'd made some or had been given some by 15 his mother, if she was bringing him meals, as we'll see 16 she said she was. So these items have many innocent 17 uses, of course. 18 Various tipping points were identified, so if 19 certain things happened, what the response would be. If 20 he breached his curfew at night, he was going to be 21 arrested for conduct preparatory to terrorism. That, 22 you may think, would be quite a stretch to say that he 23 was preparing a terrorist act just because he was out 24 too late at night, but does that demonstrate how hard 25 the police were trying to manage the risk?</p> <p style="text-align: center;">Page 45</p>	<p>1 away, do you think, the moment he got back, so that he 2 was ready to go whenever he felt like it? Those are all 3 questions for you to consider. 4 How aware do you think he was more generally of the 5 possibility of detection? Was he the kind of person who 6 tried to put people off the scent to cover things up as 7 much as he could? If he did, to what extent? That's 8 all for you to judge, and may bear on the question of 9 whether you think he would have made the vest in advance 10 or at the last moment. If a search only finds Irn-Bru, 11 silver foil and tape and not an assembled hoax device, 12 how much significance would that have? How much 13 provable significance would that have? All questions 14 for you to consider. 15 On Sunday 2 February, just in overview, he left the 16 hostel at 1.22, according to the film. He had the white 17 bag across his chest. He made his way to Streatham High 18 Road. There were nine surveillance officers involved in 19 cars on a motorcycle and on foot. So, you may think, 20 full coverage. 21 He walked south on Streatham High Road, crossed the 22 road and then walked north. Was he trying to work out 23 if he's under surveillance and who might be doing it and 24 how close they are? He was walking very, very slowly 25 and apparently aimlessly. Got to Cash Converters,</p> <p style="text-align: center;">Page 47</p>
<p>1 If he breached the curfew in the day, it would be 2 reported to TOMU for them to consider with probation; 3 obviously that was with a view to triggering recall to 4 prison. If he bought a knife which stayed in the 5 packaging, he would be allowed back to the hostel, but 6 he would be searched the next time he went out. If he 7 bought a knife and took it from the packaging, he would 8 be arrested for possessing an offensive weapon. If he 9 was believed to have actually made a mock-up suicide 10 vest, he would be arrested. 11 DCI Williams explained that the police hadn't 12 searched his room at the hostel or asked any of the 13 staff to do that, but he explained that they had no 14 intelligence that he had ever actually used the items to 15 make a hoax device. That was only confirmed after he 16 had been shot. 17 Is there any prospect, do you suppose, that he would 18 have assembled a device before he was actually going to 19 use it? He's been told there can be searches. Why 20 would he make it after he's been to the shops on the 21 31st so that it could be found if there was a spot check 22 search? Why not make it just before you were going to 23 use it, to reduce your risk of being caught in a spot 24 check for the fortnightly search? That's a matter for 25 you to consider. Or would he have made it straight</p> <p style="text-align: center;">Page 46</p>	<p>1 turned around and walked back down the road. It's now 2 13.56. 3 He went into the Low Price Store, he took a knife 4 from the display, and ran out of the shop at 13.57 and 5 48 seconds, tearing the knife out of the packaging. 6 BX87 had volunteered to go into the shop to see what 7 he was doing, it might be thought at potentially very 8 considerable risk to himself. He saw Mr Amman running 9 out of the shop. He chased after him, shouting, "Armed 10 police", and for him to stop. Has the officer made 11 things far more difficult for Sudesh Amman? Is he now 12 under pressure? Take his time in trying to kill someone 13 else, he knows there are armed police behind him and 14 he's losing the element of surprise. 15 Outside the White Lion, he stabbed a woman. Shortly 16 after that, he stabbed a man. One stab, each, it seems, 17 when he is running. Very unfortunate that he managed to 18 injure the man seriously with one stab on the run. But 19 he's being chased. Is that why he couldn't do more 20 damage than he did? Do you remember the eye witnesses 21 said that he didn't stop and stab the same person many 22 times, he stabbed each person once whilst he was on the 23 run, and being chased by someone shouting "Stop, armed 24 police." 25 A matter for you. Might that be a justification for</p> <p style="text-align: center;">Page 48</p>

<p>1 the course the police took: anxious to keep their 2 involvement secret, not wanting to risk disclosing it so 3 that they can keep as close to him as possible, which 4 reduces the damage he could do? Or did they put too 5 high a price on keeping the operation secret, resulting 6 in the operation failing? 7 Another officer, BX75, challenged him, fired a shot 8 which didn't hit him but it broke glass in a shop 9 window. Superintendent McKibbin told you that the 10 police are not trained to shoot knives out of people's 11 hands, he told you it's a very difficult thing to do; 12 they aim at the central part, which is, of course, the 13 largest target. And you know even then BX75 missed, 14 which rather -- he wasn't trying to aim at his hand, he 15 was trying to aim and the centre and he missed, hit the 16 glass in Lidl. 17 Mr Amman carried on running. BX87 and 75 are 18 chasing him and he's being shouted at. Outside Boots, 19 he stops, turns to face them, begins to move towards 20 them, he's got the knife, he's told to drop the knife, 21 he doesn't, and they open fire. 22 He went to the ground at 13.58, and 50 seconds, 23 62 seconds after he left the Low Price Store. 24 Officers saw what he had around his waist. 25 An explosive officer came to check it and discovered it</p> <p style="text-align: center;">Page 49</p>	<p>1 Jenny Louis was deputy governor at Belmarsh Prison 2 in early 2020, she is now the governor, but deputy 3 governor at the time that we are concerned with, and she 4 explained how Mr Amman had been moved on numerous 5 occasions whilst he was at Belmarsh to try and disrupt 6 some of the relationships he was forming or the 7 associations he had with different people. 8 She confirmed that soon after he had arrived, one 9 report suggested that he was somewhat immature and prone 10 to the influence of others. 11 In July 2018, it was suggested that he had been very 12 erratic in some phone calls and a mental health referral 13 was advised. She said that for the most part he 14 disengaged with attempts to tackle his extremism. He 15 thought that, whilst there was a vulnerable part to him, 16 he was also someone who tried himself to radicalise 17 others and so he was difficult to manage. 18 He was put on the high security unit, we heard, 19 which inevitably involved some of the most challenging 20 prisoners. It might be said bad move, but actually she 21 said it was a smaller unit where he could be monitored 22 better and the staff-to-prisoner ratio was much greater 23 there in favour of staff. She said the records noted 24 that his behaviour was more settled there, and that 25 there had been some more positive interactions with</p> <p style="text-align: center;">Page 51</p>
<p>1 was a hoax. 2 Then we watched presentations of where Mr Amman and 3 the surveillance officers were at different times, and 4 Mr Murphy-Jones's investigation concluded that Mr Amman 5 had carried out the attack on his own; no one else was 6 involved in it or in planning it. 7 For the record, you have photographs of the knife 8 behind divider 4 in your jury files, page 56, and of the 9 bag being worn at, for example, pages 22, 25, 29 and 30. 10 But remember those are from CCTV stills that we can 11 examine for as long as we like now. That wasn't 12 available to the surveillance officers at the time. 13 We are going to have a break and we'll do it now, 14 all right, so we'll have 15 minutes now. 15 (11.15 am) 16 (In the absence of the jury - extracted) 17 (A short break) 18 (11.30 am) 19 (In the presence of the jury) 20 MR JUSTICE HILLIARD: Members of the jury, just two things 21 before we go on. You'll see when you get the record of 22 inquest. I don't know why I said he was born in 1998. 23 You'll see when you get the document it's 1999. And 24 I said he saw the beheading videos when he was aged 10. 25 Year 10, I should have said. So there we are.</p> <p style="text-align: center;">Page 50</p>	<p>1 staff. 2 There was also a reference in September 2018 to the 3 possibility of him being referred to the mental health 4 team regarding his anger and temper issues. 5 In February 2019, Prina Patel had recommended he was 6 referred to the mental health team for an assessment and 7 she thought that an autism screening assessment might be 8 of use. In fact, we now know, from looking at his 9 medical records to which she didn't have access, that 10 the autism screen had already been done. 11 Ms Louis explained that the Prison Services don't 12 deliver themselves medical care to prisoner; the NHS do 13 that, they come into prison for that purpose. And 14 prison staff, she explained, don't see a prisoner's 15 medical information. There's a patient confidentiality 16 like all of us have, and Mr Amman declined to give 17 access to his Children and Adolescent Mental Health 18 Service records. I'll come back to medical records in 19 a bit. 20 Ms Louis spoke about the various prison systems in 21 which information is recorded. I've dealt with some of 22 the entries already. She told us that in July 2018, for 23 example, it was reported that he was shouting support 24 for terrorism and saying that everybody would come under 25 the black flag of ISIS. September 2018, it was reported</p> <p style="text-align: center;">Page 52</p>

<p>1 he'd made a threat to kill another prisoner. In October 2 2018 he'd expressed a strong desire to go to the 3 afterlife and there was reference to plans to assault 4 a prison officer.</p> <p>5 There were numerous reports about him targeting 6 prisoners and attempting to convert them to the Islamic 7 faith, and hence she said they had to move him to 8 different locations. A question of managing prisoners 9 in a prison, something you may think they're obviously 10 very experienced in.</p> <p>11 It was noted that he believed that women should be 12 treated like slaves because he was saying that's what it 13 said in the Qur'an.</p> <p>14 In January 2020 he said that he wasn't finished with 15 non-believers yet.</p> <p>16 But, as you know, notwithstanding the attitudes that 17 he had expressed, there were all the interactions you've 18 heard about to try and help him.</p> <p>19 Ms Louis was asked about the extremism risk guidance 20 process, the first psychologist's report in July 2019. 21 He declined to take part in it, but it concluded that he 22 still had a high level of intent to commit an extremist 23 event and that it wouldn't be difficult for him to get 24 a knife to do a stabbing. Prina Patel, the 25 psychologist, did the second report and came to the same</p> <p style="text-align: center;">Page 53</p>	<p>1 wouldn't discuss his offences or his views with her.</p> <p>2 She explained that because he wasn't engaging with 3 the Extreme Risk Guidance process or with professionals, 4 he was offered something called a motivation and 5 engagement programme to try and help him at least get 6 something out of his sentence, but he wouldn't take part 7 in that either.</p> <p>8 In January 2020, an ERG addendum report was 9 produced; again he didn't want to engage with the 10 process. Ms Patel expressed a very tentative, moderate 11 to high rating as to the severity of his current 12 engagement with extremist ideology, but the level of his 13 intention to commit an extremist offence was assessed as 14 high.</p> <p>15 A further statement from Jenny Louis was read to you 16 explaining that because of his age Sudesh Amman had 17 spelt his first night in Belmarsh in the healthcare 18 section but there were no healthcare reasons for him to 19 stay there. Turns out, as I said, that he was seen by 20 a psychiatrist on 26 June 2018, and the decision was 21 that he should be referred to the learning disability 22 and difficulty team and tests, she said, were done with 23 an autism component, but it turned out there was nil 24 evidence of any learning disability or difficulty and he 25 scored 3 on the autism quotient. Apparently you need</p> <p style="text-align: center;">Page 55</p>
<p>1 conclusion. And she confirmed, did Ms Louis, that the 2 MAPPAs reports had not identified any factors which would 3 reduce the risk he posed. So, no good, stable elements 4 or influences in his life. How sad is that? And how 5 dangerous did it make him?</p> <p>6 The MAPPAs process also identified his risk of 7 reoffending as high, and she explained that the prison 8 would share information with other agencies, for example 9 police and Probation.</p> <p>10 She said that the netting incident couldn't have 11 been referred to the independent adjudicator before he'd 12 automatically been released. She didn't think that it 13 justified referral to the adjudicator because it didn't 14 fall, she thought, within the category of allegations 15 that were serious enough for that.</p> <p>16 Prina Patel was the head of psychology at Belmarsh, 17 had started there in 2017, but she explained that she 18 was a forensic psychologist assessing levels of risk, 19 not a clinical one. She'd first seen Mr Amman 20 in February 2019 to discuss a maturity assessment with 21 him. That was just to see which parts of the prison he 22 could be located in. She'd recommended that he was 23 referred to the mental health team, not knowing what the 24 position was about an autism screen because she didn't 25 have access to his medical records, but she said he</p> <p style="text-align: center;">Page 54</p>	<p>1 a score of 6 or more to warrant further assessment.</p> <p>2 It may be that temper control and anger management 3 were not really the driving forces for Mr Amman's 4 behaviour, if you accept the evidence about the views 5 that he held.</p> <p>6 We heard from Mr Amman's practical mentor: four 7 mentoring sessions with him between December 2019 and 8 January 2020, three when he was in custody and one after 9 his release. This was as a part of something called the 10 Desistance and Disengagement Programme, another attempt 11 to help people who commit terrorist offences. He found 12 that Mr Amman engaged less in the second meeting than 13 the first, but he did see him on 22 January, thought 14 that was a positive meeting, and then saw him on 15 31 January at the hostel. He said he seemed more 16 relaxed then and said he thought people who committed 17 acts of terror pushed people away from the faith and 18 caused hatred. Well, that was on the Thursday before 19 his attack on the Sunday and it was the day he bought 20 the items, so you may think he was simply trying to put 21 the mentor off the scent.</p> <p>22 The theological mentor had one session with Mr Amman 23 on 29 January. The plan was the relationship would last 24 for a year or two. The first eight weeks there would be 25 two-hour sessions each week at the bail hostel. The</p> <p style="text-align: center;">Page 56</p>

