

Coroner's Inquests into the London Bombings of 7 July 2005
Hearing transcripts - 21 February 2011 - Afternoon session

1 (2.00 pm)

2 MR KEITH: G, may I now turn to a new topic, please, but
3 again in the broad general exploration of the role of
4 the Security Service and that is the rule of law, to
5 which you made reference to your witness statement?

6 Is the Security Service legally and democratically
7 accountable?

8 A. Yes, it is.

9 Q. In blunt, is it permitted to operate outside the law?

10 A. No.

11 Q. Are your colleagues and employees open to prosecution or
12 civil sanction, like everybody else, if they break the
13 law?

14 A. We are.

15 Q. Your functions are also subject to review, are they not,
16 by the Intelligence Services Commissioner?

17 A. Not our functions, but some of our activities.

18 Q. Some of your activities. I think currently that's
19 Sir Peter Gibson?

20 A. Yes.

21 Q. You are also, presumably, subject, in so far as some of
22 your functions are concerned, to the review of
23 Sir Paul Kennedy in relation to the interception of
24 communications --

25 A. (Witness nods).

1 Q. -- and Sir Christopher Rose in relation to surveillance
2 generally? I think he is the Chief Surveillance
3 Commissioner?

4 A. Not to Sir Christopher Rose.

5 Q. Not to Sir Christopher Rose, but the other two.

6 What is the effect of the adherence of the Security
7 Service to the rule of law in terms of its ability to
8 use intrusive actions?

9 A. It means that any effort on our part to use intrusive
10 actions of this kind must be subject to some form of
11 authorisation process, either internal or external.

12 Q. At what level is authorisation granted in relation to
13 the less intrusive steps within the organisation?

14 A. It will again depend on the specific type of
15 authorisation, but normally at least a middle manager
16 within an investigative section.

17 Q. What sort of less intrusive steps will require
18 authorisation from middle management?

19 A. Again, it will differ from case to case, but some things
20 like seeking billing information and seeking
21 applications for mobile surveillance.

22 Q. So that's surveillance that's not intrusive?

23 A. That's right, not intrusive under the Act.

24 Q. In relation to more intrusive actions, such as telephone
25 intercepts or interference with property, intrusive

1 surveillance or eavesdropping, is a higher level of
2 authorisation required?

3 A. Yes, it is.

4 Q. In general terms, do all such steps, whether intrusive
5 or less intrusive, require a certain level of procedural
6 propriety and a certain level of authorisation?

7 A. Yes, they do.

8 Q. In relation to the most intrusive, is the authority of
9 the Secretary of State for the Home Department required?

10 A. The authority of the Secretary of State normally for the
11 Home Department, but potentially other departments.

12 Q. Are separate applications required for each separate
13 step for each particular day or for the course of
14 an operation?

15 A. For the course of an operation, but it may be that
16 separate applications are required, depending on what is
17 being asked.

18 Q. Why? Because there might be a variation in what
19 intrusive steps you wish to take?

20 A. Yes, that's right.

21 Q. There might be a change in the position which required
22 an additional step to be taken and, hence, a new
23 application?

24 A. That's right.

25 Q. In all of these applications what is the role of

1 proportionality? What weight do you give to the
2 importance of the step that you or your colleagues wish
3 to take.

4 A. Proportionality is central. Officers within the Service
5 would work on the assumption that they would not make
6 a case unless there was a specific intelligence case for
7 doing a thing. Therefore, making a judgment about the
8 proportionality on doing that is central to all
9 decisions.

10 Q. Can I push you a little more, please, in relation to
11 proportionality?

12 Plainly, your officers must believe, if they want it
13 done, it must have some use, but that doesn't
14 necessarily mean to say it is proportionate. What
15 factors do you and your colleagues bear in mind, in
16 terms of whether a particular step is justified?

17 A. When we are considering proportionality, the things to
18 consider are: one, whether there is another way that is
19 less intrusive to get the information we require; and,
20 two, even if there is no other way, what we refer to as
21 collateral intrusion will take place.

22 In other words, if we choose to listen to
23 a particular person's phone, how many other people might
24 we hear who are not central to the operation or perhaps,
25 in some cases, not associated with the operation at all.

1 Q. How detailed are these applications in terms of the
2 justifications which they may contain?

3 A. They can be very detailed, depending on the
4 proportionality case involved.

5 Q. Do they take time to prepare?

6 A. Yes, but they can be done swiftly when that is
7 necessary.

8 Q. Why? Because they can be abbreviated, or they may be
9 building on existing applications and, therefore, can be
10 quickly turned around?

11 A. They can be abbreviated, they can be building on
12 specific -- other applications, but also, frankly, given
13 that they are so important, if a new one is required
14 which is detailed, we have to find the officer to find
15 the time to do it.

16 Q. Is the full range of investigative processes or
17 investigative tools generally utilised in any given
18 operation, even the most serious?

19 A. In the most serious operations, yes, I would expect that
20 to be so, but it isn't necessarily so.

21 Q. Crevice was an operation that was very serious, because
22 of the potential of mass casualties through the
23 construction of an improvised explosive device, but
24 I don't think the full range of investigative tools were
25 used in Crevice, certainly in relation to all the core

1 conspirators?

2 A. That would be true in relation to some of the core
3 conspirators.

4 Q. So some of the core conspirators had more intrusive
5 methods used against them than others?

6 A. Yes, certainly.

7 Q. But not all of the core conspirators had the whole range
8 of tools?

9 A. Yes, that's true.

10 Q. Could you please assist us with the range of options
11 that are open, assuming them to be justified, to your
12 officers? You have summarised them for us in your
13 statement, [SYS11005-30], please.

14 Basic checks and tracing. Is that the basic level?

15 A. Yes.

16 Q. What does that consist of?

17 A. That would consist of checking in our own records and,
18 where appropriate, checking with some other records to
19 which we have access.

20 Q. Is this fairly basic information: names, addresses,
21 registrations of cars --

22 A. Yes, but it may --

23 Q. -- lifestyle information?

24 A. It may be, if a target has come to our attention before,
25 there will also be some intelligence on there on the

1 sort of thing they came to our attention before for.

2 Q. That's a reference to what we were discussing earlier:
3 namely, whatever systems you have in place for collating
4 existing intelligence on particular people?

5 A. Yes.

6 Q. On the fact of Crevice, one example of a trace request
7 was the request by the Security Service to the
8 West Yorkshire Police to provide more information on
9 Hasina Patel, who was the apparent registered keeper of
10 the Honda Civic on 2nd February. Is that correct?

11 A. That's correct.

12 Q. Perhaps we could have a look at that, [WYP9-2], please.
13 There is a reference there we can see in the letter from
14 the Security Service to West Yorkshire Police. A trace
15 request after Operation Crevice under the heading of the
16 subject matter. Are there forms, different levels, of
17 trace requests?

18 A. There are, but it is likely that we -- it is not
19 a process for us. It is likely we would ask for more or
20 less information depending on what we wished to find
21 out.

22 Q. Is that why the trace request simply says "trace
23 request" rather than level 1 or level 2 or something
24 else?

25 A. We don't use those terms in the way the police do.

1 Q. So this is an example of a request to
2 West Yorkshire Police. It sets out, and we will see in
3 due course the reference to Operation Crevice being
4 an investigation into the ringleader, Omar Khyam,
5 although it is a bit hard to see under the highlighting.
6 You ask for details of any information kept in relation
7 to Miss Hasina Patel of 10 Thornhill Park Avenue.
8 There is then, going back to your witness statement,
9 at page 30 [SYS11005-30], liaison with the local police but,
10 presumably, that would entail some type of request or
11 trace request of the type we have already seen?
12 A. That's right.

13 Q. Of course, on the facts of this case, there was a great
14 deal of liaison with the West Yorkshire Police and
15 Metropolitan Police, was there not?
16 A. That's correct.

17 Q. Those sorts of liaisons will engage the sort of
18 information to which you made information earlier:
19 namely, the information in their own databases?
20 A. That's correct.

21 Q. Agent reporting. Can agents be run, that's to say
22 operated, not just by the Security Service, but your
23 brother agency, the Secret Intelligence Service, and the
24 police?
25 A. Yes, in all cases.

1 Q. Is it open to the Security Service, even if the agent is
2 being run by somebody else, to create tasking or to
3 indicate to the holder of the agent the sorts of areas
4 of information you're interested in?

5 A. Yes.

6 Q. Over the page, please [SYS11005-31]: then further down, please.
7 Interception of communications. Is that a more
8 intrusive step?

9 A. Than the ones we have outlined thus far, yes.

10 Q. Is that an example of an investigative tool which
11 requires a warrant from the Secretary of State?

12 A. Yes, it is.

13 Q. Could you just help us, please, with the process of
14 transcription? You refer there to how intelligence
15 product from intercept will be listened to, then
16 transcribed and, over the page, you describe how the
17 original tape recording is then destroyed, perhaps for
18 legal reasons -- I know not.

19 We are greatly concerned in this case with
20 eavesdropping material from probes inserted into
21 particular addresses and particular cars. Is there
22 a similar system of transcription and then destruction
23 of the original audio evidence or material with
24 eavesdropping?

25 A. I think if the material is being retained for evidential

1 purposes, which of course it can be for audio
2 eavesdropping in the way it cannot be with telephone
3 intercept, the original may be retained for much longer.

4 Q. The 21st February 2004 eavesdropping device revealed the
5 audio conversation which we will hear shortly. That
6 original recording was retained for years, because it
7 was subject to repeated transcription and perfection of
8 the transcript?

9 A. I think it was retained for years because of its role in
10 the Crevice trial, but yes, that was a by-product of it.

11 Q. May we assume that the original recordings of all the
12 eavesdropping devices in the Crevice investigation were
13 similarly retained, whether or not it was thought they
14 might be useful to the trial?

15 A. I would have to seek clarification on that, but my
16 assumption would be yes.

17 Q. Does it, therefore, follow that there is a difference,
18 as I have indicated, between eavesdropping and intercept
19 material --

20 A. There is indeed.

21 Q. -- because, generally, the intercept material is not
22 retained?

23 A. There is indeed.

24 Q. Further over the page [SYS11005-32], please, surveillance.
25 Surveillance comprises a number of different forms, does

1 it not? Could you just describe them for us?

2 A. So fundamentally, surveillance is -- when we discuss
3 mobile surveillance, which we discuss here, mobile
4 surveillance is intended for a number of things. It may
5 be to get a sense of what the target is doing on a daily
6 basis. It may be because we specifically think the
7 target is going to do something of interest. It may be
8 that we don't know that that is the case, but the target
9 may be doing something of interest.

10 Q. Can there be visual surveillance, that's to say directed
11 surveillance in the street, or intrusive surveillance in
12 someone's home?

