

<p>1 Thursday, 5 August 2021</p> <p>2 (10.09 am)</p> <p>3 Discussion in the absence of the jury</p> <p>4 (10.19 am)</p> <p>5 Proceedings (in the presence of the jury)</p> <p>6 MR JUSTICE HILLIARD: Good morning, ladies and gentlemen.</p> <p>7 Just before we start, and we are going to start,</p> <p>8 can I just give you an explanation.</p> <p>9 Juror number one has telephoned in this morning and</p> <p>10 is unwell. Not Covid. He's had that before and knows</p> <p>11 what that is, and he's provided a negative test and sent</p> <p>12 that, and we have seen that. Rest assured we will</p> <p>13 continue to monitor that, but it's not that. But he's</p> <p>14 not well enough today, he's very confident that he won't</p> <p>15 be well enough tomorrow, and uncertain with Monday.</p> <p>16 I do have power to discharge a juror and carry on</p> <p>17 with the ten of you, and I tell you now that is what we</p> <p>18 are going to do. We have a timetable for all concerned,</p> <p>19 including you, which we want to keep to if we can.</p> <p>20 There is obviously some leeway, of course there is, but</p> <p>21 there is so much uncertainty about this, it definitely</p> <p>22 means losing two days, no certainty about Monday. You</p> <p>23 could all come along on Monday and nothing happen. So</p> <p>24 in those circumstances I am satisfied that the balance</p> <p>25 comes down in favour of discharging him and carrying on</p> <p style="text-align: center;">Page 1</p>	<p>1 A. I was the head of the London Extremism, Gangs &</p> <p>2 Organised Crime Unit for the Probation Service.</p> <p>3 Q. Do you appreciate you are giving evidence both in</p> <p>4 relation to your own involvement in Sudesh Amman's case</p> <p>5 and about procedures relevant to his case?</p> <p>6 A. I do.</p> <p>7 Q. First of all, can you remind us of the make-up of the</p> <p>8 London Extremism, Gangs & Organised Crime Unit. Who</p> <p>9 forms part of that unit?</p> <p>10 A. At the time, I was the head of the unit. I had one</p> <p>11 senior probation officer who oversaw the work of the</p> <p>12 probation officers, and I had three probation officers</p> <p>13 who specialised in monitoring extremist offenders.</p> <p>14 I also had two probation officers who specialised in</p> <p>15 advising gangs and serious organised crime work.</p> <p>16 Q. Is right, as we have heard from Mr Campbell, that</p> <p>17 a probation officer within your unit would become</p> <p>18 involved in the management of an offender some time</p> <p>19 before that offender was released?</p> <p>20 A. That's correct.</p> <p>21 Q. We have also heard that if an offender was to be managed</p> <p>22 under MAPPA, multi-agency public protection</p> <p>23 arrangements, the referral would be made some time</p> <p>24 shortly before release, and for those managed at levels</p> <p>25 2 and 3, there would be MAPPA meetings taking place</p> <p style="text-align: center;">Page 3</p>
<p>1 with the ten of you, which, as I say, is what we are</p> <p>2 going to do.</p> <p>3 Just by way of addition to that, he now, obviously,</p> <p>4 becomes someone outside your number, so you mustn't</p> <p>5 communicate with him in any way about the case. The</p> <p>6 conclusions will now be the conclusions of the ten of</p> <p>7 you and only you ten, as I explained to you right at the</p> <p>8 start. So the discharged juror doesn't play any part</p> <p>9 anymore.</p> <p>10 All right? Everyone all right? Good.</p> <p>11 Yes, Mr Hough.</p> <p>12 MR HOUGH: Sir, today's first witness is Carina Heckroodt.</p> <p>13 MS CARINA HECKROODT (sworn)</p> <p>14 MR JUSTICE HILLIARD: Thank you. Good morning.</p> <p>15 Questions by MR HOUGH</p> <p>16 MR HOUGH: Would you please give your full name for the</p> <p>17 court.</p> <p>18 A. My full name is Caterina Wilhelmina, although for my</p> <p>19 witness statement purposes it is Carina Heckroodt.</p> <p>20 Q. Carina Heckroodt. Ms Heckroodt, you understand that</p> <p>21 I am asking you questions on behalf of the Coroner; you</p> <p>22 may then have questions from other lawyers?</p> <p>23 A. That's correct.</p> <p>24 Q. What was your occupation in the period we are concerned</p> <p>25 with, 2019 and early 2020?</p> <p style="text-align: center;">Page 2</p>	<p>1 before release; is that right?</p> <p>2 A. That's correct. At least six months before release.</p> <p>3 Q. Was it any part of your role to be involved in MAPPA</p> <p>4 meetings for extremist offenders in your area?</p> <p>5 A. I was the chair of the MAPPA level 3 meetings.</p> <p>6 Co-chair.</p> <p>7 Q. Co-chair along with a police officer, I think?</p> <p>8 A. Yes, from SO15.</p> <p>9 Q. In addition, was another aspect of your role to liaise</p> <p>10 regularly with the Terrorist Offender Management Unit</p> <p>11 within SO15?</p> <p>12 A. That's correct.</p> <p>13 Q. What subjects would you liaise with that unit about?</p> <p>14 A. All aspects with regard to the management of the cohort</p> <p>15 of extremist offenders.</p> <p>16 Q. Did you at the time we are concerned with have</p> <p>17 a security clearance level which allowed you to secret</p> <p>18 information from partner agencies?</p> <p>19 A. Yes, I did.</p> <p>20 Q. Including the Security Service?</p> <p>21 A. That's correct.</p> <p>22 Q. So it may be that at times during your evidence, we may</p> <p>23 touch upon matters where you received secret</p> <p>24 information?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 4</p>

<p>1 Q. It may even be that you may be asked a question and you 2 may not be able to give a full answer, or you may have 3 to say you will need to consult with somebody before 4 giving an answer; is that right?</p> <p>5 A. That's right.</p> <p>6 Q. If that happens, it is not because you are being cagey, 7 it is because you have to be careful about your answers 8 in order to protect the public generally?</p> <p>9 A. Yes.</p> <p>10 Q. May I then turn to the involvement of the Probation 11 Service with Sudesh Amman from the time of his sentence 12 to his release. If you have your statement in front of 13 you, you address this from page 4 of your statement 14 onwards.</p> <p>15 We know that on 17 December 2018 Sudesh Amman was 16 sentenced to 40 months of adult custody after pleading 17 guilty to 16 counts of offences of obtaining and 18 disseminating terrorist materials. You are aware of 19 that?</p> <p>20 A. I am aware of that.</p> <p>21 Q. When did the Probation Service first become involved 22 with him?</p> <p>23 A. The Probation Service normally becomes involved just 24 after -- well, sometimes during sentence because we 25 would write pre-sentence reports for the courts. We</p> <p style="text-align: center;">Page 5</p>	<p>1 A. In the Joint Extremism Unit, there are counter-terrorist 2 probation liaison officers, the lead officers. So 3 that's senior probation officer grade, so each region 4 had one. So I had one person I was working with. And 5 there's also the CTPOs, which stands for 6 counter-terrorist probation officers, which form part of 7 that team. They specialise in terrorism.</p> <p>8 Q. We may sometimes see in the documents reference to 9 a counter-terrorism probation officer working on 10 Sudesh Amman's case called Louise Nelson?</p> <p>11 A. That's correct.</p> <p>12 Q. Was she one of those specialist officers who supported 13 the main probation officers?</p> <p>14 A. She was.</p> <p>15 Q. May I then turn to the responsibilities of an offender 16 manager such as Mr Campbell in dealing with Mr Amman. 17 Is it right that somebody like Mr Campbell, an offender 18 manager, would have a number of cases at any one time 19 and, in your unit, potentially a range of different 20 types of offender?</p> <p>21 A. In my unit, specifically, he would have only extremist 22 cases at that time. So at the time in February he had 23 a case load of eleven, of which six people were in the 24 community, and that was his case load.</p> <p>25 Q. While the offender was in prison, what would the</p> <p style="text-align: center;">Page 7</p>
<p>1 didn't at that time, because there was a request for 2 a pre-sentence report but he just didn't want to engage 3 with that. So my team got involved with the management 4 of Sudesh Amman after sentencing when he was allocated 5 to my team.</p> <p>6 Q. At that time, so December 2018, was he allocated 7 Mr Campbell specifically as an offender manager?</p> <p>8 A. That's correct.</p> <p>9 Q. As we have heard already, while he was in custody he was 10 also overseen, more intensively, perhaps, by 11 a prison-based offender manager from the Probation 12 Service?</p> <p>13 A. Yes, an offender supervisor within the prison.</p> <p>14 Q. Is it right that that was initially a lady called 15 Ms Plaich(?) and then changed to Ms Blackwell in early 16 2019?</p> <p>17 A. That's correct. In January 2019, Clementine took on the 18 case.</p> <p>19 Q. Those are the probation staff primarily involved with 20 Sudesh Amman. Is it right that in addition, for 21 terrorist offenders, the Probation Service has a network 22 of specialist officers?</p> <p>23 A. That's correct.</p> <p>24 Q. Can you tell us about them, who they are and what they 25 do?</p> <p style="text-align: center;">Page 6</p>	<p>1 function of someone like Mr Campbell be?</p> <p>2 A. Mr Campbell needs to start to build a relationship with 3 the offender. He needs to start making contact with him 4 whilst in custody. He also needs to liaise regularly 5 with the offender supervisor, Clementine in custody 6 because she obviously will have more direct access and 7 contact with Mr Amman in custody, at least on a monthly 8 basis. So Mr Campbell will have less contact with him 9 at that time than what Clementine will have, but he 10 needs to start to build the relationship, he needs to 11 inform Mr Amman that he's his probation officer who will 12 oversee his case, and he needs to start gathering 13 intelligence and information to start doing assessments 14 pre-release so that he can also inform the MAPPa process 15 through that.</p> <p>16 Q. We have heard from Mr Campbell that he had various 17 meetings with Mr Amman while he was in custody, and 18 recorded them in brief on the Probation Service's Delius 19 note system. Is that standard practice?</p> <p>20 A. That is standard practice yes.</p> <p>21 Q. Was it also his responsibility to assist in the creation 22 of sentence plans for offenders?</p> <p>23 A. It was. He had to -- in assessment -- so he would do 24 the OASys assessment and he needs to chair on the 25 sentence-planning meetings with the prison.</p> <p style="text-align: center;">Page 8</p>

<p>1 Q. We have heard reference to some of the meetings he 2 attended being for sentence-planning purposes. 3 A. That's correct. 4 Q. You have told us that he would receive intelligence of 5 various kinds. Would he have direct access to prison 6 intelligence reports such as those we saw on the Mercury 7 Intelligence record? 8 A. No, he would not. He would have access to information 9 which the offender supervisor would share with him 10 through the normal routes of communication and he would 11 have access to more security-type information through 12 the MAPPA F form that would be submitted. 13 Q. By the time that the offender got to MAPPA management in 14 perhaps the last six months of their time in custody, 15 there would be MAPPA F forms produced before each 16 meeting which would contain detailed security 17 information and Mr Campbell would get information from 18 those? 19 A. That's correct. 20 Q. A few questions, please, about the OASys and ERG 21 assessment tools. The jury are familiar with these now 22 already, having seen the examples from Mr Amman's case. 23 Is it right that the OASys assessment is a tool 24 which is used for offenders generally, not limited to 25 extremists?</p> <p style="text-align: center;">Page 9</p>	<p>1 A. That's correct. 2 Q. Now, the risk given, as I say, was high, namely that an 3 event could happen at any time. In your experience of 4 what that risk rating reflected, how intensive 5 observation monitoring management of the offender would 6 that indicate? 7 A. Sorry, I don't think I understand the question 8 completely. 9 Q. I am sorry, I should have made it clearer. 10 We can read the assessment rating as a high risk of 11 serious harm, but in practical terms, what does that 12 translate into in terms of managing the offender? What 13 does that call for in terms of supervision, management 14 and planning? 15 A. So that would call for quite a range of controls with 16 regards to the risk because we have to be very clear 17 what the risk is in the first instance. Then we have to 18 think about how can we manage that risk and there's 19 certain factors we take into account. So once you 20 understand what the risk is about, then you put in place 21 the risk management plan with a variety of controls and 22 also interventions. You always try to balance your 23 interventions and your controls. 24 So, for a high risk – the higher risk of harm 25 somebody is assessed as, the more interventions and</p> <p style="text-align: center;">Page 11</p>
<p>1 A. Yes, that's correct. 2 Q. Whereas the ERG assessment is a tool which has been 3 prepared with expert input to try to come up with 4 a structured method of assessing the risks posed 5 specifically by extremist offenders? 6 A. Yes, that's correct. 7 Q. And the jury have seen that for the purposes of the 8 OASys assessment, a huge amount of information is put 9 down into a form and then the assessor comes up with an 10 overall risk rate, which can be low, medium, high or 11 very high? 12 A. That's correct. 13 Q. And that's a risk of the offender posing serious harm to 14 various categories of people, including the general 15 public? 16 A. That's correct. 17 Q. And the jury saw that Mr Campbell's overall assessment 18 of Mr Amman was that he posed a high risk of serious 19 harm to the general public? 20 A. That's correct. 21 Q. They have seen that the principal risk that Mr Campbell 22 identified was Mr Amman influencing or inciting others, 23 but that he also referred to Mr Amman potentially 24 committing an attack himself, by reference to the ERG 25 assessment?</p> <p style="text-align: center;">Page 10</p>	<p>1 controls you try build into the plan to prevent any 2 harm. 3 Q. Would a rating at that level put Sudesh Amman into the 4 category of some of the most high risk or serious risk 5 offenders your unit was managing? 6 A. Most of the extremists that we were managing at the time 7 were assessed as high risk, but he would be part of that 8 cohort, yes. 9 Q. The ERG assessment -- in general terms, the ERG reports 10 that we saw would be prepared by prison psychologists if 11 they were prepared while the offender was in custody; is 12 that right? 13 A. That's correct. 14 Q. In a sentence or two, what are ERG assessment reports 15 intended to help with? 16 A. ERG reports are focused specific on the extremism risk, 17 so it's supposed to help you understand what the risk is 18 with regard to specific extremist further offences. 19 Q. In what circumstances would an ERG assessment be 20 triggered? When would that sort of report be required 21 to be carried out? 22 A. For people who are convicted of terrorist offences and 23 who pose that type of risk. 24 Q. In what circumstances would ordinarily an ERG report be 25 updated or supplemented?</p> <p style="text-align: center;">Page 12</p>

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<p>1 A. It would ordinarily be updated in custody. We just -- 2 well, in the beginning time of the sentence, so within 3 six months normally, and then it would normally be 4 updated pre-release again just to make sure that any new 5 information or intelligence is actually incorporated or 6 if there is any change with regard to that risk. 7 Q. Were you aware, in advance of Sudesh Amman's release, of 8 the two ERG reports, the first one prepared by 9 Ms Cechaviciute in July 2019; the addendum report 10 prepared by Ms Patel in January 2020? 11 A. I am aware of them, yes. 12 Q. Before you began chairing the MAPPA meetings that 13 followed those reports -- certainly the first report -- 14 had you read it? 15 A. I would not read it in detail because I would await for 16 the officers in the MAPPA meeting to present those. 17 Q. Can we then turn to MAPPA. Can you confirm that the 18 MAPPA arrangements were established under a statute in 19 2003, the Criminal Justice Act? 20 A. That's correct. 21 Q. And does that lay down an obligation on the police, 22 Probation Service, Prison Service and others, to 23 cooperate in assessing and managing risks posed by 24 certain sorts of offenders including violent and other 25 dangerous offenders?</p> <p style="text-align: center;">Page 13</p>	<p>1 authority and NHS Trust? 2 A. That's correct. 3 Q. And would they vary from offender to offender? 4 A. Yes, it depends on the risk we were trying to manage. 5 Q. Page 51, please. We see here that there are three 6 levels of MAPPA management used to decide upon the 7 intensity of supervision for any given offender? 8 A. That's right. 9 Q. Is it right that level 1, in simple terms, is basic 10 management without the need for formal multi-agency 11 meetings? 12 A. That's correct. 13 Q. Level 2 is for offenders who require or justify 14 consideration at regular MAPPA meetings? 15 A. That's correct. 16 Q. And level 3 involves or covers those whose management 17 requires senior management participation from the 18 various agencies at the meeting? 19 A. That's correct. 20 Q. Take that off screen now. 21 Is it right that Sudesh Amman was managed at 22 level 3? 23 A. That's correct. 24 Q. Does that indicate a level of seriousness attached to 25 him?</p> <p style="text-align: center;">Page 15</p>
<p>1 A. That's correct. 2 Q. Is there detailed guidance on how the MAPPA arrangements 3 are supposed to work? 4 A. Yes, that's correct. 5 Q. Can we put that on screen INQ000079. 6 May we look at page 13, please, top part of the 7 page. Is it right that for MAPPA arrangements there is 8 always the "responsible authority", which means the 9 police, Probation Service and Prison Service acting 10 together? 11 A. That's correct. 12 Q. But if we go down the page, we see that for any given 13 offender, there will be one agency designated as the 14 "lead agency" with primary responsibility? 15 A. That's correct. 16 Q. For an offender such as Sudesh Amman, who was aged over 17 18 and was under probation supervision, who was the lead 18 agency? 19 A. The Probation Service was the lead agency. 20 Q. Page 18, please. Is it right that the Act provided for 21 a range of what are called "Duty to cooperate agencies", 22 other agencies who might participate in MAPPA meetings 23 and communications with other MAPPA agencies? 24 A. That's correct. 25 Q. Might they include agencies like the local housing</p> <p style="text-align: center;">Page 14</p>	<p>1 A. That does. 2 Q. You have told us that typically MAPPA management would 3 begin at least six months before an offender's release. 4 Is it right that in Sudesh Amman's case he was referred 5 in early June 2019, as we have heard from Mr Campbell? 6 A. That's correct. 7 Q. You then considered at MAPPA meetings in June, August, 8 October and December 2019? 9 A. That's correct. 10 Q. Is it right that on each of those occasions there would 11 be a gathering of agencies for a set of MAPPA meetings 12 dealing with one offender after another? 13 A. That's correct. 14 Q. Is it right that for each meeting a set of minutes would 15 be prepared recording what had been discussed? 16 A. That's correct. 17 Q. Is it right that all level 2 and 3 meetings would be 18 attended by representatives of police and probation as 19 parts of the responsible authority? 20 A. That's correct. 21 Q. And that in addition the lead agency -- so in Mr Amman's 22 case, the Probation Service -- would invite 23 representatives of other approach takers? 24 A. That's correct. 25 Q. Is it right that there is specific MAPPA guidance for</p> <p style="text-align: center;">Page 16</p>