<p>1 first session, 29 January, that he made the comment 2 about how the day the police had put a gun to his chest 3 when he was arrested in 2018 had been the happiest day 4 of his life. He wouldn't elaborate about that, said he 5 wanted to continue learning about Islam. The mentor was 6 shocked and surprised when he learned what Mr Amman had 7 done only the following Sunday.</p> <p>8 Leon Campbell was Mr Amman's probation officer from 9 December 2018 until the time of his death. He would 10 take over his supervision when he was released from 11 custody, so he dealt with him in both locations.</p> <p>12 He said that Mr Amman was reluctant in engaging. 13 He'd attended a MAPPA meeting about Mr Amman 14 in August 2019, and at that meeting Mr Campbell had 15 reported that Mr Amman was now refusing to engage with 16 Probation. Did, though, meet him in October 2019, but 17 he said that he didn't want to engage in any offending 18 behaviour work at all.</p> <p>19 In December 2019, Mr Campbell completed the OASys 20 assessment, concluded that Mr Amman's intent to commit 21 a violent extremist offence appeared high with 22 significant capability, most likely in the form of 23 a stabbing. Mr Amman told him that he had taken part in 24 an autism assessment which concluded he had no problem 25 in that area, and that you know was true.</p> <p style="text-align: center;">Page 57</p>	<p>1 So that's the kind of job she was doing.</p> <p>2 She said that Probation had been asked to prepare 3 a pre-sentence report for Mr Amman, so that's before his 4 sentencing, in December 2018, but he refused to take 5 part in that process either and so there wasn't one.</p> <p>6 The probation officer in prison, Mr Campbell, but 7 also a lady called Clementine Blackwell, supported by 8 someone called Louise Nelson, she was a probation 9 officer who is what's called a counter-terrorism 10 probation officer so she has particular experience in 11 these issues. A sentence plan was created to try to get 12 something out of his time in custody. She explained 13 that Mr Campbell had done his OASys risk assessment, the 14 ERG assessments, and that those reports were presented 15 at MAPPA meetings.</p> <p>16 She explained that level 3 MAPPA cases were ones 17 where senior management is required to attend the 18 meetings and be involved in the case. Those meetings 19 were June, August, October and December 2019. Then she 20 explained someone can be designated as what's called 21 a critical public protection case, which means that 22 extra resources are allocated to the case, and that step 23 happened here.</p> <p>24 She said that she wasn't at the August MAPPA meeting 25 but she was at the October one where the earlier risk</p> <p style="text-align: center;">Page 59</p>
<p>1 Mr Campbell saw him at the probation hostel on his 2 first day there, went for a walk with him just to show 3 him the local area. That was on January the 23rd. Saw 4 him again on 27 January; said it was a difficult meeting 5 because Mr Amman's resistance and mistrust was so high. 6 Mr Amman explained to him on the 27th that he didn't 7 support extreme views of Islam or regard ISIS as 8 a positive group.</p> <p>9 Mr Campbell said he hadn't been told about what the 10 undercover officers had seen when Mr Amman bought the 11 items in Poundland. He said Mr Amman could be recalled 12 to prison under his licence conditions if he engaged in 13 behaviour which undermined the purpose of the licence 14 period. So you may think Mr Campbell is another person 15 who was there not just to try and manage Mr Amman's risk 16 but to try and help him too. But you may think nobody 17 was naive about any of that; there's a covert 24-hour 18 a day armed police surveillance operation going on as 19 well.</p> <p>20 Carina Heckroodt was head of something called the 21 London Extremism Gangs and Organised Crime Unit at the 22 time we're concerned with for the Probation Service. 23 She said, "I was also co-chair of MAPPA at level 3, the 24 highest level and the level he was on. I liaised with 25 the police's Terrorism Offender Management Unit, TOMU."</p> <p style="text-align: center;">Page 58</p>	<p>1 assessment that he was high risk was confirmed, and she 2 chaired the December 2019 meeting which came to the same 3 conclusion.</p> <p>4 She said that after the MAPPA meeting she'd also got 5 information about notes found in his cell and him 6 jumping on the netting in prison, and she considered 7 whether anything else was needed to manage the risk. 8 She'd spoken to the governor at Belmarsh wanting to know 9 if anything could be done to delay his release date, for 10 example by adding days. The governor said the release 11 date was what it was and it couldn't be affected.</p> <p>12 She said, "We were considering raising his risk from 13 high to very high which would put him at the top end of 14 seriousness."</p> <p>15 On 9 January 2020, she had attended a joint 16 operational team meeting with the police and MI5 at 17 which Mr Amman's risk was discussed.</p> <p>18 She said that on 15 January 2020 Probation applied 19 for Mr Amman to be registered as the critical public 20 protection case. Said, "I was aware of his licence 21 conditions, that he had the two mentors."</p> <p>22 She said, "Critical public protection designation, 23 though, would mean that we could fund a security guard 24 at the approved premises and there was one."</p> <p>25 Said room searches have to be done at least</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 fortnightly. She said no search was done of his room. 2 She said, "I didn't consider doing more frequent room 3 searches." 4 In fairness to her, perhaps, it's for you to say, 5 when he went out of the premises he was subject to 6 24-hour surveillance if he went out. Apart from the 7 Irm-Bru, the tape and the foil, he hadn't been seen to 8 acquire anything else apart, as you know, from the 9 bucket and the broom and I think a chicken lunch. 10 She said, "On 31 January the police told me he went 11 into the shop and bought the foil and so on, that he'd 12 looked at cutlery and not bought it. The police said 13 they were the kind of things people use to make hoax 14 vests or that he could have bought them to see if he was 15 under surveillance, and the police were asking if this 16 could lead to recall." 17 She said, "It wasn't against licence conditions to 18 buy these items but I checked with the head of national 19 security for probation [that's Mr Reid, I'll come to him 20 in a minute]. The police and I discussed a possible 21 room search and decided it wasn't feasible. The police 22 didn't want to show they were watching him." 23 She said, "Approved premises staff would normally 24 search a room but the staff weren't trained in covert 25 searches."</p> <p style="text-align: center;">Page 61</p>	<p>1 death. She said there were inevitably some learning 2 points. There was a MAPPA serious case review and the 3 Probation Service did a serious case review and she told 4 us about some of the matters which were to be attended 5 to. 6 Asked questions by Mr Menon on behalf of the family, 7 she said that at the joint operational team meeting on 8 9 January 2020 a police officer did say that Mr Amman 9 was a high threat and an attack would be when, not if. 10 She said that was his threat assessment at the time. 11 "After the meeting", she said, "we reassessed 12 everything we had in place." 13 She said, "I didn't tell Mr Campbell that a police 14 officer said the question was when, not if, Mr Amman 15 would commit an attack." She said, "I'd share with him 16 that there were significant concerns but not the 17 details." She said, "I didn't tell him about the 18 purchases but he", she said, "is not managing the case 19 on his own." 20 That, you may think, is clear; there were lots of 21 people involved. 22 She said that Mr Campbell had lots of information 23 himself from the prison and others, and of course, as 24 you know, Mr Campbell had been involved with Mr Amman 25 during his sentence. He'd actually written the OASys</p> <p style="text-align: center;">Page 63</p>
<p>1 You heard the staff there, I think, were employed by 2 a charity that was running the place. They weren't 3 trained in covert searches, in leaving the room in 4 exactly the same state as it's in, in case somebody has 5 been watching to see if something has been moved. 6 She said, "I left it with the police whether they 7 would do a search." 8 Was that a reasonable position for her to take in 9 all the circumstances or not, with the sensitivity of 10 the operation, to say, "I'm going to leave the decision 11 about that to the police"? A matter for you to 12 consider. 13 She said, "I mentioned a room search to Mr Reid, 14 said I'd discussed it with the police. He didn't have 15 anything to add. We didn't think he'd breached the 16 requirement to be of good behaviour. I didn't think we 17 could proceed on the basis of suspicion." 18 She said, "The police suspicion about the items he 19 bought would not justify recall. I spoke with the 20 Ministry of Justice to make sure that he could be 21 recalled for the slightest breach of his conditions. If 22 the police had asked for a search, I'd have considered 23 doing an overt search. If they wanted to exercise 24 police powers to search, I would have facilitated that." 25 Then she said there were two reviews after his</p> <p style="text-align: center;">Page 62</p>	<p>1 report which talked about the risk he posed, so you may 2 think he wasn't under any illusions. 3 She said at the 9 January meeting it was suspected 4 that any attack would be low level and carried out with 5 a knife. That, she explained, was the conclusion of the 6 ERG report too. 7 They had looked at Prina Patel's assessment, and 8 then we looked with Ms Heckroodt at the licence 9 conditions. He could be recalled if he posed 10 an imminent risk to the public. If a probation officer 11 identifies a breach of the conditions, the case goes up 12 the probation line. Something called a Form A is 13 completed, signed off by the head of service, and that 14 goes to the Ministry of Justice to decide whether or not 15 the person should be recalled on behalf of the Secretary 16 of State. 17 She said that when he'd arrived at the approved 18 premises, he would have been told there could be a room 19 search once a fortnight, and, she said, residents should 20 be told that there could be a spot check search when 21 they were out. 22 She said, "I was told by Detective Inspector Bundock 23 about the purchases on 31 January and that he'd been 24 looking at cutlery." She said, "I think the police did 25 take account of the fact that he bought Irm-Bru, tape</p> <p style="text-align: center;">Page 64</p>

1 and foil and nothing else, because they rang and asked
 2 me about recall." She said, "My view was no, after
 3 discussing it with the national lead, Mr Reid. For
 4 recall there has to be evidence of a breach and that
 5 someone can't be safely managed in the community." She
 6 said that, in her view, the purchases were not
 7 sufficient to justify recall. She said, "I was
 8 satisfied there was nothing at the time in the purchases
 9 to justify me saying it was something that was not good
 10 behaviour."
 11 She said the failure to recall him was not a missed
 12 opportunity. She was confident she'd made the right
 13 decision, not an easy one, perhaps, but she thought the
 14 right one. She said, "Mr Reid I was able to talk to
 15 because he had the necessary security clearance", and
 16 she said, "He agreed with my assessment", when she
 17 checked matters with him. She said, "I also wanted it
 18 clear that even if there was a minor breach, he would be
 19 recalled and no warning would be given to him", so
 20 straight to recall if he breached a condition. She
 21 said, "When it was discussed with the police, we thought
 22 it would serve no purpose to search his room only to
 23 find items he was allowed to have."
 24 Cross-examined by Mr Sheldon, she said Probation
 25 wouldn't routinely be given information from police

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1 surveillance unless there was a reason to have it. But
 2 she said, "We were told that he'd bought the items and
 3 had been browsing cutlery, and the police wanted my
 4 assistance, because they had concerns that he might make
 5 a hoax device, as to whether this would justify recall.
 6 I took the matter seriously, sought the input of
 7 Mr Reid. He has considerable expertise. We were clear
 8 that recall couldn't be justified on the basis of the
 9 purchase and the surrounding circumstances because there
 10 had been no breach of the licence conditions.
 11 Subsequently I spoke to senior colleagues to see if they
 12 had had experience of recalling a prisoner on imminent
 13 risk alone without a breach of conditions and they
 14 hadn't."
 15 She said, "I know how concerned the police were
 16 about this man, they wanted all options thoroughly
 17 considered, they left no stone unturned. We also wanted
 18 to make sure before he was released that there was no
 19 possibility of extra time in custody. Both police and
 20 probation wanted to know if he could be kept in.
 21 I thought that everything that could be done had been
 22 done on that score."
 23 Cross-examined by Mr Rawat, she said, "I've worked
 24 in Probation since 2000. I've lead the team which deals
 25 with extreme offenders since 2017. In February 2020,

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1 our team were managing 40 individuals, 31 at level 3."
 2 She said, "Mr Campbell isn't told of covert police
 3 activity in case he might in some way reveal it." No
 4 one is suggesting he might deliberately reveal it, but
 5 accidentally, and you may think there was no need for
 6 Mr Campbell to know about it to perform the particular
 7 role he had.
 8 She said, "There was extensive sharing of
 9 information between police and Probation. DI Bundock
 10 and I would regularly share information. Mr Campbell
 11 had face-to-face contact with Mr Amman on the 27th.
 12 I got the information from the police on the 31st about
 13 the purchases and I'd have borne that in mind when
 14 considering Mr Campbell's next contact. Mr Campbell
 15 didn't make all the decisions on his own; there were the
 16 mentors, the staff, and I knew he was under surveillance
 17 and a 24-hour security officer at the approved
 18 premises", because, you remember, he had been designated
 19 as a critical public protection case.
 20 "I thought the police were concerned about two
 21 possibilities: that he might be making a mock suicide
 22 vest or he might be testing to see if he was under
 23 surveillance." She said, "I had no information as to
 24 which." Is that her difficulty? The items could be
 25 consistent with an innocent purchase, and there isn't

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1 a clear non-innocent reason. Might be to make a vest or
 2 it might be to test surveillance, as matters were
 3 expressed to her. Does that demonstrate the overall
 4 uncertainty? Or should she have viewed matters
 5 differently at the time? The time is key to your
 6 approach, as I've said more than once.
 7 She said, "There was no breach of licence condition
 8 or the rules at the approved premises. He signed up for
 9 cooking, job search, and saw everyone he was supposed
 10 to." She said, "I have to take an evidential basis to
 11 trigger recall. If there was a legitimate basis to do
 12 it I'd have done it immediately."
 13 She said at one point that she had to be sure of
 14 a breach, but she agreed that the test was she had to be
 15 satisfied it was more likely than not that there had
 16 been a breach. She was saying that in good conscience
 17 she wasn't satisfied about that at the time.
 18 Let's just deal with Mr Reid, who said that
 19 in January and February 2020 he was the national
 20 security lead for the National Probation Service. What
 21 about his experience? Well, he said he'd held the
 22 responsibilities under that remit for a number of years
 23 and worked as head of the Dangerous Offenders Section
 24 from 2010 to 2016.
 25 "In all of those leadership roles I dealt with