13 A. Yes, there can be intrusive surveillance in a person's
14 home.

15 Q. You refer to the benefit of surveillance as supporting
16 a range of technical operations. What do you mean by
17 that?

18 A. I am not sure I can say much more about this in open.

19 Q. Shall we try, G? Is it because, if there is
20 a surveillance operation going on, the presence of the
21 officers engaged in the surveillance operation will
22 assist in the use of other technical means or intrusive
23 investigative tools open to the Service?

24 A. That may be so.

25 Q. I am not asking you whether it was so in this particular

1 case or whether it also is so, but that is the link, is
2 it not?

3 A. That may be so.

4 Q. You go on to deal with the comprehensive nature of
5 surveillance. How often is surveillance utilised in any
6 given operation in very general terms?

7 A. Any large operation of a type like Crevice, I would
8 expect surveillance to be used at some point or
9 regularly during it.

10 Q. By "regularly", do you mean consistently or
11 periodically?

12 A. In an operation like Crevice, consistently against
13 a small number of targets.

14 Q. Would it be usual for there to be consistent
15 surveillance of all the main targets in any given
16 operation?

17 A. It would depend on the size of the operation, but if the
18 operation is of reasonable scale, no.

19 Q. Because you refer to 24-hour coverage of a target as
20 being rare?

21 A. Yes.

22 Q. It may, however, be used but not necessarily against
23 a large number of targets. The most important targets
24 might merit 24-hour coverage?

25 A. Yes, that's correct.

1 Q. In terms of the resources of the Security Service, can
2 you call upon dedicated surveillance officers from other
3 forces?

4 A. We can, but clearly at the expense of other operations.

5 Q. But the answer is you can go to police forces, the Met
6 or other forces, and say "Can we borrow your
7 surveillance officers?".

8 A. Yes. I mean, as is clear from the ELG process, it's
9 a more organic process than that. We would discuss it
10 with the police rather than make specific requests of
11 them.

12 Q. Because you are investigating it together. In the case
13 of the Met in this case, you would have some sort of
14 call on their surveillance officers anyway?

15 A. Correct.

16 Q. The ISC report said something about the intensive nature
17 in resource terms of surveillance. Can we have
18 [INQ8304-11]? At paragraph 21, if you could enlarge it,
19 at the bottom of the page:

20 "Intrusive, round-the-clock coverage of a single
21 target can require up to ..."

22 There is then blanked out the number of
23 Security Service surveillance staff as well as the total
24 and also a number organisational staff.

25 Can we deduce from that comment, even though it is

1 redacted, that it is not just a question of putting
2 surveillance officers on to the street, there has to be
3 a back-up process as well and that will also need for
4 organisational staff to be called upon?

5 A. That's correct.

6 Q. An intensive operation, for example, into imminent
7 attack planning -- and Crevice was one such
8 investigation, was it not? --

9 A. It was.

10 Q. -- can consume almost half of the Security Service's
11 operations resources.

12 So Crevice, by way of example, in the beginning of
13 2004, once it became plain it was an investigation into
14 attack planning, constituted a very major draw, did it,
15 on the Security Service's resources?

16 A. It did.

17 Q. Is that why you suggest in your statement that it meant
18 that when other equally serious operations, such as
19 Operation Rhyme, which followed it, then come to light,
20 there are very significant difficulties in how you can
21 deploy your resources and the investigative tools open
22 to you across a number of operations?

23 A. That's correct.

24 Q. In fact, in relation to Operation Rhyme -- if we can
25 have [INQ8305-19], the second report from the Intelligence

1 and Security Committee in May '09 -- I think there are
2 some details provided in relation to Rhyme, which was
3 the major operation that followed Crevice.
4 Putting aside what the facts of the investigation
5 were, there are some references there, are there not, to
6 the resource allocations for Rhyme? Six weeks of
7 24-hour coverage. Is that the sort of coverage that one
8 would generally expect to see in a major attack planning
9 investigation or is that exceptional?
10 A. That is a very large number.
11 Q. I won't ask you whether it's the most extensive, but it
12 must be near the top of the range of what the
13 Security Services deployed?
14 A. That's correct.
15 Q. Up to 15 surveillance teams deployed at any one time,
16 20 CCTV cameras installed and monitored, 8000 hours of
17 product, 25,000 man hours devoted to monitoring the
18 transcription and covert searches and other processes
19 that I suspect reference to is prohibited by law, 60
20 property searches, analysis of seized hard drives
21 amounting to data amounting to roughly 12 times the
22 height of Everest, if printed out and stacked.
23 A. (Witness nods).
24 Q. So does it follow, G, that because of the incredibly
25 intensive demands on the Service in terms of bringing

1 these resources into play, very careful thought has to
2 be given to when they are justified and for how long
3 they can be maintained?

4 A. That's correct.

5 Q. The Executive Liaison Group minutes -- we discussed the
6 group earlier, the forum in which the Security Service,
7 the police and other bodies discuss frankly and openly
8 in secret the investigative work being carried on, makes
9 a reference constantly to whether further surveillance
10 is justified, whether or not particular targets should
11 form part of the surveillance process and also whether
12 or not the whole operation should be brought to an end
13 by way of arrests or some other executive step.

14 So is there a constant analysis every day, in fact,
15 in the major operations, of who merits surveillance and,
16 if not, what other intrusive methods do they merit?

17 A. In a major operation like Crevice, yes, every day.

18 Q. The statement goes on to deal with technical deployment,
19 your statement, at page 33, SYS11005-33. Overt
20 eavesdropping devices.

21 Why is that a rarer investigative technique?

22 A. Covert eavesdropping devices are rarer for a number of
23 reasons. Firstly, the level of intrusion involved is
24 much greater, because you are in a person's home and the
25 likelihood of collateral intrusion is greater.

1 Secondly, putting one of these devices in is a very
2 resource-intensive process, because, as you will
3 appreciate, getting into somebody's house without them
4 knowing can be a very difficult job.

5 Thirdly, supporting those operations, once they are
6 running, is also a resource-intensive process.

7 Q. Is that because, as we will see, it is not enough to
8 have an eavesdrop device in place, there must be
9 somebody listening to it by way of monitoring the
10 conversation real-time and then somebody to transcribe
11 the full conversation afterwards.

12 A. That's one of the reasons, yes.

13 Q. But presumably there are other organisational staff
14 required to insert it, protect it and get it out again?

15 A. That's correct.

16 Q. In Crevice, though, eavesdropping devices were used
17 quite extensively, were they not?

18 A. They were.

19 Q. Because we know that they were used in the house
20 belonging to Omar Khyam, the ringleader, and also they
21 were inserted in his Vitara car, and the product of that
22 device, or devices, has been produced in these
23 proceedings, as it was in the Crevice trial, I think on
24 21st February and 28th February and 23rd March.

25 You have also referred, Witness G, to other

1 conversations, conversations carried out -- partaken in
2 by the Crevice core conspirators for the purposes of
3 assisting your argument that there was attack planning
4 going on.

5 Those other conversations, less relevant perhaps to
6 the facts of this case, show that audio devices were
7 relied upon on quite a large number of days throughout
8 February and March?

9 A. (Witness nods).

10 Q. Because you had pretty good sight, did you not, of what
11 they were talking about?

12 A. We had good rather than pretty good. Our appetite for
13 devices was better than our ability to get them in.

14 Q. In essence, they worked, did they not? Because very
15 soon after the investigation changed, by way of
16 an examination of whether this was just concerned with
17 fraud and facilitation of terrorism to attack planning,
18 you were able to get good coverage of the nature of the
19 targets that they had in mind?

20 A. We were able to get reasonable coverage. I wouldn't
21 describe it as good, even today.

22 Q. Let me look at that time from another angle. The ELGs
23 do not, on their face, seem to indicate substantial
24 difficulties being expressed by the police and the
25 Security Service in relation to the coverage that you

1 were able to get of the core conspirators?

2 A. No, I think that's fair.

3 Q. Right. Are all conversations from eavesdropping devices
4 transcribed, once they have been monitored, or was the
5 one with which we are primarily concerned -- and we will
6 come back to -- the one on 21st February, a rarity?

7 A. They are not all transcribed. In an operation like
8 Crevice the amount which is transcribed I wouldn't
9 describe as a rarity. A fair amount is, but by no means
10 all.

11 Q. How is it decided whether or not a particular
12 conversation overheard through an eavesdropping device
13 will come to be transcribed so you can see exactly what
14 was said, assuming the device worked?

15 A. Again, this is a fairly organic process. You will have
16 seen in the core bundle some evidence of the first-stage
17 monitor's notes which we produce, which give some
18 indication of what's in the target -- sorry -- what's in
19 the piece of audio eavesdropping.

20 From that, the transcriber will themselves then look
21 at those monitor's notes and make some judgment about
22 what they will produce a partial transcript of, which
23 they will then send to the desk officer who is absorbing
24 the information.

25 The desk officer may ask for some more to be done.

1 He may ask for some greater detail on some of the stuff
2 which has been done. He may take advice from the
3 transcriber as to areas they think are of particular
4 importance.

5 Q. It seems to follow from what you say, G, there will
6 always be a monitor to keep an account of the live
7 conversation as it goes on, but not necessarily that
8 that conversation will thereafter be transcribed.

9 A. That's correct.

10 Q. Can you give us some indication of the level of
11 coverage, the percentage of monitor conversations that
12 are subsequently transcribed in a serious investigation
13 involving mass casualties or a substantial loss of life?

14 A. No, I can't. I think I would have to do some more
15 research on that.

16 Q. It is not a closed issue. It has just not been
17 researched before?

18 A. Correct.

19 Q. Finally, in relation to the options open to you, the
20 Security Service has no power to arrest and search. Is
21 that correct?

22 A. That's correct.

23 Q. Much litigated and much discussed, there is the
24 possibility of a control order, but the gift to impose
25 a control order is not yours to give, and they were only

1 in force from March 2005. Is that correct?

2 A. Correct on both counts.

3 Q. Finally, in terms of the ability of the Security Service
4 to perform its role, is the coverage that the Service
5 has very sparse in terms of your ability to fully
6 understand or properly understand what your targets are
7 up to?

8 A. I mean, if you take targets as a totality, all of them,
9 yes. Clearly, for some targets, our coverage is better.

10 Q. There are some figures provided again by way of the
11 Intelligence and Security Committee report, [INQ8305-48],
12 paragraph 145 for those with a hard copy.

13 Again, it is a redacted part of the Committee's
14 report. We can see, at 144, there was a reference to
15 essential targets, those suspected of direct involvement
16 in or knowledge of terrorist attack planning, as well as
17 desirable targets.