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<p>1 terrorist offenders such as Mr Amman?</p> <p>2 A. That's correct.</p> <p>3 Q. Please put on screen the last document, INQ000079,</p> <p>4 page 125. We see there is a section for "Terrorists and</p> <p>5 domestic extremists" in the guidance. Page 128, zoom in</p> <p>6 on paragraph 24.26. We see that the guidance stresses</p> <p>7 the importance of information-sharing between agencies</p> <p>8 and managing security for offenders in this category?</p> <p>9 A. That's correct.</p> <p>10 Q. 24.28, the guidance suggests that:</p> <p>11 "Before the MAPPA meeting, the chair and MAPPA</p> <p>12 coordinator should meet to discuss any specific issues</p> <p>13 that relate to the management of the offender, the</p> <p>14 disclosure of information, and any other issues that may</p> <p>15 need to be agreed before the main meeting. This</p> <p>16 pre-meeting may also include members of Counter</p> <p>17 Terrorist Policing and, where appropriate, the SPO ..."</p> <p>18 Is that a senior probation officer?</p> <p>19 A. That's correct.</p> <p>20 Q. "... in the Extremist and Critical Public Protection</p> <p>21 Casework Section ... as well as other special branches</p> <p>22 of the police including the National Domestic Extremism</p> <p>23 Unit. The purpose of the pre-meeting is to ensure that</p> <p>24 the chair is fully briefed and is aware of all</p> <p>25 significant issues, and that levels of intelligence or</p> <p style="text-align: center;">Page 17</p>	<p>1 later. We can take that off screen now.</p> <p>2 We have heard that before each MAPPA meeting the</p> <p>3 offender supervisor, which is Ms Blackwell for Mr Amman,</p> <p>4 would prepare a MAPPA F sharing form; is that right.</p> <p>5 A. That's right.</p> <p>6 Q. If we put on the screen the first one of those in</p> <p>7 Mr Amman's case, INQ002136, do we see here the MAPPA F</p> <p>8 information-sharing report prepared in advance of the</p> <p>9 June 2019 meeting, so the first meeting concerning</p> <p>10 Mr Amman?</p> <p>11 A. Correct.</p> <p>12 Q. Did you see this form and similar forms before attending</p> <p>13 the MAPPA meetings you attended about him in the latter</p> <p>14 half of 2019?</p> <p>15 A. I would normally get the MAPPA F beforehand, yes.</p> <p>16 Q. Do you recall whether you got this form before the first</p> <p>17 of the meetings?</p> <p>18 A. I would not recall that detail.</p> <p>19 Q. But you would expect to receive it?</p> <p>20 A. I would expect to have, yes.</p> <p>21 Q. If we look towards the bottom of page 1, we see details</p> <p>22 of his offending: obtaining and disseminating terrorist</p> <p>23 materials. And over the page, the narrative of his</p> <p>24 offence including that he had, in a web post, identified</p> <p>25 a potential target for attack, and had been in</p> <p style="text-align: center;">Page 19</p>
<p>1 information-sharing can be agreed."</p> <p>2 Does that indicate that there might be</p> <p>3 a pre-briefing before a meeting relating to an offender</p> <p>4 such as Mr Amman where, for example, intelligence might</p> <p>5 be shared with you as the chair?</p> <p>6 A. That's correct.</p> <p>7 Q. Then page 106, please. We see that the guidance also</p> <p>8 contains a section on what are called "Critical Public</p> <p>9 Protection Cases". Is it right that in certain</p> <p>10 circumstances a MAPPA level 3 offender -- someone like</p> <p>11 Mr Amman -- may be referred for treatment as a critical</p> <p>12 public protection case?</p> <p>13 A. That's correct.</p> <p>14 Q. What would be the criterion for somebody being referred</p> <p>15 to and accepted as a critical public protection case?</p> <p>16 A. The critical public protection case, you have to be</p> <p>17 managed at level 3 and you have to be a significant high</p> <p>18 risk or very high risk of harm, or there should be</p> <p>19 a very significant media interest or public interest in</p> <p>20 the case.</p> <p>21 Q. In simple terms, does the designation of somebody as</p> <p>22 a critical public protection case enable additional</p> <p>23 resources to be provided in dealing with that offender?</p> <p>24 A. It does.</p> <p>25 Q. We will look at that in Sudesh Amman's case a little</p> <p style="text-align: center;">Page 18</p>	<p>1 possession of material concerned with bomb-making and</p> <p>2 other attack methods?</p> <p>3 A. Yes.</p> <p>4 Q. Then if we look at page 3 onward, we see that</p> <p>5 Ms Blackwell sets out a detailed account of her dealings</p> <p>6 with Mr Amman?</p> <p>7 A. Correct.</p> <p>8 Q. Then page 6, please. Towards the bottom of page 6,</p> <p>9 Ms Blackwell records, about five lines down, that</p> <p>10 Mr Amman did not wish to participate in any way in the</p> <p>11 ERG assessment and was generally unwilling to engage</p> <p>12 with his prison probation officer. How common is it for</p> <p>13 the offenders of the kind you deal with to be so</p> <p>14 unprepared to engage with officers?</p> <p>15 A. I would say it's -- if I think of the cohort we are</p> <p>16 dealing with, we had quite a number at that time who</p> <p>17 didn't want to engage. So it is not unusual for people</p> <p>18 not to want to engage.</p> <p>19 Q. Page 9, please. Do we see the report set out fairly</p> <p>20 detailed entries for security information from the</p> <p>21 prison, much of it taken from the Mercury Intelligence</p> <p>22 record?</p> <p>23 A. That's correct.</p> <p>24 Q. In Mr Amman's case, can you take it from me that these</p> <p>25 included entries for him expressing very extreme views,</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 some reports of actual or planned violence, and various 2 instances of disruptive behaviour in the prison? 3 A. Correct. 4 Q. You, as co-chair of the MAPPA meeting, would have taken 5 all that into account then? 6 A. That's correct. 7 Q. Page 20, please. We see there is a summary of the main 8 risks he presented, which included reference to previous 9 violent offending, so you and the other MAPPA 10 participants would have been aware of that too? 11 A. That's correct. 12 Q. Page 21 at the bottom, last two paragraphs. We see that 13 right at the start of those MAPPA meetings, the first 14 MAPPA F form is recording that while the OASys has yet 15 to be completed: 16 "... but likely to record high risk of serious harm 17 to [the] public ..." 18 And in the final paragraph, that there is 19 a significant risk of him reoffending, according to the 20 assessment made to date? 21 A. That's correct. 22 Q. We then look at the first meeting following that form 23 and look at the MAPPA B minutes, INQ002132. 24 I appreciate you probably chair quite a number of these 25 meetings. Do you have any specific recollections of the</p> <p style="text-align: center;">Page 21</p>	<p>1 contact, didn't want to discuss his offence, claimed the 2 police were trying to keep him in prison, presented 3 strangely throughout the discussion. 4 Then page 15, please, towards the bottom of the 5 page. "Outcome", we see that the panel concluded that 6 Sudesh Amman was to remain at level 3 and would be the 7 subject of another meeting in August? 8 A. Yes. 9 Q. Then page 16, please. We see towards the bottom -- the 10 bottom quarter -- that in each of these sets of minutes 11 there is a risk assessment and management plan set out? 12 A. That's right. 13 Q. In which the risk of Mr Amman influencing others to hold 14 extremist views and commit terrorist acts is set out? 15 A. Yes. 16 Q. Then page 18, please. Does the risk management plan 17 include contingency planning -- if we maximise the 18 bottom half or so of the page -- various steps that 19 might be taken if Sudesh Amman takes various sorts of 20 inappropriate action in prison? 21 A. That's correct. 22 Q. Does that describe the sort of process which was gone 23 through at this first MAPPA meeting, a discussion, 24 a series of updates, a conclusion about how he should be 25 managed, and the preparation of a risk management plan?</p> <p style="text-align: center;">Page 23</p>
<p>1 early meetings in relation to Mr Amman? 2 A. No, I don't. 3 Q. May we look at page 4, so the jury can see the sorts of 4 individuals attending these meetings. We see that you 5 are there as the second attendee, along also -- if we 6 can put the next page on screen as well, please -- with 7 Louise Nelson, the counter-terrorism probation officer, 8 and Ms O'Brien, a senior probation officer? 9 A. That's correct. 10 Q. And also a number of police officers, including, we see 11 there, DCI Janet Livesey from SO15? 12 A. That's correct. 13 Q. We see that apologies were given by Mr Campbell, because 14 we know he was on sick leave? 15 A. Correct. 16 Q. Page 11, please. We see that in the minutes it is 17 recorded that the meeting discussed Mr Amman under 18 a series of headings, including his previous history and 19 his attitude. 20 Then over the page to page 13, please. 21 If you look under "Prison Visit" about a quarter of 22 the way down -- just a little further up, please -- we 23 see that Ms Nelson informed the meeting of the visit 24 that she and Mr Campbell had paid to Sudesh Amman in 25 custody on 5 March. He was reserved, didn't give eye</p> <p style="text-align: center;">Page 22</p>	<p>1 A. It does. 2 Q. Is it right that you missed the second meeting, the 3 meeting in August 2019? 4 A. That's correct. 5 Q. But did you, however, attend the third meeting at the 6 end of October? 7 A. That's correct. 8 Q. If we look at the minutes for that, INQ002131. First of 9 all, page 4 for the attendees. 10 Did you chair the meeting along with DCI Livesey? 11 A. That's correct. 12 Q. With Mr Campbell, Ms Nelson and Ms O'Brien present from 13 the Probation Service and various police officers? 14 A. Um-hm. 15 Q. If we look at the discussions, they are minuted from 16 page 10. If we look under "Update from offender 17 manager", a little over halfway down, we see that the 18 minutes record Mr Campbell describing a further 19 engagement with Mr Amman, which he describes as more 20 positive, that Mr Amman has claimed his extremist views 21 were a "thing of the past", but Mr Amman has indicated 22 no desire to do work programmes to address his offending 23 behaviour. 24 Page 12, please. "Updates from Prison". We see 25 this, the professionals from the prison report that</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Mr Amman has been saying that prison officers are 2 oppressing him, has also made somewhat contradictory 3 comments about whether he enjoyed being in the high 4 security units or not, and that he's "full of 5 contradictions"?</p> <p>6 A. That's correct.</p> <p>7 Q. Then examples from the MAPPA F form are highlighted, 8 involving him smashing items in his cell, shouting 9 "Allah Akbah", and also extremist graffiti found in his 10 cell?</p> <p>11 A. That's correct.</p> <p>12 Q. Can you confirm that in the remaining part of the form 13 that the risk assessment was as before, that it was 14 confirmed?</p> <p>15 A. It was.</p> <p>16 Q. Finally the fourth meeting, 19 December 2019, may we 17 look at the minutes for that, INQ002130.</p> <p>18 Is it right that by the time of this meeting, just 19 in time for this meeting, Mr Campbell had completed his 20 OASys assessment and given his rating of high risk of 21 serious harm to the general public?</p> <p>22 A. Correct.</p> <p>23 Q. If we go to page 4, we see the attendees were broadly as 24 before, again with you chairing alongside DCI Livesey?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 25</p>	<p>1 Risk management plan?</p> <p>2 A. Risk management plan, yes.</p> <p>3 Q. "... is now in place."</p> <p>4 And it is agreed that the MAPPA will remain at 5 level 3, with a further meeting in February 2020?</p> <p>6 A. That's correct.</p> <p>7 Q. Of course, that meeting didn't take place?</p> <p>8 A. No, it did not.</p> <p>9 Q. The risk management plan comes in at page 15. Is it 10 fair to say -- I can go through each part of that -- 11 that it effectively includes the licence conditions, his 12 residency at the approved premises and the GPS tagging 13 as ways of controlling or managing his risk?</p> <p>14 A. That does include that, yes.</p> <p>15 Q. What it doesn't include is any discussion of covert 16 police surveillance that is going to take place?</p> <p>17 A. No, it does not.</p> <p>18 Q. To a layman, it may be thought that covert police 19 surveillance on someone like Sudesh Amman is the most 20 important aspect of managing his risk, certainly 21 protecting the public. Can you just explain why that 22 wouldn't feature in discussions and a risk management 23 plan at a MAPPA meeting?</p> <p>24 A. The Probation Service is not part of those discussions. 25 We are not involved in covert activity and there is no</p> <p style="text-align: center;">Page 27</p>
<p>1 Q. Then page 10, please, the minutes of the discussion. 2 You see that at the bottom Mr Campbell and Ms Nelson 3 gave an update that there hadn't been an actual meeting 4 with Mr Amman since October, but an appropriate mentor 5 had been tasked for him?</p> <p>6 A. That's correct.</p> <p>7 Q. Page 11, please. Under the prison update, last 8 paragraph, top half of the page, please, can we see this 9 written:</p> <p>10 "Prison staff view SF [Mr Amman] as highly 11 impressionable and vulnerable. His opinions on matters 12 seem to change depending on who he is speaking to. He 13 has been associating with many other inmates and their 14 details have been shared with SO15. He has also begun 15 leading prayers and seems to be gaining status among his 16 peers, particularly as he has been on the High Security 17 Unit. He seems to enjoy this and general prison life, 18 recently stating that he will 'get a life sentence', 19 though he did not explain what he meant."</p> <p>20 A. That's correct.</p> <p>21 Q. Page 13, right at the top of the page, we see the 22 conclusion of the meeting:</p> <p>23 "All parties remain concerned that [his] behaviour 24 is poor and he may still have extremist views. However, 25 it is felt that a robust RMP ..."</p> <p style="text-align: center;">Page 26</p>	<p>1 need for us to know any of that.</p> <p>2 Q. But is it right that as the lead of your unit, with 3 access to secret material and secret information, you 4 would sometimes be told of surveillance operations?</p> <p>5 A. When it is necessary, yes.</p> <p>6 Q. We can take that document off screen now.</p> <p>7 After that meeting in mid-December 2019 -- and I am 8 looking at your paragraph 49 -- did the Probation 9 Service receive some further important information about 10 Mr Amman which came through to you?</p> <p>11 A. Yes, we did.</p> <p>12 Q. What were those pieces of information?</p> <p>13 A. So, according to paragraph 49, so that was linked to 14 handwritten notes that was found in his cell, and it was 15 also about the net jumping incident on 3 January.</p> <p>16 Q. So we know that in December 2019 on two occasions notes 17 were found in cell searches, one of them a general 18 encouragement for people to ally themselves to Islamic 19 State, and on a second occasion a note pledging loyalty 20 to the leader of Islamic State?</p> <p>21 A. That's correct.</p> <p>22 Q. And also we know that on 3 January 2020, Sudesh Amman 23 jumped on the netting with some other prisoners in 24 protest at the recent death of an inmate?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 Q. Are you telling us that all that information came 2 through to the Probation Service after the December 2019 3 meeting? 4 A. That's correct. 5 Q. What did you do as a result of getting that information? 6 A. I would look at the risk assessments again, make sure 7 that we have everything in place with regard to the risk 8 management plan. I obviously – the police would have 9 shared that with me and we would have discussions around 10 that and making clear that we have still covered all the 11 identified risks. And if there is anything – if 12 anything needed to be added to the plan. 13 Q. Did you also have any discussions with the senior 14 management at the prison? 15 A. I did have a discussion with the governor of 16 HMP Belmarsh at some point in January. 17 Q. Was that Mr Rob Davis, the governing governor? 18 A. That's correct. 19 Q. And is it right that that discussion took place after 20 the jump on the netting, so after 3 January? 21 A. That's correct. 22 Q. But before 13 January, when a letter we will look at was 23 prepared? 24 A. That's correct. 25 Q. What did you say to Mr Davis in your discussion in early</p> <p style="text-align: center;">Page 29</p>	<p>1 National Probation Service, is that right? 2 A. That's correct. 3 Q. This letter was referred to by DCI Williams earlier this 4 week. Was this letter in fact ever sent? 5 A. No, we didn't send it at the end, because we had the 6 discussion and there was no further purpose in actually 7 sending it as well. 8 Q. The letter is dated 13 January 2020, so after your 9 discussion? 10 A. That's right. 11 Q. And if we blow up the text, please, we see this: 12 "I am writing in relation to Mr Sudesh Faraz Amman, 13 who is due to be released on licence on Thursday 14 23 January 2020. I understand my Head of Extremism, 15 Carina Heckroodt, [has] spoken to you with regard to 16 this matter." 17 Then there is his offending history summarised. 18 Then it goes on: 19 "We held several MAPPA level 3 meetings with regard 20 to Mr Faraz, since June 2019, and there are significant 21 concerns with regard to the risk he will pose once 22 released within the community. We consequently have 23 extensive risk management plans in place for Mr Faraz's 24 release and we have also [sent] in an application for 25 him to be registered as a Critical Public Protection</p> <p style="text-align: center;">Page 31</p>
<p>1 January? 2 A. We had a discussion about the incident and what was 3 involved. I discussed with him the concerns around 4 Sudesh at the time, and that he's assessed of high risk 5 of harm, which he was aware of. And it was the question 6 with regards to if there's anything else that could be 7 done, for example, to add days to his prison sentence, 8 if that has been considered and completed, or if there 9 is going to be any impact on any possible release date, 10 which would be 23 January, because it's a determinate 11 sentence and we can't change that. So I was discussing 12 that with him to make sure that everything that the 13 prison could have done at that time was done. 14 Q. Did you have any idea in your own mind that days could 15 be added as a result of anything that Sudesh Amman had 16 done? 17 A. No, but I needed to double-check. 18 Q. What did Mr Davis tell you? 19 A. He did confirm that they have dealt with it and no days 20 would be added, so it was just confirming to me that the 21 release date is as it is. 22 Q. May we look at a document, please, on is the screen, 23 INQ002021. 24 Now this is a letter which bears the name of 25 Kilvinder Vigurs, who is a senior officer in the</p> <p style="text-align: center;">Page 30</p>	<p>1 Case." 2 I will ask you about that later: 3 "This will offer us the opportunity to apply for 4 additional security staff at the [approved premises] 5 where he will be released to and reflect the concerns we 6 have about him." 7 So at the time that this letter was prepared, you 8 had already spoken to Mr Davis? 9 A. Yes. It all happened sort of at the same time, the 10 discussion and putting the letter together. 11 Q. I am just trying to understand an answer you gave 12 earlier. You suggested that because of the discussion 13 the letter didn't need to be sent? 14 A. No. 15 Q. But the letter seems to have been drafted after the 16 discussion. Are you able to explain that? 17 A. So, in the meantime, the police have already sent 18 a similar letter, and why we didn't send it is because 19 the governor has responded by email to the police. We 20 thought, well, that's a response as well, so it wouldn't 21 serve any further purpose to actually send the letter to 22 confirm to our discussion. 23 Q. You became that, as we have heard, DCS Boon, who is the 24 SO15 -- 25 A. Yes.</p> <p style="text-align: center;">Page 32</p>

<p>1 Q. -- sent a similar letter on 15 January?</p> <p>2 A. Yes.</p> <p>3 Q. Mr Davis confirmed in writing that there was nothing he</p> <p>4 could do to extend Sudesh Amman's sentence and that you</p> <p>5 therefore decided that it wasn't necessary to send the</p> <p>6 letter effectively making similar points to those of</p> <p>7 DCS Boon?</p> <p>8 A. That's correct.</p> <p>9 Q. Can we see that, just for completeness, the letter</p> <p>10 highlighted at the bottom the handwritten notes that</p> <p>11 were found --</p> <p>12 A. That's correct.</p> <p>13 Q. -- in the cell searches? Then over the page, the</p> <p>14 jumping on the netting. And the letter also confirmed</p> <p>15 what you have told us, that from the discussion you had</p> <p>16 with Mr Davis, there was no possibility of adding</p> <p>17 further days to Mr Amman's sentence?</p> <p>18 A. That's correct.</p> <p>19 Q. We can take that off screen now.</p> <p>20 As Ms Vigurs indicated, and as we saw at an earlier</p> <p>21 stage, the Probation Service was seriously considering</p> <p>22 at that stage increasing the risk rating for Mr Amman</p> <p>23 from high to very high?</p> <p>24 A. That's correct.</p> <p>25 Q. Was that a view that was being taken in response to this</p> <p style="text-align: center;">Page 33</p>	<p>1 which Mr Amman posed was discussed?</p> <p>2 A. The circumstances around Mr Sudesh has been discussed,</p> <p>3 yes.</p> <p>4 Q. And were the views expressed that he posed a high threat</p> <p>5 and might, in particular, use a knife in an attack?</p> <p>6 A. I prefer not to respond to that.</p> <p>7 Q. Did you become aware as a result of that meeting that</p> <p>8 there would be surveillance on Sudesh Amman after his</p> <p>9 release?</p> <p>10 A. I would prefer not to discuss the content of that</p> <p>11 meeting. It is not my meeting.</p> <p>12 Q. Ah. I will address it in more detail with HA6 then.</p> <p>13 May we turn then to risk management measures after</p> <p>14 Sudesh Amman's release. We saw from Ms Vigurs' letter</p> <p>15 that the National Probation Service decided to apply for</p> <p>16 Mr Amman to be registered as a critical public</p> <p>17 protection case?</p> <p>18 A. That's correct.</p> <p>19 Q. May we look at the form by which that application was</p> <p>20 made, INQ002119. Is it right that the application was</p> <p>21 made about a week before his release by this form on</p> <p>22 17 January?</p> <p>23 A. That's correct.</p> <p>24 Q. If we go to page 6, we can see the rationale given. If</p> <p>25 you maximise the text, please. The form stated:</p> <p style="text-align: center;">Page 35</p>
<p>1 new information or intelligence about the handwritten</p> <p>2 notes and the jump on the netting?</p> <p>3 A. That's correct.</p> <p>4 Q. So he was about to enter a category of those who posed</p> <p>5 a risk of an imminent danger of serious harm to the</p> <p>6 general public?</p> <p>7 A. That's correct.</p> <p>8 Q. Would this place him in a smaller category of those you</p> <p>9 are managing towards the top end of seriousness of your</p> <p>10 offenders?</p> <p>11 A. It would, yes.</p> <p>12 Q. At around the same time, so early January 2020, did you</p> <p>13 attend a joint operational team meeting with officers</p> <p>14 from SO15, the Counter Terrorism Command and officers</p> <p>15 from the Security Service, MI5?</p> <p>16 A. That's correct.</p> <p>17 Q. Is that a meeting you attended on 9 January 2020?</p> <p>18 A. Yes.</p> <p>19 Q. Now, I am just going to deal with one or two narrow</p> <p>20 aspects of this meeting. I am going to discuss it in</p> <p>21 more detail with the next witness, because, of course,</p> <p>22 you will appreciate that there are limitations on what</p> <p>23 you can say about what was said in that meeting.</p> <p>24 A. That's correct.</p> <p>25 Q. Is it right that in the course of that meeting the risk</p> <p style="text-align: center;">Page 34</p>	<p>1 "In addition to the seriousness of the offences in</p> <p>2 themselves ..."</p> <p>3 That is his offending?</p> <p>4 A. That's correct.</p> <p>5 Q. "... there are a number of factors about Mr Faraz-Amman</p> <p>6 which have heightened the concern about his risks.</p> <p>7 "Some of these relate to his background."</p> <p>8 And there is reference to his history of violent</p> <p>9 incidents at school?</p> <p>10 A. That's correct.</p> <p>11 Q. And the form goes on to say:</p> <p>12 "There has been a series of concerns arising from</p> <p>13 his behaviour in prison."</p> <p>14 Reference is made to further aggression to a female</p> <p>15 officer, his reluctance to engage with professionals,</p> <p>16 his suspicious approach and belief that further</p> <p>17 investigation is ongoing and agencies were out to get</p> <p>18 him?</p> <p>19 A. That's correct.</p> <p>20 Q. In relation to other prisoners, he's chosen to associate</p> <p>21 with those who hold extremist beliefs?</p> <p>22 A. That's correct.</p> <p>23 Q. There is reference to his expression of extremist views,</p> <p>24 about which the jury have heard?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 36</p>

1 Q. And his sometimes provocative behaviour and occasional
 2 involvement in fights?
 3 **A. Correct.**
 4 Q. Does it then go on to say it has also been noted that he
 5 seems to find prison a safe and containing environment,
 6 and has expressed significant anxieties about managing
 7 in the community, and there are therefore concerns that
 8 he may try to engineer his return to prison by way of
 9 provocative or violent behaviour, and he has few
 10 protective factors from family and friends and doesn't
 11 have personal coping skills or emotional resources?
 12 **A. That's correct.**
 13 Q. So this form is highlighting a number of problematic
 14 features of him. That he has serious offending history?
 15 **A. Correct.**
 16 Q. That he has a previous history including violence and
 17 outbursts?
 18 **A. Correct.**
 19 Q. He has a very bad history of conduct in prison, both of
 20 comments indicative of extremism and also bad behaviour
 21 generally, and, finally, this is somebody who may
 22 actually seek to engineer their return to prison because
 23 they find that a safe and comfortable environment?
 24 **A. Correct.**
 25 Q. Is an application for somebody to be registered as

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1 a critical public protection case quite an unusual
 2 event, quite an unusual act?
 3 **A. Not necessarily. It's fewer people who are registered
 4 as critical public protection cases, but it is not
 5 completely unusual, no.**
 6 Q. It is limited to MAPPA level 3 cases?
 7 **A. It is, yes.**
 8 Q. And it is a subset of the more dangerous of those?
 9 **A. Yes.**
 10 Q. In terms of the risk management measures that were in
 11 place, you are aware that Sudesh Amman was subject to
 12 numerous and stringent licence conditions, residency at
 13 probation hostel, curfew, tagging, exclusion from
 14 central London?
 15 **A. Yes.**
 16 Q. Also that he had the mentoring arrangements in place
 17 which allowed both regular contact with him and some
 18 reporting back?
 19 **A. That's correct.**
 20 Q. Also that his residency at the approved premises allowed
 21 his movements to be observed while he was within there,
 22 within the periods of the curfew?
 23 **A. That's correct.**
 24 Q. Were there any other risk management options
 25 realistically available for dealing with an offender of

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1 this kind?
 2 **A. When looking at the risk management plan we had in
 3 place, it was covering all of those risks already. We
 4 decided to do the application for the critical public
 5 protection case and register so that we could have some
 6 additional resources at the approved premises, because
 7 the benefit of doing that is that you can get additional
 8 resources. So we put in an application with a request
 9 to have additional staff at the approved premises.**
 10 Q. Did that lead to the security guard that was mentioned
 11 actually --
 12 **A. It has led to that, because it covered the costs for
 13 that security guard and that risk that it was
 14 specifically linked to was risk to other residents and
 15 staff at the approved premises. It was just all to put
 16 that in place.**
 17 Q. Was the security guard in place from the time
 18 Sudesh Amman arrived?
 19 **A. It was arranged for the day of release and it's normally
 20 arranged on a week-by-week basis.**
 21 Q. Are regular -- so routine -- room searches at
 22 an approved premises an option?
 23 **A. The approved premises do do routine room searches as
 24 part of the routine.**
 25 Q. How regularly?

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1 **A. Accord to their policies, they have to do room searches
 2 of each room at least fortnightly.**
 3 Q. Were you aware whether there were any such searches of
 4 Sudesh Amman's room after his release?
 5 **A. There wasn't.**
 6 Q. Would it be an option to have more regular room
 7 searches, given that this was somebody who presented in
 8 particular the risk of an attack with a knife?
 9 **A. We could have more often assessed room searches, yes.**
 10 Q. Was that given any consideration in any of the meetings
 11 or in your own consideration of him?
 12 **A. Not at that time, no, because it is part of what would
 13 be the package in the approved premises anyway.**
 14 Q. It might be thought -- let me just put this to you --
 15 that if you have an offender of such a high risk
 16 classification, who has been identified as posing a risk
 17 of attack with a knife, having his room searched more
 18 regularly to check whether he might have secreted
 19 something such as a knife might have been a good idea?
 20 **A. It might have been. It might have been an option to do
 21 that. It depends. Because the concern for me always
 22 was that the approved premises staff is not really
 23 trained to do proper room searches. You will have to be
 24 very clear about why you do that and what they need to
 25 look for and how you're going to deal with that. And he**

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<p>1 was quite a suspicious person, so he would link that to</p> <p>2 possible surveillance and tactics around him. So we</p> <p>3 would be very careful about how we manage him in that</p> <p>4 regard.</p> <p>5 Q. Obviously you are the expert in this area. Would it be</p> <p>6 possible to say to somebody like Sudesh Amman, "Look,</p> <p>7 you know you are a MAPPA level 3 offender, you are under</p> <p>8 careful management, we are going to search your room</p> <p>9 every couple of days"?</p> <p>10 A. That would be unusual to do it that often, but it is not</p> <p>11 impossible.</p> <p>12 Q. Was any thought given to that sort of approach in his</p> <p>13 case?</p> <p>14 A. No, we didn't.</p> <p>15 Q. May I turn then to the period from his release? We have</p> <p>16 heard about the arrangements for his release, how he was</p> <p>17 taken to the approved premises, seen there by</p> <p>18 Mr Campbell. Also that Mr Campbell had a further</p> <p>19 meeting with him on 27 January.</p> <p>20 A. That's correct.</p> <p>21 Q. So four days after his release. Now looking at</p> <p>22 paragraph 69, on your statement, on the Friday, eight</p> <p>23 days after his release, 31 January 2020, did you receive</p> <p>24 some more information from the police about</p> <p>25 Sudesh Amman?</p> <p style="text-align: center;">Page 41</p>	<p>1 So, would this purchase of these items lead to a breach</p> <p>2 of his licence to evidence that he can be recalled?</p> <p>3 Q. What, if anything, did you tell DI Bundock in the</p> <p>4 initial call?</p> <p>5 A. In the initial call we had the discussion around, well,</p> <p>6 what did we think, why did he buy that, which obviously</p> <p>7 was then unclear. And the items in itself, it's not</p> <p>8 illegal for him to have, so it's not against his licence</p> <p>9 conditions to buy normal items, especially somebody who</p> <p>10 lived in a self-catering approved premises. So the</p> <p>11 items in itself did not lead to the breach of the</p> <p>12 licence. And I did say to her that I obviously will</p> <p>13 have a further discussion, just to make 100 per cent</p> <p>14 sure. So my decision was that, no, it is not a breach</p> <p>15 of his licence conditions, but I had a further</p> <p>16 discussion with the head of national security within the</p> <p>17 Probation Service just to make 100 per cent sure that</p> <p>18 that is the right decision and that I am not missing</p> <p>19 anything. So I had a phone call with him as well --</p> <p>20 Q. Pause there. I will ask you about your discussion with</p> <p>21 him in a second.</p> <p>22 A. Okay.</p> <p>23 Q. Staying with the call with DI Bundock on the 31st, that</p> <p>24 Friday, did she raise any other matters or any other</p> <p>25 options or did you discuss any other option?</p> <p style="text-align: center;">Page 43</p>
<p>1 A. Yes, I did.</p> <p>2 Q. What was that information?</p> <p>3 A. I had some information that he went into a shop and</p> <p>4 bought certain items.</p> <p>5 Q. Were you told what those items were?</p> <p>6 A. So the items were foil, some tape and some Irn-Bru</p> <p>7 bottles.</p> <p>8 Q. Were you also told that he had been in another shop and</p> <p>9 looked at cutlery before deciding not to purchase any?</p> <p>10 A. I was.</p> <p>11 Q. Did the police officer, I think it was DI Bundock of</p> <p>12 TOMU, did that officer tell you anything about the</p> <p>13 significance of the purchases he had made?</p> <p>14 A. I asked her what was the significance.</p> <p>15 Q. What did she say?</p> <p>16 A. She explained it's the type of items people sometimes</p> <p>17 use to make suicide vests, but he also might have done</p> <p>18 that just to see if he's under police surveillance. So</p> <p>19 it was not clear why he bought that. There was no</p> <p>20 definite reason behind it.</p> <p>21 Q. What was DI Bundock's purpose in contacting you?</p> <p>22 A. They contacted me just to have that discussion with me</p> <p>23 to see if there is any option with regards to what he</p> <p>24 has done which could lead to a decision to recall him,</p> <p>25 which means that we would send him back into prison.</p> <p style="text-align: center;">Page 42</p>	<p>1 A. We did discuss other options. So we were trying to</p> <p>2 think, well, what else can we do to try to work out why</p> <p>3 did he buy these items and what his intentions was. We</p> <p>4 had a discussion around a possible room search. We</p> <p>5 decided that that's not feasible at that time. The</p> <p>6 police were very concerned not to show their hand in any</p> <p>7 covert operations at the time, so it was -- we couldn't</p> <p>8 do anything that would not possibly show that to him</p> <p>9 that he's under surveillance or any other covert</p> <p>10 activity.</p> <p>11 Q. Were you aware by this stage that he was and had been</p> <p>12 under surveillance?</p> <p>13 A. I was aware, yes.</p> <p>14 Q. You say that there was discussion of a possible room</p> <p>15 search, searching his room at the approved premises.</p> <p>16 Who was it thought might be carrying out this search?</p> <p>17 What was the premise for your discussion?</p> <p>18 A. Normally it would be the approved premises staff who</p> <p>19 would do the room searches.</p> <p>20 Q. You were discussing the possibility of getting the</p> <p>21 approved premises staff to go in and do a room search?</p> <p>22 A. Yes.</p> <p>23 Q. Would those staff be able to do a covert search, so</p> <p>24 a search without Sudesh Amman or anyone else knowing,</p> <p>25 while, for example, he was away from the approved</p> <p style="text-align: center;">Page 44</p>

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<p>1 premises?</p> <p>2 A. They are not trained in covert searches, no.</p> <p>3 Q. Presumably a covert search would require considerable</p> <p>4 care in leaving the room in the same state you found it?</p> <p>5 A. I would assume so, yes.</p> <p>6 Q. Was there any discussion or thought in your mind at that</p> <p>7 time about potentially the police carrying out a search</p> <p>8 of his room in the approved premises?</p> <p>9 A. We had that discussion as well.</p> <p>10 Q. What was said about that?</p> <p>11 A. Well, that was left with DI Bundock and her view was</p> <p>12 that that's not necessarily something that would lead to</p> <p>13 an outcome that they were looking for as well.</p> <p>14 Q. From what you remember of the discussion, was the</p> <p>15 possibility that was being discussed the police carrying</p> <p>16 out an overt search, so uniformed officers going in, or</p> <p>17 a covert search, somebody in plain clothes going in and</p> <p>18 searching without appearing to have done so?</p> <p>19 A. We didn't discuss that detail, but I would not be</p> <p>20 involved in any discussions like that. So that's not</p> <p>21 a discussion that would have been had with me</p> <p>22 necessarily at that point.</p> <p>23 Q. You told us a moment ago that after the call with</p> <p>24 DI Bundock, you called the national security lead of the</p> <p>25 Probation Service?</p> <p style="text-align: center;">Page 45</p>	<p>1 A. We could not come up with anything else that we could do</p> <p>2 as the Probation Service in that matter.</p> <p>3 Q. May I just ask you a couple of questions about this</p> <p>4 possibility of recalling Sudesh Amman to prison. May we</p> <p>5 look at the licence conditions INQ000076 at page 1.</p> <p>6 These, I think, are the licence conditions set out at</p> <p>7 the bottom of the page?</p> <p>8 A. That's correct.</p> <p>9 Q. If we maximise the bottom of the page, the first of</p> <p>10 those is to be of good behaviour and not behave in a way</p> <p>11 which undermines the purpose of the licence period,</p> <p>12 quite separate from not committing any offence. Did you</p> <p>13 consider that Sudesh Amman had done anything which might</p> <p>14 justify recall for breach of that condition?</p> <p>15 A. We did.</p> <p>16 Q. What view did you take?</p> <p>17 A. That he didn't breach that condition.</p> <p>18 Q. Ordinarily, would it be possible to invoke this</p> <p>19 condition when somebody had done something which raised</p> <p>20 suspicion but was not necessarily either criminal</p> <p>21 conduct or other bad behaviour?</p> <p>22 A. It would be very difficult to just deal with it on the</p> <p>23 basis of suspicion that people raise. It is more linked</p> <p>24 to specific behaviours and the context of the management</p> <p>25 and the risk at that time.</p> <p style="text-align: center;">Page 47</p>
<p>1 A. That's correct.</p> <p>2 Q. Was that a gentleman called Al Reid?</p> <p>3 A. That's correct.</p> <p>4 Q. What did you raise with him?</p> <p>5 A. Even though I had the same security level, I could</p> <p>6 discuss the whole content with him of the phone call</p> <p>7 with DI Sarah Bundock and have a discussion around if he</p> <p>8 thinks that in any way this leads to a breach of the</p> <p>9 licence condition, that we could recall Sudesh. But in</p> <p>10 the decision it was quite clear that, no, he did not</p> <p>11 breach and didn't meet the threshold for recall, we</p> <p>12 cannot recall him, and it's for the police to look at</p> <p>13 what other actions they can take.</p> <p>14 Q. Did you also discuss with Mr Reid the possibility of</p> <p>15 a room search, either by probation staff at the approved</p> <p>16 premises or by police?</p> <p>17 A. We referenced room search and it was confirmed that</p> <p>18 I already had that discussion with the police.</p> <p>19 MR JUSTICE HILLIARD: Sorry, confirmed that ...?</p> <p>20 A. I already had that discussion with the police.</p> <p>21 MR JUSTICE HILLIARD: You'd already had that.</p> <p>22 A. So he was just trying to make sure that I did think of</p> <p>23 that.</p> <p>24 MR HOUGH: Did he have any additional ideas for you on that</p> <p>25 score?</p> <p style="text-align: center;">Page 46</p>	<p>1 Q. Are you able to give us some examples of what sort of</p> <p>2 conduct might be bad behaviour justifying a recall, but</p> <p>3 not a criminal offence?</p> <p>4 A. So I suppose one of the most common examples we would</p> <p>5 use that for is where people breach the rules of the</p> <p>6 approved premises. So, when they go into an approved</p> <p>7 premises, they have to sign the rules. Part of that is</p> <p>8 to, if, for example, have drug testing on a regular</p> <p>9 basis, and all other kinds of how they behave towards</p> <p>10 staff, et cetera, at the approved premises. So that's</p> <p>11 not a licence condition in itself, the approved premises</p> <p>12 rules, but if you breach the approved premises rules,</p> <p>13 that is a breach of your good behaviour condition.</p> <p>14 Q. So, here, Sudesh Amman had bought some items which were</p> <p>15 ordinary domestic items --</p> <p>16 A. Yes.</p> <p>17 Q. -- but which raised a very reasonable suspicion in the</p> <p>18 minds of the police. In your professional judgment,</p> <p>19 would that have justified of itself a recall on the</p> <p>20 basis of this condition?</p> <p>21 A. No, it would not.</p> <p>22 Q. Did you, however, take any steps in order to enable his</p> <p>23 swift recall to prison in this case?</p> <p>24 A. I did.</p> <p>25 Q. What steps did you take?</p> <p style="text-align: center;">Page 48</p>