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<p>1 terrorist offenders who were being supervised by the 2 Probation Service in the community." 3 Sudesh Amman was given what's known as a determinate 4 40 months' sentence, entitled to automatic release after 5 20 months, then 20 months on licence. There were legal 6 provisions, he said, meaning that he could be recalled 7 to prison by the Probation Service. The power to recall 8 prisoner at the time we're concerned with was under the 9 Criminal Justice Act 2003 and we heard that section 254 10 gives the power to recall to prison a person who has 11 been released and is still within their licence period, 12 as Sudesh Amman was in the time we're concerned with. 13 If those in the Probation Service who were managing 14 an offender decide that a recall to prison is justified, 15 they refer the case to the public protection casework 16 section, and it's someone in that section, he explained, 17 who formally exercises the power to recall the person to 18 prison on behalf of the Secretary of State. 19 If Mr Amman had been recalled, his case would have 20 been reviewed by the Parole Board at the end of the 21 28-day period. The Parole Board would decide if he 22 could be safely released then. If not, the case would 23 be reviewed again within 12 months. If, at the end of 24 that 12 months, it was decided he couldn't be safely 25 released by a particular date, then he'd have to serve</p> <p style="text-align: center;">Page 69</p>	<p>1 offences being committed, the recall decision could be 2 made. But you can't just released somebody from prison 3 and then decide to recall them based entirely on what 4 they did in prison; the decision to request recall must 5 be based on the offender's behaviour whilst on licence. 6 He said he was aware there was extensive prison 7 intelligence indicating that he retained an extremist 8 mindset and had repeatedly expressed a desire to carry 9 out an attack. He agreed he was extremely dangerous. 10 He was asked if he would accept that a probation 11 officer could reasonably say, given the information from 12 the police about the purchases and the intelligence 13 background, that Mr Amman was actively thinking about 14 reoffending. He said, "Possibly, yes." 15 He was questioned, "If a probation officer did form 16 that view, would you accept that Mr Amman could have 17 been recalled to prison by the emergency process?" He 18 said, "Yes." 19 And he said the overriding memory he had of the 20 conversation with Ms Heckroodt was that the police 21 surveillance operation had to be protected at all costs. 22 He said, "We have to look at longer term as well, in 23 terms of at the end of that 20 months he'd have come out 24 without any supervision and could indeed, if we'd 25 followed that course, come out if the Parole Board had</p> <p style="text-align: center;">Page 71</p>
<p>1 to the end of the sentence, so all the extra 20 months. 2 Sudesh Amman was subject to these conditions, 3 amongst others, in the period we're concerned with: 4 (1) Be of good behaviour and not behave in a way 5 which undermines the purpose of the licence period. 6 (2) Not to commit any offence. 7 (3) Keep in touch with his supervising officer, 8 which was Mr Campbell. 9 He said the purpose of the licence conditions is 10 essentially to manage risk and protect the public. He 11 said, "We usually need some sort of evidence, concrete 12 evidence, that a breach has taken place." He explained 13 that there's formal guidance published for the making of 14 recall decisions. 15 Paragraph 4.3.9 says -- you have this in the 16 document I've given -- but: 17 "Offender managers must consider whether to seek 18 recall in cases where an offender has breached the 19 conditions of their licence. The offender's behaviour 20 indicates that they present an increased or unmanageable 21 risk of serious harm to the public, or whether there's 22 an imminent risk of further offences being committed." 23 If those at the Probation Service conclude at any 24 time that an offender, such as Mr Amman, that based on 25 his behaviour there's an imminent risk of future</p> <p style="text-align: center;">Page 70</p>	<p>1 released him within three or four months, there was no 2 guarantee he'd be kept in for the 20 months." 3 He agreed there would still be notification 4 requirements and there might be other court orders, 5 which could be sought to monitor him. 6 He said, "Part of the discussion I had with 7 Ms Heckroodt that day was whether the information about 8 the items could have been obtained by having his room 9 searched by hostel staff. On 31 January, Ms Heckroodt 10 called me. She reiterated the conversation that she'd 11 had with the police in regards to the items purchased." 12 He said, "We then got on to the options of how we 13 could begin to explore whether we could gather other 14 evidence to support the concerns expressed." 15 You may think he was seeing if matters could be 16 developed. 17 He said, "The room search was the predominant one. 18 I also suggested engaging with him on his return to the 19 approved premises about where he'd been, what he'd done 20 that day, because it was a new area for him. Just to 21 show an interest," he said. 22 "If he said, 'I'd been on Streatham Common all day' 23 and we knew he'd been shopping, that would have 24 increased our investigation, or alternatively he might 25 say, 'I've been shopping I bought some things I needed',</p> <p style="text-align: center;">Page 72</p>

1 all of which might explain something or not."
 2 He said that a room search could possibly have been
 3 conducted by staff at the hostel. He said, "I was
 4 exploring with Ms Heckroodt whether a routine room
 5 search would indicate he was under surveillance.
 6 I didn't think that it would, but there were concerns
 7 that it might. My understanding is the police were
 8 concerned that he was testing whether he was under
 9 surveillance or not, so this would have been another
 10 element where, if he was searched on that night, that
 11 might have helped confirm his view that he was under
 12 surveillance.
 13 "I got the impression from Ms Heckroodt that she'd
 14 explored a lot of these options with the police already
 15 but she was going to go back to the police and talk to
 16 them further. I agreed with her assessment that
 17 probably the threshold for recall had not been reached
 18 at that point, hence the view we took through these
 19 options to try and explore the situation further."
 20 He said that another probation officer could
 21 reasonably have formed the view that the threshold for
 22 recall had been reached based upon the purchases in the
 23 context of the risks Sudesh Amman posed.
 24 Confining the matter to what was known at the time,
 25 is that an indication that it was not an easy matter,

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1 perhaps finely balanced, and that different views could
 2 reasonably be taken? Or did the Service get it wrong?
 3 In his view, the risk that Mr Amman posed was still
 4 manageable. It was obviously becoming more complex but
 5 he thought it was still manageable.
 6 "I suggested that Ms Heckroodt speak to people, the
 7 public protection casework section, alert them to the
 8 rise in concerns and also to test their view on
 9 thresholds for recall."
 10 Well, she told us that she did that.
 11 "The overriding impression I was left with was that
 12 we didn't want to take any action that would compromise
 13 the police operation. I wouldn't describe it as the
 14 number 1 priority, but any action that we were to take
 15 that risked compromising the operation was not in
 16 favour. I stand by the fact that at that time on the
 17 Friday afternoon, I didn't think there was sufficient to
 18 recall. At that point on the Friday, I think that was
 19 the correct decision."
 20 That if approved premises staff had been asked to do
 21 a search, they would have needed guidance on maybe what
 22 to look for.
 23 There are risks, he said, that staff would have
 24 found things and not known what they were. They're not
 25 trained specifically to look for certain items and make

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1 those links and there's a potential that somebody
 2 doesn't want their room searched and becomes violent.
 3 He said there's no standard operating procedure or a set
 4 of guidelines for use in this situation, namely where
 5 approved premises staff were co-opted into
 6 a counter-terrorism investigation that Mr Reid was aware
 7 of.
 8 "If staff found the items that he bought early on
 9 the Friday, the drink bottles and so on, and when asked
 10 what he was doing with them he said, 'I'm going to drink
 11 the Irn-Bru, use the tin foil to wrap up food and I'm
 12 going to use the tape to mend something'," he said,
 13 "I don't think that would have led to any further
 14 action."
 15 "Question: If there's a possibility he might have
 16 done something unlawful with these items, would that
 17 have required you to carry out some sort of risk
 18 assessment before you asked approved premises staff to
 19 search?
 20 "Answer: Very likely, yes.
 21 "Question: If you were risk assessing it and
 22 there's a risk of violence what other steps could you
 23 have put in?"
 24 This is for a search. And he said:
 25 "Answer: It might have been to ask the police to be

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1 present or jointly do the search, but that could have
 2 revealed their involvement."
 3 He said:
 4 "A decision to recall is one that is a matter of
 5 professional judgment. In making that professional
 6 judgment, you have to weigh up all the information that
 7 is available to you. The guidance says the test for
 8 recall does not require the criminal standard of
 9 evidence and it's instead based on the offender
 10 manager's professional judgment as to whether on the
 11 balance of probabilities the reported behaviour has
 12 taken place or other risk factors have increased."
 13 "Question: If there had been sufficient information
 14 in your view and in your assessment, that would have
 15 formed a proper basis for recall, would you have
 16 hesitated to put that forward or to make that
 17 recommendation?
 18 "Answer: No."
 19 So far as the police evidence is concerned, HA6, you
 20 know, is a detective superintendent in what's called the
 21 Counter Terrorism Command or SO15 at New Scotland Yard
 22 and he's worked in counter-terrorism for 13 years, now
 23 managing four operational teams. He was the senior
 24 investigating officer of the joint priority operation
 25 with MI5 into Mr Amman.

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<p>1 He said, "SO15 and MI5 on occasions do joint 2 operations together. MI5 lead on the intelligence 3 front. The police will secure evidence and make 4 arrests." 5 He said there will be joint operational team, or JOT 6 meetings, for particular purposes. He said at around 7 January 2000, there were about 3,000 subjects of 8 interest on MI5's radar. In the London Bridge and 9 Fishmongers' Hall attacks there were, he said, hoax 10 suicide vests. They were worn to discourage police or 11 the public from intervening, and they're likely to 12 result in a shooting by the police, which the person 13 believes will result in martyrdom for them. 14 He said, "It's difficult sometimes to know when to 15 intervene. If we arrest too soon and the evidence isn't 16 there, the individual can be back on the streets but 17 aware that the police are onto them. Delay too long to 18 get more evidence, there may be an attack." 19 He said one of his teams had investigated Mr Amman's 20 original case. They were notified about his imminent 21 release from custody. They were notified 22 in December 2019. On 12 December, there was 23 a pre-release intelligence briefing into him held with 24 MI5 and the police Terrorism Offender Management Unit. 25 There was a JOT meeting on 9 January the one that</p> <p style="text-align: center;">Page 77</p>	<p>1 As you know, for a conviction there would have to be 2 evidence that he'd had the intention of committing 3 a terrorist act, and for a conviction, not just 4 a suspicion of that, or that it was likely or even 5 probable, but that it was a sure conclusion that he 6 intended to commit a terrorist act, and the police just 7 didn't think there was enough evidence for a sure 8 conclusion arising out of his possession of those items. 9 A suspicion, yes, so enough to arrest him, but not 10 enough, they thought, successfully to prosecute him, and 11 so he would just have to be released and what was the 12 point of that? 13 He said: 14 "We discussed a search and the risks. If staff did 15 a search for our overtly it would have alerted him to us 16 and made our job harder. If his room had been searched 17 so soon after buying the items there was a risk that he 18 would have put two and two together and realised that 19 the police were watching him sufficiently closely to 20 know actually the items he was buying." 21 He said, "A covert search of his room by the police 22 has risks of compromise, for example, if someone else in 23 the building sees what's going on, sees strangers coming 24 into the building or sees strangers going into his room. 25 Instead we put armed surveillance on for 24 hours a day,</p> <p style="text-align: center;">Page 79</p>
<p>1 Ms Heckroodt went to. 2 "We were looking at options following his release." 3 The upshot was a live operation was launched. 4 Surveillance authorisation was obtained on the 10th. 5 The 17th, it was decided they couldn't prosecute him for 6 any offence arising out of those documents found in his 7 cell and that no one has queried that assessment. Then 8 he was released with the surveillance that you know 9 about on the 23rd. 10 He explained that on the 31st the purchases had been 11 made. He said, "In Low Price he took cutlery to the 12 till but didn't buy it because he said he didn't have 13 money, but we thought he did have money. The actual 14 purchases could be used to make a mock vest and so we 15 asked ourselves if he was testing our response and was 16 there an offence we could arrest for. 17 "We had a further JOT meeting on 31 January where we 18 discussed whether we could arrest because of the 19 purchases. We looked at whether he could be arrested 20 under section 5 of the Terrorism Act. We'd need 21 a reasonable suspicion to be able to arrest him. We 22 concluded we had the power to arrest him, but the 23 decision was not to arrest him because, on what we knew 24 then, we thought we would not have enough evidence to go 25 on to conviction."</p> <p style="text-align: center;">Page 78</p>	<p>1 an SO15 car on hand to arrest, armed response vehicles, 2 marked vehicles, to be in the area so the option of 3 a uniformed police stop was there." 4 He said, "There was a possibility we'd considered 5 that he'd cut his GPS tag off", so leave that in his 6 room, making it look as if he was in the approved 7 premises when he wasn't, and so that's why they went for 8 24-hour armed surveillance. 9 "We set some tipping points, the agreed instructions 10 if various things happened." 11 We've spoken about those. 12 And he said, "At lunchtime on the Sunday he left the 13 premises with the white JD Sports bag over his front." 14 He said, "The bag looked quite empty." He said, "That 15 wasn't brought to my attention but people do take empty 16 bags with them when they go shopping. If I'd known 17 about the bag it wouldn't have caused me to do anything 18 different. He was walking along Sunnyhill street 19 looking over his shoulder." He said, "That wouldn't 20 have caused me concern or he's walking up and down not 21 knowing where he's going." He said, "Without anything 22 to indicate that he was in the final stages of attack 23 planning, we wouldn't intervene." 24 He confirmed that at the joint operation team 25 meetings, one on the 30th, another one on 31 January --</p> <p style="text-align: center;">Page 80</p>