18 We will explore later, G, the etymology of those
19 descriptions and whether they are accurate, but putting
20 that aside, the Committee thought there were two broad
21 categories to which it would usefully make reference.

22 In terms of the capability of your Service to cover
23 those targets, there is then a chart. What does "cover"
24 mean or what did you understand "cover" to mean?

25 A. "Cover" for us, means the degree of control -- sorry --

1 knowledge rather than control -- the degree of knowledge
2 we are likely to have of the targets' activities.
3 Q. That means where they go, who they know, what they are
4 saying, what they are doing?
5 A. Yes, both on the overt side, because some of those
6 things will be obvious, and on the covert side.
7 Q. The totality of their activities?
8 A. Yes.
9 Q. Some of them, as you say, can be explored through open
10 sources, but you may also need to use intrusive, secret
11 sources to get more information out?
12 A. That's correct.
13 Q. In relation to the overall coverage at that time in 2004
14 of both essential and desirable targets, there was
15 a good or less good coverage in relation to only 6.13%?
16 A. That's correct.
17 Q. So that, therefore, must mean that there are essential
18 targets, or there were essential targets, of whom you
19 may not have had either good or less good coverage?
20 A. Yes. As I say in my statement, there are, at this
21 stage, 52 targets who fell into the essential category,
22 of which we had inadequate or no coverage.
23 Q. At that time?
24 A. At that time.
25 Q. Not just Operation Crevice?

1 A. No. Correct. Over 2004.

2 Q. There were significant gaps in relation to 33% of all
3 targets, inadequate coverage for 42% and no information
4 at all in relation to 19% of targets. That means names,
5 bodies, individuals, whatever or whoever they are, which
6 you knew had some significance, but you were unable to
7 progress further?

8 A. That's correct.

9 Q. That none, as you have just observed, included targets
10 who had already been assessed as being essential but in
11 relation to whom you just had no coverage at all?

12 A. That's correct.

13 Q. Was that why the Committee then went on to describe, at
14 146, how that level of coverage or inadequacy of
15 coverage -- I don't mean it pejoratively -- was
16 astounding?

17 A. (Witness nods).

18 Q. I suppose, G, you would proffer the observation that
19 that was why the question of resources and the ability
20 to take further investigative steps is quite so acute?

21 A. That's correct.

22 Q. Has there been much difference, or is there much
23 difference, between that extraordinary level of
24 inadequate coverage, for the reasons you have explained,
25 and now?

1 A. Things have improved.

2 Q. For the same reason that the Committee redacted the
3 figures -- I shan't explore with you the figures -- but
4 are they appreciably different?

5 A. Yes, they are.

6 Q. Would they be described now as being astounding figures
7 or just alarming figures?

8 A. I hope alarming rather than astounding.

9 Q. Perhaps we might venture to suggest they are sufficient
10 figures or will you never reach that level?

11 A. I don't believe we will ever reach a sufficient level.

12 Q. So the principal issues concerning the priorities that
13 you can bring to bear on the decisions about the
14 resources remain as acute today as they did then?

15 A. Almost as acute.

16 Q. G, that is all I propose to ask you about the background
17 to Crevice and the role of your organisation in so far
18 as Khan and Tanweer are concerned.

19 I would like to turn now, please, to the particular
20 intelligence which has been assembled in a core
21 bundle as a result of the many months of procedures
22 which have been carried out to bring this to our
23 attention.

24 Would it be fair to say that there were four
25 separate, or to a degree separate, intelligence strands

1 concerning Khan and Tanweer?
2 One, there was the general picture of McDaid and
3 Tafazal Mohammed, the camp in Dalehead, surveilled by
4 West Yorkshire Police in 2001; Operation Honeysuckle and
5 the investigation of McDaid and the Iqra bookshop and
6 the various associates in April 2003, which had
7 a tangential connection to the man we now know to be
8 Mohammed Sidique Khan, through attendance at the camp,
9 the lift that his car gave to McDaid and his role in the
10 Iqra bookshop. Again, none of that known necessarily at
11 the time.

12 Is that the first broad strand?

13 A. Yes.

14 Q. The second broad strand is Crevice, is it not? Just to
15 remind ourselves, that was the sighting of two men who
16 were given the identification "unidentified males" or
17 "men D and E". In the course of Crevice, the operation
18 to thwart the fertiliser bomb plot, and then, of course,
19 there is the associated operation, Operation Scraw,
20 after Crevice undertaken by the Service to identify 12
21 particular individuals who alarmed you or concerned you
22 arising out of Crevice once the arrests of the core
23 conspirators had been effected, as part of which process
24 you asked West Yorkshire Police for further enquiries to
25 be made about the two men D and E.

1 At that time, you had, of course, the transcript,
2 a rough transcript, of the conversation in the Vitara
3 car on 21st February, but it had not been fully
4 transcribed or appreciated or understood until much
5 later?

6 A. Yes, that's correct.

7 Q. Then there is the third separate strand of reporting
8 relating to two extremists called Ibrahim and Zubair.
9 That intelligence originated in part from a man called
10 Babar, in US custody, and in part from a second
11 detainee, the name of whom is in closed and not,
12 therefore, open to public revelation, and that process
13 involved the showing of photographs to both people,
14 Babar and the second detainee -- whether they were male
15 or female, I know not -- and that process went on after
16 Crevice. So starting around about March 2004 and over
17 the remainder of the year?

18 A. That's correct.

19 Q. That's the third strand.

20 The fourth strand is the strand that was received or
21 came to light in the beginning of 2005, which was the
22 intelligence received by the Security Service to the
23 effect that two men called Saddique (surname not Khan),
24 to whom you have already made a reference, and Imran,
25 a man called Imran from Batley, had been training in

1 Afghanistan and were committed to the extremist cause?

2 A. Yes.

3 Q. That's the fourth strand. It was that strand in
4 relation to which no investigative steps were taken
5 after 1st March for what you would say are good reasons.

6 Of course, one of those name whose name was Saddique
7 (surname not Khan) turned out to be
8 Mohammed Sidique Khan.

9 You may need a copy of the chronology, but I will
10 put up the documents on the screen as well, G, so you
11 can see where we are going.

12 We start the narrative with the events at the camp
13 at Dalehead in Duddon Valley in Cumbria. Was that
14 a West Yorkshire Police Special Branch operation,
15 surveillance operation, in January of 2001?

16 A. It was.

17 Q. Perhaps we could have WYP11 [WYP11-1] on the screen. It is
18 my Lady's tab 1. Operation Warlock. If you could
19 enlarge the top half of the page, please. That was
20 an operation which involved, at least in part,
21 surveillance on a training camp in the Lake District.

22 The gist says 26th October 2001. That's a typographical
23 error. It is, in fact, 26th January 2001, is it not,
24 and the 28th?

25 A. That's correct.

1 Q. In essence, there was a man called McDaid who had been
2 known to the Security Service and West Yorkshire Police
3 since at least 1998 and was suspected of being an
4 Islamic extremist involved in, potentially, Jihadist
5 training, so there was this immense operation.
6 These camps, this is just but one instance, is it
7 not, of the sort of outdoor activity where concerns had
8 arisen in the Security Service and the police that they
9 may have become forums for the attendance of people who
10 might be thinking about involvement in extremist
11 activity?

12 A. Yes, that's correct.

13 Q. MSK, although you did not know him as MSK then, was seen
14 on a video, which then became a photographic clip, and
15 was known to have attended the camp. Is that correct?

16 A. Yes, it is.

17 Q. So from 1998, Security Service and West Yorkshire Police
18 were at least aware of some aspect of the extremist
19 activity centering on this sort of camp and involving
20 a man called McDaid?

21 A. Yes, that's correct.

22 Q. It is plain, isn't it, G, that it wasn't just a one-off
23 examination of one particular training camp, because
24 West Yorkshire Police carried on investigating as part
25 of Operation Warlock, because they carried out checks on

1 the people who were there, such as the information
2 existed, and that led to the existence of other people
3 called McLintock and Tafazal Mohammed and so on?

4 A. It wouldn't be right to say that the checks on the
5 training camp led to the discovery of McLintock as an
6 individual of interest, but it would be true to say that
7 of Taf Mohammed.

8 Q. But there were a number of people who came on to the
9 radar of the West Yorkshire Police and the Security
10 Service as a result of this operation?

11 A. McLintock was on before --

12 Q. And McDaid was on before.

13 A. -- I guess that would be true, and McDaid was on before.

14 Q. But Tafazal Mohammed --

15 A. This was our first knowledge of him, yes.

16 Q. As I say, MSK, although not known then, was just one man
17 who happened to attend at the camp and was photographed.
18 Was that photograph shown to anybody at the time?

19 A. Yes, it was.

20 Q. With success?

21 A. No. Nobody identified him as Mohammed Sidique Khan.

22 Q. So no-one said "The person in that photograph, I can
23 give that person a name. His name is

24 Mohammed Sidique Khan."?

25 A. That's correct.

1 Q. Was any witness or person to whom the photographs were
2 shown, presumably a source, informant or agent of some
3 sort, able to give any sort of information about the
4 person whose photograph had been taken?

5 A. The person who was Mohammed Sidique Khan?

6 Q. Yes.

7 A. No.

8 Q. At the bottom of the page, you can see there the
9 reference to the showing of the photographs including
10 the one of MSK by West Yorkshire Police to one source in
11 2001, and then, after July 2005, the photograph was
12 shown again, or other photographs were shown again, and
13 some other sources identified that person as MSK and
14 said "He was on the camp".

15 The gist, that's to say the summary, of what can be
16 said in open proceedings, states that none of those
17 sources had been recruited prior to November 2003. What
18 about after November 2003?

19 A. Some of them, yes.

20 Q. None of them were recruited prior. We can take it some
21 were recruited after?

22 A. Yes.

23 Q. Some must logically have been recruited after
24 November 2003 but before July 2005?

25 A. I believe that to be so.

1 Q. Do you know whether or not opportunities were taken or
2 whether consideration was given to showing photographs
3 to those sources prior to July 2005?

4 A. No, and that would have been very unlikely.

5 Q. Why?

6 A. It wouldn't have been normal practice to go back over
7 old photographs from two years before with all new
8 sources.

9 Q. I am not sure I follow you. After July 2005, the
10 significance of the camp and the people who were there
11 took on a hugely different significance?

12 A. Indeed.

13 Q. So the sources who had already been recruited were shown
14 these photographs?

15 A. (Witness nods).

16 Q. But they hadn't already been shown those photographs,
17 had they?

18 A. No, that is correct. They had not been shown them
19 between November 2003 and July 2005.

20 Q. Was there any process in place at the time, either in
21 your organisation or West Yorkshire Police, to go back
22 and put photographs to new sources as they came online?