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<p>1 A. So I had a call with the PPCS, the Public Protection 2 Casework Section, who is the section within MOJ who sign 3 off on recalls, and had a discussion with them. 4 I obviously could not share the intelligence with 5 them at the time, but I was clear that we are concerned 6 about him, he is assessed as high risk of harm, and 7 I wanted to make clear that even if there is a minor 8 breach of his licence, that would be signed off as 9 a recall. So I had that discussion and agreement with 10 them in place that if he breach his licence, it doesn't 11 matter how little breach it is, that we will be able to 12 recall him. 13 Q. So you were putting in place arrangements for a recall 14 even on the basis of him being five or ten minutes late 15 for a curfew, for example? 16 A. That's correct. 17 Q. After that discussion with the Public Protection 18 Casework Section, what did you then do? 19 A. I had a further discussion with DI Bundock just to run 20 by her this is the discussions we had, this is what we 21 can and cannot do, so that she's clear about the 22 position of the Probation Service at that time. 23 Q. Did you receive any further information from the police 24 over the weekend of 1 and 2 February? 25 A. No, I did not.</p> <p style="text-align: center;">Page 49</p>	<p>1 have facilitated them doing so? 2 A. Yes, they can do that. 3 Q. Looking back on matters now, do you consider that you 4 had any options based on the information you received at 5 any time to have Sudesh Amman recalled to prison? 6 A. No, I am 100 per cent sure that we made the right 7 decision at the time. 8 MR HOUGH: I have some questions for you about reviews that 9 were carried out after Sudesh Amman's death. 10 Sir, I wonder whether that might be a convenient 11 moment for our mid-morning break? 12 MR JUSTICE HILLIARD: Yes, we will have 15 minutes now. 13 (11.35 am) 14 (A short break) 15 (11.48 am) 16 MR JUSTICE HILLIARD: Yes. 17 MR HOUGH: Ms Heckroodt, the final topic. Is it right that 18 after Sudesh Amman's death there were two reviews of 19 interest to you in particular: first, something called 20 a MAPPa serious case review, and secondly, something 21 called a serious further offence review? 22 A. That's correct. 23 Q. I am going to ask you briefly about these, because part 24 of the Coroner's job to consider after the inquest is 25 whether any action might be taken to make the public</p> <p style="text-align: center;">Page 51</p>
<p>1 Q. If, over that weekend, you had been told that for any 2 period Sudesh Amman was outside the approved premises, 3 and could your staff please conduct a search while he 4 was out, what you would have said? 5 A. It is still a matter of if they did find the items in 6 his room, what do we do with that? Because it is legal 7 items, he's allowed to have it. So what would be the 8 purpose of a room search at that point just to find 9 items that he's allowed to have. 10 Q. Well, if the police had suggested that the room be 11 searched in order to see if there was a hoax suicide 12 belt -- 13 A. Yes. 14 Q. -- that he had created, what would you have said to the 15 police? 16 A. I would have tried to facilitate some searches of the 17 room, then, if they were much more specific that that is 18 what it is -- they think it is used for. 19 Q. But would that, if conducted by your staff, have been an 20 overt search which other residents might have seen? 21 A. Exactly. I can't facilitate covert searches. 22 Q. If the police had said they wanted to go into your 23 approved premises on the basis of police powers to 24 search the room on the basis of reasonable suspicion 25 that an offence had been committed, you presumably would</p> <p style="text-align: center;">Page 50</p>	<p>1 safer. Do you understand? 2 A. That's correct, I understand. 3 Q. If we look at the first of these, INQ000080, we see here 4 a MAPPa serious case review, as commissioned by the 5 MAPPa Strategic Management Board. 6 A. Yes, I see that. 7 Q. Is it right that the purpose of such a serious case 8 review is to look at whether the MAPPa procedures were 9 properly applied and whether the various agencies worked 10 properly together? 11 A. That's correct. 12 Q. It is essentially a lesson-learning review process? 13 A. That's correct. 14 Q. Is it right that in terms of the catalyst for such 15 a review, it has to be carried out if an offender 16 managed at MAPPa level 2 or 3 commits one of a number of 17 very serious offences, including murder or attempted 18 murder? 19 A. That's correct. 20 Q. If we look at the conclusions of this review, first of 21 all page 14, if we look at "Good practice identified", 22 we see that the review identified a series of instances 23 of good practice, including regular MAPPa meetings, 24 which were co-chaired by a police officer from SO15 and 25 yourself, as a security-cleared senior employee of the</p> <p style="text-align: center;">Page 52</p>

<p>1 Probation Service?</p> <p>2 A. That's correct.</p> <p>3 Q. And also recording that you were able to engage with</p> <p>4 police when issues arose and that worked well in this</p> <p>5 case?</p> <p>6 A. It did.</p> <p>7 Q. Page 15, please. The heading "Reflection", you see that</p> <p>8 the reviewer raised some concern the work of</p> <p>9 counter-terrorist police and MIS, the Security Service,</p> <p>10 was not known to the community offender manager or</p> <p>11 visible to MAPPA, so it was not known to Mr Campbell or</p> <p>12 the generality of the MAPPA participants?</p> <p>13 A. That's correct.</p> <p>14 Q. Then, towards the bottom of page 15, under "Learning</p> <p>15 Points", you see that a number of learning points were</p> <p>16 given, including at 7.4.4 in particular, that the author</p> <p>17 of ERG reports should be present at MAPPA meetings?</p> <p>18 A. That's correct.</p> <p>19 Q. We saw that Ms Patel, of course, who was responsible for</p> <p>20 the update to the ERG report, did attend a MAPPA</p> <p>21 meeting?</p> <p>22 A. She did.</p> <p>23 Q. But there wasn't consistent attendance of the ERG</p> <p>24 assessor at all MAPPA meetings?</p> <p>25 A. No, there wasn't.</p> <p style="text-align: center;">Page 53</p>	<p>1 necessarily of all the covert activity so that they can</p> <p>2 focus on what their task is at hand and it diminish the</p> <p>3 risk that they might say something or do something that</p> <p>4 will give away that there are surveillance or any other</p> <p>5 covert activities in place. It will impact on their way</p> <p>6 of thinking and how they will approach the offender.</p> <p>7 Q. Is this also right, that the MAPPA process has to often</p> <p>8 involve a range of agencies, including people from, for</p> <p>9 example, housing, education --</p> <p>10 A. Yes.</p> <p>11 Q. -- health services, who would never be cleared to</p> <p>12 receive the secret information essential to the covert</p> <p>13 investigation?</p> <p>14 A. It would, yes.</p> <p>15 Q. Is there a very good rationale for having a MAPPA</p> <p>16 process which involves those people from housing,</p> <p>17 education, health as well?</p> <p>18 A. Yes.</p> <p>19 Q. Over to page 16, please, we see under "Concerns", if we</p> <p>20 maximise that section, there is some concern expressed</p> <p>21 about the way MAPPA operates for terrorist offenders and</p> <p>22 in general terms. Then there is reference to there</p> <p>23 being no reliable or effective risk assessment tool and</p> <p>24 the ERG process is only likely to be a reliable guide,</p> <p>25 7.6.2, when the offender cooperates.</p> <p style="text-align: center;">Page 55</p>
<p>1 Q. In your view, would the routine presence of the ERG</p> <p>2 author at a MAPPA meeting allow the input of that</p> <p>3 psychological assessor into discussion of risk?</p> <p>4 A. It is always more beneficial to have people in the room</p> <p>5 who actually completed reports because you get the</p> <p>6 details from their whole assessment. But as long as the</p> <p>7 assessment is there and there is somebody able to talk</p> <p>8 it through and raise the significant points from the</p> <p>9 report, that is normally good enough to make assessments</p> <p>10 at the end.</p> <p>11 Q. Would you agree or disagree with the recommendation</p> <p>12 that, where possible, the author attends MAPPA meetings?</p> <p>13 A. Yes, that would be good practice.</p> <p>14 Q. If we go over to page 16, if we look at the top two</p> <p>15 paragraphs, we see that the reviewer also expresses some</p> <p>16 concern about having a covert investigation in parallel</p> <p>17 with and separate from the MAPPA process?</p> <p>18 A. Yes, I noticed that.</p> <p>19 Q. Do you agree with that concern or do you consider that</p> <p>20 there are good reasons for having the covert</p> <p>21 investigation separated from the MAPPA process?</p> <p>22 A. I think there's good reasons to separate that.</p> <p>23 Q. What are those good reasons, in short?</p> <p>24 A. The reasons in short is that it is much easier for the</p> <p>25 probation officer to manage an individual not knowing</p> <p style="text-align: center;">Page 54</p>	<p>1 Of course, in this case, the ERG assessment of</p> <p>2 Ms Cechaviciute was very prescient. It gave the</p> <p>3 assessment that Mr Amman was very dangerous and that, if</p> <p>4 he perpetrated an attack, it would be a stabbing?</p> <p>5 A. That's correct.</p> <p>6 Q. You are also aware that in the case of Usman Khan who</p> <p>7 committed the Fishmongers' Hall attack, an ERG</p> <p>8 assessment also prepared by Ms Cechaviciute had been</p> <p>9 prescient and wise in respect of him?</p> <p>10 A. I would not be aware. I did not manage that case.</p> <p>11 Q. Based on what you know, do you consider the ERG</p> <p>12 assessment process to be adequate, based on these sorts</p> <p>13 of experiences, or do you think, like the reviewer, that</p> <p>14 there are difficulties with its reliability where the</p> <p>15 offender does not cooperate?</p> <p>16 A. I think from my experience that we could always rely on</p> <p>17 the ERG and that there is useful information in there.</p> <p>18 Q. Take that off screen now.</p> <p>19 Next, the serious further offence review, INQ002308.</p> <p>20 Is it right that this -- whereas that last review was</p> <p>21 a MAPPA review, this is a review conducted by the</p> <p>22 Probation Service?</p> <p>23 A. That's correct.</p> <p>24 Q. Was this particular review carried out by the chief</p> <p>25 probation officer, Ms Flynn?</p> <p style="text-align: center;">Page 56</p>

<p>1 A. Sorry, say that again?</p> <p>2 Q. Was this particular review carried out by Ms Flynn, the</p> <p>3 chief probation officer?</p> <p>4 A. No, she didn't. She signs it off.</p> <p>5 Q. She signed it off, I see.</p> <p>6 A. It was done by a senior manager in another region --</p> <p>7 Q. But ultimately --</p> <p>8 A. -- but signed off by the chief probation officer, that's</p> <p>9 Sonia, yes.</p> <p>10 Q. Thank you, that's helpful.</p> <p>11 Is such a review required where an individual being</p> <p>12 supervised by the Probation Service commits one of</p> <p>13 various serious offences?</p> <p>14 A. That's correct.</p> <p>15 Q. If we look at the review's conclusions, page 19,</p> <p>16 paragraph 7.1 onwards, does the review note that there</p> <p>17 were some limitations in the level of contact between</p> <p>18 Mr Campbell and Mr Amman?</p> <p>19 A. That's correct.</p> <p>20 Q. There were relatively few meetings between the two?</p> <p>21 A. Yes.</p> <p>22 Q. Does it conclude here that it is not possible to say</p> <p>23 that increased levels of contact would have improved the</p> <p>24 opportunities to understand his case?</p> <p>25 A. No, we can't say that.</p> <p style="text-align: center;">Page 57</p>	<p>1 A. The risk management plan would have looked the same.</p> <p>2 Q. Paragraph 7.5 over the page, I think. We see that the</p> <p>3 reviewer concludes that despite some gaps in recording</p> <p>4 and planning documents, the reviewer concludes that the</p> <p>5 right resources were put in place?</p> <p>6 A. That's right.</p> <p>7 Q. Then paragraph 7.9, that senior management oversight of</p> <p>8 the case was of a very good standard. That is</p> <p>9 a reference to you, I think?</p> <p>10 A. I suppose it is.</p> <p>11 MR HOUGH: Thank you very much. Those are all my questions.</p> <p>12 Questions by MR MENON</p> <p>13 MR MENON: Good afternoon. I ask questions on behalf of the</p> <p>14 family of Sudesh Amman.</p> <p>15 Can I start by asking you some preliminary questions</p> <p>16 before I turn to your actual involvement in this case.</p> <p>17 Did you ever meet Sudesh Amman?</p> <p>18 A. In person, no, I didn't.</p> <p>19 Q. So none of the assessments that we have heard about in</p> <p>20 this case were the result of any conclusions that you</p> <p>21 personally reached about him; is that right?</p> <p>22 A. I reach personal conclusions based on what's presented</p> <p>23 to me by my staff.</p> <p>24 Q. Yes. I understand that. So you read, obviously, the</p> <p>25 reports by Ms Blackwell and Mr Campbell?</p> <p style="text-align: center;">Page 59</p>
<p>1 Q. Then there is a concern expressed about gaps in the</p> <p>2 recording of the case by Mr Campbell. Are you aware</p> <p>3 whether there were any limitations based on your review</p> <p>4 of the file?</p> <p>5 A. I was aware of the outcome of the review, that there</p> <p>6 were some limitations.</p> <p>7 Q. Then paragraph 7.3 makes the point that I made to</p> <p>8 Mr Campbell -- and I think to you, as well -- that the</p> <p>9 risk management plans in the MAPPa minutes and also the</p> <p>10 OASys assessment focused on a risk of Sudesh Amman</p> <p>11 inciting others to commit harmful acts?</p> <p>12 A. Yes.</p> <p>13 Q. Whereas the ERG assessment, which everyone had, referred</p> <p>14 to the risk of him actually carrying out an attack</p> <p>15 himself.</p> <p>16 Obviously, in this case, the police and you were</p> <p>17 alive to that risk, but is there a concern that that</p> <p>18 risk didn't form one of headline risks in the risk</p> <p>19 management plan, for example?</p> <p>20 A. All the risks -- although it was not all written up in</p> <p>21 the risk assessment part of the document, the risk</p> <p>22 management plan did cover all the risks identified.</p> <p>23 Q. So you don't think that that -- the omission of that</p> <p>24 risk from the actual risk management plan part of the</p> <p>25 minutes -- had any effect?</p> <p style="text-align: center;">Page 58</p>	<p>1 A. That's correct.</p> <p>2 Q. You read the ERG assessments by the two psychologists?</p> <p>3 A. I either read it or it gets presented to me at times,</p> <p>4 because there's quite a volume of these that we have to</p> <p>5 manage.</p> <p>6 Q. Understood. You attended obviously many meetings,</p> <p>7 including the MAPPa meetings, and would have taken into</p> <p>8 account what police officers said at those meetings?</p> <p>9 A. That's correct.</p> <p>10 Q. And all of that informed your ultimate judgment that</p> <p>11 I really want to focus on in due course, which is the</p> <p>12 decision you made on 31 January. That's right, isn't</p> <p>13 it, all the information you had throughout that period</p> <p>14 of your involvement?</p> <p>15 A. Yes.</p> <p>16 Q. Is that fair?</p> <p>17 A. I am not sure what the question is going to be following</p> <p>18 up on that, so ...</p> <p>19 Q. Let's look at how you dealt with this in your various</p> <p>20 statements.</p> <p>21 You have provided two witness statements, the first</p> <p>22 dated 22 February of this year. Could we have a look at</p> <p>23 that on the screen, please? INQ003605. We can see that</p> <p>24 you have signed the standard declaration at the top of</p> <p>25 the page. We can see the date there. Is that right?</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 A. That's right.</p> <p>2 Q. Turning to the second page, please, the third line,</p> <p>3 where you start discussing the meeting on 9 January that</p> <p>4 you have been asked a few questions about of the joint</p> <p>5 operational team. You remember that?</p> <p>6 A. I remember the meeting.</p> <p>7 Q. You were reluctant to answer certain questions about it,</p> <p>8 so I want to put to you specifically what you said</p> <p>9 about it in this witness statement.</p> <p>10 "On Thursday 9 January 2020 I attended a joint</p> <p>11 operational team meeting at [somewhere in London] to</p> <p>12 discuss Amman. This meeting was attended by a number of</p> <p>13 people and included the Police and [British] Secret</p> <p>14 Service ... I cannot remember all of the attendees and</p> <p>15 I am not sure who they all represented."</p> <p>16 Then this:</p> <p>17 "During this [joint operational team meeting it was]</p> <p>18 said that Amman was a high threat and that an attack</p> <p>19 would be when, not if."</p> <p>20 Somebody said that at that meeting?</p> <p>21 A. I am not prepared to discuss the content of that</p> <p>22 meeting.</p> <p>23 Q. Well, you discussed it in the statement --</p> <p>24 A. I made it in a statement and I think that questions can</p> <p>25 be asked to the relevant services meeting that was --</p> <p style="text-align: center;">Page 61</p>	<p>1 Mr Menon, as you would expect, he's indicated to me</p> <p>2 the questions that he proposes to ask and I am entirely</p> <p>3 satisfied those are proper questions. The witness knows</p> <p>4 that, and if there are any more problems then obviously</p> <p>5 the witness will say, but I think the path may be a bit</p> <p>6 clearer.</p> <p>7 Thank you, Mr Menon.</p> <p>8 MR MENON: Thank you, sir.</p> <p>9 Going back to your statement dated 22 February, and</p> <p>10 the line we were looking at, fourth line on the screen:</p> <p>11 "During this [joint operational team meeting], the</p> <p>12 Police said that Amman was a high threat and that an</p> <p>13 attack would be when, not if."</p> <p>14 Now, I am not asking for the name of the police</p> <p>15 officer who said that at the meeting, even if you do</p> <p>16 remember it, but I would be interested to know if you</p> <p>17 could remember what the rank of that police officer was.</p> <p>18 A. No, I don't.</p> <p>19 Q. You don't remember rank?</p> <p>20 A. I don't remember the rank, no.</p> <p>21 Q. Can you confirm -- if you can't, please say so -- that</p> <p>22 the officer was from SO15, Counter Terrorism Command?</p> <p>23 A. I can't confirm that because it's not a meeting I would</p> <p>24 normally attend so it's not the people I would normally</p> <p>25 attend meetings with, so I can't recall what agencies</p> <p style="text-align: center;">Page 63</p>
<p>1 that would be better placed.</p> <p>2 Q. You were at the meeting. I am entitled to ask you,</p> <p>3 particularly given that it is in a witness statement</p> <p>4 which I have been given, what you mean by that.</p> <p>5 "... Amman was a high threat and an attack would be</p> <p>6 when, not if."</p> <p>7 What does that mean?</p> <p>8 A. As I said, I am not prepared to discuss that further.</p> <p>9 I don't think it is my place. It wasn't my meeting. It</p> <p>10 is clear what I have said in the statement, and that can</p> <p>11 be explored further with the relevant services.</p> <p>12 MR MENON: Judge?</p> <p>13 MR JUSTICE HILLIARD: I think if you want to pursue it,</p> <p>14 Mr Menon, I will just have to ask the jury to withdraw</p> <p>15 for a moment and see if we can identify the difficulties</p> <p>16 and the way forward.</p> <p>17 Members of the jury, if you would be kind enough to</p> <p>18 go with the usher for a moment.</p> <p>19 (12.06 pm)</p> <p>20 Discussion in the absence of the jury</p> <p>21 (12.15 pm)</p> <p>22 Proceedings continued in the presence of the jury.</p> <p>23 MR JUSTICE HILLIARD: You will follow, I'm sure, that it is</p> <p>24 not always easy for a witness to know what they are or</p> <p>25 are not permitted to refer to in a public hearing.</p> <p style="text-align: center;">Page 62</p>	<p>1 and what ranks.</p> <p>2 Q. So there was no introduction at the beginning of the</p> <p>3 meeting --</p> <p>4 A. There were --</p> <p>5 Q. -- where everybody identified who they were and what</p> <p>6 agency they were from and the like?</p> <p>7 A. There were introductions in the beginning. But as</p> <p>8 I said, it is not a meeting that I normally attend, so</p> <p>9 I'm not going to remember who they are unless it is</p> <p>10 a regular meeting I attend, so it's not people I know</p> <p>11 and worked with generally.</p> <p>12 Q. When that officer said that the attack would be when,</p> <p>13 not if, that must have been quite a shocking thing to</p> <p>14 hear in a meeting?</p> <p>15 A. People have different views on risk assessments and</p> <p>16 threat assessments. That was clearly his threat</p> <p>17 assessment at that time.</p> <p>18 Q. But that is as high as it gets, isn't it?</p> <p>19 A. It was his view at the time, yes.</p> <p>20 Q. Yes, well --</p> <p>21 A. It is high (overspeaking) --</p> <p>22 Q. And an important view by a senior police officer.</p> <p>23 A. Yes, if it was a senior police officer. I don't know.</p> <p>24 Q. Well, it wasn't a police constable, was it?</p> <p>25 A. I honestly --</p> <p style="text-align: center;">Page 64</p>

<p>1 Q. Let's be honest, this is a meeting for people who have 2 high security clearance. Surely we can agree that this 3 was a senior police officer? 4 A. I don't think we can, my Lord. Because in SO15 and 5 TOMU, the team I work with mostly, most of the TOMU 6 officers are police constables. They are all working at 7 the highest level, but they're not senior police 8 officials. 9 Q. I see. So it could actually be a police constable, you 10 are telling us? 11 A. I honestly don't know the rank. 12 Q. So how did that revelation, that an attack would be 13 when, not if, inform your conclusions as to the risks 14 that Sudesh Amman posed? 15 A. After the meeting, we reassessed everything that we had 16 in place. 17 Q. So Leon Campbell is the person who is going to be 18 supervising Mr Amman in the community, yes? 19 A. That's correct. 20 Q. I know he's got a title called community offender 21 manager, but let's call him -- 22 A. Yes. 23 Q. -- let's just call him the probation supervisor. He 24 ultimately is responsible, isn't he, for supervising 25 Mr Amman on his release and assessing and managing risk</p> <p style="text-align: center;">Page 65</p>	<p>1 they had noted during the surveillance operation? 2 A. No, I did not. 3 Q. And in particular, the purchases. He was never told 4 about the purchases? 5 A. The purchases on Friday, no, he was not. 6 Q. Again, how is he supposed to assess and manage risk if 7 he's not told about such a major development in the 8 surveillance operation? 9 A. Mr Campbell is not managing the case by himself. He is 10 managing it as part of the line management structure, so 11 I hold that accountability for managing the risk. He is 12 managing the risk, but the accountability sits with me. 13 Q. You can't really criticise him for anything, can you, 14 because he's been kept completely in the dark? 15 A. No, he's not been kept completely in the dark. There 16 was a lot of information shared with him from the 17 prison, from all the other agencies, and he used that 18 appropriately in his risk assessments and in the risk 19 management plan, and he had the support of us, his team, 20 and TOMU all along. 21 Q. I see. Let's have a look at your second statement, 22 please, INQ003447. 23 This is dated 5 July this year. Can you confirm 24 that that's the first page of your statement on the 25 screen?</p> <p style="text-align: center;">Page 67</p>
<p>1 at a practical level, isn't he? 2 A. He is, as a probation officer, yes. 3 Q. But he doesn't have security clearance? 4 A. No, he does not. 5 Q. I assume you didn't tell him that a police officer said 6 at this meeting that an attack would be when, not if? 7 A. No, I did not. 8 Q. So how is Mr Campbell, to be fair to him, particularly 9 given that he's been apparently criticised, how is 10 Mr Campbell supposed to assess and manage risk when he's 11 not told that the intelligence is that an attack would 12 be when, not if? 13 A. Mr Campbell would be informed of all the necessary 14 information that he required for the risk assessment. 15 I would go through the risk assessment and risk 16 management plan as well to make sure that everything is 17 covered. 18 Q. But was he told that a police officer expressed an 19 opinion that it is simply a question of when, not if? 20 A. I would share with him that there's significant 21 concerns, but I would not share the detail. I am not in 22 a position to do that. 23 Q. And you didn't share subsequently -- and we will come 24 back to this -- you didn't share subsequently any of the 25 information that you obtained from the police as to what</p> <p style="text-align: center;">Page 66</p>	<p>1 A. That's correct. 2 Q. Could we please turn then to page 13, paragraph 50, 3 where you deal with that same meeting of 9 January. 4 I will just read it out for the record: 5 "On 9 January 2020 I attended a joint operational 6 team meeting with the police and the Security Service at 7 which Mr Amman's risk was discussed. He was considered 8 to be a high threat and it was suspected he would use 9 a knife to carry out an attack." 10 That's very specific information, isn't it? 11 A. It is, yes. 12 Q. So is this a fair summary of that: effectively, the view 13 expressed at this meeting was to the effect that any 14 attack would be low level and unsophisticated and it 15 would almost certainly involve a knife? 16 A. That's in line with what is in the ERG as well. 17 Q. "I was made aware at this JOT meeting that there would 18 be police surveillance of Sudesh Amman but not given any 19 details. Surveillance is not something that the NPS 20 would usually need to be involved in. Likewise, I was 21 not party to the police's tactical strategy for dealing 22 with Mr Amman." 23 A. That's correct. 24 Q. That's an accurate summation of the meeting, is it? 25 A. That's correct.</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 Q. Thank you. Turning back, please, to page 8, 2 paragraph 32, here you -- my mistake, I have the wrong 3 page. One second. This is six days later, the meeting 4 of 15 January. This is not the meeting of 15 January, 5 my mistake; the report by Prina Patel, the psychologist 6 at Belmarsh, dated 15 January. It is the ERG addendum 7 that she did. We can see on the fourth line you 8 specifically note her conclusion in respect of his 9 capability of committing a violent offence in the form 10 of a stabbing, a point made in the earlier assessment as 11 well. 12 So all of that informed your thinking, is that 13 right? 14 A. That's correct. 15 Q. At the point that Mr Amman was released on 23 January; 16 is that fair? 17 A. That's fair. 18 Q. Now, could we have a look at the licence conditions, 19 please? We had these on the screen earlier, INQ000076. 20 We have not looked at this in any detail. I just 21 want to go through the key bits of it. Paragraph 1, 22 final sentence: 23 "The objectives of this supervision ..." 24 That's the supervision by the Probation Service, 25 isn't it?</p> <p style="text-align: center;">Page 69</p>	<p>1 Is that right? That is the Secretary of State for 2 Justice, is it? 3 A. That's correct. 4 Q. Paragraph 7: 5 "If you fail to submit yourself to a recall to 6 custody following either a notification of the 7 revocation of your licence, or remain out of contact 8 with Probation Services for a period of six months, you 9 may be liable to face a further charge ..." 10 Is that right? 11 A. That's correct. 12 Q. And that is spelt out in that bit more detail. Finally 13 paragraph 8: 14 "If you fail to comply with any requirement of your 15 supervision (set out in paragraphs 3, 4 and 5 above) or 16 if you otherwise pose a risk to the public ..." 17 Pausing there. He's been told "if you fail to 18 comply with any conditions of the licence", then there 19 is a sweeping-up provision, isn't there, "or if you 20 otherwise pose a risk to the public", that also can 21 result in recall, can't it, if he poses a risk to the 22 public? 23 A. Not just a risk. When he poses an imminent risk. 24 Q. It to be imminent, does it? 25 A. It has to be imminent.</p> <p style="text-align: center;">Page 71</p>
<p>1 A. Correct. 2 Q. "... are to (a) protect the public, (b) prevent 3 reoffending and (c) help you [ie Sudesh Amman] resettle 4 successfully into the community." 5 That is right? 6 A. That's correct. 7 Q. In paragraph 3 we can see that Mr Campbell's name is 8 there as the designated supervising officer. 9 Then paragraph 5, which Mr Hough has already 10 referred you to, these are the first three conditions of 11 his licence, aren't they: the good behaviour condition, 12 not to reoffend, and to keep in touch with Mr Campbell 13 in accordance with instructions, yes? 14 A. That's correct. 15 Q. And then I am not going to go through all the remaining 16 conditions, but there were 30 conditions in total. If 17 we look at the next page, we have (iv) to (xii). The 18 jury will have a chance to look at this in more detail 19 later. The next page, (xiii) onwards, a wealth of 20 conditions. Finally the next page. You see there 30 21 conditions in total, correct? 22 A. That's correct. 23 Q. Then paragraph 6: 24 "The Secretary of State may vary or cancel any of 25 the above conditions ..."</p> <p style="text-align: center;">Page 70</p>	<p>1 Q. So buying the items for a fake suicide vest is not 2 enough? 3 A. It was not identified in the context as an imminent 4 risk, no. 5 Q. We will come back to that: 6 "... you will be liable to have this licence 7 revoked, and be recalled to custody until the date on 8 which your licence would have otherwise ended." 9 It is a comprehensive document, isn't it, that sets 10 out the stringent licence conditions that this young man 11 was on, correct? 12 A. That's correct. 13 Q. Before I turn to your decision-making on the 31st, 14 can I ask you this about the mechanics of recall. How 15 does it work, if a supervising probation officer 16 concludes that there has either been a breach of 17 a licence condition or any other reason that justifies 18 the invocation of the recall process? 19 A. The normal process? 20 Q. Yes, what would happen? 21 A. If the probation officer identified a breach of the 22 condition, he or she will discuss it with their senior 23 probation officer. The senior probation officer then 24 needs to have that discussion with the head of service 25 in the relevant line. There is a specific form that</p> <p style="text-align: center;">Page 72</p>