<p>1 these are the meetings with MI5 -- he said there was no 2 further intelligence that affected the overall threat 3 and risk.</p> <p>4 He said that at the meeting on 9 January -- he was 5 asked about Ms Heckroodt's evidence that a police 6 officer had said it was when the attack would happen, 7 not if. He said he hadn't seen any record of those 8 words, but you may think that's really the basis 9 everybody was proceeding on; why else would you have 10 24-hour armed surveillance? They're working on the 11 basis it's when, not if.</p> <p>12 As for room searches, "We had a power to search the 13 room but that would be overt and could end the 14 operation. Covert search was a future option but it 15 requires preparation and it's challenging to do. 16 I thought compromising our operation would increase the 17 risk to the public in the longer term and that 24-hour 18 armed surveillance as part of an overall package was the 19 best course."</p> <p>20 The decision to go from unarmed to armed was because 21 of what had been seen on the surveillance, and he 22 explained what had been seen in the course of the 23 operation.</p> <p>24 He said that on the 31st, after the purchases, there 25 had been the joint JOT meeting. He said he thought,</p> <p style="text-align: center;">Page 81</p>	<p>1 said, "We managed risks as best we could." He said, 2 "The various agencies were all trying to protect the 3 public. Information had been shared at the right level. 4 We don't have a system whereby everybody is told 5 everything. There may, for example, be sensitivities 6 about where information has come from. We had to 7 balance the risks from an intervention against the 8 benefit. A short-term measure that doesn't work can 9 make problems for the future."</p> <p>10 And, he said, that applies also to an overt search 11 if nothing is found. He said, "If he is sure of our 12 involvement, he may change his behaviour and make 13 himself harder to surveil. He may confront people, 14 thinking someone is a surveillance officer. It may 15 affect the way he speaks to people and associates. It 16 may affect his timescales if he knows they're on to 17 him."</p> <p>18 If you think about it, if he had decided to take his 19 time, stay in the approved hostel for every day, how 20 long could the police have kept up 24-hour armed 21 surveillance upon him? That is a factor to consider.</p> <p>22 He said the hoax device is very crude, wouldn't take 23 long to make, it could be done on the day, he said. 24 "If I thought buying tape, foil and drink 25 represented a realistic prospect of having him</p> <p style="text-align: center;">Page 83</p>
<p>1 "The most practical option was to continue our covert 2 coverage of him and work to get a long-term solution to 3 disrupt him, so, for example, if he breached his licence 4 conditions, get him recalled to prison." He said, "By 5 acting in the way we did, we stopped a far worse attack. 6 If he'd been arrested, he'd have been back out in the 7 community but with it now much harder for us to deal 8 with him."</p> <p>9 He said it's possible he'd constructed the fake 10 suicide vest, but he said, "We had no intelligence that 11 he had actually constructed it. If he hadn't made it", 12 he said, "it's highly likely he'd have been released and 13 his knowledge of our operation would make it harder for 14 us in the future."</p> <p>15 He said a 24-hour armed surveillance operation could 16 not continue indefinitely.</p> <p>17 He agreed that if he was stopped and had the hoax 18 device already assembled, that would have been strong 19 evidence of preparing a terrorist act. He said, "We'd 20 also need to show that something was about to take 21 place, that he had a weapon, a target."</p> <p>22 He said, "On the actual day, the 2nd, we intervened 23 very quickly, prevented something worse or something 24 which could have happened later on another day." 25 He said, "I don't think mistakes were made." He</p> <p style="text-align: center;">Page 82</p>	<p>1 prosecuted and sent back to prison, I would have 2 taken it."</p> <p>3 24-hour armed surveillance involves several teams 4 over a 24-hour period. The team had nine surveillance 5 officers in it, and there was an armed response vehicle, 6 and an arrest team.</p> <p>7 He said, "My SO15 team had seven or eight people in 8 it at any one time. There's the ops room monitoring 9 this and the firearms command. That's at least 30 10 people on a 24-hour operation."</p> <p>11 Well, they don't all work 24 hours; they do shifts. 12 "So that's 50 or 60. Some of the officers are at 13 personal risk and there are the 2,999 other people, so 14 there are competing demands on resources."</p> <p>15 He said, "If we could have locked him up for the 16 purchases, we would have done it. The way forward was 17 an agreed way forward. It was a consensus at the JOT 18 with all the different interest groups there where we 19 can think through possibilities and issues."</p> <p>20 He said, in his view, "We didn't make the wrong 21 call. We explored every viable possibility."</p> <p>22 He said there was a time Mr Amman was out of the 23 approved premises on 1 February. He left them at 1.24, 24 had his chicken lunch and was back in at 1.46, so he was 25 out for 22 minutes. He said it would not have been</p> <p style="text-align: center;">Page 84</p>

1 feasible to do a covert search then. And he said, "We
 2 don't know when he made the belt or if he made it in one
 3 go or where he kept it."
 4 He was asked, "Could the hostel staff have been
 5 tasked to carry out a search?"
 6 He said, "There would be a risk to them and we
 7 didn't want to alert them to the covert operation. At
 8 no time prior to the attack did we have any intelligence
 9 that he'd got a weapon. There was a degree of
 10 confidence that we would know if he had."
 11 As I've said, there are the staff at the hostel and
 12 there's the 24-hour surveillance once he's out of the
 13 hostel, so he said he thought they'd know if he had
 14 acquired a weapon. He was, as it happens, right. He
 15 hadn't got one until he got it on the 2nd at Low Price.
 16 He said, "We had no intelligence that he had
 17 selected a target or was researching ways of carrying
 18 out an attack or that he was seeing anyone who might
 19 assist him. There was nothing about his behaviour to
 20 suggest he was preparing for martyrdom. Covert search
 21 requires a fair degree of planning. There would be
 22 a significant risk if they didn't find anything but left
 23 something moved or in a different place. It needs
 24 planning because there's a risk of other people seeing
 25 someone in the room and telling him, and it risks

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1 compromising the ongoing operation."
 2 Haleema Khan, Sudesh Amman's mother, confirmed some
 3 of the background details you've already heard. She had
 4 some contact with him in person and on the telephone
 5 after he was released from Belmarsh. On one occasion he
 6 told her to find a girl for him to marry and she thought
 7 he was serious about the plans for the future. Well,
 8 that was after his release and you may think he was
 9 plainly having her on too.
 10 She said, "He phoned me on the day of his release.
 11 On the Saturday, I went to see him. I took meals and
 12 clothing on the bus for him. Saw him on the 25th, saw
 13 him on the 30th. I took meals, shoes, jacket, and
 14 a radio for him. We got a bus to Streatham town centre
 15 to a kebab shop and he told me a lady police officer was
 16 there. She wasn't in uniform, but he said he was
 17 followed by officers. He was looking outside and he
 18 told me a police officer was following him on
 19 a motorbike."
 20 She said, "On 1 February, I spoke to him on the
 21 phone. He was talking normally. He said everyone was
 22 gonna die one day but not to worry about that. It was
 23 because my mum had passed away. On Saturday,
 24 February 2, he sent a text message to me saying, 'Allah
 25 loves you.' I texted him or phoned him at 10 just to

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1 remind him to sign on for his curfew. He said he'd done
 2 that and he was going to buy milk. He'd asked me if I'd
 3 prayed and if I'd read a prayer book he'd sent me, and
 4 he wanted to speak to the imam at Belmarsh. I advised
 5 him not to talk with anyone. Called him again and he
 6 said he was reading the Qur'an, he'd call later, and he
 7 didn't take three calls from me. Then I did speak to
 8 him. He wanted food, he said he loved me, 'Bye-bye,
 9 I love you, Mummy'; he'd said this before. When I found
 10 out, I was shocked he'd been involved and I was crying."
 11 She made it plain: "I didn't have any idea he was
 12 going to do these things."
 13 No one has suggested that she's to be criticised in
 14 any way at all. Mr Amman was an adult by this time,
 15 wasn't he, making his own decisions, well aware, you may
 16 think, of the risk he was taking, and you may think he
 17 was deceiving her just as he sought to deceive others.
 18 At 10 or 11 on the morning of the 2nd he had a brief
 19 conversation with another resident you heard from in the
 20 hostel, but there was no more to it than that.
 21 I'm going to come now to the details of the last
 22 section, which is the firearms and surveillance
 23 operation.
 24 S132 is an acting chief inspector in the
 25 Metropolitan Police, serving in the specialist Firearms

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1 Unit or Command. He's what's called the
 2 counter-terrorist specialist firearms tactical adviser
 3 in the operation into Sudesh Amman from 28 January 2020.
 4 He'd been in the Metropolitan Police for 18 years. He
 5 first trained as an authorised firearms officer in 2011,
 6 and had been promoted to inspector rank in 2016. Same
 7 year, he'd qualified as a firearms tactical adviser, and
 8 as a counter-terrorism specialist firearms tactical
 9 adviser since August 2018.
 10 His role is to provide firearms tactical advice in
 11 an operation to someone called the strategic firearms
 12 commander and the tactical firearms commander. He
 13 explained that very often an operation involving
 14 firearms will have a commander, who gives directions as
 15 to the overall strategy of the operation, and a tactical
 16 commander, who takes the more day-to-day,
 17 minute-by-minute, and tactical decisions. So, one
 18 setting the strategy, the overall objectives, the other
 19 setting the tactics, how to achieve those overall
 20 objectives.
 21 And they will be advised by a firearms tactical
 22 adviser, so this witness, someone who has a good amount
 23 of experience as a firearms officer on the ground.
 24 S132 became the tactical adviser of this operation
 25 on 28 January. He had a meeting with the tactical

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<p>1 firearms commander, two detectives from SO15, the police 2 counter-terrorism unit, and he was given a briefing at 3 secret level about Sudesh Amman and the operation being 4 mounted against him.</p> <p>5 The strategic aims of the operation were: protecting 6 the public, proving or disproving if Mr Amman was 7 involved in criminal offences and acts of terrorism, 8 arresting and prosecuting him where there was enough 9 evidence to do that, and where there wasn't, then to 10 disrupt any criminal or terrorist activity.</p> <p>11 The tactical aim, so how to achieve all those things 12 included: identifying and enforcing any breaches of his 13 licence conditions, and establishing his current intent 14 and capability, details of his history, intelligence 15 about him including the intelligence from Belmarsh, and 16 he knew he still possessed an extremist mindset, that 17 the intelligence was that he exhibited support for or 18 a desire to attack, but that at that time there was no 19 actually planning or preparation.</p> <p>20 His advice was for the operation to keep Mr Amman 21 under observation with armed surveillance, but if the 22 intelligence changed, further options included the 23 additional deployment of armed response vehicles and 24 other mobile firearms support.</p> <p>25 The operation was authorised, and after that he was</p> <p style="text-align: center;">Page 89</p>	<p>1 that the conclusion of the JOT meeting was that there 2 was no sign of preparation or planning, and the tactical 3 firearms commander said they could revert to armed 4 surveillance with the contingency of the marked armed 5 response vehicles in support rather than the covert 6 MASTS team, that the MASTS team was stood down. They 7 were still using the armed surveillance teams and the 8 ARVs.</p> <p>9 S132 said that that was the best tactic. There had 10 been professional information analysis by some of the 11 world's best analysts with all the available information 12 and there had been no change to the threat assessment, 13 so he thought armed surveillance with the marked armed 14 response vehicles contingency was the best option.</p> <p>15 He said if he'd been told an attack may happen at 16 any moment he'd have sought more information and put the 17 MASTS team on standby or advised they were deployed.</p> <p>18 The strategic firearms commander also endorsed 19 continued armed surveillance with armed response 20 vehicles in backup as an arrest option, but without the 21 MASTS team. Two ARVs were put on standby in Streatham.</p> <p>22 S132 was the on-call tactical adviser over the 23 weekend. He said there were no developments he heard of 24 on the Saturday and he was satisfied that his tactics 25 remained the best ones.</p> <p style="text-align: center;">Page 91</p>
<p>1 in regular communication with the tactical firearms 2 commander.</p> <p>3 On the 31st, he was told that Mr Amman had bought 4 the items, looked at the cutlery, and he put something 5 called a mobile armed support to surveillance team on 6 standby to help the armed surveillance team because he 7 was concerned that Mr Amman's activities might represent 8 some form of build-up attack planning or preparation.</p> <p>9 So this is the assessment that carries on being 10 made -- the review, rather.</p> <p>11 That mobile armed support to surveillance team that 12 he put on standby, you remember that's something that's 13 called a MASTS team for short. They are covert, they're 14 not in police uniforms and marked cars, and they can 15 deploy in support of the armed surveillance team. But 16 you'll remember in this context Superintendent McKibbin 17 told us that if there had been a MASTS team on 18 2 February, it wouldn't have been any closer to 19 Sudesh Amman than the armed surveillance team were.</p> <p>20 S132 didn't know what Mr Amman might do with the 21 items he'd bought, but he was told that a meeting was to 22 take place involving the SO15 investigation team and 23 MI5, the JOT team. He said the strategic firearms 24 commander had agreed with his proposal about more armed 25 support being put on standby. He said later he was told</p> <p style="text-align: center;">Page 90</p>	<p>1 On the Sunday morning, he wasn't aware of any 2 developments in the intelligence picture and he 3 considered the plan should continue as it was.</p> <p>4 He said as far as the tipping points were concerned, 5 if Mr Amman came out of a shop with a knife in his hand, 6 the surveillance officers would intervene themselves 7 rather than wait for an ARV to come. That, of course, 8 is exactly what happened.</p> <p>9 BX88 is a superintendent within the Metropolitan 10 Police's firearms command, and he was the strategic 11 firearms commander on Saturday 1 February and Sunday 12 2 February.</p> <p>13 Just about his experience, he's had the role of 14 strategic firearms commander since 2018. He assesses 15 applications to deploy firearms officers in an operation 16 and he had overall firearms responsibility for London on 17 the Saturday and Sunday as the day shift commander.</p> <p>18 Comes on at 7 in the morning, had a handover. He 19 said, "I looked at the background of the operation 20 involving Mr Amman. I continued the authorisation of 21 the armed deployed. I thought it was necessary to 22 protect the public and the officers involved in the 23 operation."</p> <p>24 He said overt armed response vehicles could be used 25 in an interception, that was an option, or if there was</p> <p style="text-align: center;">Page 92</p>