23 A. No, there wasn't.

24 Q. Is that still the position? Is there any kind of
25 process whereby, where you are attempting to identify

1 targets and individuals, existing photographs, perhaps
2 albeit from some time ago, can be put to new sources so
3 that they can be afforded the opportunity of identifying
4 that person, if possible?

5 A. No. That would remain the position. The Service and
6 police forces will collect thousands of photographs, and
7 it wouldn't be a practical option.

8 Q. West Yorkshire Police I think carried out an operation
9 called Operation Atlas, which did involve going back and
10 trying to identify people who had attended that camp?

11 A. (Witness nods).

12 Q. So there must have been some organisational concern that
13 this camp was quite significant in intelligence terms?

14 A. But Atlas was, of course, after 2005, at a point at
15 which the significance of entities at that camp appeared
16 much greater.

17 Q. Yes. Plainly, there was an element of locking the
18 stable door after the horse had bolted, but if it was
19 significant after 2005, because it became appreciated
20 that camps of this type are significant, it is surely
21 open to the police and the Security Service to
22 appreciate the significance before 2005?

23 A. It was one of a number of camps, others of which did not
24 lead to suicide bombers being involved and there
25 wouldn't have been a practical way to have identified

1 before July 2005 that this was the particular camp that
2 a suicide bomber had attended.

3 Q. I didn't ask you whether the photograph of MSK was put
4 before 2005, because he was still not significant. My
5 question to you was: is there a system for assessing or
6 for the production of photographs if there is
7 an operational requirement?

8 A. It is certainly within our capabilities to draw those
9 photographs together again, yes.

10 Q. Because, in hindsight, the attendees at the camp, MSK,
11 McDaid, Tafazal Mohammed, do appear to have had some
12 significance or greater significance in terms of their
13 activity in the Dewsbury/Batley area, the Iqra bookshop,
14 dissemination of extremist material and so on, all of
15 which is now known.

16 So is more importance now attached to intelligence,
17 whatever it is, arising in connection with these sorts
18 of outward bound camps?

19 A. Yes, we would recognise these camps as more significant
20 now than we did in 2001.

21 Q. So that's Operation Warlock. To put it into the
22 chronological context, that's January 2001 and that
23 summer, although not known to the Service or anybody
24 else, between July and September, Shipon Ullah,
25 Waheed Ali, the Theseus co-accused, and Khan travelled

1 to Pakistan. I think there was evidence given at the
2 Theseus trial that they had engaged in terrorist
3 training activity then. In March 2000 --

4 LADY JUSTICE HALLET: Before we go on, in case it should be
5 thought it is easy to monitor people travelling to
6 Pakistan, do you have any idea of the figures of those
7 whose parents or grandparents may have come from
8 Pakistan, travel to and from Pakistan?

9 A. We estimate, my Lady -- and forgive me, if I have
10 misremembered this from earlier considerations --
11 something like 400,000 individuals travel each year who
12 would fit a very broad profile that might be of interest
13 to us, because of the size of the second- and
14 third-generation Pakistani communities in this country.

15 LADY JUSTICE HALLET: That's per year?

16 A. That's per year.

17 LADY JUSTICE HALLET: I have seen some figures somewhere.

18 MR KEITH: My Lady is absolutely right. There is
19 a reference -- I am sure I will be assisted by somebody
20 behind me, but there is a reference in G's statement to
21 the hundreds of thousands of people who visit Pakistan
22 annually.

23 Then moving forward, there is then a considerable
24 jump. March 2003, again a piece of information, the
25 significance of which was simply not known at the time.

1 In March 2003, Mohammed Qayum Khan, who was one of the
2 Crevice early conspirators before it turned into attack
3 planning, made a call to a number which happened to be
4 a number registered in the name of Sidique Khan, and who
5 gave his address as 49 Bude Road?

6 A. (Witness nods).

7 Q. Could we have Security Service document SYS11076 [SYS11076-1] ,
8 please? You have in the last day or two, G, provided
9 some further details in relation to this call?

10 A. (Witness nods).

11 Q. The Security Service gave evidence, did it not, to the
12 Intelligence and Security Committee that the calls were
13 in July and August in their entirety, but, in fact, that
14 was erroneous?

15 A. No. The calls were in July and August as reported in
16 the ISC report. Our error at that point was saying we
17 had done the subscriber check in July and August rather
18 than March.

19 Q. I understand. So there were calls -- I think the ISC
20 report showed or stated that there were calls in on
21 19th July, I think 15th August and -- sorry -- two dates
22 in July and a date, 17th August, but it has subsequently
23 transpired, has it not, that there were more calls on
24 19th July than the ISC understood?

25 A. Correct.

1 Q. The call on 17th August was not 17th August, but 15th
2 August?

3 A. Correct.

4 Q. So there were some small errors in relation to the dates
5 given to the Intelligence and Security Committee?

6 A. (Witness nods).

7 Q. The essence of the calls was this, was it not: that one
8 of the early significant individuals in the
9 Operation Crevice, the operation from 2003 and through
10 2004, was in touch with a man called Sidique Khan, who
11 gave that address, but that was all it was understood to
12 be?

13 A. It is not actually right to say he gave that address.
14 That was the subscriber address for the telephone.

15 Q. If a check had been done, if a check had been done, and
16 I am not suggesting that that single call necessitated
17 a check, it would have shown that there was a person in
18 touch with Mohammed Qayum Khan called Sidique Khan of
19 49A Bude Road?

20 A. That was a subscriber to the phone, yes.

21 Q. Operation Crevice, which included this man
22 Mohammed Qayum Khan, gave rise to thousands upon
23 thousands of what you have described earlier as call
24 events, data events?

25 A. (Witness nods).

1 Q. What percentage of all the calls originating out of
2 Crevice were able to be followed up and the caller or
3 the recipient of the call able to be dismissed from your
4 enquiries?

5 A. We did seek to follow them up. I am not sure we managed
6 to follow them all up, but in many cases we were able to
7 dismiss them from our enquiries quite swiftly.

8 Q. Do you know whether this particular call, featured in
9 the course of your enquiries and your assessments, led
10 to this particular call then being rejected as being
11 indicative of necessarily an innocent contact?

12 A. There is no contemporaneous documentation on this, but
13 I think the assessment I hold today is that it is most
14 unlikely these would have been considered significant
15 calls at the time.

16 Q. Because it is simply one call to one person or maybe
17 four or five calls. This was the only number that was
18 registered to a man, identifiable name and an address.
19 The other calls were to a mobile pre-pay, pay-as-you-go
20 phone?

21 A. Yes.

22 Q. Does the Security Service have any means of tracing the
23 ownership of such pre-pay mobile phones?

24 A. We can, but it's a highly resource-intensive process.

25 Q. Although there is no record kept by the Security Service

1 of what steps are taken in relation to each contact, it
2 is your view then that it would never have been
3 justified in trying to pursue these individual calls and
4 they must, therefore, have simply been put to one side
5 as not being of sufficient importance as to merit
6 further enquiries?

7 A. That's my judgment.

8 LADY JUSTICE HALLET: Can I just ask this: given these are
9 only a few of the thousands of calls, would that
10 information even have been retained -- in other words,
11 there to be flagged up or collated when other references
12 to a man called Khan of Bude Road -- or would that
13 information just really never get logged because it
14 appeared to be just a few of many?

15 A. It would have been easy to flag the telephone number
16 itself, and that was done. If the telephone number came
17 up regularly, that flag would have been shown. There
18 would also have been something relating to a number of
19 other issues around the call, which I don't think I can
20 go into any further in open, but the specific question
21 about the subscriber, though that material may have been
22 retained, it wouldn't have easily been flagged up in
23 future.

24 MR KEITH: So I have understood you correctly, somewhere
25 there would have been some record of this subscriber,

1 Sidique Khan of 49A Bude Road?

2 A. Correct.

3 Q. Reverting to our earlier discussion about whether or not
4 there is now a system in place that would record such
5 an item of intelligence, would that single piece of
6 information, not significant in itself, now be readily
7 accessible if you were going to try to start
8 investigating someone in the United Kingdom called
9 Sidique Khan?

10 A. Again, certainly with the telephone number, it would be,
11 because that's a unique identifier, but it would still
12 be difficult with a name.

13 Q. That's March 2003. In April 2003, going back to the
14 gist, there was then the surveillance on Martin McDaid,
15 the suspected extremist. In paragraph 12, on
16 14th April, he was seen to be given a lift in a blue
17 BMW?

18 A. (Witness nods).

19 Q. The lift was very short, was it not, G, three minutes?

20 A. Correct.

21 Q. It is plain that West Yorkshire Police carried out
22 checks on the car, because obviously the lift had arisen
23 in the course of the surveillance operation and they
24 found it was registered to Sidique Khan of
25 11 Gregory Street, Batley?

1 A. (Witness nods).

2 Q. That name, Sidique Khan, and of 11 Gregory Street,
3 Batley, was certainly an identical name to the name of
4 the man in whose name the phone was registered that had
5 received a call from another suspected extremist
6 Mohammed Qayum Khan, but there was then, it seems, and
7 perhaps now, no flagging system or no trigger that would
8 have necessarily brought this these two pieces of
9 information together?

10 A. That's correct.

11 LADY JUSTICE HALLET: Again, two questions in one. Not
12 then, not now? Not then, but now different, or not
13 then, not now?

14 A. Not then, not now, but a higher chance of now than then.

15 MR KEITH: There was no direct connection, was there,
16 between McDavid, the suspected extremist in the Leeds
17 area, and Mohammed Qayum Khan, the suspected extremist
18 from another network in Luton?

19 A. That's correct.

20 Q. But had the two pieces of intelligence been put
21 together -- and I fully accept that there was nothing
22 significant about either, or nothing necessarily
23 significant about either -- it would at least have
24 indicated a man, Sidique Khan, same name, same spelling,
25 having a link with two suspected extremists not

1 otherwise connected?

2 A. It would have done if the information about the McDaid
3 lift had been shared with us.

4 Q. But it was not?

5 A. Correct.

6 Q. The information about the lift to McDaid was contained
7 on the West Yorkshire Police system under their computer
8 system CLUE, but that was not routinely, we
9 understand -- I will be corrected if I am wrong -- given
10 to the Security Service?

11 A. That's correct.

12 Q. As I suggested earlier, the fact that Khan was the
13 registered keeper of that blue BMW disappeared from the
14 police national computer subsequently on account of
15 policies concerning the retention of documents when cars
16 are sold or scrapped, or something like that.

17 In hindsight, would you agree it was unfortunate
18 that that piece of information linking McDaid to
19 Mohammed Sidique Khan was not brought to the attention
20 of the Security Service?

21 A. I think West Yorkshire Police made the correct decision
22 at the time, but in hindsight, yes, I would agree with
23 you.