<p>1 needs to be completed, the recall paperwork --</p> <p>2 Q. Is that the annex A?</p> <p>3 A. Yes, that's the annex A.</p> <p>4 Q. Yes.</p> <p>5 A. So the annex A needs to be completed and that needs to</p> <p>6 be signed off by a head of service --</p> <p>7 Q. Yes.</p> <p>8 A. -- at that time. So in the recall, in the annex A, it</p> <p>9 will basically state what was the condition that has</p> <p>10 been breached and what is the circumstances around that</p> <p>11 and how was that breach. It will make recommendations</p> <p>12 with regards to the type of recall it needs to be and it</p> <p>13 will give further information around vulnerabilities</p> <p>14 et cetera, so it is quite a detailed form.</p> <p>15 Once the head of service has then signed it off,</p> <p>16 that technically is a recommendation. Then it goes off</p> <p>17 to the Public Protection Casework Section, and they</p> <p>18 actually are the section that signs that off. Then --</p> <p>19 Q. That section is in the Ministry of Justice?</p> <p>20 A. That's right. Then they will issue the warrant.</p> <p>21 Q. So, in other words, it is the Probation Service that</p> <p>22 initiates the recall process, it is the Secretary of</p> <p>23 Justice who decides whether to order recall or not,</p> <p>24 correct?</p> <p>25 A. It is PPCS who acts on behalf of the Secretary of State.</p> <p style="text-align: center;">Page 73</p>	<p>1 he arrived?</p> <p>2 A. Just the normal process, how that works.</p> <p>3 Q. The reason I am asking you this, just to be clear, is we</p> <p>4 don't have a witness from the approved premises.</p> <p>5 I asked Mr Campbell this and he wasn't able to really</p> <p>6 help, so I am seeing if you can assist more --</p> <p>7 A. Okay.</p> <p>8 Q. -- with what -- I mean, not verbatim.</p> <p>9 A. No, no, that's fine.</p> <p>10 Q. Roughly what you would be told --</p> <p>11 A. I will give the short details how that works. So,</p> <p>12 normally how that works, the approved premises have to</p> <p>13 commence room searches of all the residents once each</p> <p>14 room per fortnight, if that makes sense. I hope I have</p> <p>15 explained that properly. These room services are</p> <p>16 normally notified to the residents so they are aware</p> <p>17 that will happen. Sometimes they are not aware</p> <p>18 beforehand, but they are told afterwards, so it is all</p> <p>19 overt. The reasoning behind the room searches are more</p> <p>20 linked to health and safety and also risk to self, so</p> <p>21 they would look out for things like fire hazards in the</p> <p>22 room, electrical equipment they shouldn't have, any</p> <p>23 medication that might lead to self-harm, all those kinds</p> <p>24 of aspects. It is more about the safe running of the</p> <p>25 approved premises. That's why the approved premises</p> <p style="text-align: center;">Page 75</p>
<p>1 Q. On behalf of the Secretary of State.</p> <p>2 Now, you mentioned different types of recall.</p> <p>3 There's standard recall and there's emergency recall,</p> <p>4 isn't there?</p> <p>5 A. That's right.</p> <p>6 Q. You haven't mentioned emergency recall. I mean,</p> <p>7 emergency recall, there are various potential triggers</p> <p>8 of emergency recall. One of those triggers is if the</p> <p>9 person in question is a MAPPA level 3 offender, isn't</p> <p>10 it? So, in other words, not only was normal recall</p> <p>11 available in the case of Sudesh Amman, but emergency</p> <p>12 recall was available as well?</p> <p>13 A. Actually, only emergency recall was available, my Lord,</p> <p>14 because when you are on MAPPA level 3, extremist</p> <p>15 offender, you only can do emergency recalls on level 3.</p> <p>16 Q. Very well.</p> <p>17 Before I move to the purchases, can I just deal with</p> <p>18 the room search point? I appreciate that room searches</p> <p>19 doesn't feature in the licence document itself, but it</p> <p>20 would have been one of the approved premises rules that</p> <p>21 would have been communicated to Mr Amman on his arrival</p> <p>22 in Streatham, is that right?</p> <p>23 A. Part of his induction at the approved premises, yes,</p> <p>24 that's right.</p> <p>25 Q. What would he have been told about room searching when</p> <p style="text-align: center;">Page 74</p>	<p>1 have that in their rules.</p> <p>2 MR JUSTICE HILLIARD: Can you just help me on one thing;</p> <p>3 I think this is what Mr Menon is getting at. Are you</p> <p>4 saying that every new resident is told when they get</p> <p>5 there, amongst other things, no doubt where their room</p> <p>6 is, this, that and the other, that it's possible that</p> <p>7 once a fortnight their room will be searched or are you</p> <p>8 saying sometimes they are not actually told about that</p> <p>9 until after it happens?</p> <p>10 A. They should be told about it as part of their induction,</p> <p>11 my Lord.</p> <p>12 MR JUSTICE HILLIARD: So that would mean before that</p> <p>13 happened, that's just part of the framework --</p> <p>14 A. On the day they arrived, yes, my Lord.</p> <p>15 MR MENON: That's, of course, overt searching?</p> <p>16 A. That's the normal overt searching, yes.</p> <p>17 Q. In your experience, what about covert searching? In</p> <p>18 other words, without the knowledge of the individual,</p> <p>19 spot checks on the room?</p> <p>20 A. Yes, sometimes they can do a search of the room.</p> <p>21 I would not class it as covert searching because they</p> <p>22 are not qualified to do that so I am a bit careful about</p> <p>23 how I use that terminology.</p> <p>24 Q. Fair point.</p> <p>25 A. But they can go in and do a search without the resident</p> <p style="text-align: center;">Page 76</p>

<p>1 knowing, when they are out and when they obviously don't</p> <p>2 have the opportunity to get hold of them, and they can</p> <p>3 go and look for anything specific at that time.</p> <p>4 MR JUSTICE HILLIARD: Would the new resident be told that</p> <p>5 that was a possibility or not?</p> <p>6 A. They should be, my Lord.</p> <p>7 MR JUSTICE HILLIARD: They should be told that?</p> <p>8 A. They should be.</p> <p>9 MR MENON: I appreciate, of course, that the staff at the</p> <p>10 approved premises are not trained search officers as</p> <p>11 such.</p> <p>12 A. No.</p> <p>13 Q. But take the items that I am about to discuss with you,</p> <p>14 the foil, the tape and the bottles, right, you don't</p> <p>15 need any special qualifications to open the door and</p> <p>16 have a -- you know, this is not a -- this is a sparsely</p> <p>17 inhabited room. Mr Amman didn't really have very much</p> <p>18 in that room. We have seen the photographs of it.</p> <p>19 Someone can just open the door and have a look and see,</p> <p>20 well, has he constructed a fake suicide vest or not?</p> <p>21 That doesn't require any special qualifications, does</p> <p>22 it?</p> <p>23 A. Not to see what is in the room, I suppose, no, my Lord,</p> <p>24 it wouldn't.</p> <p>25 Q. Of course, if the police at any stage were to say, "We</p> <p style="text-align: center;">Page 77</p>	<p>1 A. Well, I was told the items he bought. I wasn't told</p> <p>2 about any items that he bought.</p> <p>3 Q. It may be significant, isn't it? If you or I go into</p> <p>4 Tesco or any other supermarket and we do a £50 shop of</p> <p>5 food and drink and kitchen supplies and amongst our</p> <p>6 purchases are four bottles of Irn-Bru, a role of</p> <p>7 aluminium foil and a roll of brown tape, so what? But</p> <p>8 if somebody with Mr Amman's profile, who is such high</p> <p>9 risk, goes into a shop and doesn't buy anything else</p> <p>10 other than these three items, that surely is a relevant</p> <p>11 factor for both you, as a probation officer, and the</p> <p>12 police to take into account?</p> <p>13 A. It was a factor to take into account, and I suppose</p> <p>14 that's why they did give me the call to see if there was</p> <p>15 anything that we could do with regards to recall.</p> <p>16 Q. I am not going to ask you any questions about whether</p> <p>17 the police had the power to arrest him on suspicion of</p> <p>18 committing a criminal offence, because I entirely</p> <p>19 appreciate that is outside your scope; I will ask the</p> <p>20 police about that. But obviously the decision on recall</p> <p>21 was squarely yours, effectively, isn't it --</p> <p>22 A. It's a probation --</p> <p>23 Q. -- because you are the person with the clearance?</p> <p>24 A. It is a probation decision, yes.</p> <p>25 Q. And your answer was no?</p> <p style="text-align: center;">Page 79</p>
<p>1 want to have a look in that room", either with or</p> <p>2 without Mr Amman's knowledge, of course the approved</p> <p>3 premises would give the police immediate access?</p> <p>4 A. If it's fitting with their normal practice and rights,</p> <p>5 yes, they can.</p> <p>6 Q. Now, you were told by a detective inspector about what</p> <p>7 had happened when Mr Amman left the approved premises on</p> <p>8 31 January, weren't you?</p> <p>9 A. Sorry, say that again?</p> <p>10 Q. You were told by Detective Inspector -- I can't remember</p> <p>11 her name, Sarah?</p> <p>12 A. Sarah Bundock.</p> <p>13 Q. Yes. You were told by her about the purchases that</p> <p>14 Mr Amman made?</p> <p>15 A. I was told, yes.</p> <p>16 Q. And I think you were also told he had entered some other</p> <p>17 shops and shown some interest in knives and the like?</p> <p>18 A. In cutlery.</p> <p>19 Q. In cutlery?</p> <p>20 A. And he left it behind.</p> <p>21 Q. And he did not purchase anything?</p> <p>22 A. No.</p> <p>23 Q. Were you specifically told not only that he bought those</p> <p>24 items but that he bought those items and those items</p> <p>25 only. Were you told that?</p> <p style="text-align: center;">Page 78</p>	<p>1 A. My answer was no, after discussion with the national</p> <p>2 security lead within the Probation Service.</p> <p>3 Q. Now, the threshold for recall is modest at best, isn't</p> <p>4 it, the evidential threshold that has to be satisfied;</p> <p>5 isn't that right?</p> <p>6 A. I suppose that's a matter of opinion.</p> <p>7 Q. Look, I assume you are not a qualified lawyer.</p> <p>8 A. I am, actually.</p> <p>9 Q. Oh, you are, actually? Even better, even better.</p> <p>10 So you have your own special knowledge about the</p> <p>11 criminal law?</p> <p>12 A. Not in this country, no, but a similar model.</p> <p>13 Q. But in a Commonwealth jurisdiction, I take it?</p> <p>14 A. Back in Africa, yes.</p> <p>15 Q. Understood.</p> <p>16 So, putting that to one side, you have that added</p> <p>17 benefit, but putting that to one side for a minute, as</p> <p>18 a senior probation officer, even if you did not have</p> <p>19 a legal qualification, you have to have, at the very</p> <p>20 least, a rudimentary understanding of the criminal law</p> <p>21 in order to make decisions in relation to recall?</p> <p>22 A. Absolutely, yes.</p> <p>23 Q. You will be aware, therefore, that the evidence that you</p> <p>24 need in order to initiate the recall procedure --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 80</p>

<p>1 Q. -- is modest in the sense that all you need is material 2 available that demonstrates that the individual 3 concerned has not conducted him or herself by reference 4 to the standard of good behaviour. That's a very low 5 threshold, isn't it?</p> <p>6 A. The licence conditions always have to be considered on 7 balance of probabilities within the context of the 8 current management and his responses at that time. You 9 can't look at just one part of his management or one 10 condition and then make a decision. You have to look at 11 the whole context.</p> <p>12 Q. The reality is that people can be recalled for the most 13 minor and trivial breaches of their licence, can't they?</p> <p>14 A. Only if their risk cannot be managed in the community 15 any longer. You can't just recall somebody because they 16 have a breach of the licence. You still need to -- even 17 with the breach -- evidence that there is an imminent 18 risk and that they can't then be managed safely in the 19 community any further.</p> <p>20 Because the normal process with regard to recall, 21 when somebody breach their licences, you would normally 22 go through a process of issuing a first warning, you can 23 issue a second warning, you can issue a third warning. 24 So you give people that opportunity to continue, if it 25 is safe to do so. It is only when it is no longer safe</p> <p style="text-align: center;">Page 81</p>	<p>1 Q. But the reality is you don't have to, as the Probation 2 Service, conduct the investigation in relation to the 3 potential breach until after the person has been 4 recalled, do you?</p> <p>5 A. No, I have to have all the information beforehand and 6 I make a decision on that basis to recall. By the time 7 you recall, you have to be very sure that it has 8 stipulated the breach -- the risk cannot be managed 9 safely in the community anymore. Because to send 10 somebody back to prison is very difficult decision to 11 make because you are taking their liberty away, and it 12 is unclear how for how long they will go back in 13 sometimes. It is a big decision.</p> <p>14 Q. That is not what happens in reality, I suggest. What 15 I suggest happens in reality is this. The probation 16 officer completes the annex A form setting out what he 17 or she believes is the basis of the recall. That 18 document goes to the Secretary of State. If the 19 Secretary of State is satisfied that there is sufficient 20 evidence to justify the recall, the person goes back to 21 prison, and then the investigation commences, and then 22 the individual is asked, in this case, "Why did you buy 23 the Irn-Bru, the aluminium foil and the tape?", and then 24 a decision is made about that potentially by the parole 25 board, potentially by a court of law.</p> <p style="text-align: center;">Page 83</p>
<p>1 to manage them in the community that you can actually 2 issue and should issue the recall.</p> <p>3 Q. I am suggesting to you -- let me be absolutely blunt 4 about it, and this is not only with the benefit of 5 hindsight in terms of what Sudesh Amman eventually did 6 two days later, but I am suggesting to you that, given 7 everything that you knew by 31 January, those purchases 8 were more than sufficient to trigger the recall process. 9 More than sufficient.</p> <p>10 A. It was not more than sufficient, my Lord.</p> <p>11 Q. If somebody turns up five minutes late -- not even five 12 minutes late, two minutes late -- in relation to their 13 curfew, even if they have an excuse, they can 14 potentially be recalled, couldn't they? Potentially?</p> <p>15 A. They could potentially be recalled, yes.</p> <p>16 Q. If somebody accidentally strays into a part of London 17 that they have been excluded from, as Mr Amman was 18 excluded from various parts of London, even if it was 19 accidental, that could potentially trigger a recall, 20 couldn't it?</p> <p>21 A. If the risk couldn't be managed any longer in the 22 community. If it was purely an accident and there were 23 circumstances around that, why they have maybe moved 24 into the area or through the area, maybe on the way to 25 work, obviously it would not trigger a recall.</p> <p style="text-align: center;">Page 82</p>	<p>1 That is what normally happens in the recall 2 procedure?</p> <p>3 A. It's not the normal procedure, my Lord. We have to be 4 sure about the reasons why we recall someone before we 5 -- before that ever issued (overspeaking) --</p> <p>6 Q. I make it absolutely clear and I suggest to you that 7 that is completely wrong. A probation officer does not 8 have to be sure of anything before they initiate the 9 recall procedure. That is simply wrong and bears no 10 resemblance to reality on the ground.</p> <p>11 A. I am not sure if that is a statement or a question, 12 my Lord.</p> <p>13 Q. It is both.</p> <p>14 A. I have explained the process --</p> <p>15 MR JUSTICE HILLIARD: Do you agree with that or not?</p> <p>16 A. -- we have to have the evidence beforehand. I am not 17 agreeing with the statement.</p> <p>18 MR MENON: So you are saying that you were satisfied in your 19 own mind that there was nothing about these purchases in 20 the context in which they occurred and in the context of 21 everything that you knew about Sudesh Amman that allowed 22 you to conclude that this was not good behaviour?</p> <p>23 A. I was satisfied, yes.</p> <p>24 Q. And you are still satisfied even now?</p> <p>25 A. I am still satisfied because I had discussed it at the</p> <p style="text-align: center;">Page 84</p>

<p>1 time with the head of national security, as I said. He</p> <p>2 agreed with the decision at the time. There was a whole</p> <p>3 internal view, which took months to get to a conclusion</p> <p>4 if it was the right decision. That review was signed</p> <p>5 off by the chief probation officer to make it very clear</p> <p>6 that it was the right decision at that time and there</p> <p>7 was no ground for me to recall on that basis.</p> <p>8 Q. I know you have been taken to the reviews conducted by</p> <p>9 others, but you appreciate that this is an inquest into</p> <p>10 Mr Amman's death and this jury is going to reach</p> <p>11 conclusions by what means and in what circumstances he</p> <p>12 died, which may include, if they choose to do so, an</p> <p>13 analysis of any failings and missed opportunities, do</p> <p>14 you understand that?</p> <p>15 A. I understand that (overspeaking) --</p> <p>16 Q. And I am suggesting to you that your failure to recall</p> <p>17 him was a most serious missed opportunity in this case.</p> <p>18 A. I am not agreeing with that statement, my Lord. It was</p> <p>19 not a missed opportunity.</p> <p>20 Q. Just one moment, please.</p> <p>21 You told us that you spoke to Al Reid, first of all?</p> <p>22 A. That's correct.</p> <p>23 Q. And you also spoke to, I think, another probation</p> <p>24 officer who didn't have the requisite security</p> <p>25 clearance, is that right?</p> <p style="text-align: center;">Page 85</p>	<p>1 that that is in place.</p> <p>2 Q. So, no recall, you have explained. No steps taken to</p> <p>3 search the room or try to initiate a search of the room?</p> <p>4 A. There was discussions around the search of the room.</p> <p>5 I left that with the police.</p> <p>6 Q. You left that with the police?</p> <p>7 A. Yes.</p> <p>8 Q. I think you are saying that they agreed with you that</p> <p>9 searching of the room --</p> <p>10 A. At the time it did not make any sense. Because if you</p> <p>11 find articles that people are legally allowed to have in</p> <p>12 their room, it would serve no purpose if you find it.</p> <p>13 Q. We will see about that, but what if he's made the fake</p> <p>14 suicide vest already? We know he wore it on 2 February,</p> <p>15 so what if he made it on his return from Poundland?</p> <p>16 A. I don't know when he made it, my Lord.</p> <p>17 Q. But why not have a look in the room and see?</p> <p>18 A. It was decided at that time that that was not a tactic</p> <p>19 that would be used.</p> <p>20 Q. We know that on 1 February Mr Amman left his room for</p> <p>21 about 27 minutes or so. He left the premises and went</p> <p>22 to a local chicken shop or something and got some food</p> <p>23 and came back, yes? So the room was empty for</p> <p>24 27 seconds(sic), right? Wouldn't that have been</p> <p>25 a excellent opportunity to have a quick look in the room</p> <p style="text-align: center;">Page 87</p>
<p>1 A. That is not right. I spoke to Al Reid, who had the</p> <p>2 security clearance, who I could discuss the situation</p> <p>3 with.</p> <p>4 Q. Yes?</p> <p>5 A. I think the other person that is referenced is Emma, who</p> <p>6 works in PPCS.</p> <p>7 Q. Yes.</p> <p>8 A. She's not a probation officer as such. She works in the</p> <p>9 unit that needs to sign off recalls. I had the</p> <p>10 discussion with her because it would have gone through</p> <p>11 their team if we did do any recalls with regard to him.</p> <p>12 Q. So what was your discussion with her? You told us about</p> <p>13 the discussion with Al Reid and that he agreed with your</p> <p>14 assessment. What was the discussion with Emma about?</p> <p>15 A. My discussion with Emma was more in line with that we</p> <p>16 are aware that -- we are concerned about his risk. We</p> <p>17 do not currently have a breach of the licence. We</p> <p>18 cannot do a recall. I couldn't share the details with</p> <p>19 her. I confirmed with her that it was approved by</p> <p>20 Al Reid as well that we could not recall at this time.</p> <p>21 But because of the concerns we had around his risk,</p> <p>22 I wanted to make clear that -- I wanted to get agreement</p> <p>23 from her that even if there is a minor breach we would</p> <p>24 normally give warning for, that they would sign off if</p> <p>25 we sent in the recall papers, and I wanted to make sure</p> <p style="text-align: center;">Page 86</p>	<p>1 and see what he had done with the items he purchased</p> <p>2 from Poundland?</p> <p>3 A. At the time when I discussed it with the police, when it</p> <p>4 was -- we agreed at that time that it wouldn't serve</p> <p>5 a purpose to find items in the room that he is legally</p> <p>6 allowed to have, as it does not constitute a breach, and</p> <p>7 we would therefore not be able to recall. We agreed it</p> <p>8 was further for the police to think if there was any</p> <p>9 other actions they could take. I am obviously not aware</p> <p>10 of his movements because I am not aware of what he does</p> <p>11 under surveillance unless I am told about risk</p> <p>12 specifics.</p> <p>13 Q. I just want to go back to this because I don't want to</p> <p>14 misstate what you said. Go back to the principles of</p> <p>15 recall. You are saying that a probation officer</p> <p>16 supervising somebody in the community who is on licence</p> <p>17 must be sure about the breach before they can initiate</p> <p>18 the recall process. That's what you are saying?</p> <p>19 A. That is what I am saying.</p> <p>20 MR MENON: Thank you.</p> <p>21 Questions by MR SHELDON</p> <p>22 MR SHELDON: Good afternoon, Ms Heckroodt.</p> <p>23 A. Good afternoon.</p> <p>24 Q. My name is Neil Sheldon and I act for the Metropolitan</p> <p>25 Police I only have a couple of questions.</p> <p style="text-align: center;">Page 88</p>