<p>1 an immediate threat to life, the armed surveillance 2 officers could make their own decisions as to how to 3 proceed. 4 The tipping points have specific responses built in. 5 For other contingencies there would be a discussion with 6 the investigating team to balance keeping the operation 7 covert with the protection of the public. 8 "Handed over to the night duty SFC, strategic 9 firearms commander, at the end of my shift on the 10 Saturday. If there was a decision about whether to stop 11 Mr Amman because he was, for example, acting oddly, I'd 12 expect that to be the TFC, the tactical firearms 13 command's decision. 14 "Came on duty on the Sunday morning. There were no 15 developments overnight. I authorised the deployment of 16 armed officers on the same basis as before." 17 Later he said he got a call telling him that shots 18 had been fired. 19 In answer to Mr Menon he said, "When I came on on 20 the Saturday, I was told about the Poundland purchases." 21 He said, "The threat assessments are low", but he said, 22 "They're based upon the fact that we have armed officers 23 involved and surveillance going on and there was no 24 intelligence of a specific target or anything of that 25 kind."</p> <p style="text-align: center;">Page 93</p>	<p>1 thing Mr Amman didn't appear to have done was to try and 2 escape from the surveillance. Is it fair to say that he 3 seems to have been trying to see if he is being 4 surveilled, but he hadn't tried to jump on a bus to 5 avoid it or tried to hide or gone out the back entrance 6 of a shop or anything like that. I mean, if he'd done 7 that in the future, because he learned for sure he was 8 under surveillance, how much more dangerous might he 9 have been? Or do you take the view that he knew for 10 sure he was under surveillance and/or where the officers 11 were? 12 He said that, "The tipping points give the responses 13 to foreseeable scenarios, but if someone acts in an 14 unforeseen way that puts people at immediate risk, then 15 it's for the firearms officers to use their own judgment 16 and not refer to me as strategic firearms commander." 17 He said what happened in this case is in accordance with 18 that. 19 On 2 February, he said, officers deployed primarily 20 as surveillance officers. He said it's rare for them to 21 face a situation like this. And his view, you don't 22 have to agree with it, but his view, he thought they 23 acted commendably. 24 DS51 is a detective inspector in the Metropolitan 25 Police Firearms Command, and she was the tactical</p> <p style="text-align: center;">Page 95</p>
<p>1 He said, "If he's arrested and nothing results, in 2 my view the public are at a greater risk because the 3 operation going forward has been compromised." 4 He said there were also questionable mental health 5 issues to take account of in Mr Amman's case. He said, 6 in his view, anyone who was going to commit a terrorist 7 offence was not rational. He said he'd thought the 8 tipping points reflected all these factors because the 9 tipping points were pretty low. 10 He said, yes, he could have bought a knife and taken 11 it back to the approved premises and stabbed someone 12 there, but he said he could have taken a knife from the 13 premises and done the same thing. He said cutlery was 14 booked out and booked in, in his part of the hostel, but 15 while it's booked out, then he may have access to it. 16 He said this is all about managing risk. 17 He said, "I don't see how we could have balanced the 18 risk better in response to a spontaneous attack by him. 19 If we'd intervened to no effect, so arrested before 20 anything could have been proved, he'd have been so much 21 more aware of surveillance and of our capability that 22 when he did something in the future", which BX believed 23 he would have done, "he would have been a much greater 24 risk." 25 Just to interrupt his evidence for a moment. One</p> <p style="text-align: center;">Page 94</p>	<p>1 firearms commander on 1 February and 2 February. 2 "28 January, I was on duty in the firearms pod and 3 was aware of the operation to Sudesh Amman in general 4 discussions but not because I had a particular role. 5 "31 January, I knew it had become 24-hours-a-day 6 armed surveillance and I started duty at midday on the 7 1st. Spoke with my predecessor as TFC, got a handover. 8 There had been no change in the intelligence picture for 9 this case. 10 "I reviewed the firearms forms, the licence 11 conditions and maps of the areas that he was excluded 12 from, and I looked at a profile of him. This is so 13 I can review the operation and check that the tactics 14 are suitable. Thought they were and adopted them. They 15 are of the thinking that the purchases of Irn-Bru and so 16 on might be used to make a fake suicide belt." 17 She said, "If I had been told that, I wouldn't have 18 done anything differently. I was not aware of anything 19 to say that at that time he had the capability of 20 carrying out an attack." 21 So no evidence that he'd got a real bomb or he'd got 22 hold of a weapon of any kind. 23 "If I'd been told he was wearing a hoax vest, it 24 might prompt a response depending on all the 25 circumstances. If I'd been told he might have the means</p> <p style="text-align: center;">Page 96</p>

1 to make a hoax device, there would be other telltale
 2 signs to look for, not just the way he was walking or
 3 dressed; any changes in his behaviour, for example
 4 what's called leave-taking behaviour, because someone is
 5 not expecting to be around much longer. If he moved
 6 from the approved premises and was thought to be on the
 7 way to commit an offence, I'd be on the radio. If I'd
 8 been told he was using anti-surveillance, I'd have
 9 discussions about whether the operation had been
 10 compromised."
 11 And in those circumstances there would be a concern
 12 for the safety of the officers.
 13 She said, "I learned he'd made a journey to the
 14 chicken shop. At about 5 o'clock I spoke to the senior
 15 investigating officer, confirmed there was no change in
 16 intelligence or anything to suggest he was about to
 17 carry out in an attack. Had the same conversation later
 18 with the nighttime duty manager. Later I had
 19 a conversation with the nighttime firearms team leader.
 20 We spoke about curfew times, amongst other things, and
 21 about ARVs. Handed over to night duty at 8.30.
 22 "On Sunday the 2nd, my shift began at midday. I had
 23 a handover when I came on. There hadn't been any
 24 developments. I thought I would be contacted if there
 25 was any movement from the approved premises, any change

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1 in intelligence. I wasn't contacted to say he'd left.
 2 "At 1.26 the log says I was contacted re subject's
 3 movements. It says 'no reply, message left.'" She
 4 said, "I didn't have a missed call or a message that
 5 I remember. If I'd been told he'd left and was
 6 deploying anti-surveillance, I'd have discussed it with
 7 the team leader. Had there been a compromise of the
 8 surveillance? Did it need to be taken a step back to
 9 reduce the opportunity for compromise?"
 10 Well, you can see her thought process, but you may
 11 think it's very fortunate indeed that steps weren't
 12 taken to take the surveillance back a step and that the
 13 officers remained as close as they were.
 14 She said, "If I'd been aware he'd bought items which
 15 could make a vest and he'd got the JD Sports bag in
 16 front of him and was using some anti-surveillance, I'd
 17 have discussed that with the team leader." She said,
 18 "Young people do wear these across their fronts. I'd
 19 have questions for the surveillance team for more
 20 context, but I wouldn't necessarily have jumped to the
 21 conclusion he had a fake belt on. It would depend what
 22 officers on the ground were saying and whether there was
 23 any other intelligence to support it."
 24 None of the surveillance officers did think, did
 25 they, that the JD Sports bag was being used to conceal

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1 a hoax device.
 2 "If he'd gone into the store where he'd been looking
 3 before, I'd be asking if there was any reason for him
 4 going in there. On the day, I probably wouldn't have
 5 taken any action and I didn't know then what I know
 6 now."
 7 Already cautioned you more than once about that.
 8 "I was next contacted, though, just after 2 pm to be
 9 told he'd been shot after stabbing two people."
 10 She said, "If there had been intelligence that he
 11 was in possession of a weapon, then I would have thought
 12 that an intervention was justified. Or," she said, "if
 13 there was a substantial offence for which he could be
 14 arrested and convicted."
 15 She said, "If the JD Sports bag had been described
 16 to me, it wouldn't immediately cause me concern."
 17 As to the purchases, she said, "I would have asked
 18 questions, the team leader, the pod manager, the
 19 counter-terrorism commander, what are their thoughts and
 20 professional judgments on this? I'd ask questions of
 21 people who had a greater knowledge of him and the case
 22 than me."
 23 She said someone may be trying to find out if
 24 they're under surveillance; that doesn't mean that the
 25 surveillance has in fact been compromised, only that the

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1 person is seeing if they can find out.
 2 BX174 is a police constable in the Metropolitan
 3 Police working for SO15. He said, "I do some covert
 4 work myself and I briefed the surveillance team which
 5 was working on 29 January, 1 February and 2 February."
 6 He said, "On 1 February, I updated the briefing
 7 because of the purchases and the anti-surveillance
 8 behaviour before the purchases. I thought the items
 9 could be used for a fake suicide belt. The surveillance
 10 team took the same view. I believe the threat level had
 11 risen and I wanted to discuss that with the team. I was
 12 sombre, serious and concerned on 1 February for their
 13 safety and the safety of the public."
 14 He said that he had expressed an intention to carry
 15 out an attack, according to the intelligence, had
 16 Mr Amman, and now there were these purchases.
 17 "Later on on 1 February, I updated the briefing
 18 pack, I put in the lines about anti-surveillance."
 19 He said, "I knew that he had been doing that." And
 20 he said, "I also did a briefing on the Sunday as well.
 21 I recognised that the purchases were a significance
 22 elevation of risk and I gave the officers at the
 23 briefing intelligence about retaining an extremist
 24 mindset and an aspiration to carry out an attack, but
 25 I didn't give any information about any specific