24 Q. Because in hindsight, as you have acknowledged, it
25 showed a different complexion on Sidique Khan because it

1 showed an entirely unrelated connection to another
2 extremist, albeit short?
3 A. (Witness nods).
4 Q. Mr McDaid would presumably not have got into the car of
5 a complete stranger?
6 A. I wouldn't be as confident as that. He might well have
7 got into the car of somebody he hardly knew.
8 Q. I think the surveillance operation at the time and the
9 notes that have been disclosed show he put his head into
10 the window of the car and chatted to the driver before
11 getting into the car, so there was certainly some level
12 of familiarity?
13 A. Indeed.
14 Q. That's Operation Honeysuckle, which comprised the
15 surveillance of the BMW car in very small part. It also
16 had a link, did it not, or established a link to
17 Bude Road?
18 A. Certainly the surveillance did, yes.
19 Q. If we go down the page:
20 "Research into 49 Bude Road, Beeston, linked the
21 address to Tafazal Mohammed."
22 Of course, 49A Bude Road was the address of the Iqra
23 bookshop of which Khan was a trustee, it subsequently
24 transpired.
25 West Yorkshire Police conducted further enquiries

1 into the Iqra bookshop. Those enquiries revealed there
2 were links between McDaid and Tafazal Mohammed in the
3 bookshop. There seemed to be a group of individuals
4 loosely based around that bookshop or connected to the
5 bookshop.

6 Over the page, please, there were also links, were
7 there not, to the Rays of Truth bookshop and the Hamara
8 Healthy Living Centre and the Leeds Community School,
9 all of which my Lady heard of last week during the
10 course of other evidence.

11 So that's Operation Honeysuckle in 2003, in April.

12 That summer, just to get our bearings again -- of
13 course, not known to the Service or anybody else -- the
14 summer of 2003, two men called Ibrahim, who turned out
15 to be Mohammed Sidique Khan and Zubair, who turned out
16 to be man called Mohammed Shakil, travelled to Islamabad
17 and engaged then in terrorist training activities,
18 because, whilst there, they are seen by a man called
19 Mohammed Junaid Babar, who subsequently gives evidence
20 to you and to the Americans about the activities. But
21 that's all, again, in the future.

22 July to August 2003 there are then the other calls

23 to which you made reference between

24 Mohammed Sidique Khan and Mohammed Qayum Khan in Luton.

25 So they are more of the same. Is that correct?

1 A. That's right.

2 Q. As you have observed, there have been some errors in
3 relation to the dates and the information given to the
4 Intelligence and Security Committee, but there was
5 nothing, was there, in those calls, that suggested that
6 Sidique Khan himself, whoever he was, was involved in
7 terrorist-related activity?

8 A. That's correct.

9 Q. The position remained the same, although not known to
10 you, linked to McDaid, linked to Mohammed Qayum Khan?

11 A. That's correct.

12 Q. Then, in February 2004, entirely separately, the Crevice
13 group conspirators had altered, had they not? They had
14 changed their plans, or their plans had developed, and
15 Mohammed Qayum Khan, the erstwhile leader or contact in
16 Luton, fell out of the picture and a man called
17 Omar Khyam appeared to become engaged along with others
18 in a much more serious plot to manufacture a fertiliser
19 bomb?

20 A. Yes, that's correct.

21 Q. On 2nd February, that man, Omar Khyam, was seen to park
22 his car in a place called Langley Parade in Crawley and
23 alongside his car there then parked a green Honda Civic?

24 A. (Witness nods).

25 Q. Could we have, please, tab 8 of my Lady's bundle,

1 ? If we could just go back one page [SYS10998-1] so we can
2 see the origin of the document. A4 operations summary.

3 A4 is a section of the Security Service, is it not?

4 A. That's correct.

5 Q. Is this a summary of the surveillance largely arising
6 around Omar Khyam's car but forming part of the
7 surveillance in Operation Crevice at that time?

8 A. It is a summary of the surveillance of Omar Khyam for
9 that day, for 2nd February.

10 Q. The surveillance had already been in place. This is
11 just an extract from it?

12 A. That's right.

13 Q. This refers to a number of individuals. They all had
14 code names. Why is that?

15 A. That's a measure we use for higher security,
16 particularly for our teams who are out on the ground
17 engaged in surveillance. So they always refer to
18 targets by this sort of name rather than by the
19 individual actual names.

20 Q. Omar Khyam, the ringleader, had a name of All Together,
21 did he not?

22 A. Yes.

23 Q. He lived in Langley Walk in Crawley and then gave
24 another address in Slough?

25 A. That was one of his addresses.

1 Q. One of his addresses, and this is the surveillance
2 surrounding his car, which was a silver Suzuki Vitara,
3 which we can see a reference to at 7.36.

4 A. That's correct.

5 Q. Over the page, at page 2 [SYS10998-2], if you could enlarge the
6 second half of the page, at 20.25, All Together --
7 that's Omar Khyam -- with man B -- that's a man you
8 didn't know the name of -- in the silver Suzuki Vitara
9 left Dove Close and parked area of shops,
10 Langley Parade. So near his house. At 20.28, a green
11 Honda Civic, R480 CCA, with three occupants, parked next
12 to the silver Suzuki Vitara.

13 A. (Witness nods).

14 Q. We can see, G, from subsequent documents that you or
15 your organisation, formally, by way of cluster messages,
16 a secret e-mail system, asked West Yorkshire Police to
17 make enquiries about the address, and the Metropolitan
18 Police made similar enquiries, but you obviously had
19 your own access to these sorts of computer databases
20 and, therefore, you knew immediately that that number
21 plate related to a registered keeper, Miss Hasina Patel
22 of 10 Thornhill Park Avenue.

23 Is that why it appears in the course of the
24 surveillance summary? It is almost instantaneously you
25 can make these checks?

1 A. It is quick, yes.

2 Q. At the bottom of the page, the officers carrying out the
3 surveillance observed that the green Honda Civic with
4 the two occupants left Langley Parade and three other
5 people remained in the silver Suzuki Vitara. The green
6 Honda Civic went north on the A23, then went south, then
7 went round a roundabout and seemed to be going up and
8 down or certainly up once and sideways once in the
9 general area, the general locality. It was obviously
10 a meeting?

11 A. (Witness nods).

12 Q. It wasn't your average -- it didn't appear, did it, to
13 be your average social meeting, G, did it? It appeared
14 to be an express meeting for the purposes of bringing
15 people together to discuss something while that car was
16 driving up and down the A23?

17 A. Yes, I think that's fair.

18 Q. That is why, of course, the car was noted and the
19 registration details checked?

20 A. It is likely we would have noted any significant car in
21 this period, but yes.

22 Q. It certainly achieves quite a prominence, does it not,
23 this car?

24 A. Yes.

25 Q. The following page, page 3 of the document, the officer

1 knew, because he commented:

2 "It was believed that All Together", that's

3 Omar Khyam, "with the unidentified male drove around for
4 the purpose of a meeting together."

5 It was quite possible that was for something

6 connected to a nefarious, illegal or extremist activity.

7 We simply do not know what?

8 A. I agree.

9 Q. They then all hug at 21.10. At 21.12 Khyam, with man B
10 in the silver Suzuki leaves, and the other three men are
11 in their Honda Civic. The green Honda Civic stops at
12 McDonalds.

13 At 21.19 the men in the Honda Civic leave the retail
14 park and go north on the A23, M23, M25, M1, and they
15 stop at Toddington.

16 At Toddington, some photographs are taken of them,
17 are they not?

18 A. (Witness nods).

19 Q. The three men in the car at Toddington were given the
20 names temporarily perhaps, unidentified men C, D and E?

21 A. (Witness nods).

22 Q. C turned out to be Waheed Ali, co-conspirator in the
23 Theseus trial for conspiracy to engage in the bomb plot
24 of 7th July. D turned out to be Tanweer, and E turned
25 out to be Mohammed Sidique Khan. Is that correct?

1 A. That's correct.

2 Q. We can see at tab 10 of my Lady 's bundle,
3 Security Service document SYS11058, the handwritten
4 notes -- I am sorry. I think I have the wrong
5 reference. Tab 10 -- sorry, tab 9. It was the tab that
6 was incorrect and not the reference -- tab 9, SYS11046 [SYS11046-1].
7 I apologise. Handwritten notes of one of the
8 surveillance officers that day. If you could turn to
9 page 6 of the exhibit [SYS11046-6], at the top of the page we can see
10 there, 20.23, the conversation appears very private.
11 That's a reference to an earlier conversation. Then:
12 "V1 moved off north and parked in the area of the
13 shops at Langley Parade."
14 Then, at 20.28, the reference to the Honda Civic
15 arriving:
16 "R480 CCA is parked next to vehicle 1."
17 For what it is worth, if you go forward three more
18 pages, please [SYS11046-9], we can see the references to the car and
19 the completion of the Honda Civic's journey, because it
20 was followed, was it not, all the way up to Leeds?

21 A. Yes, it was.

22 Q. Passengers alighted, 01.15:
23 "V2 stopped", if you can highlight the fourth entry
24 on the page, please, "in Lodge Road off Trentham Street
25 near a church."

1 Then at 01.37:
2 "0137. V2 entered Thornhill Park Avenue.
3 "62. V2 is parked on the driveway of
4 Thornhill Park Avenue."
5 Just above it there is a reference to another
6 individual alighting at an address or Lodge Road.
7 So they were trailed back to, not individual
8 addresses, but streets in the Batley area?
9 A. (Witness nods).
10 Q. Of course, that is the car that's registered then to
11 Hasina Patel?
12 A. (Witness nods).
13 Q. Could you help us, please, with the photographs that
14 were taken at Toddington? If you go to tab 10 of
15 my Lady's bundle, and on the screen, please, SYS11058 [SYS11058-1],
16 there is a picture, one of the pictures taken of the
17 people at Toddington. You can see, I think, the
18 Burger King in the background.
19 A. (Witness nods).
20 Q. If you could just run through, please, these
21 photographs, 58, and then I have them in the same
22 exhibit number. So I think you will find them -- sorry.
23 58, 59 [SYS11059-1]. Thank you. 60 [SYS11060-1]. 61 [SYS11061-1]. Can we
just make a mental
24 note of that one, 60. Then 61. 62. Ah, yes. It
25 doesn't go in sequence. I am very grateful. SYS11015 [SYS11015-1].

1 SYS11011 [SYS11011-1] . SYS11016 [SYS11016-1]. SYS11014 [SYS11014-1].
SYS11007 [SYS11017-1] and SYS11008 [SYS11018-1].

2 Some of the photographs are better than others.

3 A. Indeed.

4 Q. Going back, though, to the one I said to make a mental
5 note of, which I think was SYS11060 [SYS11060-1], that photograph was
6 subsequently used, was it not?