<p>1 You explained helpfully how the Probation Service 2 would not routinely be briefed on police surveillance 3 operations, is that right? 4 A. That's correct. 5 Q. But that if there was a particular reason for you to be 6 given information about a surveillance operation, you 7 would be given it? 8 A. That's correct. 9 Q. That, of course, is what happened, isn't it, on 10 31 January when you were told by Detective Inspector 11 Bundock that Mr Amman was under surveillance and that 12 surveillance officers had seen him buying items in 13 Poundland and browsing cutlery, yes? 14 A. That's right. 15 Q. In addition to being told what he had done, you were 16 also told what the police suspected he might seek to do 17 with those items that he'd bought, yes? 18 A. That's correct. 19 Q. And, in particular, you were told about the concern that 20 he might use them to fabricate some sort of hoax IED? 21 A. Yes, correct. 22 Q. The reason you were told that information was because 23 the police wanted your professional assistance, as the 24 head of the London Extremism, Gangs & Organised Crime 25 Unit, as to whether this information and these concerns</p> <p style="text-align: center;">Page 89</p>	<p>1 conditions, let alone any criminal offence committed? 2 A. That's correct. 3 Q. If I have understood your statement correctly, not only 4 did you consult Mr Reed, you also spoke to a number of 5 senior colleagues; is that right? 6 A. Not at that time. 7 Q. But subsequently? 8 A. Subsequently, yes. 9 Q. I see. And the purpose of speaking to those other 10 senior colleagues subsequently was to see if any of them 11 had ever had any experience of recalling a person based 12 simply upon imminent risk -- 13 A. That's correct. 14 Q. -- without a breach of licence conditions. And had 15 they? 16 A. No, they had not. 17 Q. Now, the reason you devoted such considerable time and 18 effort into the consideration of this issue, applying 19 your own expertise, consulting Mr Reed, taking the 20 preliminary steps with the PPCS and so on, was, I would 21 respectfully submit, because you understood very clearly 22 how concerned the police were about this man? 23 A. Yes, I did. 24 Q. Is that right? You received the clear impression, 25 I take it, that the police wanted all options to be very</p> <p style="text-align: center;">Page 91</p>
<p>1 might justify recall, yes? 2 A. That's correct. 3 Q. Forgive the obvious question, but it may be important to 4 emphasise: that was a request you took seriously wasn't 5 it? 6 A. It was. 7 Q. Indeed, you took it so seriously that in addition to 8 giving the matter very careful thought yourself, you 9 also took the trouble to seek the input of Mr Reed? 10 A. That's correct. 11 Q. Mr Reed being the national security lead of the entire 12 Probation Service, yes? 13 A. That's correct. 14 Q. A man, as I understand it, at least, of very 15 considerable experience indeed in dealing with terrorist 16 offenders in the community? 17 A. That's correct. 18 Q. And your combined expertise brought to bear upon this 19 particular question produced a clear answer, didn't it? 20 A. That's correct. 21 Q. And the clear answer was that it would not be possible 22 to justify recall on the basis of the purchases and the 23 surrounding suspicion? 24 A. That's correct. 25 Q. Because there had been no breach of the licence</p> <p style="text-align: center;">Page 90</p>	<p>1 thoroughly considered, yes? 2 A. That's correct. 3 Q. And, as a result of that, you left no stone unturned? 4 A. That's correct. 5 Q. Now, that approach of thoroughly considering all 6 available options, was that the same approach that you 7 took to the issue of whether there might be a way of 8 preventing Mr Amman from being released from prison in 9 the first place? 10 A. We would. That's why we were looking at and just 11 confirming -- although we were quite clear in our 12 understanding that it would possibly not be possible to 13 add additional days, we wanted to make absolutely sure 14 that, if there was, that that had been explored and 15 considered. 16 Q. Yes. 17 A. The release in itself, there was no way that that could 18 be stopped because it is a determinate sentence: by law, 19 you would be released on the day halfway through your 20 sentence and that could not change. 21 Q. But there was a coordinated approach, wasn't there, 22 between the Probation Service and the police to 23 investigate whether or not the prison -- 24 A. Yes. 25 Q. -- could possibly keep him in?</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 A. That's correct, my Lord.</p> <p>2 Q. And the only reason that the Kilvinder Vigurs letter was</p> <p>3 not sent was because you knew that Detective Chief</p> <p>4 Superintendent Boon had written in very similar terms</p> <p>5 and had got a clear answer?</p> <p>6 A. That's correct, my Lord.</p> <p>7 Q. So your view, from the Probation Service's perspective,</p> <p>8 was that all that could possibly have been done in that</p> <p>9 respect, keeping him in prison, had been done as well?</p> <p>10 A. That's correct.</p> <p>11 MR SHELDON: Yes, thank you very much, Ms Heckroodt.</p> <p>12 Thank you, sir.</p> <p>13 Questions by MR RAWAT</p> <p>14 MR RAWAT: Good afternoon, Ms Heckroodt, you will know who</p> <p>15 I am. I am Bilal Rawat here on behalf of both of</p> <p>16 National Probation Service and Her Majesty's Prison</p> <p>17 Service. You, of course, are a senior employee within</p> <p>18 the National Probation Service.</p> <p>19 I am going to go over some of the points that you</p> <p>20 have been asked questions about, but hopefully without</p> <p>21 going into too much detail that has been covered by</p> <p>22 others.</p> <p>23 We have learnt that, like Mr Menon, you are</p> <p>24 a lawyer. Unlike Mr Menon, you are also a probation</p> <p>25 officer. Could you just tell the jury how long you have</p> <p style="text-align: center;">Page 93</p>	<p>1 custody and then continue once they are in the</p> <p>2 community?</p> <p>3 A. That's correct.</p> <p>4 Q. By the time we get to Mr Amman's case, which is 2019,</p> <p>5 you will have seen quite a number of cases going through</p> <p>6 the door?</p> <p>7 A. That's correct.</p> <p>8 Q. At the time that you began dealing with Mr Amman, and</p> <p>9 you have explained you had a team with a senior</p> <p>10 probation officer and three community offender managers</p> <p>11 under you, but collectively as a team, how many cases</p> <p>12 were you handling?</p> <p>13 A. When I -- I looked back at the February 2020 date and at</p> <p>14 that time we had 40 individuals we were managing within</p> <p>15 the team.</p> <p>16 Q. Of those, how many were at level 3?</p> <p>17 A. We -- we had at the time 31 cases we were managing at</p> <p>18 level 3.</p> <p>19 Q. So would you accept this suggestion, that as a team you</p> <p>20 had considerable experience by then of dealing with</p> <p>21 serious offenders?</p> <p>22 A. We did, yes.</p> <p>23 Q. And considerable knowledge of the risk that they could</p> <p>24 present to the public?</p> <p>25 A. Yes, we did.</p> <p style="text-align: center;">Page 95</p>
<p>1 worked for the Probation Service?</p> <p>2 A. I started my career in January 1992. I came to England</p> <p>3 in August 2000, and I have worked in the Probation</p> <p>4 Service in London since August 2000.</p> <p>5 Q. And how long have you been working with extremist</p> <p>6 offenders?</p> <p>7 A. I set up the unit in December 2015.</p> <p>8 Q. And was that --</p> <p>9 A. At the time, it was the Serious Case Advisory Unit,</p> <p>10 because the staff was now annexed to the TTPO and the</p> <p>11 CTPL, the specialist staff were part of our unit. JEXU,</p> <p>12 who they are now part of, was only set up afterwards, so</p> <p>13 they transferred out into JEXU thereafter. We only</p> <p>14 became an operational unit in February -- February 2017.</p> <p>15 I appointed probation staff to actively manage the</p> <p>16 people within our unit. Before that, we were an</p> <p>17 advisory unit.</p> <p>18 Q. You have always been the lead of any such unit, is that</p> <p>19 right?</p> <p>20 A. Yes, I set it up.</p> <p>21 Q. At least since 2017 you would have had direct oversight</p> <p>22 of a number of extremist cases?</p> <p>23 A. That's correct.</p> <p>24 Q. And that is, as you have explained, leading a team that</p> <p>25 will start managing people whilst they are still in</p> <p style="text-align: center;">Page 94</p>	<p>1 Q. You were asked, perhaps in a somewhat critical manner,</p> <p>2 about the fact that Mr Campbell did not have access to</p> <p>3 all the information that you might have?</p> <p>4 A. That's correct.</p> <p>5 Q. Now, I just wanted you to confirm this. There is a good</p> <p>6 reason, isn't there, for a community offender manager</p> <p>7 like Mr Campbell not having access to such information,</p> <p>8 and it is because it avoids the risk that he might</p> <p>9 inadvertently disclose such information to an offender</p> <p>10 that he's managing?</p> <p>11 A. It does do that, yes.</p> <p>12 Q. And that is a legitimate risk that you, as a senior</p> <p>13 manager, have to be aware of?</p> <p>14 A. That's correct.</p> <p>15 Q. And the management of Mr Amman has to be seen in this</p> <p>16 context, doesn't it, that whilst the National Probation</p> <p>17 Service was the lead agency and was managing him,</p> <p>18 throughout -- and I would suggest both whilst he was</p> <p>19 still in custody -- there was extensive information</p> <p>20 sharing between agencies, wasn't there?</p> <p>21 A. That's correct.</p> <p>22 Q. So even though Mr Campbell might not have had all the</p> <p>23 picture, information-sharing between agencies meant that</p> <p>24 you as the lead had all the information, didn't you?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 96</p>

<p>1 Q. And, similarly, the police had information?</p> <p>2 A. That's correct.</p> <p>3 Q. Would you say this: taking your conversation with</p> <p>4 Detective Inspector Bundock as an example, that was an</p> <p>5 example of good information-sharing that was going on at</p> <p>6 the time?</p> <p>7 A. That was. We had regular discussions about all kinds of</p> <p>8 cases where they would share information with me.</p> <p>9 Q. And you were receiving information not only as the lead</p> <p>10 for LEGOU, but also as the MAPPA chair, co-chair, of the</p> <p>11 process that was managing Mr Amman?</p> <p>12 A. That's correct.</p> <p>13 Q. Can you confirm this, if even after release he would</p> <p>14 still have been managed under the MAPPA process, is that</p> <p>15 right?</p> <p>16 A. Yes, that's correct.</p> <p>17 Q. We know from Mr Campbell that his last face-to-face</p> <p>18 contact with Mr Amman was on 27 January, 2020?</p> <p>19 A. That's correct.</p> <p>20 Q. You had the disclosure about the purchases that Mr Amman</p> <p>21 had made on 31 January. Would it be right to presume</p> <p>22 that you would have borne that in mind when considering</p> <p>23 the next contact that Mr Campbell might have with</p> <p>24 Mr Amman?</p> <p>25 A. Yes, we would.</p> <p style="text-align: center;">Page 97</p>	<p>1 the person from the Joint Extremism Unit, so that is the</p> <p>2 specialist counter-terrorist probation officer who</p> <p>3 provides further operational support and delivers</p> <p>4 interventions, et cetera, and we also have the officer</p> <p>5 from the Terrorist Offender Management Unit, so the</p> <p>6 three of them work really closely together. And then</p> <p>7 obviously you also get further information from the</p> <p>8 mentors and theologians. In this case, Mr Amman, as</p> <p>9 people are aware, was in an approved premises, so he</p> <p>10 also had an allocated key worker in the approved</p> <p>11 premises who would see him on a very regular basis. So</p> <p>12 it is a whole team of persons that work together to</p> <p>13 manage one person.</p> <p>14 Q. Could we have on the screen, please, INQ003605. This is</p> <p>15 the first page of your first statement. You have been</p> <p>16 asked about the JOTS meeting, which is on page 2.</p> <p>17 If I just take you, please, to the bottom of page 2</p> <p>18 and have the third paragraph expanded. The one above</p> <p>19 it, please.</p> <p>20 This is what you said. I just want to clarify the</p> <p>21 steps that you took after the JOTS meeting of 9 January</p> <p>22 2020. The first thing you did there is you asked Leon</p> <p>23 Campbell to draw up a draft recall to prison report?</p> <p>24 A. That's correct.</p> <p>25 Q. Does it follow that even before Mr Amman was released,</p> <p style="text-align: center;">Page 99</p>
<p>1 Q. And I think this is a point you have made already, but</p> <p>2 it is worth clarifying a little further: risk</p> <p>3 assessment, and risk assessment of the kind of offender</p> <p>4 that Mr Amman was, is not left to one individual, is it?</p> <p>5 A. No, it's not. It's not even left to one agency, really.</p> <p>6 Q. Let's take that in two parts. Let's look at the</p> <p>7 Probation Service itself. Within your team, it was not</p> <p>8 down to Mr Campbell to make all of the decisions alone,</p> <p>9 was it?</p> <p>10 A. No, it was not.</p> <p>11 Q. He was supervised by the senior probation officer?</p> <p>12 A. That's correct.</p> <p>13 Q. And in fact that's the person who would have signed off</p> <p>14 the OASys --</p> <p>15 A. That's correct.</p> <p>16 Q. And you were part of the line management process as</p> <p>17 well?</p> <p>18 A. That's correct.</p> <p>19 Q. You made the point it is not just managed by one agency.</p> <p>20 Could you just give the jury a little more detail about</p> <p>21 what you meant by that?</p> <p>22 A. What I mean by that is that when we manage terrorist</p> <p>23 risk offenders, we have the probation staff around them</p> <p>24 so they all have an allocated probation officer who</p> <p>25 works with them directly. After release, they also have</p> <p style="text-align: center;">Page 98</p>	<p>1 you had the steps in place if necessary to recall him?</p> <p>2 A. That's right. As part of the contingency planning.</p> <p>3 Q. You say:</p> <p>4 "... we agreed an extensive risk management plan for</p> <p>5 Amman, which included he would be electronically tagged,</p> <p>6 under curfew, living at an approved premises and</p> <p>7 provided with a mobile phone by the police. He had</p> <p>8 a key worker, a mentor and a probation officer and</p> <p>9 I knew from the JOT he would be under surveillance. We</p> <p>10 had also been given a 24-hour security officer ...</p> <p>11 attained through the CCPC process ..."</p> <p>12 A. That's correct.</p> <p>13 Q. So even after the disclosure you had received at the JOT</p> <p>14 meeting, were you satisfied from a risk assessment point</p> <p>15 of view that you had a robust risk management plan in</p> <p>16 place?</p> <p>17 A. Yes, we were. I was.</p> <p>18 Q. Can I now bring up INQ003447, please, your second</p> <p>19 statement. If we go to page 17. If you just expand 69</p> <p>20 at the bottom, then we will go over to the next page.</p> <p>21 You have recorded there what you were actually told</p> <p>22 by the police on 31 January that Mr Amman had purchased.</p> <p>23 A. That's correct.</p> <p>24 Q. You say:</p> <p>25 "On 31 January, I was informed that Mr Amman had</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

1 gone into a shop where he bought two bottles of Irn-Bru
 2 and some tape and foil."
 3 Then you go on to talk about the cutlery that he
 4 looked at but did not purchase.
 5 Go to the next page, please. What had given rise,
 6 you say, to police suspicion was that Mr Amman either
 7 planned to make a fake suicide vest or was testing to
 8 see if he was under surveillance.
 9 Can I just get this clear with you. At that time --
 10 certainly from the information you were being given by
 11 the police -- there were two possibilities of what
 12 Mr Amman might have been up to. Is that right?
 13 **A. That's correct.**
 14 Q. And were you given any information as to which was more
 15 likely, or which was the greater possibility?
 16 **A. No, I was not.**
 17 Q. So those were the two that you had to consider in mind
 18 as you went through the process that Mr Sheldon has just
 19 taken you through?
 20 **A. That's correct.**
 21 Q. You have been asked a number of questions about the
 22 recall process and taken to Mr Amman's conditions. If
 23 we could have those up on screen, please, INQ000077.
 24 As of 31 January 2021 [sic] Mr Amman -- if we leave
 25 the first one aside for the moment, the good behaviour

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1 conditions. But he had not committed any other
 2 offences, had he?
 3 **A. He had not.**
 4 Q. And he had not committed any other breach of licence
 5 condition?
 6 **A. None --**
 7 Q. For example, he had not even been two minutes late.
 8 **A. No, he wasn't.**
 9 Q. If, for example, he had missed a drugs test then that
 10 might have given you a basis, but you didn't have, at
 11 that time, any clear basis of any of the other
 12 conditions that he had breached?
 13 **A. There was no breach of any licence condition. There was**
 14 **no breach of any approved premise rules which could fall**
 15 **under good behaviour as well. There was nothing.**
 16 Q. In fact, as the jury has heard, he was actually
 17 complying with the regime, wasn't he?
 18 **A. He was.**
 19 Q. He had attended meetings with mentors, both the
 20 theologian and the other mentor. He met with his
 21 supervisor. So there was no indication in his behaviour
 22 towards others that he was doing anything other than
 23 complying with the rules; is that right?
 24 **A. He complied with all the rules. He saw the people he**
 25 **was required to see, he had interviews with them. In**

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1 **the approved premises, he signs up for the cooking club,**
 2 **he signs up for the job search club, and he participated**
 3 **fully and engaged with the process and there was no**
 4 **breaches at all.**
 5 Q. If anything, he was giving an impression of a move
 6 forward from the way that he behaved in custody, when he
 7 didn't engage at all --
 8 **A. Absolutely.**
 9 Q. -- to now appearing to want to engage with the process?
 10 **A. Yes.**
 11 Q. So it has been put to you, however, that those
 12 purchases -- which it is not disputed are legitimate
 13 purchases that people are make --
 14 **A. That's correct.**
 15 Q. -- are purchases that you could have found him to be
 16 a breach of the good behaviour licence condition?
 17 **A. It is not a breach of the good behaviour licence**
 18 **conditions to make purchase of items you are allowed to**
 19 **have.**
 20 Q. When considering a recall, is the process -- and this is
 21 calling on your expertise as a probation officer -- that
 22 you need to have an evidential basis to decide to recall
 23 someone?
 24 **A. I do, yes.**
 25 Q. And you would look to the guidance that exists within

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1 your organisation for how recall should operate?
 2 **A. I would, yes.**
 3 Q. And as you have explained, you had discussions with the
 4 national security lead for NPS about this decision?
 5 **A. Yes.**
 6 Q. It may assist you that there is not any evidence that
 7 supports the statements that Mr Menon has put to you,
 8 but can we bring it down to this: does it remain your
 9 position that there was no proper basis for you to
 10 recall Sudesh Amman on the basis of a breach of the good
 11 behaviour condition?
 12 **A. It remains my position, my Lord.**
 13 Q. Would it be fair to say that if you, aware of all the
 14 information that you had, aware of the risk he
 15 presented, if you had found a legitimate basis would you
 16 have recalled him?
 17 **A. If there was a legitimate basis to recall him, I would**
 18 **not have doubted to do it. I would have done that**
 19 **immediately, because the probation service our aim and**
 20 **ambition is to protect the public.**
 21 Q. I just want to clarify one more thing. That is the
 22 standard you would have to apply in deciding whether to
 23 recall or not.
 24 You will know as a lawyer that there is a criminal
 25 standard and there is also a civil standard which is

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<p>1 balance of probabilities.</p> <p>2 A. Yes.</p> <p>3 Q. Is it balance of probabilities or the criminal standard?</p> <p>4 A. It is balance of probabilities.</p> <p>5 MR RAWAT: It has to be more likely than not that there has</p> <p>6 been a breach.</p> <p>7 I think those are all my questions, thank you very</p> <p>8 much, Ms Heckroodt. Thank you, sir.</p> <p>9 MR HOUGH: Thank you, Ms Heckroodt, that is all we have for</p> <p>10 you.</p> <p>11 A. Thank you.</p> <p>12 MR JUSTICE HILLIARD: Thank you very much.</p> <p>13 (The witness is released)</p> <p>14 MR HOUGH: Sir, we are grateful to you and the jury for</p> <p>15 sitting into lunch to allow Ms Heckroodt to be finished.</p> <p>16 MR JUSTICE HILLIARD: Yes, all right. Thank you very much.</p> <p>17 Members of the jury, we will break off now until</p> <p>18 2.05 pm.</p> <p>19 (1.11 pm)</p> <p>20 Discussion in the absence of the jury</p> <p>21 (1.18 pm)</p> <p>22 (The short adjournment)</p> <p>23 (2.17 pm)</p> <p>24 Proceedings continued in the presence of the jury</p> <p>25 MR JUSTICE HILLIARD: Yes.</p> <p style="text-align: center;">Page 105</p>	<p>1 Q. You appreciate that I'm asking questions first on behalf</p> <p>2 of the Coroner.</p> <p>3 Could you tell us your rank and the part of the</p> <p>4 Metropolitan Police Service in which you work?</p> <p>5 A. Sir, I am a detective superintendent and I work for the</p> <p>6 Counter Terrorism Command based at New Scotland Yard.</p> <p>7 Q. For how long have you worked in the Counter Terrorism</p> <p>8 Command?</p> <p>9 A. So I've, this time round, worked for approximately</p> <p>10 13 years in the Counter Terrorism Command.</p> <p>11 Q. Is it right that you are qualified and have considerable</p> <p>12 experience as a counter-terrorism senior investigating</p> <p>13 officer running investigations?</p> <p>14 A. That's right, sir.</p> <p>15 Q. In your current role, do you manage a number of</p> <p>16 operational teams within SO15 responsible for both</p> <p>17 covert and overt policing in response to terrorist</p> <p>18 threats and incidents?</p> <p>19 A. That's correct, sir. I manage four operational teams.</p> <p>20 Q. At the time -- that is to say, on the day of</p> <p>21 Sudesh Amman's death -- were you the senior</p> <p>22 investigating officer of the priority investigation into</p> <p>23 him known as Operation Osmious?</p> <p>24 A. That's correct, sir.</p> <p>25 Q. You understand you are here to give evidence about that</p> <p style="text-align: center;">Page 107</p>
<p>1 MR HOUGH: Sir, just before the witness is sworn, as</p> <p>2 I indicated before lunch in the absence of the jury, the</p> <p>3 witness we are now to hear from, HA6, is a police</p> <p>4 officer who has been granted anonymity and special</p> <p>5 measures by your directions of 18 July 2021. He will be</p> <p>6 referred to as HA6. No question may be asked which may</p> <p>7 lead to his identification. He's being screened from</p> <p>8 the public, representatives of the media and interested</p> <p>9 persons themselves, but not from those in this room,</p> <p>10 including yourself, the jury and the lawyers.</p> <p>11 There is an order under the Contempt of Court Act</p> <p>12 that no publication may be made of his name or</p> <p>13 identifying details about him in connection with the</p> <p>14 subject matter of this inquest.</p> <p>15 Those who are not entitled to see this witness are</p> <p>16 in the overflow courts with the audio link.</p> <p>17 MR JUSTICE HILLIARD: Yes. Again, members of the jury, it</p> <p>18 has no bearing on the evidence that is given. That</p> <p>19 falls to be assessed in the usual ways.</p> <p>20 All right. Perhaps the witness can be sworn.</p> <p>21 HA6 (sworn)</p> <p>22 Questions by MR HOUGH</p> <p>23 MR HOUGH: Could you confirm that you are the officer being</p> <p>24 referred to as HA6 in these proceedings?</p> <p>25 A. I can confirm that, sir.</p> <p style="text-align: center;">Page 106</p>	<p>1 investigation, both before and after you took on the</p> <p>2 role of SIO?</p> <p>3 A. That's correct.</p> <p>4 Q. You appreciate, I know -- but can you confirm this for</p> <p>5 everyone in court -- that there may be subjects where</p> <p>6 you have to be careful about how much you can say for</p> <p>7 national security reasons, and that you may therefore</p> <p>8 answer one of my questions or one of somebody else's</p> <p>9 questions by saying either that you can't go further</p> <p>10 than a particular point, or that you have to consult</p> <p>11 somebody before you do give a full answer?</p> <p>12 A. Yes, that's correct.</p> <p>13 Q. May I then ask you about some matters of background</p> <p>14 concerning counter-terrorism priority investigations.</p> <p>15 First of all, when intelligence comes in to either</p> <p>16 the police or the Security Service, warranting</p> <p>17 a counter-terrorism investigation, does it often happen</p> <p>18 that a team is put together comprising a Security</p> <p>19 Service MI5 team and an SO15 counter-terrorism team to</p> <p>20 conduct the investigation together?</p> <p>21 A. That's correct.</p> <p>22 Q. And in simple terms, what is the division of labour</p> <p>23 between the two teams?</p> <p>24 A. I have described the role of MI5, the operations team,</p> <p>25 to take the lead on gathering intelligence and</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 developing the intelligence picture, and for the police 2 it's to develop the evidential picture. But we both 3 work in tandem around identifying risk and disruption 4 opportunities. 5 Q. MI5 will do certain covert investigation work which 6 involves techniques that are particular to them? 7 A. It is little bit more nuanced than that. So I would say 8 MI5 lead on the intelligence case with some of their 9 techniques, but then police assets will support that 10 objective around gathering intelligence. So the police 11 can bring certain techniques to the table that 12 complements what MI5 also do. 13 Q. Indeed, in this case we will see that the police brought 14 surveillance to the picture? 15 A. That's correct. 16 Q. Is it right that the police team gather evidence and 17 take any action to arrest or otherwise disrupt the 18 person who is under investigation? 19 A. So I would describe that as the primary function of what 20 the police is, that ability to secure evidence, identify 21 evidential opportunities, and carry out disruptions in 22 the form of arrests and then subsequently prosecution. 23 Q. May I now ask you about priority gradings in such 24 operations and investigations. Is it right that when 25 a person is subject to a priority investigation by</p> <p style="text-align: center;">Page 109</p>	<p>1 members of the MI5 team and the police team will 2 maintain regular contact with each other at all levels 3 between the two? 4 A. Yes. I would say that's correct. As well as regular 5 meetings which you go on to describe, there will be 6 contact through either person to person or through phone 7 contacts as well, throughout the duration of the 8 operation. 9 Q. So the senior investigating officer for the police may 10 be in touch with his or her opposite number in MI5, in 11 the MI5 team, by email and by phone and likewise other 12 members of the team? 13 A. That's correct. 14 Q. Turning to set or scheduled meetings, from time to time 15 during an investigation do Joint Operational Team or JOT 16 meetings take place between the police and MI5 teams? 17 A. That is correct. 18 Q. Are they always just at particular interval or are they 19 convened for specific purposes? 20 A. So, the latter. So, the frequency of the JOTs would 21 depend on the nature of the operation and the threat and 22 risk associated with that operation. I have been 23 involved in operations where they have been daily or 24 other operations they can be over a monthly period. 25 Q. At a higher level in some operations may there be</p> <p style="text-align: center;">Page 111</p>
<p>1 Security Service and counter-terrorism police, the 2 investigation will typically be given a priority grading 3 between P1, the highest, and P4, the lowest? 4 A. That's correct. 5 Q. You are aware, I think, that those priority levels have 6 been explained in public documents such as in Lord 7 Anderson's view of the 2017 terrorist attacks? 8 A. I am aware. 9 Q. Can you confirm that this is the position: that P1 is 10 the priority rating where there is intelligence of 11 actual attack planning? 12 A. That's correct. 13 Q. P2 is where there is firm intelligence that somebody is 14 involved in extremist activities, that may be planning 15 to travel to fight overseas, fund-raising or terrorist 16 training? 17 A. That's correct. 18 Q. P3, is this right, is where there is uncorroborated 19 intelligence relating to any form of extremist activity? 20 A. That's correct. 21 Q. And P4 is where there is a risk that an individual may 22 re-engage with extremist activity which they have been 23 engaged with in the past? 24 A. That's correct. 25 Q. During a priority investigation, is it right that the</p> <p style="text-align: center;">Page 110</p>	<p>1 something called a executive liaison group meeting? 2 A. That is correct. 3 Q. What is one of those? 4 A. So an executive liaison group, or ELG, as we call it, is 5 whereby the senior national coordinator will convene 6 a meeting of what I describe as interested police and 7 MI5 parties to come together to consider some of the 8 wider risks around a particular operation. So, not just 9 necessarily the intelligence, say, related to 10 attack-planning, but some of the community concerns, 11 some of the messaging we have to put out on some of the 12 issues that will come out of any operational activity 13 that takes place. 14 Q. Is it right that an investigation may be very high 15 priority, being taken very seriously, but not attract 16 an ELG because it doesn't fall into the category you 17 have just described? 18 A. That is correct. Ultimately, it is a decision for the 19 senior national coordinator and his or her deputy to 20 call the ELG, but they will have oversight of the 21 specifics around some of the threat and risk on 22 particular operations. 23 Q. Is it right that there was no ELG during the operation 24 against Sudesh Amman? 25 A. There was no ELG.</p> <p style="text-align: center;">Page 112</p>