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<p>1 attack-planning."</p> <p>2 BX113 was a police constable at the relevant time in</p> <p>3 the surveillance department. He was the team leader on</p> <p>4 2 February.</p> <p>5 He said, "I'd been in surveillance for 13 years and</p> <p>6 a firearms officer since 2005 and I'd done surveillance</p> <p>7 in counter-terrorism cases.</p> <p>8 "In the week of 27 of January 2020, I was the leader</p> <p>9 of Team 3. Done early shifts, had briefings before they</p> <p>10 began."</p> <p>11 He said there had been an occasion previously when</p> <p>12 someone was hanging around the approved premises and</p> <p>13 went inside 10 seconds after Mr Amman and the note was</p> <p>14 made "possible third eye".</p> <p>15 That shows the difficulties of sending people in to</p> <p>16 do covert searches: there may be all sorts of people who</p> <p>17 are at the hostel able to see what's going on, who is</p> <p>18 going in or out. And to state the obvious, and without</p> <p>19 meaning to be rude in any way, it may be that the group</p> <p>20 of people in the bail hostel are more alive than most to</p> <p>21 the possibility of police investigation and interest</p> <p>22 into their activities.</p> <p>23 He said that there was a briefing note, and we</p> <p>24 looked at that. He said, "That represented the</p> <p>25 information I had. We didn't see him on the Monday,</p> <p style="text-align: center;">Page 101</p>	<p>1 an unexpected event occurring, and that firearms may be</p> <p>2 discharged only when absolutely necessary to avert</p> <p>3 a real and immediate risk to life.</p> <p>4 "We got to the location at 6.30, taking over from</p> <p>5 the night duty team."</p> <p>6 You'll remember that Detective Constable Simpson</p> <p>7 produced the video compilation for 2 February, which had</p> <p>8 come from a number of sources. It shows Mr Amman coming</p> <p>9 out of the premises at 1.22, bits of his walk to the</p> <p>10 high road, his going in and out of Low Price, running up</p> <p>11 the road, being followed by officers, stopped by Boots,</p> <p>12 turning round, going towards the officers, he's shot,</p> <p>13 and then some of the aftermath. You have that to</p> <p>14 compare against what witnesses told you. Human memory,</p> <p>15 to state the obvious, can be fallible in a way that film</p> <p>16 is not.</p> <p>17 But on the 2nd, 1.24 on the log Mr Amman came out,</p> <p>18 although it was actually 1.22 on the film.</p> <p>19 1.25, he's seen at a bus stop, stopping there.</p> <p>20 1.29, walking north.</p> <p>21 1.31, walking westbound. It's noted his bag</p> <p>22 appeared to be fairly empty, and he said, "There were no</p> <p>23 concerns about the bag that I remember."</p> <p>24 1.32, he slowed his pace.</p> <p>25 1.33, walking north.</p> <p style="text-align: center;">Page 103</p>
<p>1 Tuesday or the Wednesday. We were on again on the</p> <p>2 Saturday the 1st. We got a revised briefing then.</p> <p>3 There was information this time about tipping points and</p> <p>4 we knew that he wanted to attack multiple casualties,</p> <p>5 multiple victims if he could. Told about the purchases,</p> <p>6 that they could be made to look like a suicide belt,</p> <p>7 that his behaviour was slightly erratic the day before."</p> <p>8 He said, "I don't recall being told about him</p> <p>9 looking at cutlery. We were then given a recorded</p> <p>10 briefing, the threat assessment levels were low. That</p> <p>11 didn't appear to me to be correct. We thought this was</p> <p>12 a high-risk person to be out in public. Eight of the</p> <p>13 nine of us had firearms, all nine carried tasers as well</p> <p>14 as less lethal options, and we had body armour.</p> <p>15 "We began at 7 in the morning." So this is the</p> <p>16 Saturday. "1.26, we saw him leave the approved</p> <p>17 premises, go to the chicken restaurant, come back at</p> <p>18 13.50, that was all. He'd walked slowly and looked over</p> <p>19 his shoulder.</p> <p>20 "On Sunday the 2nd, we did the day shift again. The</p> <p>21 briefing said he appeared to be using anti-surveillance</p> <p>22 techniques, doubling back on himself, going in and out</p> <p>23 of shops, stopping to tie his shoelaces. I explained to</p> <p>24 the officers that they were armed for self-protection</p> <p>25 and for the protection of the public in the event of</p> <p style="text-align: center;">Page 102</p>	<p>1 1.34, walking westwards.</p> <p>2 1.37, walking north.</p> <p>3 To give you some idea of the coverage they've got of</p> <p>4 him.</p> <p>5 1.37, "I saw him for five to six seconds, the bag</p> <p>6 worn on his front." He said, "It aroused no suspicion</p> <p>7 in me at all. If I'd thought he might have been hiding</p> <p>8 a suicide belt, I'd have discussed it with the tactical</p> <p>9 firearms commander. Then I lost sight of him. BX87 and</p> <p>10 75 said they could get ahead of him in the High Road."</p> <p>11 1.48, he had a good look around him and then walked</p> <p>12 south on the High Road.</p> <p>13 1.51, he was going very slowly.</p> <p>14 1.52 walking north.</p> <p>15 1.55 looking around, stopping, and then walking</p> <p>16 slowly.</p> <p>17 1.56 he looked around him then walked south.</p> <p>18 1.57, BX89 said he'd seen the subject go into the</p> <p>19 Low Price Store and said the premises sold everything</p> <p>20 including kitchenware. "I requested someone to go into</p> <p>21 the store to evidence what he was looking at in the</p> <p>22 store and he could potentially have been going to get</p> <p>23 a knife. I thought about speaking to the armed response</p> <p>24 vehicle, but I didn't have time because I heard shouting</p> <p>25 over the radio, 'He's stabbing people'. I asked the</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 team to move forward to engage the subject and 2 I requested help from the ARVs. I moved forward to 3 Streatham High Road in my vehicle, I put on lights and 4 sirens. I could see him running northbound. He was 5 10 to 15 metres away, holding a dark-handled knife with 6 a shiny blade. 7 "BX87 came into view from behind him. The subject 8 turned round very quickly with the knife up towards the 9 sky and went towards BX87. He was 5 to 6 metres away. 10 He had a gun in his hand pointing at the subject. 11 Mr Amman was moving quickly to him with the knife still 12 pointing up in the sky. The distance was narrowing, 13 I could hear someone shouting, but not what was being 14 said. Another officer by the building line was also 15 approaching the subject. Then heard two gunshots. 16 Subject fell down to the ground, moved his legs and went 17 still. Appeared to have items around his waist, 18 silver-coloured bottles. Thought it could be an IED 19 an improvised explosive device. Called for my team to 20 withdraw and alert the public." 21 Detective Constable Simpson told you that by 22 reference from the film taken from inside Boots that 23 Mr Amman had turned to face the officers, was about 8 to 24 10 feet away from them and started to run at them. He 25 closed the distance between him and one officer to</p> <p style="text-align: center;">Page 105</p>	<p>1 film for yourselves. 2 Witness said, "The officers had no other option but 3 to use their firearms. Because of the timing and the 4 distance, tasers may not be effective. They may not be 5 effective if there are multiple layers of clothing and 6 their maximum range is 15 to 18 feet so you have to be 7 close and he had a knife." 8 Just dealing with earlier days, he said that on 9 1 February at 1.28 he'd looked over his shoulder in 10 Crown Lane, that could be anti-surveillance behaviour. 11 At 1.36, after he'd left the chicken shop, he'd had 12 a good look around him, that could be the same. 1.42, 13 he'd looked over his shoulder, that again could be the 14 same, but all he'd done is buy his lunch and go back to 15 the hostel. 16 On 31 January, he'd also left the approved premises 17 at lunchtime, he'd gone to the Crown Grill, come out to 18 the bus stop at one point and then back into the Crown 19 Grill. Each time he'd left the approved premises, shown 20 anti-surveillance behaviour but then done nothing but 21 have his lunch. 22 He said, "I don't think we should've anticipated 23 what he did on the Sunday." 24 He said it's not unusual to carry an empty carrier 25 bag when you go shopping, so until he stole, he said,</p> <p style="text-align: center;">Page 107</p>
<p>1 a metre or 2 to 3 feet in half a second or so. 2 "Some officers had guns pointing at the subject but 3 were moving back. We ought to be up to 100 metres away. 4 I moved my vehicle to keep the public away. We were 5 joined by one of ARVs at 1 minute past 2, they 6 approached the subject and then withdrew quickly. 7 I moved my car northwards. There was no movement from 8 Mr Amman. Couldn't be helped because he had the belt 9 on." 10 You may think that Mr Amman would have known that 11 perfectly well. 12 "BX87 and 75 were taken from the scene and then 13 an explosives officer and an ambulance arrived." 14 He said, "At the 1 February briefing, I was 15 surprised the threat was put at low, so I phoned the 16 tactical firearms commander, who said that was because 17 we were there and armed so the threat was reduced." 18 He said, "I got the impression he'd be doing 19 possible anti-surveillance for much of the previous 20 week. Slightly unusual to have an empty bag on his 21 front. It could now be that it was done to hide the 22 bulk of the hoax vest. I saw him running left to right, 23 stop at Boots, and turn towards the officer and walk 24 towards BX87." 25 Well, you can judge the movements, you've seen the</p> <p style="text-align: center;">Page 106</p>	<p>1 the knife, he was doing what he'd done before: coming 2 out at lunchtime, anti-surveillance behaviour, and then 3 going back to the hostel. 4 BX86 is a police constable who was part of the 5 surveillance unit working on 2 February. He said, "I've 6 been a police officer since 2004 with at least ten years 7 as a surveillance officer", and he'd worked in 8 counter-terrorism operations. Also been to the briefing 9 on the 1st, and the 2nd. 10 He was the loggist for the team. On the 2nd, he 11 dealt with various entities. I'm not going to go 12 through those all because I've dealt with them, but this 13 one at 1.51 he'd noted that on Streatham High Road his 14 white bag appeared virtually empty, he turned round and 15 went south. 16 1.57, he'd logged that he'd gone into Low Price. 17 Shortly after that, he said, "I heard that he was 18 stabbing people." 19 BX69 is a Detective Constable who began work in 20 surveillance in 2014. On 1 February he was on duty in 21 this operation, had the same briefing. He said it was 22 clearly a serious high-threat operation. All that 23 happened that day was he went and got lunch. 24 "On the 2nd, the same briefing. I went to the 25 location." This officer had a taser, but no firearm.</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 "After he came out of the hostel, I saw him in Leigham 2 Court Road waiting at a bus stop. Next saw him in 3 Valleyfield Road, then on Sunnyhill Road. He looked 4 over his right shoulder. I made my way to Streatham 5 High Road. He came south. As he walked past the White 6 Lion pub, he looked in the window. I thought he might 7 be using it as a mirror looking for surveillance." 8 Again, I'm not going to go through the earlier 9 narrative, but he heard someone shouting, "He's stabbing 10 people", and he saw BX87 chasing after Mr Amman. 11 What happened thereafter, you have heard many times. 12 February 2020, BX114 was a police constable in the 13 surveillance unit of the Metropolitan Police. He'd been 14 in the police for 29 years and a trained firearms 15 officer for 23 years. 16 "I was also", he said, "a surveillance motorcycle 17 officer and I'd been a specialist firearms officer and 18 an operational firearms commander." 19 He said, "I'd been deployed on two earlier days, and 20 on 2 February 2020, gone to the briefing. Had a Glock 21 and a taser. I knew he'd come out of the hostel, I'd 22 heard about the bag across his chest." He said, 23 "I didn't attach any significance to that at that time." 24 He heard the transmission, "He's stabbing people", 25 then a transmission of shots fired, and you've seen film</p> <p style="text-align: center;">Page 109</p>	<p>1 for so you have some idea of the team's experience, so 2 that when, for example, you're looking to see if the 3 JD Sports bag raised any alert with them or not, you 4 know how much kind of work these nine people have done 5 of this kind. 6 You may think, it's a matter for you, that they had 7 every reason to be alert to anything which at the time 8 might have been a warning sign because their own safety, 9 leave alone the safety of the public, their own safety 10 was at stake. That's a matter for you. Got to consider 11 how competent overall do you think they were as a team. 12 Were they alert assessing matters, on the ball, noticing 13 what was noticeable at the time or not? Or not? That's 14 all for you to say. 15 So this one, BX75. 16 "My first deployment was Saturday, February 1st. 17 I attended a briefing at 6 o'clock in the morning. I'd 18 had hundreds of previous briefings, but I felt Mr Amman 19 posed a serious risk. 20 So he's on notice, you may think. Looking out, you 21 may conclude, for anything that at that time would 22 attract attention or raise the risk. 23 He said, "I was told of his release from prison, how 24 he'd behaved in prison. He was committed to his cause 25 and aspired to carry out an attack. He wanted to become</p> <p style="text-align: center;">Page 111</p>
<p>1 of him arriving on his motorcycle after the event. 2 BX89 is a police constable in the surveillance 3 department who's been in the police service for 4 21 years, firearms trained, with 12 years in 5 surveillance and had done counter-terrorism surveillance 6 work. He was part of this operation, took part on the 7 Saturday the 1st and then on the 2nd had the same 8 briefing. On the 2nd, he was armed with a Glock pistol 9 and a taser. 10 "I saw him when he was at the bus stop and in 11 Valleyfield Road. I noticed the JD Sports bag across 12 his chest. That wasn't unusual or concerning", he said. 13 "I saw him in Sunnyhill Road, thought he was using 14 a telephone. He was more casual than the day before. 15 He went to Streatham High Road and I heard transmission 16 about his movements." 17 He was in Maeme's when he heard about what was going 18 on. He ran after Mr Amman, but other officers were 19 ahead of him. 20 BX75 is a police constable in the crime and 21 counter-surveillance unit. He has 26 years in the 22 police, about 16 years in surveillance, and is trained 23 in the use of firearms and taser. 24 I'm not just doing it for no purpose. I'm running 25 through, each time, how long they've been doing the job</p> <p style="text-align: center;">Page 110</p>	<p>1 a martyr and regretted not being the person who killed 2 Lee Rigby. Was told what he bought on the 31st and that 3 the items were in current advice given to terrorists 4 that they could be used to make a fake suicide vest. 5 "Saw him that day. He walked very slowly, looked 6 around himself and paid attention to passing people and 7 vehicles. 8 "On Sunday the 2nd there was another briefing to the 9 same effect as before. I thought he was a dangerous 10 individual who wanted to carry out an attack. I had 11 a firearm to protect myself, the public and my 12 colleagues in any spontaneous event that day. 13 "He left the approved premises, I was a minute or 14 two away. I had a description over the radio of a Puffa 15 jacket and a JD Sports plastic bag." 16 There came a point when he heard that Mr Amman was 17 heading towards Streatham High Road, up close to the 18 junction, and got out. 19 "He walked south, then crossed over, walked north. 20 I noticed the Puffa jacket was thick and bulky, he'd got 21 several layers. I noticed the bag was across the front 22 and it appeared virtually empty. My concern at the time 23 was that he may have had something in the bag, maybe 24 a knife. He stopped, did a 180-degree turn, possibly 25 a 360-degree turn, as would someone who was lost.</p> <p style="text-align: center;">Page 112</p>

<p>1 I transmitted that. He'd behaved similarly on the 2 Saturday so I wasn't overly concerned. He walked slower 3 than normal. Three other colleagues were in the area of 4 the High Road. He stopped at Lidl and turned round and 5 now walked south. Crossed over to be near Boots. I'd 6 heard he'd gone into Low Price. I was round about 7 Boots, I was told Low Price sold everything, including 8 cutlery and knives. My team leader asked for someone to 9 go into the shop and someone volunteered. 10 "I walked south. I heard a message, 'He's stabbing 11 people.' I thought he was killing people nearby, 12 I thought I'd see him doing that, cutting people's heads 13 off. I'd seen his clothing, if we intervened I didn't 14 think a taser would be the best thing because it needs 15 to attach to the skin. I drew my gun and went towards 16 Low Price as quickly as I could. Some people were in 17 between me and Low Price. I think I was running. 18 Virtually immediately I saw him running towards me, 19 about 10 metres away. He had a large knife in his hand 20 held up in front of him. I saw him, he saw me. 21 I thought he was going to stab and kill me, or at least 22 seriously injure me. I had my gun in two hands, 23 I steadied myself, I had a split second, I aimed at his 24 chest, as we are trained. Behind him were glass-fronted 25 shops, I didn't see anyone in the background. I stepped</p> <p style="text-align: center;">Page 113</p>	<p>1 tops of bottles attached to his chest. I took it to be 2 a viable device. Our training tells us to treat all 3 items as viable until proved otherwise. I shouted 4 'device' to BX87 and moved back. Mr Amman's arms were 5 thrashing and his legs bicycling. I put on a police cap 6 and a face covering. I was aware of colleagues joining. 7 I went and helped people who had been injured. I saw 8 a man bleeding from a wound to his abdomen. I dressed 9 his wounds with kit carry and I called for an Air 10 Ambulance. 11 "The first armed response vehicle arrived. I wanted 12 to tell him he had what I believe was a viable 13 improvised explosive device. They pulled back. I told 14 them to clear people and shut shops. A second ARV 15 arrived and I got them to come to the assistance of the 16 man I'd helped." 17 Then he looked at the film and confirmed it 18 represented Mr Amman's movement towards him. You'll 19 remember Mr Menon very fairly and courteously made it 20 clear that he was not suggesting that BX75 had any 21 choice other than to discharge his firearm. 22 BX75 said: 23 "I fired two shots, the first had no effect in 24 stopping him. I think both my shots hit him. We're 25 trained to fire at the largest area, we shoot to stop.</p> <p style="text-align: center;">Page 115</p>
<p>1 back out of his range, fired a single shot. He was on 2 the building line, I was on the kerb, the shot didn't 3 appear to have any impact. And then I gave chase. 4 I thought he still posed a grave threat. I kept my 5 pistol out, I wasn't going to fire on a moving target 6 with other people around. 7 "He stopped. We were outside Boots. He turned to 8 face me. I couldn't see anything to cause him to stop. 9 I came to a halt no more than 3 metres away from him. 10 BX87 was to my right. Mr Amman faced us. He and 11 I locked eyes. He looked beyond me and made a forward 12 motion with the knife in front of him. I thought he was 13 going to stab me, my colleague, anyone who came out of 14 Boots, or he might run into Boots. I like to think 15 I said, Stop, 'Police, drop the knife', but I've no 16 recollection. I was in immediate fear for my life. 17 I was less than 3 metres from him. I fired one shot at 18 his chest. He was moving forwards. If I let him make 19 the next move his action would beat my reaction. If 20 I hadn't shot him virtually immediately he'd have been 21 on me. I believed I was to be his next victim. 22 "BX87 fired at almost the same time. I saw no 23 reaction from Mr Amman, he was still the same threat, so 24 I fired another shot. He fell to the ground, so did the 25 knife. The plastic bag moved enough for me to see the</p> <p style="text-align: center;">Page 114</p>	<p>1 The centre of the chest is the quickest and easiest 2 place to stop someone, it's also the biggest target." 3 In answer to Mr Sheldon he said that on his way to 4 and from Streatham High Road Mr Amman walked slowly, 5 taking notice of people and vehicles, which was 6 potentially anti-surveillance behaviour. 7 "The briefing made it clear that he'd done that 8 before, each time he'd been out and about, so this 9 wasn't at all different and was the same as I'd seen the 10 day before. I'd radioed that the bag was virtually 11 empty to make it clear I didn't think it contained 12 a weapon. There was nothing at the time which concerned 13 me about a bag near a shopping street. The way he wore 14 it didn't concern me either." 15 He said: 16 "I thought his right hand could readily access the 17 bag the way it was. With hindsight, I can see other 18 reasons for how it was, but nothing occurred to me at 19 the time. If there had been a decision to stop him 20 before the incident it would come from the information 21 being given by my team leader for the tactical firearms 22 commander, and then I would imagine that the first 23 decision would come immediately from the TFC but in 24 conjunction with the strategic firearms commander and 25 the senior SO15 investigating officer."</p> <p style="text-align: center;">Page 116</p>