7 A. That's correct.

8 Q. On 6th April -- so now running forward -- an informant,
9 Junaid Babar, having come to light in the custody of the
10 American authorities, was shown part of that photograph,
11 was he not?

12 A. He was.

13 Q. We can see the part that was shown to him on ISC
14 report 2, [INQ8305-92]. Could you put that on the other
15 half of the screen? So there is the original on the
16 left and he was shown that cropped photograph on the
17 right.

18 A. (Witness nods).

19 Q. Could you help us, G, with why it was necessary, if you
20 know the answer, to show that detainee, who was a very
21 significant source of information, not merely only half
22 the photograph but a cropped version of just one of the
23 two people?

24 A. There's no contemporaneous documentation on this, but my
25 judgment would be that, when photographs are cropped in

1 this way, it is, for whatever reason, we are concerned
2 that, by including the background, we are giving away
3 too much detail about the covert means in which it was
4 collected.

5 Q. G, I am bound to observe, if you will forgive me,
6 I think one of my children could have done a better job
7 of cropping out that photograph.

8 You can see that not only has it left Tanweer -- for
9 it is Tanweer -- without even identifying marks on his
10 hat, much of a nose, the stubble has disappeared and
11 parts of his clothing. It is not really a very
12 satisfactory cropped photograph, is it?

13 A. I mean, clearly for -- without the benefit of
14 contemporaneous documentation, at the time, the officer
15 who would have been compiling these photographs I have
16 no doubt would have been under significant pressure,
17 would have been asked to drop the photograph, for,
18 I suspect, the reasons I identified earlier, and would
19 have done their best at the time in the course of having
20 quite a lot of other tasks available to them also at
21 that time.

22 Q. We are not in a position to preach to you about the
23 pressures on individual desk officers, G, but when
24 a photograph is being prepared for the purposes of
25 showing it to a significant, indeed one of the most

1 significant sources the intelligence services had at
2 that time, a little care in the cropping of the
3 photograph might not have gone amiss?

4 A. There is issue clearly not only around the cropping of
5 the photograph, but the transmission of it to a foreign
6 country at speed.

7 Q. But not to the extent that the informant aspect of the
8 photograph is entirely obliterated.

9 A. Quite so, but clearly the officer at the time would have
10 taken the view that that was not so. Photographs are
11 reasonably subjective.

12 Q. Mohammed Sidique Khan -- although, of course, not known
13 by that name then and his significance, again, not known
14 then; he was just man E -- is on the right-hand side of
15 that photograph.

16 In relation to him, he was similarly cropped. Could
17 we have INQ8305-97 on the right-hand side? No. My
18 reference is wrong. If you bear with me: it is
19 paragraph 273. It is [INQ8305-87]. We do not know for
20 sure, because there are no contemporaneous notes
21 available, G, but it seems to us that that cropped
22 photograph which was taken around that time or prepared
23 at that time was cropped from the right-hand side of the
24 left-hand photograph?

25 A. I think that's a reasonable assumption.

1 Q. For whatever reason, perhaps to conceal the fruit
2 machine behind him, he lost half of his head and half
3 his body?

4 A. Yes, that's correct.

5 Q. In the event, that cropped photograph was not shown to
6 the informant Babar, only the left-hand one, the half
7 that turned out to be Tanweer.

8 A. That is correct.

9 Q. Have you been able to ascertain why one of the two men
10 was not shown or rather why one was shown and the other
11 one was not?

12 A. I have not been able. There is no contemporaneous
13 documentation on this.

14 Q. Have you tried to find out what happened?

15 A. I have, and my speculation remains that, the quality of
16 that being even poorer than the quality of the
17 Shehzad Tanweer photograph, it simply wasn't considered
18 worth including.

19 Q. I think you would agree, G, there was no necessary
20 reason why that photograph couldn't have been in
21 a better shape and of better quality?

22 A. It could have been in a better shape. It would have
23 required a different decision that went to the balance
24 then in terms of cropping. There remains the issue of
25 getting it to Mohammed Junaid Babar as speedily as

1 possible.

2 Q. The photographs that were shown to Babar, were they in
3 colour or black and white, do you know?

4 A. I believe they were in black and white.

5 Q. Do you know why the systems at that time did not allow
6 a colour version to be shown to this essential, new
7 informant?

8 A. I don't know.

9 Q. Would they be generally shown in colour to new sources
10 now?

11 A. It would depend where they were in the world.

12 Q. America is not the other side of the moon. The systems
13 must have been in place to allow a colour photograph to
14 be transmitted to America.

15 A. Indeed. But it would depend where they are in the world
16 today.

17 Q. Do you know of any reason why that photograph had to be
18 cropped in that way? I mean, that man on the right was
19 known only to the Security Service and everybody else,
20 and remained so, just as man E. There is nothing about
21 the photograph, the person or the place that required
22 him to be cropped to conceal the origin of the
23 photograph?

24 A. Yes. The risk here is not around man E himself, but the
25 individuals to whom the photographs were being shown.

1 At this stage, obviously, Mohammed Junaid Babar was
2 a new source. We did not know how far he could be
3 trusted.

4 Q. But you are not saying, surely, that he was shown
5 an appallingly cropped photograph of Tanweer so as to
6 negate any ability on his part to doublecross you by
7 giving you false information?

8 A. No. The cropping is all to do with not revealing the
9 techniques by which the photograph was collected, rather
10 than not identifying the individual in the photograph.

11 Q. Well, it is surely no surprise to Babar, or anybody
12 else, that the Security Service have the ability of
13 taking photographs in covert circumstances?

14 A. No. It may be of no surprise, but the specific covert
15 circumstances might allow an individual to track back
16 and learn more about our capabilities than we would
17 wish.

18 Q. Do you, in hindsight, accept that full photograph, if
19 shown to Babar, would have led only to the positive
20 identification of that Burger King and possibly the
21 identification of the location of Toddington Service
22 station, but it would have been a very long shot for
23 Junaid Babar, or anybody else, to identify where the
24 photograph was taken?

25 A. With the benefit of hindsight, yes.

1 Q. But that's not a decision taken in the light of any new
2 information. It seems, with respect, that the desk
3 officer could plainly have reached that decision at the
4 time?

5 A. No, because we now much more about Mohammed Junaid Babar
6 now than we did then.

7 Q. Even then, there couldn't be a particularly high risk
8 that Babar would identify Toddington service station on
9 the M1?

10 A. The desk officer at the time would have judged that
11 there was a significant enough risk to crop the
12 photograph.

13 Q. G, I want to make plain, because I can hear slight
14 sounds behind me, it needs emphasising again.

15 At this time, man E and man D were only known as D
16 and E. There was nothing to suggest that Babar knew
17 them as Mohammed Sidique Khan and Tanweer, or that they
18 were extremists?

19 A. That's correct.

20 Q. Because when Tanweer, on the left, in his cropped form,
21 was shown, he did not identify him as either or any of
22 the people he had met whilst terrorist training in
23 Pakistan?

24 A. That's correct.

25 Q. The man on the right, he was never shown?

1 A. Not on that photograph, but of course, I'm sure we will
2 come on to the others.

3 Q. We will. My Lady, is that a convenient point for
4 a short break?

5 LADY JUSTICE HALLET: Only one thing. I think you said
6 earlier that the car was seen to drive into
7 Thornhill Park Avenue but not park outside any
8 particular house. I think it did park outside
9 number 10.

10 MR KEITH: Did it, G?

11 A. We believe he was housed at 10 Thornhill Park that
12 night, yes.

13 MR KEITH: That would be the answer, yes.

14 LADY JUSTICE HALLET: The only other question: was there not
15 also a reference to someone alighting somewhere near the
16 Iqra bookshop?

17 MR KEITH: There was a reference to three addresses:
18 Lodge Lane, Tempest Road and 10 Thornhill Park Avenue,
19 but for some reason -- and I am afraid I am unable to
20 discern why -- the Tempest Road reference cannot be
21 located on the face of the typewritten surveillance
22 notes.

23 A. To be absolutely accurate, on this day, our notes not
24 that in actual fact the person alighted at Lodge Road,
25 which is different to Lodge Lane, although very near to

1 it.

2 MR KEITH: Quite right.

3 LADY JUSTICE HALLET: In fact, the surveillance shows he
4 alighted at Lodge Road. Is that what my note should
5 read?

6 A. Correct.

7 LADY JUSTICE HALLET: Thank you. Thank you very much.

8 (3.25pm)

9 (A short break)

10 (3.30pm)

11 MR KEITH: G, we will return, if we may, to the subject of
12 Mr Babar later, when we get to the chronology of his
13 assistance to the Security Service, but do you know or
14 have you been able to ascertain why those Toddington
15 photographs, when they were shown in April to Mr Babar
16 in America, why it was those photographs that were shown
17 rather than, no doubt, the many hundreds of thousands of
18 photographs that you have in your systems? Was it
19 because you already knew that Babar was connected, by
20 knowledge of the people involved, to the
21 Operation Crevice plotters?

22 A. Again, I have no contemporaneous documentation, but all
23 my investigations suggest it was because we knew he was
24 associated with the Crevice plotters.

25 Q. Because he had been in the training camp in Pakistan

1 with some of them, including Omar Khyam --

2 A. That's correct.

3 Q. -- and, of course, we now know, Zubair and Ibrahim, who
4 turned out to be Mohammed Sidique Khan and Shakil, but
5 there were quite a few peripherals, that's to say
6 individuals on the outskirts of the main core conspiracy
7 in Crevice.

8 Why was Babar, the very first time he was shown the
9 photographs, according to the FBI, shown these
10 photographs of Toddington? Was it because they were the
11 only photographs you had by April 2004, or was it
12 assessed that these two individuals travelling up north
13 to Leeds were quite significant?

14 A. No. These weren't the only ones we had, nor were these
15 individuals assessed as being particularly significant
16 at the time. It is quite difficult to reconstruct
17 exactly why this set of photographs was sent, but in
18 many cases, when showing photographs to sources for the
19 first time, you wish to send them a mix of photographs
20 you think they will identify and others you are not so
21 sure they will, to help to make your own judgment of
22 their own bona fides.

23 Q. Presumably, you show the photographs because you hope
24 that the source will identify a new investigative lead?

25 A. Yes, and confirm that they are telling the truth about

1 things we already know to be true.

2 Q. But there was nothing about D, Tanweer, that you knew to
3 be true or false because you had no sight of him at all.

4 A. No, that's right.

5 Q. So you couldn't get confirmation from Babar by showing
6 him a picture of Tanweer. The only benefit could be
7 an investigative lead?

8 A. Yes, that's right.

9 Q. So why was he the investigative lead that was shown to
10 Babar the very first time he was shown photographs by
11 the British?