<p>1 Q. Just to get an understanding of the scale of the 2 workload of MI5 and counter-terrorism police, is it 3 right that around the time of the attack about 3,000 4 active subjects of interest were on MI5's radar? 5 A. That's correct. 6 Q. Is it right to say that over recent years there has been 7 particular focus upon the possibility of extremists 8 carrying out low-sophistication attacks, because of 9 plenty of examples of such attacks, using knives or 10 sometimes vehicles as weapons? 11 A. That is correct. 12 I would say over a period of time there's 13 a representative change in methodology used historically 14 with some of the big Al Qaeda type plots to move into 15 self-initiated attacks, very low sophistication, very 16 low tech. 17 Q. Are there particular challenges in interrupting these 18 sorts of lone-wolf attacks that do not involve 19 sophisticated knowledge networks or planning? 20 A. Significant challenges. So, from an operational point 21 of view and from an evidential point of view, an 22 opportunity to intervene is quite often quite narrow, 23 and we have to be quite dynamic as both organisations 24 have had to adapt to that change in threat picture. It 25 is particularly challenging.</p> <p style="text-align: center;">Page 113</p>	<p>1 policing team aiming to gather evidence for potential 2 prosecution? 3 A. That's correct. 4 Q. Is your objective to look for evidence of the most 5 serious possible offence to justify a major prosecution 6 and a long custodial sentence, or is it to look for 7 evidence of any offence at all, with a view to 8 disrupting an offender even if only for a short time? 9 A. So we will always start at that highest level of 10 disruption to ensure the longest-term sustained plan 11 around taking an individual out of the community, 12 because of the threat they represent. If we uncover 13 evidence of other offences, whether criminality or on 14 a terrorism basis, then we make a case-by-case decision 15 on whether to act on them or still go -- still see down 16 the path of looking at the more substantial offending. 17 Q. Do you consider, though, as part of your work, that 18 sometimes arresting somebody for a relatively minor 19 offence may disrupt them in the preparation or planning 20 for an attack? 21 A. Possibly. It will be dependent on that particular set 22 of circumstances, case by case, and what other 23 opportunities it would offer us by taking that option. 24 Q. Part of your function, as well as investigating crime, 25 is to disrupt potential attacks and protect the public?</p> <p style="text-align: center;">Page 115</p>
<p>1 Q. In a number of instances of attacks in recent years, 2 such as the London Bridge, Borough Market attack and in 3 the Fishmongers' Hall attack, were the attackers found 4 to be wearing hoax suicide vests or belts? 5 A. Yes, that's correct. So, London Bridge was quite crude 6 devices they put together. Obviously Fishmongers' was 7 a bit more sophisticated and realistic, but in both 8 cases we have seen hoax devices being worn by suspects. 9 Q. In your assessment, what are the objectives of the 10 terrorists in putting on such a hoax vest or belt? 11 A. So I would -- so I think probably the first objective is 12 to warn off intervention by unarmed police or members of 13 the public. So I think the natural reaction, if 14 a member of the public saw that, that someone has 15 a potential suicide vest on, that would cause people not 16 to intervene. And by doing that, that would enable the 17 terrorist to prolong the attack, as I think we have 18 seen. 19 And then the second aspect of that will be what 20 happens when armed police arrive on the scene and it is 21 likely to result in a shooting by police. 22 Q. So to ensure martyrdom? 23 A. Absolutely. 24 Q. Next, please, the approach to terrorist investigation 25 generally. You have referred to the counter-terrorism</p> <p style="text-align: center;">Page 114</p>	<p>1 A. Absolutely. 2 Q. Is there sometimes a difficult balance to be struck 3 between quite when you intervene and how much concrete 4 evidence you wait for before intervening? 5 A. Yes. It is more than a difficult balance; it is 6 a difficult decision on what offers us the best 7 opportunity to protect the public, ideally in the long 8 term, around a particular individual's terrorist 9 activities. So it is carefully considered and quite 10 often involves difficult decisions being made. 11 Q. It may be obvious, but what is the risk of arresting 12 somebody if the evidence is not going to justify 13 a charge and/or a conviction? 14 A. So, very simply, the risk there is that individual is 15 back out in the community and he's aware of our covert 16 operation, which in turn would increase the risks to 17 officers involved in that covert operation and members 18 of the public. And we could expect to see a change in 19 methodology or the way the individual operates, which 20 would prove more challenging for us in managing that 21 risk. 22 Q. But on the other hand -- and again it may be obvious -- 23 if you delay too long waiting for the evidence to be 24 perfect to justify a charge and a certainty of 25 conviction, what is the risk there?</p> <p style="text-align: center;">Page 116</p>

<p>1 A. Well, the risk is there may be an attack or maybe some 2 other terrorist offending that causes harm to the 3 community. 4 Q. May we then look at Sudesh Amman and his case. The jury 5 have heard that he was arrested in May 2018 and 6 convicted in November 2018 on guilty pleas to various 7 offences of obtaining and disseminating terrorist 8 materials, including manuals on knife fighting and on 9 explosive devices. 10 Was any of your operational teams involved in the 11 investigation which led to that arrest, the Deepish 12 operation? 13 A. Yes. So that was one of my operational teams that was 14 involved in that. 15 Q. Were you, at the time, appraised of the investigation 16 and the underlying evidence? 17 A. Yes. So I had -- I worked with the senior investigating 18 officer at the time, so we had daily contact and we 19 would be co-located together. I was fully aware of some 20 developments in that (inaudible) activity. 21 Q. So you knew in relation to Sudesh Amman, for example, 22 that he had been brought to police attention in the 23 first place for posting images of weapons online and 24 urging an attack on a pro-gay rights lawyer? 25 A. That's correct.</p> <p style="text-align: center;">Page 117</p>	<p>1 A. That's correct. 2 Q. Is it right, therefore, that she was a senior officer 3 from the point of view of overt management of 4 Sudesh Amman at that stage, rather than the covert 5 investigation which followed? 6 A. That's correct. 7 Q. Do we see if we go down this page that this document 8 indicated when Sudesh Amman was to be released and gave 9 details of his offending? 10 A. That's correct. 11 Q. If we go to the bottom bullet point, we see the details 12 of offending, which continue over to the next page. 13 Then if we follow it down, please, we can see that 14 that document gave the background to the prosecution and 15 conviction, which the jury are familiar with and you 16 have confirmed you knew. Yes? 17 A. That's correct. 18 Q. Then page 3, please. We see in paragraph 10 that the 19 licence conditions, including GPS tagging and curfew, 20 were identified or referred to? 21 A. That's correct. 22 Q. So that was, is this right, an initial document prepared 23 within SO15 are relating to Amman's impending release? 24 A. Yes. So this I would describe as standard practice, 25 with a convicted terrorist offender coming back out into</p> <p style="text-align: center;">Page 119</p>
<p>1 Q. Did you also have knowledge of his prior offending 2 history, which included an offence of threatening use of 3 a weapon in public? 4 A. Yes, I am aware. 5 Q. We know that Sudesh Amman served a period in custody 6 from May 2018 to January 2020. 7 Was SO15 notified of his imminent release towards 8 the end of 2019? 9 A. Yes, we were. 10 Q. Was that in December 2019? 11 A. That's correct. 12 Q. May we put on the screen INQ002357. At this time -- so 13 we see the date of the document 7 December 2019 -- was 14 a briefing note prepared by PC Collard of the Terrorist 15 Offender Management Unit within SO15? If we maximise 16 the top third of the page, please. 17 A. Yes. 18 Q. Do we see that the senior investigating officer was 19 identified as DCI Janet Livesey? 20 A. Not from an operational point of view -- 21 Q. I was about to deal with her role. Is she an officer 22 within TOMU, the Terrorist Offender Management -- 23 A. Yes, she's the head of TOMU, which works in that field 24 of offender management. 25 Q. So she was, as we saw, involved in the MAPPA meetings?</p> <p style="text-align: center;">Page 118</p>	<p>1 the community. So it there is a process and a set of 2 meetings would take place around management of that 3 individual back out of prison. 4 So this is very much the initial kind of phase of 5 that management process. 6 Q. Did there follow on 12 December an initial pre-release 7 intelligence briefing in relation to Sudesh Amman? 8 A. Yes. 9 Q. In your first witness statement, at page 3, you refer to 10 that as being held with MI5 and with TOMU. Yes? 11 A. Yes. 12 Q. Your page 3, just over halfway down. 13 A. Yes. That's correct. 14 Q. Is it right that as a result of that meeting 15 a counter-terrorism senior investigating officer -- so 16 somebody to do the covert work while Ms Livesey did the 17 overt work -- was appointed? 18 A. That's correct. 19 Q. Was the operation at that point given a priority rating? 20 A. Yes. The priority grading that was given was P2. 21 Q. Was the next significant meeting a joint operational 22 team JOT meeting on 9 January 2020? 23 A. That's correct. 24 Q. Did that involve a number of SO15 officers as well as 25 MI5 officers?</p> <p style="text-align: center;">Page 120</p>

<p>1 A. That's correct.</p> <p>2 Q. Was, as we have heard, Ms Heckroodt of the National</p> <p>3 Probation Service also there?</p> <p>4 A. Yes.</p> <p>5 Q. Did you attend that meeting yourself?</p> <p>6 A. I did not attend that JOT.</p> <p>7 Q. May we look at the update prepared in advance of the</p> <p>8 JOT, INQ002356.</p> <p>9 A. Sorry, can I just go back to the priority grading?</p> <p>10 I think it is an important point.</p> <p>11 I know you explained what the rationale is for what</p> <p>12 particular grading it gets, the operation, but the other</p> <p>13 aspect of the priority grading is around resource and</p> <p>14 resource allocation as well. So, obviously, the higher</p> <p>15 it is, the more resource it attracts, not just from the</p> <p>16 police but from MI5 as well, and that is discussed on</p> <p>17 a weekly basis, around -- so that grading will lead into</p> <p>18 that conversation about where we put our resources as</p> <p>19 well.</p> <p>20 So it doesn't always follow if that is a particular</p> <p>21 threat or attack. It might follow if that's an</p> <p>22 intelligence-only opportunity that we need to increase</p> <p>23 our knowledge of, so we improve resources around that.</p> <p>24 Q. Just to be fair, is this right: an offender is assigned</p> <p>25 a -- an investigation is assigned a priority grading on</p> <p style="text-align: center;">Page 121</p>	<p>1 Q. Next page, please. Can we see that the charges were set</p> <p>2 out at paragraphs 8 to 11? Again, the jury is familiar</p> <p>3 with those.</p> <p>4 A. That's correct.</p> <p>5 Q. Then some key points from prison intelligence. So if we</p> <p>6 maximise the bottom two paragraphs, please.</p> <p>7 First of all, we have intelligence from 24 July</p> <p>8 2018, Sudesh Amman on the wing shouting in Arabic that</p> <p>9 the place was full of nonbelievers and everyone would</p> <p>10 come under the black flag, yes?</p> <p>11 A. That's correct.</p> <p>12 Q. Secondly, paragraph 13, intelligence from the day after</p> <p>13 of a letter written by Sudesh Amman to his mother. The</p> <p>14 jury have read about this already. A letter where he</p> <p>15 described finding being in prison a blessing?</p> <p>16 A. That's correct.</p> <p>17 Q. Over the page, please. Paragraph 14, a fight on 29 July</p> <p>18 2018. Paragraph 15, a call between Sudesh Amman and his</p> <p>19 mother on 12 August 2018, talking about how hard it was</p> <p>20 to be a category A prisoner, and in the last sentence</p> <p>21 saying that he wanted the death penalty for himself?</p> <p>22 A. That's correct.</p> <p>23 Q. Paragraph 16, an adjudication concerning displaying</p> <p>24 offensive material.</p> <p>25 Paragraph 17, on 2 September 2018, Sudesh Amman</p> <p style="text-align: center;">Page 123</p>
<p>1 the basis of those criteria I indicated earlier?</p> <p>2 A. Yes.</p> <p>3 Q. And that that leads to higher or lower resourcing</p> <p>4 depending on the priority and the scale?</p> <p>5 A. That would be correct. Yes.</p> <p>6 Q. Although, of course, also the priority of the resourcing</p> <p>7 will depend upon what happens during the investigation?</p> <p>8 A. Yes. Yes.</p> <p>9 Q. Is it right that priority gradings can be moved up or</p> <p>10 down from time to time as a result of reviews?</p> <p>11 A. That is correct. I don't recall this one moving up or</p> <p>12 down.</p> <p>13 Q. But it can?</p> <p>14 A. In principle, yes.</p> <p>15 Q. Now, the document we are now looking at on screen, is</p> <p>16 this right, is an intelligence update prepared by the</p> <p>17 Terrorist Offender Management Unit officers in advance</p> <p>18 of the 9 January JOT. Is that right?</p> <p>19 A. That's correct.</p> <p>20 Q. If we follow the text down the first page, do we see</p> <p>21 that paragraphs 2 to 7 -- if you follow them down --</p> <p>22 provide once again the background to the original</p> <p>23 conviction? I am not going to go through all of those,</p> <p>24 because the jury is familiar, as are you.</p> <p>25 A. Right.</p> <p style="text-align: center;">Page 122</p>	<p>1 damaging part of the prison, an adjudication which was</p> <p>2 proved. Do you see that?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Paragraphs 18 to 20, intelligence suggesting he had</p> <p>5 a loathing towards non-Muslims, wanted to kill the</p> <p>6 Queen, become a suicide bomber and join Isis. Wished he</p> <p>7 had been involved in the murder of Lee Rigby, all that</p> <p>8 intelligence referring back to 9 October 2018?</p> <p>9 A. That's correct.</p> <p>10 Q. Paragraph 21, 11 November 2018, he's moved to the high</p> <p>11 secure unit.</p> <p>12 Go down, please, to the bottom. Further</p> <p>13 intelligence on 14 October 2018, both raising issues</p> <p>14 about whether Sudesh Amman -- or Sudesh Amman raising</p> <p>15 issues about location in the high security unit, and him</p> <p>16 being deep in conversation with the Parsons Green</p> <p>17 bomber?</p> <p>18 A. That's correct.</p> <p>19 Q. Over the page, please, further intelligence linking him</p> <p>20 to extremists from 19 October 2018.</p> <p>21 A. That's correct.</p> <p>22 Q. And further down the page, on 1 November 2018,</p> <p>23 intelligence suggesting that he was very extreme and</p> <p>24 seeking to convert other prisoners. Yes?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 124</p>

<p>1 Q. Go down, please. The document refers to a gap in 2 intelligence reports between March and August 2019, then 3 intelligence in early August showing Sudesh Amman 4 unhappy about restrictions on using the gym? 5 A. That's correct. 6 Q. Over the page, please. Then, on 2 December 2019, a cell 7 search which revealed Arabic writings containing various 8 invocations to victory against the unbelievers? 9 A. That's correct. That's the English translation. 10 Q. Yes. 11 Then paragraph 34, a further cell search on 12 16 December 2019, which revealed the note which the jury 13 has heard about concerning a pledge of allegiance to the 14 leader of ISIS? 15 A. That's correct. 16 Q. Then further down, please. Paragraph 36, on 3 January 17 2020, intelligence about him having jumped on the safety 18 of netting as part of a process? 19 A. That's right. 20 Q. Then may we go to the next page, page 6. There are 21 details of previous convictions and a conclusion, from 22 paragraph 41, if we go down, please. The conclusion 23 says this: 24 "There is a very real concern about Sudesh Faraz 25 Amman and his impending release. The original police</p> <p style="text-align: center;">Page 125</p>	<p>1 all partner agencies that he represents one of the most 2 dangerous individuals that we have investigated." 3 A. That's correct. 4 Q. Paragraph 43 identifies that he had built up a set of 5 relationships with other TACT offenders in prison, so he 6 now has a network and represents a heightened risk? 7 A. That's correct. 8 Q. Then paragraph 44: 9 "In light of his behaviour in prison including the 10 intelligence updates, his dangerous protest ... and the 11 fact that the Arabic script letters were found in his 12 cell pledging allegiance to the Islamic State. We are 13 keen to investigate all available options with the 14 prison to delay his release." 15 A. That's correct. 16 Q. Is it fair that that represented the starting point of 17 the regulation which was discussed in the JOT on 18 9 January? 19 A. Yes. 20 Q. What came out of that JOT meeting? What was the 21 conclusion of it? 22 A. So -- I might have to refer -- so 9 January JOT -- 23 Q. The 9 January JOT. You address that in your second 24 witness statement on page 3. You also address it in 25 your first witness statement. You address in your first</p> <p style="text-align: center;">Page 127</p>
<p>1 investigation that led to his imprisonment identified 2 that he is a very dangerous individual who was very 3 close to being charged with section 5 TACT offence of 4 planning/preparing an act of terrorism." 5 Pausing there, we know he was in fact charged and 6 convicted with offences to do with terrorist 7 publications, but this is indicating that he was close 8 to be charged with an offence of planning or preparing 9 an act of terrorism, presumably in relation to the Hyde 10 Park attack he was urging? 11 A. Yes, that was the original investigation which we -- we 12 arrested him and he was detained in our custody for two 13 weeks while he was investigated, but the evidence was 14 never sufficient to meet the charging threshold for 15 a section 5 TACT offence. 16 Q. It goes on to say: 17 "He has a clear extremist mindset and our 18 investigation showed that he was radicalising his family 19 members and girlfriend, along with talk of a desire to 20 conduct extremist attacks namely, knife attacks." 21 A. That's correct. 22 Q. Paragraph 42: 23 "During his time in prison he has continued to 24 demonstrate that he has an extremist mindset and it is 25 the collective view of the SIO, investigation team and</p> <p style="text-align: center;">Page 126</p>	<p>1 witness statement, page 3, but also in your second 2 witness statement, more pertinently, on page 2. 3 A. Okay. So it is the 9 January JOT, so the discussion 4 would have been around agreeing a strategy to manage him 5 post release, and looking at our options to delay his 6 release as well from prison. I think we were quite 7 alive to the limited options we had around this 8 possibility, so that any delay would give us more time 9 to develop coverage and improve our response to him 10 being released. 11 Q. The way you summarise it in your first witness 12 statement, page 3, is that intelligence indicated that 13 Amman had not changed his extremist mindset and had been 14 associating with other extremists throughout his 15 sentence, and you referred to the intelligence reports 16 which we have looked at summarised in the document? 17 A. That's correct. And between us and MI5, it caused us 18 great concern. 19 Q. We now put on screen INQ002679. We can see here 20 a document called a live operation opening form, dated 21 9 January 2020, for Operation Osmious. 22 Can you tell us what this form was and what purpose 23 it served? 24 A. So it serves an administrative purpose. This form goes 25 to other parts of our organisation that enables certain</p> <p style="text-align: center;">Page 128</p>

32 (Pages 125 to 128)

<p>1 parts of IT to be opened up, and it goes on to various</p> <p>2 systems to monitor the progression, the resourcing of</p> <p>3 the operation. But it gives an overview of what the</p> <p>4 operation is and what we were looking to achieve.</p> <p>5 Q. On the day after the JOT, did the senior investigating</p> <p>6 officer produce an overarching investigating strategy?</p> <p>7 A. Yes, that's correct.</p> <p>8 Q. May we look at that, please. It is INQ002669.</p> <p>9 We can see that that is a document produced on</p> <p>10 10 January 2020, so the day after the JOT.</p> <p>11 A. That's correct. And standard practice where we open an</p> <p>12 operation with MI5, we will produce an investigative</p> <p>13 strategy to outline the strategic objectives and how we</p> <p>14 are going to achieve them tactically.</p> <p>15 Q. Page 3, please. Do we see here that the document begins</p> <p>16 by summarising the background?</p> <p>17 A. That's correct.</p> <p>18 Q. Page 4, there was that intelligence update. If we look</p> <p>19 at the third bullet point, can we see this:</p> <p>20 "Whilst in prison, we judge Amman has retained an</p> <p>21 Islamist extremist mindset and may hold aspirations to</p> <p>22 conduct an attack ... in addition, in December 2019, a</p> <p>23 written note in Arabic pledging allegiance to ISIL was</p> <p>24 found in Amman's cell. MI5 and SO15 both raised</p> <p>25 concerns that this find did not result in Amman's prison</p> <p style="text-align: center;">Page 129</p>	<p>1 Q. If we look at the overarching aims of the SO15 team, do</p> <p>2 those include protecting the public, securing evidence,</p> <p>3 prosecuting where possible, and working in partnership</p> <p>4 with MI5 to gather intelligence?</p> <p>5 A. That's correct.</p> <p>6 Q. If we just scan down the page, we will see those</p> <p>7 identified.</p> <p>8 Then if we turn to page 6, please, we can see some</p> <p>9 specific aims. We see that one of those is to liaise</p> <p>10 with the prison and the governor to see if it is in his</p> <p>11 power to delay release, yes?</p> <p>12 A. That's correct.</p> <p>13 Q. And to liaise with Probation and to review the prison</p> <p>14 reporting again with a view to seeing if his release can</p> <p>15 be delayed by any means?</p> <p>16 A. That's correct.</p> <p>17 Q. "Identify any breaches of licence and robustly enforce</p> <p>18 where possible."</p> <p>19 Again underlining the point about getting back to</p> <p>20 prison if possible?</p> <p>21 A. That's correct.</p> <p>22 Q. "Identify any disruption opportunities upon release."</p> <p>23 Disrupting may be an obvious or well-known concept</p> <p>24 for you, but just for the benefit of the jury, what</p> <p>25 might disruption involve?</p> <p style="text-align: center;">Page 131</p>
<p>1 term being extended."</p> <p>2 Does that accord with what you told us, that at the</p> <p>3 JOT you and MI5 were considering possibilities for</p> <p>4 extending his prison term?</p> <p>5 A. That's correct.</p> <p>6 Q. Then page 5, please. We see that the MI5 intelligence</p> <p>7 aims identified in the JOT were to build coverage and</p> <p>8 assurance of Amman's activity upon his release; to</p> <p>9 determine whether he maintains an extremist mindset on</p> <p>10 his release; and to monitor any breaches of licence and</p> <p>11 pass intelligence to the police team to take action?</p> <p>12 A. That's correct.</p> <p>13 Q. Building coverage and assurance, just so we understand</p> <p>14 that, does that involve monitoring him in various ways</p> <p>15 to understand his lifestyle and what he's up to?</p> <p>16 A. Yes, I would say that is correct. It is just an</p> <p>17 opportunity for us to develop certain avenues of</p> <p>18 intelligence that can increase our knowledge in order</p> <p>19 for us to assess the threat and risk that Amman had</p> <p>20 posed.</p> <p>21 Q. In addition to seeking to understand his mindset, part</p> <p>22 of the intelligence objective is to see if he's breached</p> <p>23 his licence at all, presumably with a view to getting</p> <p>24 him back in prison?</p> <p>25 A. Absolutely.</p> <p style="text-align: center;">Page 130</p>	<p>1 A. So not necessarily -- it is quite a broad kind of area.</p> <p>2 If you look at the objective, it was to be effectively</p> <p>3 mitigate the risk he posed on a terrorist basis.</p> <p>4 Disruption not only includes dealing with the terrorist</p> <p>5 offending but possible other areas such as criminality</p> <p>6 which he may or may not engage with, and using that as</p> <p>7 a disruption opportunity to deal with the wider threat</p> <p>8 that he posed in a terrorist context. And is not</p> <p>9 necessarily us that would do that. It could be other</p> <p>10 police units or other agencies that undertake that</p> <p>11 activity on our behalf.</p> <p>12 Q. Page 8, please. Do you see under "Intervention/arrest</p> <p>13 strategy/tipping points for [executive action]", do you</p> <p>14 see that the SIO says the current intelligence picture</p> <p>15 doesn't indicate an immediate threat to the public, but</p> <p>16 that he's assessed to a maintain an extremist mindset,</p> <p>17 made comments about intention to commit a terrorist</p> <p>18 attack at some point in the future. He has licence</p> <p>19 conditions which are restrictive, and it is unknown how</p> <p>20 he will react to those?</p> <p>21 A. That is a fair assessment. If I take you back to one of</p> <p>22 the previous paragraphs, the word "aspirational", that</p> <p>23 we hadn't seen him acquire any weaponry and (inaudible)</p> <p>24 selection at that stage. So, in terms of immediate</p> <p>25 threat to the public, I think that's a fair comment.</p> <p style="text-align: center;">Page 132</p>

<p>1 Q. In keeping with some of the other points, we see in the 2 second paragraph that to help mitigate the risk he 3 poses, any breaches of licence, however minor, will be 4 fully investigated and referred to the Probation Service 5 at the earliest opportunity for consideration to revoke 6 his licence?</p> <p>7 A. So that's exploring other possibilities around 8 disruption.</p> <p>9 Q. If we go to page 12, please, for "Priority lines of 10 inquiry", do we see here, again consistent with the 11 other parts of the document, lines of inquiry include 12 building coverage of Amman on his release, enforcing any 13 breaches of licence conditions and reviewing material 14 seized from his cell, including the loyalty pledge?</p> <p>15 If we go to the same page, under "Risk 16 identification and management", once again the SIO 17 reflects that Amman continues to hold an extremist 18 mindset, and that since being in Belmarsh -- over the 19 page -- he may have a network which gives him a greater 20 capability to carry out an attack?</p> <p>21 A. So that was clearly a greater concern that we had than 22 with the original investigation. He had associated with 23 a number of terrorist offenders and that now gave him 24 a kind of avenue into a possible network of extremists.</p> <p>25 Q. Then if we go down the page to the "Main operational</p> <p style="text-align: center;">Page 133</p>	<p>1 Q. Then right at the top under "Management": 2 "MI5 will continue to build coverage of the SOI 3 [subject of interest] and monitor his compliance with 4 licence conditions. He will be subject to conventional 5 surveillance outside of curfew hours for a minimum of 6 48 hours upon his release."</p> <p>7 So initially there was going to be surveillance 8 outside of curfew hours for just the period of 48 hours?</p> <p>9 A. That's correct. I would also just add the monitoring of 10 his compliance with the licensing conditions wouldn't 11 have just fallen to MI5, but police and probation as 12 well.</p> <p>13 Q. If we take that off screen now. In keeping with the 14 decision that there should at least be some surveillance 15 on Sudesh Amman was a directed surveillance authority 16 approved on 10 January 2020, so the date of that 17 document, having been applied for by MI5?</p> <p>18 A. That's correct.</p> <p>19 Q. The jury already knows that on 15 January, Detective 20 Chief Superintendent Alexis Boon -- that is one of your 21 colleagues, I think?</p> <p>22 A. That's my boss. Or was my boss.</p> <p>23 Q. He wrote to the governor of HMP Belmarsh to point out 24 various features in the prison intelligence to ask if 25 there was any way to have Sudesh Amman's sentence</p> <p style="text-align: center;">Page 135</p>
<p>1 risks", the risks identified are continuing -- 2 conducting an SVE -- spontaneous violent extremist?</p> <p>3 A. That's correct.</p> <p>4 Q. -- attack, planning a lone actor(?) attack, building 5 a network of terrorist radicalisation and recruitment 6 and organisational risk if he conducts an attack while 7 on licence?</p> <p>8 A. I agree with those operational risks.</p> <p>9 Q. The SIO assesses that there is a high risk of 10 reoffending and there's a concern that he will conduct 11 an attack with no planning, which will endanger members 12 of the public and any government agency staff who engage 13 with him?</p> <p>14 A. That's correct.</p> <p>15 Q. He goes on to note that the Prison Service have been 16 asked if there is any way to delay release, and also 17 that TPIMs are being considered. Are TPIMs terrorism 18 prevention and intervention measures, that is to say, 19 notices which radio for monitoring and control of 20 terrorist suspects?</p> <p>21 A. That's correct.</p> <p>22 Q. And he adds that he's instructed the team robustly to 23 investigate every breach, or likely, over the page -- 24 likely breach to mitigate the risk?</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 134</p>	<p>1 extended as a result of the protest on the netting in 2 particular.</p> <p>3 A. That's correct. And that was consistent with the 4 original objectives we discussed in the 9 January JOT 5 with MI5.</p> <p>6 Q. Did you become aware that the governor responded that 7 additional days could not be added to the sentence in 8 all the circumstances?</p> <p>9 A. Yes. So, if I recollect, the response came back on the 10 same day or the day after to the effect that the process 11 had been followed and anything else would be an abuse of 12 process and additional days could not be added.</p> <p>13 Q. So that was one of the avenues that was being looked at. 14 As we saw from the document, another avenue that was 15 being looked at was reviewing the material seized from 16 the cell with a view potentially to charging 17 Sudesh Amman with a criminal offence of that. Were you 18 aware that the senior investigating officer took a view 19 on that a couple of days later, on 17 January 2020?</p> <p>20 A. I am aware of that.</p> <p>21 Q. May we bring on screen INQ001452 at page 6. This is 22 part of the senior investigating officer's decision log. 23 It relates to this decision, if we maximise the bottom 24 half of the page, we will see the rationale that was 25 given.</p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