29 (Pages 113 to 116)

<p>1 BX87 is a police constable who joined the police in 2 2007. He'd been a surveillance officer for just under 3 a year at February 2020. He was firearms and taser 4 authorised. He'd also been deployed on the 27th and the 5 28th of January on this operation.</p> <p>6 On Saturday the 1st he was made aware it was now 7 a firearms operation. Went to the briefing, would have 8 had his Glock and his taser, been told about items 9 purchased, and that propaganda websites had said they 10 could be used to make a suicide vest. He said:</p> <p>11 "I knew of the notes found in his prison cell, and 12 the fact that he'd had access previously to material, 13 including film of beheadings. I was aware an arrest car 14 was assigned to us, an ARV. Tipping points were 15 explained to us.</p> <p>16 "The briefing officer, who is normally relaxed, this 17 time he was concerned about the risk Mr Amman posed. He 18 said something like, 'Stay safe, I've got a funny 19 feeling about this job.' I saw Mr Amman for just a few 20 seconds on the 1st walking very, very slowly. Before he 21 entered the approved premises [this is on the 1st], he 22 gestured to a man opposite who then walked towards the 23 approved premises."</p> <p>24 And the briefing on the Sunday, armed with a Glock 25 and a taser, deployed 2 or 300 metres from the bail</p> <p style="text-align: center;">Page 117</p>	<p>1 Store that sold everything and it will definitely sell 2 knives. I started walking back towards the high road. 3 BX113 asked someone to go in the shop, I'd anticipated 4 that, and I asked BX89 to guide me to the right shop."</p> <p>5 He said he could see Mr Amman in the doorway of the 6 shop.</p> <p>7 "I got to within 15 or 20 metres of the store when 8 I heard a commotion from the entrance. I saw Mr Amman 9 running from the store, saw a really large knife 10 outstretched in his right hand, a carving-type knife. 11 His arm was between waist and shoulder height, he ran 12 north, he hadn't spotted me. I chased after him. He 13 approached a lady and he plunged a knife into her upper 14 back. The footpath seemed crowded, she spun round, 15 I thought it would cause a fatal injury, the blade 16 disappeared."</p> <p>17 In fact, as you know, she didn't sustain injuries, 18 I think it was -- we'll come to it -- it was 19 a 2-centimetre cut.</p> <p>20 "He didn't pause at all. I'm quite a quick runner 21 and I didn't close the gap at all. I thought he was 22 stabbing whoever he was closest to as he ran. I heard 23 him shout really clearly, 'Allahu Akbar', God is 24 Greatest. I realised this was a terrorist attack and he 25 was looking to attack as many as possible. I wanted to</p> <p style="text-align: center;">Page 119</p>
<p>1 hostel. 1.25, Mr Amman was seen at the bus stop with 2 the bag, he knew that, he walked in the general 3 direction of Streatham High Road. BX89 said the bag 4 appeared quite empty.</p> <p>5 You've obviously to remember the surveillance 6 officers aren't looking at film of him with the bag as 7 we've done. It's a very obvious point, but they can't 8 stand and stare at him for obvious reasons, they're 9 getting much shorter opportunities to see. A matter for 10 you, may that be one understandable reason which is part 11 of why they didn't attach significance to the bag at the 12 time? They're not watching CCTV for ages on end. Or 13 should it have had significance at the time that they 14 all missed for some reason? That's for you to consider.</p> <p>15 "I saw him at Streatham High Road. He looked up and 16 down the road, looked lost, walked south. I went into 17 a public house because a colleague said he was better 18 placed to observe. BX75 said he'd crossed the road and 19 then he was now walking north. Saw him for a matter of 20 seconds. Came out of the pub, crossed the road to the 21 same side as him, couldn't see him, started going in the 22 same direction northbound. BX75 said he'd stopped and 23 was now coming in my direction. I walked into Prentis 24 Road, behind me.</p> <p>25 "Then BX89 said Mr Amman had gone to the Low Price</p> <p style="text-align: center;">Page 118</p>	<p>1 draw his attention. I shouted 'Stop, armed police' as 2 loudly as I could and I continued shouting it.</p> <p>3 I considered if I could fire as he was running, but if 4 I stopped and took aim he would be further away and the 5 pavement had pedestrians on it. I couldn't keep direct 6 sight of him, he came in and out of my view. I didn't 7 know what my colleagues were doing, I didn't hear BX75 8 shot. I was in the road. He stopped and turned round. 9 My momentum carried me towards him. He was about 10 15 metres from me when he stopped. I closed the gap to 11 about 5 metres as I was processing that he'd stopped. 12 I drew my firearm, he turned round, he had the knife in 13 his right hand, the blade towards me. It's clear he was 14 intent on attacking me or the public. I'd continued to 15 shout, 'Armed police, drop the knife.' He took a number 16 of paces towards me, there were 3 or 4 metres between 17 us, it dawned on me I was going to get stabbed and he 18 would try and kill me."</p> <p>19 And then we had a break because the memory of this 20 was distressing to him.</p> <p>21 "I aimed my gun and fired a shot at his main body 22 mass, his torso. I constantly shouted, 'Drop the 23 knife.'" The first shot didn't appear to have any 24 effect. I fired twice more at his central mass. Our 25 training is to fire until we see a reaction. At this</p> <p style="text-align: center;">Page 120</p>

1 stage he fell to the ground.
 2 "I remember hearing shouting, I wasn't sure if it
 3 was people on the radio or a colleague next to me.
 4 I thought I was on my own at this point. His right hand
 5 was outstretched towards me with a knife in it
 6 initially. I shouted, 'Drop the knife.' Then I could
 7 see the daylight between his hand and the knife.
 8 I kicked the knife away and intended to provide
 9 first-aid. However, I heard BX75 shout, 'The device,
 10 the device', and I saw he had what appeared to be
 11 an explosive device under his jacket. I thought I could
 12 get blown up and so I withdrew. I'd always treat it as
 13 a real device unless I know otherwise."
 14 And then he helped with the aftermath which we don't
 15 need to deal with.
 16 Again, Mr Menon very fairly said that on behalf of
 17 the family he accepted that BX87 had no other realistic
 18 option than to fire in the circumstances.
 19 The last of the two that I'm going to deal with,
 20 BX76, a police constable. He had been a police officer
 21 for 20 years with 10 years in surveillance. Authorised
 22 to use a taser and firearms. Took part in the operation
 23 when it was unarmed, then armed. Was involved on the
 24 1st at the briefings.
 25 On the 2nd he went to the briefing. Was armed with

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1 a handgun and a taser.
 2 Saw him coming towards him on Valley Road at one
 3 point -- this on the 2nd -- from 20 to 30 metres. He
 4 had a JD Sports bag to his front. He said it seemed
 5 a bit of an unusual way to carry the bag. He said:
 6 "I went to Prentis Road. I heard on the radio that
 7 he looked lost as he walked up and down the High Road.
 8 I saw him looking around himself, I thought he might be
 9 going to get picked up. I heard he'd entered Low
 10 Price."
 11 A colleague transmitted he was stabbing people, and
 12 then he went and saw Mr Amman on the ground.
 13 Not much to go and I'm going to press on. Are you
 14 all all right? I think it's as well.
 15 Mr Beegan was the explosives officer who assessed
 16 and removed the device. He said that the silver foil
 17 had no technical significance, it just stopped you
 18 seeing what was in the bottles. Once he determined it
 19 was a hoax device, ambulance personnel examined
 20 Mr Amman's body, confirmed he was dead. Subsequently,
 21 Dr Fegan-Earl carried out the post-mortem examination.
 22 Fiona Ritchie, the ballistics expert, was present for
 23 that. The cause of death was 1A, shock and haemorrhage,
 24 due to 1B, gunshot wounds to the neck and abdomen. He
 25 had been hit by three or four bullets. Even if the hoax

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1 device hadn't had to be checked, given the time the Air
 2 Ambulance takes to arrive, Dr Fegan-Earl said there
 3 wasn't a realistic possibility that earlier treatment
 4 would have saved him.
 5 Fiona Ritchie confirmed that one shot had broken the
 6 glass at Lidl, then five shots had been fired at Boots
 7 of which three or four had hit him. They're all expert
 8 witnesses, you don't of course have to accept the
 9 evidence of an expert witness if you think there's good
 10 reason not to, but none of this was controversial.
 11 We heard from a number of civilian witnesses
 12 Jagmon Singh at Low Price ran after Mr Hassan for a hit,
 13 saw him stab a lady once in the back, then Mr Singh
 14 turned back.
 15 Barbara Wallace saw Mr Amman shortly in the shore
 16 before he ran out.
 17 Jessica Laird saw him stab -- or strike casualty
 18 one, the lady, with what she said just looked like
 19 a flick of his arm. In fact, it must be when he stabbed
 20 him (sic). He then appeared to bump into casualty 2,
 21 the male, carried on running and she heard shots.
 22 Bipin Singh was in his car. Saw Mr Amman come out
 23 of the shop and run north. He thought he punched the
 24 lady with the bicycle on her back but later realised she
 25 had been stabbed. Then Mr Amman went towards a man and

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1 made a movement with his hands, it must be Casualty 2.
 2 He said that a man running behind Mr Amman was shouting,
 3 "Stop, police, stop." Shouted it many many times. When
 4 Mr Amman got to Boots, Mr Singh heard gunshots.
 5 Fida Hussain heard what must have been a police
 6 officer shout "stop" a few times when Mr Amman was
 7 running.
 8 Katherine Day and Thomas Baldwin were in their car.
 9 Ms Day saw Mr Amman run out of the shop and the man
 10 shouting "stop". She saw him lunge towards the top of
 11 the first casualty's arm but still running as he did so.
 12 Saw him lunge towards Casualty 2, he stabbed him in the
 13 side, he didn't pause but carried on. He approached
 14 a group and lunged at someone in the group with the
 15 knife but it didn't connect. Went out of sight. She
 16 heard two people shouting and running who you may think
 17 must be police officers. Then heard three or four
 18 gunshots from up ahead. She and her partner tried to
 19 help Casualty 2 along with other people.
 20 Her partner, Mr Baldwin, saw Mr Amman running with
 21 a knife in his hand. He saw him stab Casualty 2 once
 22 and run off. They stopped to help the man and he heard
 23 gunshots.
 24 Timothy Hudson saw what he later realised were
 25 police officers running after a man who had something in

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<p>1 his hand, they stopped at Boots. The man was waving 2 a machete around. They shouted for him to put it down 3 several times. Shots were fired and the man fell to the 4 ground.</p> <p>5 Slawomir Kudla looked out of her window. She could 6 see a man outside Boots, three men, she thought, 7 continually speaking to him in short commands. He had 8 a knife. He moved towards the men, a sudden movement, 9 as if he was getting ready to attack, a lunging 10 movement, and then she heard three gunshots.</p> <p>11 Omolara Ochei saw Mr Amman running and a police 12 officer running after. He shouted something, maybe 13 "stop". She believed the police officer fired in the 14 air. Well, we know that didn't happen, wrong about 15 that. She heard more shots, and when she looked back 16 out Mr Amman was on the ground.</p> <p>17 Of course they were, none of them, trained to 18 observe, things it's all fast-moving, unexpected, and no 19 doubt confusing and perhaps frightening, depending on 20 how close you are. Different people saw different parts 21 and they may not have got every detail correct, but you 22 may think -- it's a matter for you -- that overall you 23 have a broadly consistent picture from what all the 24 witnesses told you, police, the civilians, and of course 25 you have the film compilation that you've seen too.</p> <p style="text-align: center;">Page 125</p>	<p>1 since 2004, in surveillance since 2010, and he's been 2 the surveillance unit training manager since 2017. 3 Nothing turns on the details. If you think it does then 4 you heard it, you'll take it into account, but you may 5 think nothing turns on the detail, but there's obviously 6 training programmes for surveillance officers.</p> <p>7 As you know, some surveillance may be armed, some 8 unarmed. If officers are trained in the use of firearms 9 their training is provided by the firearms department. 10 Armed surveillance officers are trained to carry 11 firearms to defend themselves and to protect the public 12 in a spontaneous incident. If they draw their firearms 13 to use them that's usually their decision because it 14 will have arisen spontaneously.</p> <p>15 If surveillance officers are on an operation and 16 it's decided that a stop or an arrest is needed, but not 17 because there's an immediate threat to life, then the 18 team leader would communicate that to the tactical 19 firearms commander and the senior investigating officer, 20 and they'd arrange for an armed response vehicle, or one 21 of those MASTS teams, mobile armed support to 22 surveillance, to come and do it. If the decision needed 23 to be made more quickly, the tactical firearms commander 24 can make the decision him or himself.</p> <p>25 He said that in the situation here with Mr Amman in</p> <p style="text-align: center;">Page 127</p>
<p>1 Detective Constable Luke Williams returned to the 2 witness box and told you that the police had taken 3 statements from the lady and the man who were stabbed, 4 and we are just calling them the lady and the man, 5 Casualty 1 and 2, I'm sure you understand, but not out 6 of any disrespect but just to protect their privacy.</p> <p>7 The lady had her bike with her. She'd passed Low 8 Price, heard people running behind her -- this is what 9 she described -- feeling someone pushing her with their 10 arm or their body to her left shoulder and then she felt 11 a pain to her right shoulder. She heard people say 12 she's been stabbed. She heard shots, people helped her, 13 somebody came with bandages and then paramedics. She 14 has a 2-centimetre wound on her back and was discharged 15 from hospital after a couple of hours.</p> <p>16 The male victim didn't realise he had been stabbed 17 until he saw blood. He fell over and people came to 18 help him as well. Then the ambulance came and he was 19 taken to hospital and they had to do more incisions for 20 surgery.</p> <p>21 So after we'd heard all that evidence, two witnesses 22 spoke about the surveillance and firearms side of the 23 operation.</p> <p>24 Inspector McCarthy, from the covert policing 25 department of the Metropolitan Police, a police officer</p> <p style="text-align: center;">Page 126</p>	<p>1 possession of a knife and posing an immediate threat to 2 the public and to the surveillance officers, he'd expect 3 them to have done what they did here, ie get straight on 4 with it and use their weapons if they needed to, without 5 waiting for authorisation from anyone else, by which 6 time obviously it would be too late.</p> <p>7 Finally, Superintendent Ross McKibbin is the head of 8 counter-terrorism and specialist operations within the 9 Metropolitan Police Specialist Firearms Command or 10 department.</p> <p>11 He joined the Metropolitan Police in 1995; Firearms 12 Command in 2012. Whilst there he qualified as 13 a strategic firearms commander. He explained -- and 14 again I'm just going to do it in outline -- but that the 15 national College of Policing identifies the minimum 16 training requirements for particular aspects of 17 different firearms roles in the police, and he checked, 18 and all the firearms officers in this case were all up 19 to date with their training, the armed surveillance 20 officers, the ARV officers, the various advisers, 21 commanders, there's different training for the different 22 roles.</p> <p>23 He said that the tactical firearms adviser will be 24 a very experienced, authorised firearms officer, 25 tactical adviser in this case was also the highest level</p> <p style="text-align: center;">Page 128</p>