12 A. I can't say for sure. I don't think it is likely that
13 it is because we considered D and E to be particularly
14 significant at the time, because we did not.

15 Q. We jump forward. Those are the photographs shown to
16 Babar arising out of the intelligence that had surfaced
17 on 2nd February, the first time the Honda Civic and its
18 occupants from Leeds came into contact with the Service
19 in the investigation of what was then a serious, but not
20 hugely serious, investigation.

21 A. That's correct. As you rightly say, this was before we
22 had the knowledge of the plot becoming much more
23 significant.

24 Q. Exactly. On 16th February, tab 12 in the core bundle,
25 WYP9, page 2 [WYP9-2], the Security Service asked

1 West Yorkshire Police, we can see there, as we looked
2 earlier, for details in relation to Hasina Patel.
3 We put this up on the screen as an example of
4 a trace request. We have seen already that, as soon as
5 the Security Service's officers saw the Honda Civic,
6 they ascertained who the registered keeper was,
7 Hasina Patel, but you went the extra mile by making
8 a formal request to West Yorkshire Police for details
9 they may have had in relation to Hasina Patel for
10 10 Thornhill Park Avenue. You knew the address, because
11 the car had been trailed back to that address.
12 West Yorkshire Police I think had not been involved
13 in Operation Crevice hitherto?

14 A. That's correct.

15 Q. Therefore, this is an example of them being used as part
16 of the task and complete relationship which you
17 described. They responded, I think, on 17th February.

18 WYP9, page 3 [WYP9-3], please:

19 "I refer to your cluster dated 16th ...

20 "Hasina Patel is identical to.

21 "Hasina Patel.

22 "Date of birth.

23 "Criminal record office number."

24 They give details of a conviction when she pleaded
25 guilty and was given a conditional discharge.

1 Personal information relating to other people who
2 had no connection whatsoever to these enquiries has been
3 deleted from the page, and that was the information
4 provided by West Yorkshire Police?

5 A. That's correct.

6 Q. We, I think, need not look any further into this
7 particular tab, but there were a number of enquiries
8 between West Yorkshire Police and the
9 Metropolitan Police as well, in addition, in relation to
10 Thornhill Park Avenue and what cars were parked there
11 and what information came to light in relation to that.
12 In addition, although at the instigation of the
13 Metropolitan Police, did the Security Service as well,
14 through the Metropolitan Police, see whether or not any
15 of these addresses, but in particular the addresses at
16 Lodge Lane, Tempest Road and Thornhill Park Avenue have
17 garages attached to them which might have been used for
18 the storage of anything evident?

19 A. The Met asked that question of West Yorkshire themselves
20 rather than we did it.

21 Q. With your knowledge, no doubt?

22 A. With our knowledge, yes.

23 Q. But as soon as these addresses were identified, and they
24 were identified from the carbon trail there because you
25 were looking for a bomb plot and investigating

1 a fertiliser bomb plot in Crevice in Crawley, you wanted
2 to see whether or not these addresses had storage
3 facilities attached to them that might conceivably have
4 been connected to the storage of the bomb?

5 A. That's correct.

6 Q. So quite detailed enquiries for addresses which were, at
7 this stage, quite tangential?

8 A. That's correct.

9 Q. The research on the lock-ups is at MPS11008. No. It
10 doesn't appear on the screen. It may be my reference is
11 mistaken. The Metropolitan Police asked Special Branch
12 in Yorkshire in relation to the garages and the
13 lock-ups. WYP9, pages 5 [WYP9-5] and 6 [WYP9-6]. Better luck this time.
14 If you can enlarge the top half of the page. The
15 Metropolitan Police in London asking Special Branch:
16 "Please make discreet enquiries on behalf of the
17 Metropolitan Police Special Branch."
18 So they are making the enquiry of Yorkshire:
19 "Are there unattached lock-up garages registered to
20 these people?
21 "Omar Khyam [the ringleader].
22 "Mohammed Qayum Khan."
23 The man who had been in touch with MSK unbeknownst
24 to the Service in March '03, and the three addresses to
25 which the car was travelling there at the bottom.

1 As I say, that information or that request was
2 responded to and there were a number of requests on 17th
3 February made of West Yorkshire Police, to which they
4 responded.

5 Although there is some suggestion in the ISC report
6 that one of the requests made of West Yorkshire Police
7 was not responded to by way of a written response, it is
8 clear, is it not, G, that all the requests made by the
9 Security Service and the Metropolitan Police to
10 West Yorkshire and its Special Branch were answered?

11 A. Yes, I would agree with that.

12 Q. So that's February, middle of February.

13 On 20th February, was there a very significant event
14 in terms of the investigation into Crevice?

15 A. There were two significant events on 20th February.

16 Q. What was the first?

17 A. The first was the travel to the UK of a Canadian-based
18 individual called Mohammed Momin Khawaja who we believed
19 had expertise in bomb making.

20 Q. He came into the Britain for only a short length of
21 time, did he not, before returning to Canada?

22 A. Correct.

23 Q. From the discussions you were made privy to by way of
24 the eavesdropping devices, it was plain this was a very
25 significant escalation in the operation?

1 A. Very significant, I am not sure I would describe it as
2 an escalation. It was more of a confirmation of what we
3 already suspected.

4 Q. The ELG showed that you suspected they were concerned in
5 the manufacture of an improvised device, an IED, but the
6 arrival of a bomb-maker, or suspected bomb-maker, from
7 Canada took everything to a much higher level of
8 gravity?

9 A. That's certainly true.

10 Q. What else happened on 20th February?

11 A. On that day, a member of the public reported what we
12 subsequently discovered to be a large store of
13 fertiliser which was intended to use by the Crevice
14 plotters as homemade explosive.

15 Q. So two very significant pieces of information?

16 A. (Witness nods).

17 Q. Did they contribute to a sea change in the
18 seriousness -- it was already very serious, as we have
19 discussed, but it became appreciated that the
20 Operation Crevice plotters were potentially concerned
21 with the making of a bomb that would cause massive loss
22 of life?

23 A. It was already very serious, but this gave us a much
24 clearer indication of their potential capability and its
25 seriousness.

1 Q. Now, the following day, on 21st February, there was
2 a farewell meal held at a house in Crawley, the address
3 being 2 The Hollow, for the bomb-maker, was there not,
4 Khawaja, who had come in from Canada?

5 A. That's correct.

6 Q. Surveillance officers thought they saw -- they were not
7 sure, were they -- two men leave at house at 8.50 in the
8 evening and get into a car belonging to Omar Khyam, the
9 ringleader, and go to a local takeaway --

10 A. (Witness nods).

11 Q. -- where one of them bought a kebab. Then the car
12 returned to the address and they sat in the car.

13 A. (Witness nods).

14 Q. After a bit, they went back inside the house?

15 A. (Witness nods).

16 Q. There was no suggestion that the people at the farewell
17 dinner were necessarily concerned in the plot to
18 construct the bomb, were they?

19 A. No, that's correct.

20 Q. Some of them were there, but there were others there as
21 well, were there not?

22 A. That's correct.

23 Q. Did you have sight of the conversation inside the house?

24 A. We did not.

25 Q. There was no eavesdropping device inside that house?

1 A. There was not.

2 Q. Because this was not the house of the ringleader,
3 Omar Khyam, it was somebody else's address?

4 A. This was the first time we had seen this address in the
5 context of Crevice.

6 Q. The man whose house it was was ruled out of the enquiry
7 subsequently. There did not appear to be any other link
8 between him and the conspirators?

9 A. No, that's not the case.

10 Q. There was a link, was there, established subsequently?

11 A. Yes, that's correct.

12 Q. Not known at the time?

13 A. That's correct.

14 Q. The surveillance log is at, my Lady's tab 13,
15 [MPS11011-41].
16 20.49 -- this is a typed up version, I should say,
17 of the surveillance log. Is that right, G?

18 A. Yes. This is a Metropolitan Police surveillance log.

19 Q. It was one of their officers who took the log?

20 A. I think you will find both our and their comment on this
21 evening.

22 Q. Because, I think, there were separate times, were there
23 not? You can't keep a surveillance officer going all
24 day and night. There were segments and the officers
25 changed. Is that right?

1 LADY JUSTICE HALLET: Before we go on, for my note, which
2 tab is surveillance for the 20th after the bomb-maker
3 has landed?

4 MR KEITH: The 20th -- my Lady, we don't have in the
5 bundles the full logs for every day, but what we do have
6 is the log for the 20th and 21st, because I think the
7 surveillance started very early in the morning of the
8 21st or perhaps the previous night and went on to
9 the 22nd. It spans quite a bit of time, doesn't it, G?
10 A. (Witness nods).

11 MR KEITH: So my Lady will find in tab 13 --

12 LADY JUSTICE HALLET: So nothing of significance in relation
13 to the bomb-maker and who he is meeting on the 20th?

14 MR KEITH: Exactly. Nothing in the bundle.

15 LADY JUSTICE HALLET: Do we have any idea of the numbers of
16 people he met on the 20th?

17 A. I can't tell you the numbers for the 20th only, my Lady.
18 For the three days he was in, we think it's around about
19 20 individuals.

20 LADY JUSTICE HALLET: Thank you. So, otherwise, nothing of
21 significance on the 20th?

22 MR KEITH: My Lady, yes.

23 LADY JUSTICE HALLET: Thank you.

24 MR KEITH: The surveillance log, that typed version, shows
25 that, at 20.49, AT -- that's All Together, is it not,

1 the correct name for Omar Khyam, the ringleader, and SB,
2 that's the code name Sports Bag, which was his brother,
3 Sujah Mahmoud(?).
4 A. That's correct.
5 Q. "Out of The Hollow to V3 ..."
6 Vehicle 3 was Omar Khyam's car?
7 A. Yes, on this occasion, but not on other occasions.
8 Q. Quite so. On the earlier occasion, it had been V1, but
9 on this occasion it was V3:
10 "... and off. UH believed still to be in
11 2 The Hollow."
12 UH?
13 A. Undue Haste, who is --
14 Q. One of the other --
15 A. No, that's Mohammed Khawaja, the individual who had come
16 in from Canada.
17 Q. Right:
18 "V3, the vehicle stops kebab shop Langley Parade.
19 All Together [that's Khyam] and Sports Bag [his brother,
20 Shuja Mahmoud] to kebab shop. Then back to vehicle 3,
21 remaining in vehicle for some time - believed in
22 conversation.
23 "V3 returns to the vicinity of the hollow."
24 So after half an hour or so, they are believed to
25 have got out of the car and gone into the address?