<p>1 So the SIO summarises the material that was found in 2 the cell searches. Do we see that there? 3 A. Yes. 4 Q. Over the page, to the top of page 7, above "Rationale", 5 we see reference to the risk posed by Sudesh Amman. Can 6 you see that? 7 A. That's correct. 8 Q. Then do we see that the SIO goes on after "Rationale": 9 "The documents referred to above do not, in 10 isolation breach any TACT legislation. From experience 11 in this area, CPS would not authorise a charge in these 12 circumstances and would require either evidence of 13 dissemination (to support a charge of section 2 TACT) or 14 additional evidence that he has provided material 15 support to ISIS (to support a charge of section 13 16 TACT). In normal circumstances, there would also 17 normally be a need for evidence that the allegiance was 18 known to and/or accepted by the organisation to support 19 [the latter charge]." 20 Is it right that the section 2 charge is 21 distributing and circulating a terrorist communication, 22 contrary to section 2 of the Terrorism Act 2006? 23 A. That's correct. 24 Q. In relation to the second charge, I think the SIO may 25 have cited the wrong provision of the Terrorism Act, is</p> <p style="text-align: center;">Page 137</p>	<p>1 that if Sudesh Amman were arrested, the CPS would not 2 approve a charge and any bail conditions would be less 3 restrictive than the prospective licence conditions 4 anyway? 5 A. That's correct. I think if I may possibly comment on 6 that? 7 Q. Yes, of course. 8 A. I have think the SIO probably has it back to front 9 slightly here. The fundamental issue here is around 10 attribution and attributing that offending document to 11 Amman. So it was quite limited around what we could do 12 around handwriting analysis simply around Arabic. So 13 without that attribution, evidential attribution, we 14 would not have taken that to CPS. I think, had we had 15 that, then the actual offence in itself and what offence 16 it would have breached would have followed on with that 17 discussion with the CPS. 18 But we didn't get to that stage. It remained a line 19 of inquiry and it was also something that we could put 20 to him in the longer term, should he have been arrested 21 for another(?) offence. 22 Q. So the view was taken you could not attribute these 23 specifically to him? 24 A. Evidentially. 25 Q. And if we could, there might be further problems in</p> <p style="text-align: center;">Page 139</p>
<p>1 that right? 2 A. Yes. So, from my review, I believe that to be 3 section 12 of the Terrorism Act. 4 Q. Section 12 of the Terrorism Act 2000? 5 A. 2000, yes. 6 Q. That, as we see, was rejected because of the need for 7 evidence of material support for the extremist 8 organisation. 9 Then do we see that the rationale goes on to say -- 10 if we go on down the page, please -- that Sudesh Amman 11 is understood to have learned Arabic, but only to 12 a limited extent, and the assessment of partners -- and 13 that is MI5, I think? 14 A. Yes. 15 Q. -- is that he doesn't speak or write Arabic to the level 16 of these notes, that they have not been written by him? 17 A. That's correct. 18 Q. Then it goes on to say that if such material were seized 19 outside a prison -- if we go to the bottom of the 20 page -- such material were found outside a prison that 21 would justify a search, but there is no benefit of that 22 kind in Sudesh Amman's case because, of course, he's in 23 prison and in a single cell? 24 A. That's correct. 25 Q. If we go over the page, to page 8, the rationale adds</p> <p style="text-align: center;">Page 138</p>	<p>1 getting a charge in -- 2 A. Possibly, yes. So it is a stage-by-stage approach. 3 MR JUSTICE HILLIARD: I think what you are saying is you 4 think the principal problem was actually attributing 5 that document to him? 6 A. Absolutely. 7 MR JUSTICE HILLIARD: That's your feeling? 8 A. Yes, my Lord. 9 MR HOUGH: Then if we go down under "Threat & 10 Risk/Mitigation", we see that the SIO attributes a high 11 intent to carry out a terrorist attack, and medium 12 capability because Sudesh Amman does not have contacts 13 or network but could carry out a low sophistication 14 attack? 15 A. Sorry, sir, would you mind repeating that? 16 Q. Under "Threat & Risk/Mitigation", the SIO sets out his 17 assessment of threat, intent, capability and engagement. 18 He says that Sudesh Amman has a high intent to carry out 19 an attack; medium capability, because he doesn't have 20 a network but could carry out a low sophistication 21 attack. 22 A. Absolutely. I agree with that assessment. 23 Q. Then, over the page to page 9, his engagement with any 24 network is simply unknown. 25 A. That's correct.</p> <p style="text-align: center;">Page 140</p>

<p>1 Q. Then under "Risk [mitigation] Measures" he says that 2 threat or risk mitigation is not to arrest him but to 3 rely upon the licence conditions, which are very 4 restrictive.</p> <p>5 A. That's correct. And, I mean, on the issue of arresting 6 him at that point in time, I am not sure what that would 7 have achieved.</p> <p>8 Q. Then right to the bottom of the page, please: 9 "I will further mitigate the threat/risk by engaging 10 with [the Security Service] and other stakeholders and 11 robustly enforce his licence conditions with a view to 12 recalling his licence and returning him to the HMP 13 estate."</p> <p>14 A. That is correct.</p> <p>15 Q. That's the decision in relation to the Arabic notes. We 16 can take that document off screen. 17 Also on 17 January was a surveillance tasking form 18 completed, whereby MI5 tasked the Metropolitan Police 19 Service to carry out surveillance on Sudesh Amman?</p> <p>20 A. That's correct.</p> <p>21 Q. If we look at INQ002481, do we see that a pre-deployment 22 form for surveillance was completed on 21 January 2020, 23 so a few days before his release from custody?</p> <p>24 A. That's correct.</p> <p>25 Q. That contained, on page 2, some basic details of Amman.</p> <p style="text-align: center;">Page 141</p>	<p>1 A. The surveillance team? Yes, of course. Then that feeds 2 back into our operations centre as well.</p> <p>3 Q. Their communications over the radio go into the police 4 operations room, which has a manager, I think?</p> <p>5 A. That's correct.</p> <p>6 Q. And when they go into the operations room, are those 7 radio communications typed up into something called 8 a CLIO log, which gives details of various things that 9 happen in the operation?</p> <p>10 A. That's correct.</p> <p>11 Q. And they are typed up in live time into the log, 12 I think?</p> <p>13 A. That's correct.</p> <p>14 Q. Is it right also that the movements of the subject of 15 surveillance, Sudesh Amman, would be recorded each day 16 in a surveillance log?</p> <p>17 A. That's correct.</p> <p>18 Q. And then also typed up into a national security 19 surveillance report for the day?</p> <p>20 A. That's correct.</p> <p>21 Q. How would the SO15 operations team hear from day to day 22 about what the surveillance team was seeing?</p> <p>23 A. Sorry, how would --</p> <p>24 Q. How would the SO15 investigation team hear what the 25 surveillance officers on the ground were seeing?</p> <p style="text-align: center;">Page 143</p>
<p>1 Page 3, a threat assessment. Do we see that one of the 2 threats specifically identified was a threat from 3 offensive weapon?</p> <p>4 A. He had a previous conviction for possession of a weapon 5 and, along with that, the intelligence.</p> <p>6 Q. Right. If we go to page 9 of that document, we can see 7 right at the top that at that stage there wasn't 8 firearms authority for the operation?</p> <p>9 A. That's correct.</p> <p>10 Q. Take that off screen now. We know that Sudesh Amman was 11 released from prison on Thursday, 23 January 2020. We 12 know that he had to reside at the probation hostel for 13 periods from 10 to 11, 4 to 6, and then through the 14 night from 9 pm to 6 am. 15 Is it right that after release he was initially 16 subject to surveillance each day by an unarmed 17 surveillance unit operating when he wasn't under curfew?</p> <p>18 A. That's correct.</p> <p>19 Q. For the times he wasn't under curfew?</p> <p>20 A. Yes. That deployment or that intended deployment was 21 subject to constant review.</p> <p>22 Q. While he was being surveilled by these teams of 23 officers, were they regularly communicating with each 24 other by radio, for example, reporting any movements 25 that he might make?</p> <p style="text-align: center;">Page 142</p>	<p>1 A. So, several ways. We would be passed that product you 2 just mentioned, so that would go to the investigation 3 team to review, the conversations with MI5 and also 4 direct conversations with the operations room as well. 5 My officers would have been involved in briefing the 6 surveillance teams, so there would have been that line 7 of communication coming in around any potential 8 developments where they could raise concerns about 9 Sudesh Amman's behaviour or activity.</p> <p>10 Q. As we will hear from the surveillance teams, they 11 received briefings in the mornings --</p> <p>12 A. That's correct.</p> <p>13 Q. -- from a SO15 officer telling them about Sudesh Amman, 14 is that right?</p> <p>15 A. That's correct.</p> <p>16 Whether it was actually one of the investigation 17 team, I think it might have been on occasions, but we 18 would be responsible for producing that briefing product 19 for the team.</p> <p>20 Q. Now, if something happened of significance which the 21 surveillance team saw, and which needed to go to the 22 SO15 investigation team very promptly, how would that 23 happen?</p> <p>24 A. So the initial response would come through the 25 operations room and the operations room manager. It</p> <p style="text-align: center;">Page 144</p>

<p>1 would be dependent on what they are witnessing on the 2 ground. So, in some circumstances you would expect them 3 to act on what they see. They will be aware of what the 4 tipping points are in terms of what we are looking to 5 achieve around the operation. 6 The first decision-maker will come from the 7 operations room. Anything that requires a slower time 8 response will come to the investigation team, and in 9 some cases myself. 10 Q. But if something were to be seen by the surveillance 11 officers which the police operations room manager 12 thought the investigation team needed to know right that 13 moment, he or she could contact the investigation team 14 and get it through to them? 15 A. Yes. The normal port of call into the investigation 16 team would be at inspector level. 17 Q. We have spoken about release on the Thursday, 23 18 January. 19 On 24 January, a Friday, was initial advice sought 20 from a tactical firearms commander about whether the 21 operation should be armed? 22 A. That's correct. 23 Q. What was the view taken at that stage on 24 January? 24 A. I understand they did not meet the threshold to be 25 armed.</p> <p style="text-align: center;">Page 145</p>	<p>1 In fact, was the unidentified female later found out 2 to be his mother? 3 A. I believe so. I would have to check that. 4 Q. There were nevertheless some instances of slightly odd 5 behaviour, looking at bus stands in a slightly aimless 6 way and then praying outside a McDonald's on the 7 pavement? 8 A. Yes. So odd, one interpretation. So anti-surveillance 9 or trying to identify our response would be another 10 interpretation. 11 Q. A few days later, on 28 January 2020, was an application 12 submitted to the tactical firearms commander for 13 consideration of arming the surveillance team? 14 A. That's correct. 15 Q. If we put on screen INQ002479, do we see here an 16 application in form FA1 for authority for the deployment 17 of armed officers? 18 A. That's correct. 19 Q. I will ask some of the firearms officers about this in 20 more detail. 21 If we go to page 3, we see that the document, like 22 a number of the others, set out the background to the 23 operation and also set out the strategic aims and 24 objectives of the operation? 25 A. That's correct.</p> <p style="text-align: center;">Page 147</p>
<p>1 I should just add a little bit to that. We 2 regularly have conversations with our colleagues in 3 firearms about a variety of operations. That is been 4 with good practice. 5 Q. May we turn then to developments from 24 January, that 6 Friday. 7 Is it right that on that Friday, Sudesh Amman was 8 noted during surveillance doing certain things which 9 caused some concerns. 10 A. Yes. It is a fair assessment his behaviour was 11 concerning. 12 Q. If we look at the NSSR -- the National Security 13 Surveillance Report -- for that day, at INQ002608, if we 14 look at page 2, we can see a summary of what happened 15 that day. 16 He left the approved premises, appeared lost and 17 looking at bus stands. Returned to the approved 18 premises, and then left with a UDF -- unidentified 19 female? 20 A. Yes. 21 Q. Who walked with him to Crown Point where they split. He 22 took a bus to Croydon town centre, asked a number of 23 people for directions, purchasing a hat and gloves, and 24 then praying in the High Street before taking the same 25 bus route home via LIDL and a takeaway.</p> <p style="text-align: center;">Page 146</p>	<p>1 Q. Page 5, it gave a detailed background of his offending, 2 and then prison intelligence. 3 A. That's correct. 4 Q. Then page 7, it gave details of where he was living post 5 release, under the heading "Post release". 6 A. That's correct. 7 Q. And if we can maximise the very bottom part, the author 8 says: 9 "There is no specific or corroborated intelligence 10 to indicate that [he's] going to conduct a specific 11 attack." 12 And that he's made generic comments indicating his 13 support for attacks. Yes? 14 A. Yes, that is correct. 15 Q. Then under: 16 "Capability/intent": 17 "[He's] not assessed to be in possession of or have 18 access to any firearms or any weapons of offence ... " 19 Yes? 20 A. That's correct. 21 Q. Over the page, his intent is said to be unclear: 22 "... and can only be gauged from intelligence 23 reporting that does indicate a support/desire to an 24 attack, but this is not corroborated by any 25 planning/preparation."</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

<p>1 A. That's correct.</p> <p>2 Q. So this was the form which was seeking authority for</p> <p>3 armed surveillance. It doesn't appear to be based upon</p> <p>4 any particularly new development.</p> <p>5 A. No, that is correct. But I think it had a number of</p> <p>6 surveillance deployments that had shown his behaviour to</p> <p>7 be odd and to be slightly concerning. So it was -- as</p> <p>8 I said earlier, it is subject to constant review and</p> <p>9 that constant conversation with our colleagues in the</p> <p>10 firearms unit.</p> <p>11 Q. In any event, in response to that application, did the</p> <p>12 tactical firearms commander agree surveillance teams</p> <p>13 from that point on would be armed for future deployment?</p> <p>14 A. That's correct.</p> <p>15 Q. Was that armed authority continued on each of the</p> <p>16 following days?</p> <p>17 A. That's correct.</p> <p>18 Q. Then -- I am looking at your second witness statement on</p> <p>19 page 6 -- were some further observations made on</p> <p>20 29 January 2020, the Wednesday, first of all in relation</p> <p>21 to a meeting Sudesh Amman had with his theological</p> <p>22 mentor?</p> <p>23 A. Yes, that's correct.</p> <p>24 Q. What was the view taken of that meeting?</p> <p>25 A. He had made some slightly concerning comments regarding</p> <p style="text-align: center;">Page 149</p>	<p>1 MR JUSTICE HILLIARD: Certainly.</p> <p>2 All right, we will have a 15-minute break.</p> <p>3 (3.30 pm)</p> <p>4 (A short break)</p> <p>5 (3.43 pm)</p> <p>6 (In the absence of the jury)</p> <p>7 MR HOUGH: Sir, just before the jury and witness come in,</p> <p>8 our document and presentation system operator is not</p> <p>9 with us, because he has received a message asking him to</p> <p>10 self-isolate.</p> <p>11 MR JUSTICE HILLIARD: Yes.</p> <p>12 MR HOUGH: So I will largely be operating without bringing</p> <p>13 documents on the screen.</p> <p>14 MR JUSTICE HILLIARD: Yes, all right.</p> <p>15 He has not provided a positive test, so I don't</p> <p>16 think anything more needs to be said to anyone else.</p> <p>17 MR HOUGH: Nothing more needs to be said to anybody.</p> <p>18 MR JUSTICE HILLIARD: Quite right.</p> <p>19 Yes.</p> <p>20 (In the presence of the jury)</p> <p>21 (3.45 pm)</p> <p>22 MR HOUGH: HA6, I was moving on to Thursday, 30 January,</p> <p>23 2020, a week after Sudesh Amman had been released from</p> <p>24 prison.</p> <p>25 Was there another JOT meeting, Joint Operational</p> <p style="text-align: center;">Page 151</p>
<p>1 the day he was arrested, because he was arrested by</p> <p>2 armed police previously, and I think the comment was</p> <p>3 "I smiled the day the police came to arrest me and</p> <p>4 pointed a gun at my chest". There was no further</p> <p>5 elaboration on that, but that is in itself quite</p> <p>6 concerning.</p> <p>7 Q. Shortly after that meeting is it right that he left his</p> <p>8 property and went to a number of shops on Streatham High</p> <p>9 Road generally without making purchases?</p> <p>10 A. That's correct.</p> <p>11 Q. Those movements were observed by the surveillance team,</p> <p>12 if we look at INQ002682. We can see -- I am sorry,</p> <p>13 2628. I had the numbers the wrong way round.</p> <p>14 INQ002628.</p> <p>15 This is the national security surveillance report</p> <p>16 for this day. Page 2, it was observed that he was</p> <p>17 always looking over his shoulders as he was going into</p> <p>18 those premises.</p> <p>19 A. That's correct.</p> <p>20 Q. So did that give rise to any further concern of</p> <p>21 anti-surveillance behaviour?</p> <p>22 A. Yes.</p> <p>23 MR HOUGH: I am just about to come on to Thursday,</p> <p>24 30 January. Would that be a convenient moment for the</p> <p>25 mid-afternoon break?</p> <p style="text-align: center;">Page 150</p>	<p>1 Team meeting, between SO15 and MI5 on that day?</p> <p>2 A. Yes. So on Thursday 30 January, there was another JOT.</p> <p>3 Q. Were you yourself present for that meeting?</p> <p>4 A. No, so it would have been the SIO previous.</p> <p>5 Q. Of the time?</p> <p>6 A. Of the time.</p> <p>7 Q. Have you read the records of that meeting?</p> <p>8 A. Yes.</p> <p>9 Q. Could you please look at your third witness statement,</p> <p>10 which is just over two pages long, and paragraph 2. By</p> <p>11 reference to that, what matters were discussed at that</p> <p>12 JOT meeting and what were its conclusions?</p> <p>13 A. So they discussed Amman's adherence to licence</p> <p>14 conditions post release, also his potential attendance</p> <p>15 at Streatham Mosque was discussed, an approved place of</p> <p>16 worship.</p> <p>17 There was also some discussion around the impact of</p> <p>18 the sentencing of Mohiussunnath Chowdhury that was due</p> <p>19 to take place on the week commencing 2 February. It was</p> <p>20 believed they were associated in HMP Belmarsh together</p> <p>21 and he may react somewhat adversely to that sentencing.</p> <p>22 Then there was subsequently some agreements as to</p> <p>23 when the next JOT would take place.</p> <p>24 Sorry, there is one more thing: just discussion</p> <p>25 around the armed posture around the priority offender of</p> <p style="text-align: center;">Page 152</p>

<p>1 the operation.</p> <p>2 Q. And that was going to carry on?</p> <p>3 A. That was going to carry on.</p> <p>4 Q. Looking at your second witness statement on page 8, was</p> <p>5 it also decided at that meeting from paragraph 24 that</p> <p>6 the surveillance for the coming days would start at</p> <p>7 11 am rather than 6 am on the basis that Sudesh Amman</p> <p>8 had not been in fact going out of the approved premises</p> <p>9 between 6 am and 10 am?</p> <p>10 A. That's correct. So that was just based on behavioural</p> <p>11 analysis, that we would deploy our resources when we</p> <p>12 could best maximise our coverage of the subject.</p> <p>13 Q. You say in that witness statement in addition that other</p> <p>14 forms of intelligence coverage were also discussed.</p> <p>15 I am not going to ask you to go into anything that</p> <p>16 you are not able to go into, but can you answer this</p> <p>17 question: was there any intelligence from other coverage</p> <p>18 which was materially adding to the overall picture or</p> <p>19 the concerns about Sudesh Amman at this point, Thursday</p> <p>20 the 30th?</p> <p>21 A. There is nothing that comes to mind, so I would have to</p> <p>22 refer to the original documents. But I think the</p> <p>23 assessment we see here on what was discussed reflects</p> <p>24 most of the operational risk and what the intelligence</p> <p>25 we were receiving led us to believe.</p> <p style="text-align: center;">Page 153</p>	<p>1 parcel tape?</p> <p>2 A. That's correct.</p> <p>3 Q. Were similar purchases made by members of the police</p> <p>4 team and photographed?</p> <p>5 A. I believe so. That is correct.</p> <p>6 Q. Is it right that that photograph was then used as part</p> <p>7 of briefings to surveillance officers on the next two</p> <p>8 days to show them what purchases had been made and to</p> <p>9 discuss what use they might be put to?</p> <p>10 A. That's correct.</p> <p>11 Q. Was it also noted in the national security surveillance</p> <p>12 report that he'd entered a shop called the Low Price</p> <p>13 Store, taken a pack of forks and spoons to the till, and</p> <p>14 put those items back?</p> <p>15 A. That is correct. I think the information (indistinct)</p> <p>16 passing, they said he didn't have any money, but we</p> <p>17 believe that's not true and he did have some money.</p> <p>18 Q. Yes. Can I put this to you: the CLIO log, INQ002601,</p> <p>19 reflected a number of points. First of all -- for the</p> <p>20 lawyers, page 109 -- it was noted that he was showing</p> <p>21 heightened awareness that day and being agitated while</p> <p>22 apparently praying to himself?</p> <p>23 A. That is correct.</p> <p>24 Q. As a result, page 108, the tactical firearms commander</p> <p>25 deployed two armed response vehicles to Streatham as</p> <p style="text-align: center;">Page 155</p>
<p>1 Q. What I am going to ask you to do is overnight can you</p> <p>2 consult with anyone you need to consult with --</p> <p>3 A. I will do --</p> <p>4 Q. -- and just tell us whether you are able to say whether</p> <p>5 anything from the intelligence picture, including any</p> <p>6 details we can't hear about in this hearing, was</p> <p>7 materially adding to the picture of threat and risk?</p> <p>8 A. Yes. I would have to refer to the minutes of those</p> <p>9 meetings.</p> <p>10 Q. Yes. Moving on to Friday, 31 January at 2020, is it</p> <p>11 right that on that day Sudesh Amman was observed taking</p> <p>12 a bus to Streatham, and entering a couple of shops and</p> <p>13 buying some items in a Poundland shop which were later</p> <p>14 deemed to be suspicious?</p> <p>15 A. That's correct.</p> <p>16 Q. Can you confirm -- for the benefit of the lawyers, the</p> <p>17 reference is INQ002633, page 2 -- that the national</p> <p>18 security surveillance report on that day noted these</p> <p>19 items, noted that they could be deemed suspicious, and</p> <p>20 noted that he was engaged in behaviour that was deemed</p> <p>21 anti-surveillance, such as going in and out of shops for</p> <p>22 no reason?</p> <p>23 A. That's correct. And that information was passed to us.</p> <p>24 Q. Specifically regarding the purchases, were they</p> <p>25 purchases of four bottles of Irn-Bru, tin foil and brown</p> <p style="text-align: center;">Page 154</p>	<p>1 a contingency?</p> <p>2 A. That's correct.</p> <p>3 Q. Then, in relation to the purchases at Poundland,</p> <p>4 Sudesh Amman had £20 in cash. He picked up a pack of</p> <p>5 forks and spoons worth a couple of pounds, then took</p> <p>6 them to the till before leaving, saying he didn't have</p> <p>7 enough money.</p> <p>8 A. That is correct.</p> <p>9 Q. Was it noted in the CLIO log that the area of the shop</p> <p>10 from which he got the forks and spoons included sharp</p> <p>11 knives?</p> <p>12 A. That's correct.</p> <p>13 Q. That was known about the Low Price Store on Friday,</p> <p>14 31 January, recorded in the CLIO log which was picking</p> <p>15 up the surveillance communications?</p> <p>16 A. That is correct.</p> <p>17 Q. So, on that Friday, there were a few different matters</p> <p>18 of concern. First of all, the purchases from the</p> <p>19 Poundland. What did you and your colleagues think about</p> <p>20 those purchases?</p> <p>21 A. It was concerning. So, the context of what you have</p> <p>22 described earlier around fake suicide vests, and really</p> <p>23 our assessment was that those purchases could be used to</p> <p>24 make a mock suicide vest. There was some concern</p> <p>25 whether this was done as a provocative nature to really</p> <p style="text-align: center;">Page 156</p>

<p>1 just test our response, to ascertain whether he was 2 under surveillance, so there was that element in itself. 3 Then there was consideration of whether we had an 4 offence taking place that we could then act on as 5 a disruptive opportunity. 6 Q. Then there is the second aspect of behaviour of concern: 7 going into a shop and looking in the area where there 8 were knives and doing something which seemed illogical, 9 namely taking an item to the till, claiming he didn't 10 have money for it when he did? 11 A. Yes, that's correct. So, again, concerning and, again, 12 is that something he's doing to test our response? 13 Q. The third element of concern: continued 14 anti-surveillance behaviour, going back and forth, 15 looking over the shoulder in order to potentially spot 16 surveillance? 17 A. That's correct. 18 Q. On the early evening of that Friday, 31 January 2020 at 19 about 5 o'clock, was a further operational team meeting 20 held? 21 A. Yes. So, in response to those developments and those 22 purchases, we had a further JOT, a further Joint 23 Operational Team meeting, take place in London. 24 Q. You address that on pages 8 to 10 of your second witness 25 statement. I ask you to have those in front of you just</p> <p style="text-align: center;">Page 157</p>	<p>1 Q. Was it also mentioned by the Terrorist Offender 2 Management Unit officers that different restrictions 3 applied regarding access to knives as between bail 4 hostels and probation hostels? 5 A. That was my understanding, and I think that was a gap in 6 our knowledge and that was one of the tasks that was set 7 at that JOT. 8 Q. There was discussion about whether Sudesh Amman might 9 have access to knives within the approved premise in the 10 kitchen, for example? 11 A. Absolutely, and how that access was controlled. 12 Q. Was it said that in some such premises they would be 13 locked away, and in others, more readily accessible? 14 A. That's correct. 15 Q. Was it known what the policy was in the Streatham 16 approved premises? 17 A. No, I don't believe -- no, it was not. 18 Q. Did the offender management unit officers agree to find 19 out? 20 A. That's correct. 21 Q. Did MI5 also raise a question about whether 22 a restriction could be added to Sudesh Amman's licence 23 to prevent him having access to knives in future? 24 A. That's correct. 25 Q. There was consideration given to how he might get access</p> <p style="text-align: center;">Page 159</p>
<p>1 so you know what you can and can't say. 2 But what was the trigger for that JOT, or the 3 catalyst? 4 A. The purchase of those items and the assessment that they 5 could be used to put together a hoax device. 6 Q. What were the matters discussed in that meeting? 7 A. So, I suppose the key matter was whether we had 8 sufficient grounds to have some form of intervention, 9 and whether that intervention would be arrest or whether 10 some other interventions were discussed around 11 increasing knowledge. So it was to take that 12 information and then deciding the course of action 13 around mitigating the risk that he potentially posed. 14 Q. In the course of that discussion, you say in your third 15 witness statement -- I am sorry to skip between them. 16 In your third witness statement, paragraph 3 on page 2, 17 you say that a number of matters about his conduct were 18 noted as a preliminary to those decisions. 19 First of all, that he travelled around on foot and 20 by bus, didn't have access to a vehicle? 21 A. That's correct. So I believe he -- he didn't have 22 a driving licence. 23 Q. A key risk identified was that he posed a threat to 24 public safety by carrying out a terrorist attack? 25 A. That's correct.</p> <p style="text-align: center;">Page 158</p>	<p>1 to a knife in the approved premises? 2 A. That's correct. There was no -- there was no -- at that 3 time, there was no specific intelligence to indicate 4 that he had access to a knife or any other weapons. 5 Q. In your second witness statement, going back to that at 6 paragraph 25, you say that the SIO decision log, with 7 you now as the senior investigating officer, recorded 8 this for the meeting: 9 "Although there is no specific intelligence to 10 suggest that [Mr Amman] is attack planning he has been 11 seen to purchase a number of items, namely the tin foil, 12 bottles of Im-Bru and tape which at worst reading could 13 be used to make a mock suicide vest. [Mr Amman] has 14 also been seen to go to the cutlery section in a shop. 15 Although he did not purchase a knife, he would pose 16 a significant threat if he did." 17 A. That's correct. So, specific intelligence, I would take 18 that to mean: did he have access to weaponry, did he 19 have the means to carry out an attack, had he collected 20 any targets, and was there a time-frame he was working 21 to that we were aware of? 22 Q. You were telling us a few moments ago that one of the 23 considerations at that meeting was whether any action 24 could be taken against him as a result of what he'd 25 done.</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)