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<p>1 of tactical adviser. Armed surveillance officers are 2 trained to deal with someone who suddenly presents 3 an immediate threat to the public and/or to themselves, 4 as happened here. Otherwise, if it was a planned 5 intervention or interception, the correct way of dealing 6 with it would be an ARV or a MASTS team, the mobile 7 armed support to surveillance, if one was attached to 8 the operation, although there wasn't one on the 2nd. 9 He said you could use armed surveillance officers 10 for a planned stop of a subject. He said all firearms 11 officers have first-aid training and to a higher level 12 than ordinary police officers. He spoke about the 13 limitations of tasers and said that in this situation 14 he'd have expected the officers to use their firearms. 15 He confirmed that officers shoot to stop, and to fire at 16 the torso, which is the biggest target. He said trying 17 to shoot someone in the hand, for example, is incredibly 18 difficult to do, and of course, if you miss, you may be 19 in great danger. 20 He was asked about the potential for a stop and 21 arrest of Mr Amman in the period between him leaving the 22 approved premises on Sunday 2 February and the attack 23 itself, a period of a little over 30 minutes, also. He 24 was asked to consider the situation if the armed 25 surveillance officers had thought he was behaving</p> <p style="text-align: center;">Page 129</p>	<p>1 risk-management, not risk avoidance. And avoiding the 2 risk really just displaces the risk to another day. 3 "Actually, if we intervene too early, if we 4 stop-and-search the individual and find nothing, or if 5 we tip our hand that we are mounting some kind of 6 operation on them, all you've done is displaced the risk 7 to another day, when actually we'll have no control over 8 them because they'll know about our presence, they'll 9 change their plans and do something completely 10 different. And then we'll actually have increased the 11 risk to the public, not reduced it. 12 "So what the tactical firearms commander will want 13 to do is to ask the surveillance officers why they feel 14 that. Speak to the counter-terrorism senior 15 investigating officer in the circumstances described. 16 See if there's any evidence of an offence, or whether or 17 not we've reached a threshold for stop and arrest." 18 Circumstances, the hypothetical circumstances that 19 have been described to him, that wouldn't reach any kind 20 of threshold for anyone to take any kind of mitigating 21 action. It is obviously all relevant to the issue of 22 whether there should have been a stop on 2 February. 23 "If it was decided to stage some kind of 24 intervention because someone was acting suspiciously, it 25 would be armed officers in an ARV you'd use, assuming</p> <p style="text-align: center;">Page 131</p>
<p>1 sufficiently strangely or suspiciously to merit 2 a potential stop or search, not appearing to be about to 3 attack anyone but acting in a suspicious manner. He was 4 asked to imagine the tactical firearms commander, the 5 TFC, had been contacted in that situation, what would 6 the options be? He said under those circumstances no 7 TFC will take unilateral action on their own. Although 8 the TFC is in tactical command of the deployment, 9 they're still working in collaboration with the 10 counter-terrorism senior investigating officer, or 11 whoever has delegated responsibility in the 12 investigation room. Well, HA6 was that person. 13 The investigation, he said, has been running for 14 some time: 15 "I'm sure I've been involved in lots of 16 counter-terrorism operations. Not short lived. Lots of 17 planning. Extensive deployments. No tactical firearms 18 commander is going to make unilateral decisions based on 19 that kind of information." 20 "Subject acting suspiciously means what?" 21 "You're trying to achieve sustained public 22 protection in any kind of firearms deployment, whether 23 it's criminal or terrorism. You're trying to achieve 24 an outcome that will result in the individual no longer 25 being a threat to the public. We're in the business of</p> <p style="text-align: center;">Page 130</p>	<p>1 there was no practical reason why that was not possible. 2 They have the training for it and they don't compromise 3 the covert nature of the operation. They're uniformed 4 officers and don't give away that plain-clothes officers 5 are involved in the operation." 6 He said that there could be a situation where 7 a subject demonstrated a risk which called for an 8 interception even though you couldn't be absolutely 9 confident that you would get a prosecution at the end of 10 it. Suppose, for example, someone might be wearing 11 a real, might be wearing a real improvised explosive 12 device. If he thought they might have a real IED, you 13 can see why you might stop them, because if they did 14 have a real device the consequences would be so 15 terrible, they might not have and there might not be 16 a prosecution, but the consequences, if they have one, 17 would be that bad. Here, of course, no one thought that 18 he had got hold of explosives. The worry was that he 19 might be making a fake suicide belt. Do you think you 20 might reasonably be slower to intervene in that stage 21 and so keep the advantage of secrecy than if he was 22 thought to have a real bomb? A matter, like all these 23 things, entirely for you. 24 He dealt with searches. He said if there was to be 25 an overt search by the police of the approved premises</p> <p style="text-align: center;">Page 132</p>

<p>1 that would have to be supported by armed officers. The</p> <p>2 fact that armed surveillance had been authorised</p> <p>3 suggested that the nature of the threat required</p> <p>4 an armed response. He said that would be a significant</p> <p>5 undertaking, they'd want control of the location before</p> <p>6 going in.</p> <p>7 Would it be acceptable, do you think, to send</p> <p>8 an unarmed police officer in to do an overt search of</p> <p>9 a terrorist offender's room where there may be something</p> <p>10 the offender doesn't want found? That's obviously</p> <p>11 a consideration for you to consider. Would it be</p> <p>12 acceptable to ask someone employed by the charity who</p> <p>13 ran the hostel to do that? Again, these are all</p> <p>14 questions and factors for you to consider.</p> <p>15 He was asked, if you were looking to search the</p> <p>16 whole premises on the basis that he might have hidden</p> <p>17 the item in a communal area, someone else's room in the</p> <p>18 garden, one of the activity rooms, or whatever, he was</p> <p>19 asked what then? He said if you were searching the</p> <p>20 entire building that would be an even more significant</p> <p>21 operation, the entire premises would need to be emptied</p> <p>22 first. As for getting staff to do an overt search, he</p> <p>23 said safety would be an important consideration and he</p> <p>24 would always prefer police to carry out a search for</p> <p>25 themselves.</p> <p style="text-align: center;">Page 133</p>	<p>1 If you would like further directions or to be</p> <p>2 reminded of any evidence, just pass a note to the Jury</p> <p>3 Bailiff and you'll be brought back into court.</p> <p>4 When you've completed your task, you should inform</p> <p>5 the Jury Bailiff, and I will check the questionnaire</p> <p>6 you've prepared, and then you'll be brought back into</p> <p>7 court to deliver your conclusions.</p> <p>8 Then, finally, just a warning that you had, as</p> <p>9 you'll remember right back when you first came into this</p> <p>10 courtroom, you decide the case only on the evidence</p> <p>11 you've heard in court, you mustn't carry out your own</p> <p>12 research, mustn't discuss the case except with other</p> <p>13 jurors now when you're all together in the jury room.</p> <p>14 All right? Now, so far as some exhibits are</p> <p>15 concerned, there's your jury file which you have. If</p> <p>16 there was any part of the film compilation that you</p> <p>17 wanted to see then you just need to detail which bit</p> <p>18 that is in a note, and we'll have you back into court</p> <p>19 and get it arranged so that you can watch it. That</p> <p>20 said, we've seen it more than once.</p> <p>21 All right?</p> <p>22 Now I'm just going to see if there are any mistakes</p> <p>23 I've made. Any? No, all right, there we are.</p> <p>24 And there we are. We'll send that out with you in</p> <p>25 due course, but that's the copy of the inquest record</p> <p style="text-align: center;">Page 135</p>
<p>1 All right? Now, do you remember -- it was a while</p> <p>2 ago now -- but at the end of the legal directions</p> <p>3 document that we looked at this morning there's a bit</p> <p>4 that says "Final directions", and I said we'd come back</p> <p>5 to it. Well, now is the time.</p> <p>6 Do you have that all right?</p> <p>7 If you go to the last bit of that that's headed</p> <p>8 "Final directions". Do you have that all right?</p> <p>9 So when the Jury Bailiff or Bailiffs have been</p> <p>10 sworn, you should leave the courtroom together, you'll</p> <p>11 go to your jury room, and consider your conclusions.</p> <p>12 Your task, as you know, is to complete the</p> <p>13 questionnaire, as well as the individual copies that you</p> <p>14 do have. You'll be given a master copy to record your</p> <p>15 final version.</p> <p>16 If you haven't already done so, you'll want to</p> <p>17 choose someone to be your foreman or forewoman, someone</p> <p>18 to chair your discussions and speak on your behalf when</p> <p>19 you return to court.</p> <p>20 I'm sure this doesn't need saying, but I say it in</p> <p>21 every case, just in case. It's obviously important that</p> <p>22 everybody has their say, and is listened to with</p> <p>23 respect, and that your discussions are conducted</p> <p>24 politely and courteously at all times. I'm absolutely</p> <p>25 sure they would be.</p> <p style="text-align: center;">Page 134</p>	<p>1 which I'll send out too.</p> <p>2 All right?</p> <p>3 (The Jury Bailiff was sworn).</p> <p>4 (The jury retired to consider their conclusions at 1.33 pm)</p> <p>5 (In the absence of the jury - extracted)</p> <p>6 (1.35 pm)</p> <p>7 (The short adjournment)</p> <p>8 (2.35 pm)</p> <p>9 (Jury deliberation continues)</p> <p>10 (3.36 pm)</p> <p>11 (In the absence of the jury - extracted)</p> <p>12 (3.39 pm)</p> <p>13 (In the presence of the jury)</p> <p>14 MR JUSTICE HILLIARD: Members of the jury, thank you very</p> <p>15 much for your note which I will just read out so it goes</p> <p>16 on the record and then tell you the answer.</p> <p>17 Two questions:</p> <p>18 "Why was the shot fired outside Lidl not included in</p> <p>19 the basic facts statement?"</p> <p>20 Then:</p> <p>21 "How many shots fired in total? Five or six?</p> <p>22 Including Lidl or not?"</p> <p>23 The answer to the first question is simply this.</p> <p>24 Inevitably a degree of selection takes place in</p> <p>25 identifying what the basic facts are, but if you think</p> <p style="text-align: center;">Page 136</p>

<p>1 it should be included you can quite properly do that. 2 Okay? 3 Then so far as the second question is concerned: 4 outside Lidl, BX75 fired one shot; outside Boots BX75 5 fired two shots; and BX87 fired three shots. So the 6 answer to the question is six in all, Lidl is included. 7 Okay? Thank you. 8 (The jury retired again to consider their conclusions at 9 3.40 pm) 10 (In the absence of the jury - extracted) 11 (3.41 pm) 12 (Jury deliberation continues) 13 (4.35 pm) 14 (In the presence of the jury) 15 MR JUSTICE HILLIARD: All right, members of the jury, so 16 we'll break off there. The usual reminders, I know you 17 know them so well, but please just be so careful not to 18 communicate with anybody in any way about the case, no 19 researches of your own. If we start at 9.30 tomorrow, 20 is that all right? 21 Just this, can you be very careful when you get here 22 not to start deliberating until I've had you into court 23 and formally sent you out. The reason for that is 24 simply this, there are very strict rules about keeping 25 records of how long juries are deliberating for, and if</p> <p style="text-align: center;">Page 137</p>	<p style="text-align: center;">1 I N D E X 2 3 Summing-up 1 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 139</p>
<p>1 you start before I know, then we won't be able to do 2 what we're supposed to. So if you could just be careful 3 not to start until we're together in the morning, all 4 right? 5 (4.36 pm) 6 (The hearing adjourned until 7 Thursday, 19 August 2021 at 10.00 am) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 138</p>	

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