<p>1 A. That's correct.</p> <p>2 Q. Was consideration given to whether he could be arrested</p> <p>3 for any particular offences?</p> <p>4 A. There was strong consideration around whether he could</p> <p>5 be arrested and the utility of undertaking that course</p> <p>6 of action in the context of what the operational aims</p> <p>7 were.</p> <p>8 Q. What offence or offences were considered at that time?</p> <p>9 A. So, he could have been arrested for being a terrorist,</p> <p>10 so commission, preparation or instigation of an attack,</p> <p>11 so what we call CPI. So there was a discussion around</p> <p>12 whether we would arrest him for effectively looking to</p> <p>13 commit an attack, a terrorist attack.</p> <p>14 Q. Is that the offence under section 5 of the Terrorism Act</p> <p>15 2006?</p> <p>16 A. It is, but we would use our terrorism powers of arrest</p> <p>17 in this particular case under section 41 of the</p> <p>18 Terrorism Act, where we just reasonably suspect that</p> <p>19 he's involved in a terrorist act.</p> <p>20 Q. You have used the words already; what you would require</p> <p>21 to exercise a power of arrest would be a reasonable</p> <p>22 suspicion and no more?</p> <p>23 A. That's correct.</p> <p>24 Q. And a reasonable suspicion does not require solid</p> <p>25 evidence?</p> <p style="text-align: center;">Page 161</p>	<p>1 seen through surveillance, we would not have enough</p> <p>2 evidence to ensure that he would go through forward to</p> <p>3 a prosecution and result in a conviction.</p> <p>4 The items he had bought in themselves are not an</p> <p>5 offence. So with lacking evidence and intelligence</p> <p>6 around other elements of a substantial offence that</p> <p>7 would have represented a successful disruption for us,</p> <p>8 arresting him would have been a short-term measure.</p> <p>9 Though, through that arrest, I would have envisaged</p> <p>10 then, as I do now, that he would have been released back</p> <p>11 into the community. Though, at that time, under</p> <p>12 terrorism powers we could only hold someone for</p> <p>13 48 hours, and in fact I think we would have struggled to</p> <p>14 get an extension to that time which we held him for, so</p> <p>15 he would be back into the community and he would be</p> <p>16 aware of our covert operation around him, and in fact</p> <p>17 that would have made our job a lot harder. So, in fact,</p> <p>18 we would only really have disrupted ourselves to some</p> <p>19 extent, and indirectly and directly that would increase</p> <p>20 the risk to our officers that were following him on the</p> <p>21 covert operation and the public as well. So, at that</p> <p>22 stage it was discounted and we decided to continue with</p> <p>23 the covert operation.</p> <p>24 Q. At this point in time, did you consider that if you had</p> <p>25 arrested him, there would have been the prospect of</p> <p style="text-align: center;">Page 163</p>
<p>1 A. No.</p> <p>2 Q. It doesn't require a case which could be taken any</p> <p>3 particular distance in criminal proceedings, does it?</p> <p>4 A. That's correct.</p> <p>5 Q. Did you consider at that time that you had enough</p> <p>6 material to justify reasonable suspicion either under</p> <p>7 section 41 or under general police powers in connection</p> <p>8 with the offence, for example, under section 5 to carry</p> <p>9 out an arrest?</p> <p>10 First of all, the power?</p> <p>11 A. Yes, we -- well, I did consider it, and I believed we</p> <p>12 did have that power.</p> <p>13 Q. Was that specifically recognised in the meeting? Did</p> <p>14 you and your colleagues recognise out loud: this is</p> <p>15 a power we have, if we choose to use it?</p> <p>16 A. So, that course of action was discussed as a means of</p> <p>17 a potential disruption.</p> <p>18 Q. So the premise of that discussion was it was something</p> <p>19 you could lawfully do?</p> <p>20 A. Absolutely.</p> <p>21 Q. What decision was made, and why?</p> <p>22 A. The decision was made not to arrest. So, the view</p> <p>23 I took then -- and actually the view I still hold</p> <p>24 today -- is that on what we knew then, what our</p> <p>25 intelligence was telling us and what activity we had</p> <p style="text-align: center;">Page 162</p>	<p>1 a successful prosecution on the basis that his act of</p> <p>2 purchasing these items with the various other suspicious</p> <p>3 elements of his conduct didn't have an honest</p> <p>4 explanation, or indeed any explanation other than</p> <p>5 intending to make a suicide vest?</p> <p>6 A. No, I didn't envisage a successful prosecution. And</p> <p>7 also, opportunity to obtain evidence from elsewhere. So</p> <p>8 we knew through our coverage, we knew through the facts</p> <p>9 when he had been released, the restrictions he was</p> <p>10 under. He didn't have a digital footprint, he was not</p> <p>11 engaged, from what we knew at the time, in a network.</p> <p>12 So all these avenues of evidence we would normally use</p> <p>13 for a terrorist investigation were not open to us</p> <p>14 either, so we were quite limited in what we thought we</p> <p>15 could find.</p> <p>16 So, to go back to your original point, I didn't</p> <p>17 think that would result in a long-term disruption.</p> <p>18 Q. The reality was you were only ever going to be able to</p> <p>19 present the CPS at this stage with the fact of the</p> <p>20 purchases and some slightly odd walking-around</p> <p>21 behaviour?</p> <p>22 A. We would engage CPS. In fact, whenever we do</p> <p>23 a terrorist arrest, we speak to CPS, but I would be very</p> <p>24 surprised if those items and that behaviour alone would</p> <p>25 reach the threshold.</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

<p>1 Q. Is this right: the prospect of arresting him just for 2 the purpose of arrest, rather than charge and successful 3 prosecution, would only take him off the streets for 4 48 hours? 5 A. That's correct. 6 Q. And is it right that any bail conditions that might be 7 attached to him would add nothing to the arsenal of 8 conditions you already had under the licence conditions? 9 A. That's correct. We can't bail under the Terrorism Act, 10 so he would just have been released without any further 11 conditions. 12 Q. In that meeting on the 31st, was consideration given to 13 conducting a search of his room at the approved premises 14 at any time? 15 A. There was discussion around (a) the viability of that, 16 and the risks that came with undertaking that course of 17 action. 18 Q. Let me look at different possibilities of search. We 19 know that under the approved premises rules, staff there 20 could go into a resident's room at any time to conduct 21 a search. Did you consider having them do that, 22 carrying out a search either routinely or when he 23 happened to leave the building? 24 A. So there was discussion around how we would undertake 25 that search. Again, I would have to check the minutes</p> <p style="text-align: center;">Page 165</p>	<p>1 building who will wonder what they are doing. 2 A. Absolutely. And it's my experience there needs to be 3 a significant amount of pre-planning that goes into that 4 type of activity as well. 5 Q. Were any further options considered to minimise the risk 6 that had been presented by this additional information? 7 A. In relation to the approved premises? 8 Q. No, in relation to any aspect of protecting the public 9 from Sudesh Amman? 10 A. So we reviewed our operational posture. So we moved our 11 surveillance from set times to 24-hour surveillance. We 12 looked at the action we would take on breach of licence, 13 so we put in structures and processes and lines of 14 communication with Probation so that activity could take 15 place very quickly if we needed to. We changed some of 16 our operational posture in terms of putting my officers 17 in arrest cars behind the surveillance team so we could 18 move quite quickly to the arrest phase. And then also, 19 you mentioned it earlier, just the use of marked police 20 assets to do overt action where we had some kind of 21 element of doubt, so we could use them, move them 22 forward to do a stop and search. 23 So there was a range of tactics we put in place to 24 deal with the threat. 25 Q. Is this right: for the following two day he was going to</p> <p style="text-align: center;">Page 167</p>
<p>1 about whether a third party, ie the staff at the hostel, 2 the approved premises, could do that on our behalf, but 3 I suggest that came with significant risks. 4 Q. What particularly would the risks have been? 5 A. This is a covert course of action we were undertaking 6 here, so the staff are not trained in covert searches. 7 That would have alerted him, possibly, to the fact that 8 he was subject to monitoring from us, and it again would 9 have had the same effect of us going overt as well. So 10 it would have just made our job a little bit harder -- 11 or a lot harder -- going forward. 12 Q. Are you able to say whether consideration was given to 13 having his room covertly searched but by police 14 officers, for example, if he happened to leave the 15 approved premises, as we know he then did on the 16 Saturday? 17 A. Again that's not a short-term option. That was 18 something we were going to take away and explore. Then 19 the difficulty there comes with the methodology, but 20 also it wasn't just him in that approved premises. 21 There were a number of other residents as well, so there 22 would have been a high level of risk, of compromise, 23 around that particular course of action. 24 Q. Without going into the details, because if forensics are 25 coming in to do a search, there are other people in the</p> <p style="text-align: center;">Page 166</p>	<p>1 be under 24-hour armed surveillance? 2 A. That's correct. 3 Q. There was going to be an SO15 car on hand ready to do an 4 arrest, if necessary? 5 A. That's correct. 6 Q. And there was also going to be an armed response vehicle 7 in the area ready to carry out an armed stop, if 8 necessary? 9 A. Yes. And, tactically, that might suit us to use 10 a marked police unit as well because it gives a bit of 11 distance from the covert operation. So we had, yes, an 12 armed response vehicle assisting with the operation. 13 Q. In your witness statement you say that one of the 14 reasons that you increased to 24-hour surveillance was 15 to address the risk that he might cut off his GPS tag so 16 that that would not be a reliable indicator that he was 17 still in the approved premises? 18 A. Absolutely. And because there was still no specific 19 intelligence around the timescales or any other 20 activity, so it just gave us that level of coverage and 21 reassurance. 22 Q. Did you also, on that evening, set a number of what are 23 called tipping points for the operation going forward? 24 A. Yes. So the tipping points are agreed, so with the 25 service, they are discussed at the JOT and are to assist</p> <p style="text-align: center;">Page 168</p>

42 (Pages 165 to 168)

1 **the wider policing units involved in the operation**
 2 **around when we should go overt.**
 3 Q. So a tipping point is an indication that if something
 4 specific happens, there will then be a specific
 5 response?
 6 **A. That's correct. I will just caveat, our tipping points**
 7 **relate to what we can reasonably foresee, with the risk**
 8 **and the threat and what we know. There will always be**
 9 **an element that sits outside that and you rely on**
 10 **officers to use their initiative -- the staff to use**
 11 **their initiative in taking action as they see fit.**
 12 Q. So tipping points are instructions agreed by the
 13 investigation team to help those who are going to be
 14 doing the surveillance and on hand close to
 15 Sudesh Amman?
 16 **A. Absolutely.**
 17 Q. They cover foreseeable scenarios, but can't cover every
 18 possible scenario?
 19 **A. That's correct.**
 20 Q. I am going to read out the tipping points which you say
 21 were agreed, paragraph 28 of your witness statement, and
 22 you can confirm these, if you will. First:
 23 "If Amman breached his overnight curfew, he should
 24 be arrested for [conduct preparatory to terrorism] with
 25 the assistance of armed assets."

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1 **A. That's correct.**
 2 Q. Presumably because a breach of overnight curfew would be
 3 unlikely to be something accidental, and would be likely
 4 to suggest some positive action to try to commit an
 5 attack while not observed?
 6 **A. Yes. So that's our thinking behind it. That would be**
 7 **indicative of some kind of activity he was going to be**
 8 **undertaking, terrorist-related.**
 9 Q. Second:
 10 "If Amman breached his daytime curfew the breach
 11 should be reported to the on call TOMU officer and
 12 referred to probation unless specific intelligence
 13 dictated otherwise."
 14 What was the thinking behind that?
 15 **A. It could be a minor breach, it could be something**
 16 **inadvertent. So the process we had put in place with**
 17 **TOMU and/or probation had to authorise the recall. So**
 18 **it still gave us the option of running a covert**
 19 **operation so we could do a bit more thinking around**
 20 **those circumstances. Again, caveatted around if we**
 21 **thought that breach was in pursuance of a terrorist act,**
 22 **then clearly that intelligence would counter that.**
 23 Q. And if he entered the exclusion zones within the London
 24 area, he should be arrested for conduct preparatory to
 25 terrorism with the assistance of armed assets?

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1 **A. Yes, so his licence conditions specified where he could**
 2 **and couldn't go. Central London, so iconic sites, been**
 3 **subject to attacks before. If we saw him breaching his**
 4 **licence conditions, heading towards the central London**
 5 **area, knowing what other intelligence we had, then he**
 6 **would have been arrested.**
 7 Q. I am going to read the next two and ask you about them
 8 together:
 9 "If Amman was seen to purchase a knife which
 10 remained packaged (ie would not breach the offensive
 11 weapon threshold) he should be allowed to return to the
 12 [approved premises]. The next time he left the
 13 [approved premises], he should be subjected to a stop
 14 and search with the assistance of armed assets."
 15 Finally:
 16 "If Amman was seen to purchase a knife and removed
 17 it from packaging, he should be immediately arrested for
 18 possession of an offensive weapon with the assistance of
 19 armed assets and a decision made by the [senior
 20 investigating officer] in relation to a further arrest
 21 for [conduct preparatory to terrorism]."
 22 What was the thinking behind that pair of tipping
 23 points?
 24 **A. Okay. So, to take the first one in itself, so**
 25 **purchasing a knife, if it is still within its packaging,**

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1 **would not be an offence per se. But again that was**
 2 **slightly caveatted with the fact that if we had lost**
 3 **control of him, then we would have to err on the side of**
 4 **caution and conduct a search. We would let him go back**
 5 **to the approved premises, and when he left again he**
 6 **would be subject to a stop and search with armed assets,**
 7 **just ascertaining whether he had that knife on him and**
 8 **he was about to go out and commit an attack.**
 9 **Actually there what we have is we have an individual**
 10 **with a terrorist mindset who has acquired a weapon, so**
 11 **we would take action on those facts.**
 12 **Then, secondly, again if he purchased the knife and**
 13 **removes it from the packaging, so that's -- you've got**
 14 **an offensive weapon there, so that is a justification to**
 15 **stop him and detain him, and then there would be a wider**
 16 **decision whether he would be arrested for a terrorist**
 17 **offence.**
 18 Q. Thereafter, was it decided that there should be another
 19 tipping point, that if he was believed to have made
 20 a mock-up of a suicide vest or there was any
 21 intelligence that he was reported planning an attack,
 22 police would intervene?
 23 **A. Yes. So the mock-up of the suicide vest would -- if we**
 24 **believed he had put the mock-up together and was in**
 25 **public, then that would have caused us to interdict.**

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<p>1 Q. You know, I think, that in some other terrorist attacks 2 where individuals have worn actual or fake suicide 3 belts, they have worn bulky clothing in order to conceal 4 them? 5 A. That's correct, yes. 6 Q. Was any consideration given to what might happen if 7 Sudesh Amman was wearing or carrying something that 8 might be concealing a mock suicide belt? 9 A. Well, I suppose the first thing to say is it was 10 February. I don't recall what the weather was like on 11 that day, but it warranted wearing warm clothing and 12 I believe he was wearing that type of clothing when he 13 left the address. So that in itself wouldn't have been 14 unusual. Clearly if any of the surveillance officers 15 reported anything that looked out of the ordinary or 16 seen anything coming from that clothing, again that 17 would have caused us to intervene. 18 As for carrying, so I understand prior to the attack 19 he was carrying a white carrier bag -- 20 Q. We will come to the details of what he was doing later, 21 but just as a matter of principle, was any consideration 22 given to what might happen if he was wearing or carrying 23 something that might obscure a vest? 24 A. You would be relying on specific intelligence that he 25 was carrying something or observations from the officers</p> <p style="text-align: center;">Page 173</p>	<p>1 A. Absolutely. 2 Q. Were you having updates of this operation at specific 3 intervals or as required? 4 A. As required, and I would be reliant on my line managers 5 to update me on anything that they considered to be 6 significance, which they did. 7 Q. We know, and will hear in more detail later, that on the 8 Saturday Sudesh Amman left the approved premises once, 9 between 1.24 and 1.50 in the afternoon. He went to 10 a chicken shop, and during that time was seen to look 11 over his shoulder several times. 12 A. Correct. 13 Q. Were you given any information of any of those moments 14 on that day? 15 A. So I had a phone conversation with the detective 16 inspector to update me on the day's movements on that 17 day. 18 Q. Did you receive any other intelligence on that day which 19 affected your view of the case in any way that you are 20 able to say? 21 A. No, so my opposite number in MI5, we had previously been 22 in contact, but I would have to check my text messages 23 that there was no communications on that day with MI5 or 24 there was no other significant intelligence briefed in 25 to me.</p> <p style="text-align: center;">Page 175</p>
<p>1 on the ground. 2 Q. So that wasn't the subject of a specific tipping point 3 then? 4 A. No. 5 Q. Was it agreed that there would be another JOT meeting 6 shortly after that one? 7 A. Yes. So I believe there was one scheduled in for on the 8 Monday. 9 Q. So 3 February? 10 A. 3 February. 11 Q. Later that Friday evening on 31 January, after the jot, 12 did you have any conversation with your line manager, 13 DCS Boon, about his view and that of more senior 14 officers? 15 A. Yes. So that's a constant conversation that would take 16 place. I briefed up to DCS Boon what the operational 17 plan was, what the posture was, and what we were looking 18 to do going forward. In turn, he would brief above to 19 his line manager as well. 20 Q. Over the weekend that followed, 1 and 2 February 2020, 21 were you on duty? 22 A. I was off duty, but taking phone calls and receiving 23 updates from officers. 24 Q. Were other members of your investigation team on duty 25 those days?</p> <p style="text-align: center;">Page 174</p>	<p>1 Q. Were any significant decisions made that day? 2 A. No. It was just a continuation of the operational 3 posture. 4 Q. So on Sunday the 2nd, Sudesh Amman remained under 5 surveillance by a surveillance team? 6 A. That's correct. 7 Q. As before, they were communicating by radio and their 8 radio messages were being heard in the police operations 9 room? 10 A. That's correct. 11 Q. The police operations room manager, you've told us, 12 would be able to pass anything back to your 13 investigation team? 14 A. That's correct. 15 Q. That's the way they would hear it in live? 16 A. Yes. 17 Q. In addition, is this right, the communications between 18 the surveillance officers could be monitored, and we may 19 hear were monitored, by those officers in the armed 20 response vehicles which were nearby? 21 A. I believe, so, yes. 22 Q. We will hear that at 1.22 that Sunday afternoon, 23 Sudesh Amman left the approved premises wearing 24 a camouflage jacket over traditional dress and some 25 tracksuit bottoms, carrying a white JD Sports bag across</p> <p style="text-align: center;">Page 176</p>

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<p>1 his front, which looked quite empty?</p> <p>2 A. That's correct.</p> <p>3 Q. That offence was recorded in the CLIO log at 13.24, so</p> <p>4 pretty much straight after he left the approved</p> <p>5 premises.</p> <p>6 Was that observation brought to your attention or</p> <p>7 the attention of any of your investigation team at the</p> <p>8 time?</p> <p>9 A. It was not brought to my attention.</p> <p>10 Q. Were any of the observations that followed, prior to the</p> <p>11 attack and the shooting, brought to your attention</p> <p>12 before the attack took place?</p> <p>13 A. No. So the -- it was after the attack that I was</p> <p>14 notified as what had happened.</p> <p>15 Q. You, I think, have seen the photographs and the jury</p> <p>16 have seen the photographs of the white bag carried</p> <p>17 across his front?</p> <p>18 A. That's correct.</p> <p>19 Q. Having looked at those photos, do you regard those as in</p> <p>20 any way odd or suspicious?</p> <p>21 A. It wouldn't have caused me to -- having looked at them</p> <p>22 now, in the absence of any other intelligence it would</p> <p>23 not have caused us to act.</p> <p>24 Q. You would not have considered, for example, that that</p> <p>25 rather oddly held bag might be concealing something?</p> <p style="text-align: center;">Page 177</p>	<p>1 knew where he was going.</p> <p>2 Then there are entries for 13.53, 13.54 and 13.55,</p> <p>3 saying that he was walking north on the High Road. It</p> <p>4 was noted again that that JD Sports bag looked empty and</p> <p>5 that he was continually looking around and stopping</p> <p>6 before continuing to walk very slowly.</p> <p>7 With that behaviour, if you had been in the</p> <p>8 operations room listening to those communications coming</p> <p>9 in, would that behaviour have caused you to intervene?</p> <p>10 A. In itself that behaviour did not meet any of the tipping</p> <p>11 points, so no.</p> <p>12 Q. Setting aside the tipping points for a moment, you have</p> <p>13 somebody who has shown an interest in knives on the</p> <p>14 Friday -- or potentially done so -- bought items which</p> <p>15 raised suspicions of creating a hoax suicide belt, come</p> <p>16 out on the Sunday with this bag held in a way which</p> <p>17 might be suggested was odd across his front, and now</p> <p>18 he's walking in a very peculiar way on a major public</p> <p>19 thoroughfare, up and down appearing not to know where</p> <p>20 he's going.</p> <p>21 Does that set of features of conduct not cause some</p> <p>22 suspicion which starts to make you think about</p> <p>23 intervention?</p> <p>24 A. It feels for me we are still in the same position we</p> <p>25 were on Friday around that decision to arrest. And</p> <p style="text-align: center;">Page 179</p>
<p>1 A. Having recently seen the image, it didn't overly strike</p> <p>2 me as that. And in line with some of his previous</p> <p>3 behaviour as well, again, I don't -- again, it would not</p> <p>4 have caused us to intervene without -- in the absence of</p> <p>5 any other intelligence.</p> <p>6 Q. But you would not have instructed intervention and</p> <p>7 therefore, presumably, you would not have expected the</p> <p>8 surveillance or armed officers to intervene on the basis</p> <p>9 of that?</p> <p>10 A. No.</p> <p>11 Q. We shall also hear that at 13.40 and 13.41, entries in</p> <p>12 the CLIO log were made showing that the police</p> <p>13 operations room had heard on the surveillance</p> <p>14 communications that Sudesh Amman was walking on</p> <p>15 Sunnyhill Road towards Streatham High Road with a bit of</p> <p>16 a limp and looking over his shoulder.</p> <p>17 Would those observations have caused you any concern</p> <p>18 or provoked intervention?</p> <p>19 A. Again, in the absence of anything else, that -- no, it</p> <p>20 would not have done. And actually that feels quite</p> <p>21 consistent with previous behaviour we had observed</p> <p>22 whilst he had been under surveillance.</p> <p>23 Q. Entries in the CLIO log for 13.49 and 13.52 -- 1.49 and</p> <p>24 1.52 -- refer to Sudesh Amman walking southbound on</p> <p>25 Streatham High Road, apparently not looking as though he</p> <p style="text-align: center;">Page 178</p>	<p>1 without the -- without anything to indicate that he was</p> <p>2 in those final stages of attack planning, or preparatory</p> <p>3 behaviour, then it would just have been a short term</p> <p>4 disruption for us. So, no. So it would not have caused</p> <p>5 me to intervene, what you've just said.</p> <p>6 The behaviour aspect is what we had seen previously</p> <p>7 and there was no intelligence to suggest that he was</p> <p>8 wearing that device, and there was no information that</p> <p>9 had come from the officers on the ground that observed</p> <p>10 anything relating to that hoax device.</p> <p>11 MR JUSTICE HILLIARD: You have this consideration you told</p> <p>12 us about. Is it just a consideration or is it that is</p> <p>13 always there, just this question is someone testing</p> <p>14 us --</p> <p>15 A. Absolutely.</p> <p>16 MR JUSTICE HILLIARD: -- to see -- not suggesting, you tell</p> <p>17 us, that that would necessarily be the definitive thing,</p> <p>18 but what I understood from what you have been telling us</p> <p>19 that is a factor as you are going along: is some of this</p> <p>20 just to see if we are following him and intervene? Is</p> <p>21 that a factor?</p> <p>22 A. Absolutely, my Lord. And that has been a consideration</p> <p>23 from the outset really: him trying to compromise our</p> <p>24 covert operation.</p> <p>25 MR HOUGH: Finally this, in relation to that Sunday: the</p> <p style="text-align: center;">Page 180</p>

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<p>1 surveillance officers then observed, first of all, 2 Sudesh Amman walked north, did a 360-degree turn, and 3 came back south, potentially using is called a "mirror 4 trap" by looking in a reflective glass window as he 5 went. 6 Then he went into the Low Price Store, the store he 7 had been into on the Friday, where he had been spotted 8 with interest in the cutlery section. 9 By this point would you be expecting the officers on 10 the scene to intervene? 11 A. No. But at this point we hadn't observed him either 12 purchase or steal any weapon. Again there was no 13 intelligence to suggest he had a weapon on him, so no. 14 We had seen this behaviour before. Was that 15 consistent again with anti-surveillance? Was he testing 16 us again? 17 Q. But ultimately was the decision on any intervention in 18 fast time one for the surveillance officers and the 19 armed officers at the scene? 20 A. And as it materialised, yes. But they would have been 21 cognisant of the tipping point. 22 MR HOUGH: Sir, I have one final topic for this witness. It 23 is only a few minutes. I appreciate we have just gone 24 after 4.30, is there any difficulty with me -- 25 MR JUSTICE HILLIARD: I think there might be. Only because</p> <p style="text-align: center;">Page 181</p>	<p>1 2 Proceedings continued in the62 3 presence of the jury. 4 Questions by MR SHELDON88 5 Questions by MR RAWAT93 6 Discussion in the absence of the105 7 jury 8 Proceedings continued in the105 9 presence of the jury 10 HA6 (sworn)106 11 Questions by MR HOUGH106 12 Discussion in the absence of the182 13 jury 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 183</p>
<p>1 there is another matter we should deal with, I think, 2 isn't there, that need not trouble the jury? 3 MR HOUGH: I think that may not have arisen because of 4 communication through the afternoon. 5 MR JUSTICE HILLIARD: All right. 6 MR HOUGH: I am in your hands, sir. 7 MR JUSTICE HILLIARD: I think we are going to break off now. 8 MR HOUGH: Yes, sir. 9 MR JUSTICE HILLIARD: All right, members of the jury. So 10 that is it for now. We are starting again, please, at 11 10 o'clock tomorrow morning. All right? 12 4.32 pm) 13 Discussion in the absence of the jury 14 (4.34 pm) 15 (The court adjourned until 10.00 am, 16 Friday, 6 August 2021) 17 18 I N D E X 19 Discussion in the absence of the1 20 jury 21 Proceedings (in the presence of the1 22 jury) 23 MS CARINA HECKROODT (sworn)2 24 Questions by MR HOUGH2 25 Questions by MR MENON59 Discussion in the absence of the62</p> <p style="text-align: center;">Page 182</p>	

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