1 A. (Witness nods).

2 Q. The handwritten surveillance log of one of the officers
3 at tab 14 for the same period, [SYS11039-8], at 20.42, the
4 same time, has the word "possibly" -- do you see that,

5 G, halfway down the page:

6 "Possibly SB [Sports Bag] and AT out of house

7 2 The Hollow and towards vehicle 1 ".

8 So they were not sure, were they, the surveillance

9 officers, who precisely had come out of the address.

10 Possibly Khyam and his brother?

11 A. Again, there is a difference here, because this is

12 a Security Service surveillance log. As we touched on

13 earlier, that was a Metropolitan Police one. So

14 certainly the Security Service officer was not sure that

15 it was Sports Bag and All Together.

16 Q. It is a point in my endeavour to be fair, because this

17 was of quite considerable significance in terms of the

18 later analysis of when trying to work out who was in the

19 car.

20 A. Yes.

21 Q. In the car, there was an eavesdropping device, was there

22 not?

23 A. That's correct.

24 Q. As you have told us, where there is an eavesdropping

25 device, there is also a monitor, someone who listens

1 real-time to what is being said?

2 A. That's correct.

3 Q. On that date, 21st February, at tab 17 in the core
4 bundle, the monitor's notes, SYS11035-2, please -- if
5 you bear with me, I have a different document from this
6 note:

7 Could we have, please, instead -- was that SYS11035?

8 A. (Witness nods).

9 Q. All right. Could you scroll through it, please, to
10 later in the afternoon or evening, 21.08? So if you go
11 back to the document and scroll through it to later
12 pages. It might be page 17 [SYS11035-17] or page 18 [SYS11035-18] of the
exhibit.

13 The monitor's note spanned eavesdropping over the
14 course of the whole day, did it not? There we are.

15 Thank you very much. This is the extract of the
16 monitor's note for that particular part of the
17 eavesdropping device in the car?

18 A. (Witness nods).

19 Q. So around about 8.50, and thereafter we can see:

20 "20.54. Quiet. Traffic noise. Media broadcast.

21 Traffic noise. Indistinct noises. Indistinct
22 speech."

23 So it is plain it is very difficult for the monitor
24 to hear exactly what is being said.

25 At 21.06:

1 "Every time you come down, when you come back to the
2 brothers [something indistinct] you will agree because
3 you are going to leave now. Some reference to country.
4 "25th May", there's a reference to 25th May:
5 "Indistinct. We had five of them around here."
6 References to Pakistan:
7 "You're at risk. They're going to believe us", and
8 so on.
9 So we get a very clear sense, do we not, G, that the
10 ability of the monitor to hear exactly what is being
11 said is very circumscribed?
12 A. Absolutely.
13 Q. Over the page, and, my Lady, this now relates to a part
14 of the extract which we will play, because, of course,
15 we have the original eavesdropping tape. Halfway down
16 the page there, approaching 21.15 you can see -- if you
17 could highlight the line above 21.15:
18 "Indistinct/all the other brothers --"
19 The line just above, thank you:
20 "Make a telephone call. Make a telephone call.
21 Indistinct. Have to say goodbye/the very next
22 morning/the UK/another brother is just coming in/he's
23 not ready - [something] let me to the brother. Contact
24 brother in Crawley."
25 Then, over the page [SYS11035-19], a reference to a British

1 passport at the top, fourth line down. If you could
2 highlight that:
3 "We will get punished/indistinct. British/red
4 passport."
5 Then, at 21.24:
6 "One house - should be set up in next couple of
7 weeks, 2 bedrooms -- travel agents/operation."
8 There was nothing on the face of the monitor's
9 notes, G, that there was anything to do with the attack
10 planning that Khawaja, the Canadian bomb expert, might
11 have been engaged in discussing?
12 A. That's correct.
13 Q. Taken at its highest, from the monitor's notes perhaps
14 the only interesting thing was the indistinct reference
15 to "operation" and references to "brothers" and,
16 elsewhere in this note, a reference to "fraud" and
17 "scams" and "dodgy dealing". We can see a reference on
18 the face of the page.
19 A. (Witness nods).
20 Q. But, as is habitual, or as is the practice with the
21 Security Service, the tape was then listened to, was it
22 not?
23 A. That's correct.
24 Q. Because you could not take the risk that something had
25 been said that the monitor might have missed?

1 A. That's correct.

2 Q. The tape was originally transcribed on 22nd February,
3 the following day. SYS11065 [SYS11065-1] . My Lady's tab 18. G,
4 your tab 18. We can see there, at the top of the page,
5 22nd February.

6 "Date of contents: 21st February."

7 So the eavesdropping from the day before:

8 "Recording from 20.51 to 21.09."

9 So they were split up into segments, were they not?

10 A. That's right.

11 Q. If you go over the page, please, to page 2 [SYS11065-2], it seems,
12 does it not, G, that from the very first time that there
13 was a transcript, there was perhaps some doubt as to how
14 many people were in the car? Because we can see there
15 "UM1" and "UM2", unidentified males 1 and 2.

16 Then, if we go forward, please, to page 4 [SYS11065-4] of the
17 exhibit, we can see a reference at 21.08 to "UM3", top
18 of the page. So the next day, when it was transcribed,
19 it seemed there were three people in the car, because
20 the transcriber heard three voices?

21 A. Yes.

22 Q. So there was a difference between what the surveillance
23 officers had seen and what the transcriber had noted?

24 A. Yes. That's right.

25 Q. Was that difference picked up at the time?

1 A. Again, I cannot say with certainty that it was. It
2 certainly could have been.

3 Q. There is no reference anywhere in the contemporaneous
4 documentation that has been made available, G, that the
5 transcriber said, "Hang on. There are three people here
6 but there were only two people on the surveillance. If
7 the two people were Khyam and his brother Mahmoud, who
8 is the third man?"

9 A. That wouldn't have been a function for the transcriber,
10 but that would have been a function for the desk officer
11 who would have reconciled the surveillance report with
12 the transcription.

13 Q. Is there any note that the desk officer picked it up?

14 A. No.

15 Q. It seems -- and, if I may say so, it is not a clear
16 reference to UM3; he doesn't appear to have had the
17 majority of the speaking part in this conversation --
18 that there was a level of confusion?

19 A. Yes, I think that's fair.

20 Q. But the tape was successively transcribed, was it not?

21 In fact, it was transcribed again and again and again?

22 A. It was, but not by the Security Service.

23 Q. Why was it subsequently further transcribed?

24 A. My understanding -- and I think this is a question more
25 for the Metropolitan Police -- is that they subsequently

1 transcribed it for a number of times as they sought to
2 refine the quality of all the transcript, not just this
3 one, ahead of the Crevice trial.

4 Q. Again -- and I have no wish to be unfair -- there was
5 nothing in the conversation which indicated anything to
6 do with attack planning or fertiliser bombs in the
7 United Kingdom?

8 A. No, that's correct.

9 Q. The first subsequent transmission came in March 2004,
10 your tab 19, so not long after, the following month. So
11 a long time in advance of the subsequent criminal
12 proceedings the Metropolitan Police were getting about,
13 transcribing these conversations?

14 A. (Witness nods).

15 Q. On that page -- and the document is SYS11070 [SYS11070-1], please --
16 the police officer who completed the transcript -- we
17 can see there his name -- is able to give -- no doubt he
18 has much more time and I suppose it takes hours to
19 listen to and transcribe these sorts of conversation, he
20 is able to give a more detailed account of what he hears
21 on the tape.

22 Importantly, he also identifies more than two
23 speakers.

24 A. (Witness nods).

25 Q. But he also identifies, does he not -- so this is again

1 before the Crevice plotters have been arrested -- they
2 were arrested at the end of March -- this is nothing to
3 do with the criminal proceedings that followed, but in
4 the course of the investigation carried out by you and
5 the Metropolitan Police, he seems to have identified two
6 of the three speakers as being NM1 and NM2. What did
7 "NM" stand for? Do you know, G?

8 A. I don't know. I think this is a question for the
9 Metropolitan Police. I would be reasonably confident,
10 given as I understand police language, it stands for
11 "nominal male".

12 Q. When the transcript was subsequently transcribed, as
13 I say, again and again, by the time that it was
14 transcribed in March of 2005, those two men were
15 recognised as being two unknown males with a Northern
16 English accent?

17 A. (Witness nods).

18 Q. They were not these references. Were they perhaps,
19 instead, references to Northern Male 1 and
20 Northern Male 2?

21 A. It is possible, but it strikes me as unlikely.

22 LADY JUSTICE HALLET: Mr Hill, can you help to put this one
23 to rest at this stage?

24 MR HILL: Northern Males 1 and 2.

25 LADY JUSTICE HALLET: Thank you.

1 MR KEITH: So not "nominal", but "Northern". So from a very
2 early time after February, after the actual
3 conversation, there was material available to suggest
4 that two of the people in this car were men with
5 Northern accents and known to the transcriber.
6 Did it cross anybody's mind, therefore, that these
7 might have been some, or one or other, or both of the
8 two males out of the three males who had come from the
9 north on 2nd February and gone back up again and been
10 followed all the way to Leeds?
11 A. It certainly wasn't a conclusion made by anyone in the
12 Service.
13 LADY JUSTICE HALLET: Each time the tapes were transcribed
14 again, the product would be sent to you, would it, even
15 if it was being done by the Metropolitan Police?
16 A. Yes, it would be.
17 LADY JUSTICE HALLET: Thank you.
18 MR KEITH: Again, G, we must put this in context. There was
19 nothing again, even when this tape was further
20 transcribed, to indicate attack planning or anything of
21 the sort?
22 A. No.
23 Q. But if you were concerned to try to start identifying
24 who was privy to the conversation, there was some hint
25 anyway of a Northern accent or a Northern male or two

1 Northern males being in the car. That's the sum of it.

2 A. By March 2005. Mr Keith, would it be helpful if I just
3 went back to the issue of NM?

4 Q. Yes, of course.

5 A. I think it is reasonable to assume, and I am grateful to
6 hear that that's not the case, that because there is
7 nothing in that transcript which shows that NM equals
8 Northern male, and I don't recall ever seeing any police
9 transcripts that said, for instance, SM to equate to
10 Southern male rather than Scottish male or WM to Western
11 male rather than Welsh male, I suspect any desk officer
12 in the Service not being familiar with the detail of the
13 way Metropolitan Police transcripts work would have
14 assumed it was "nominal", which is a word that I am sure
15 Mr Hill will confirm that the police are very fond of.

16 MR KEITH: Without impugning their motives, G, there was
17 nothing to alert the Security Service that NM meant
18 anything other than nominal male?

19 A. Correct.

20 LADY JUSTICE HALLET: So there was not a little guide when
21 you got the transcript as to what the abbreviations in
22 the transcripts meant?

23 A. No, whereas one looks at the March 2005 transcript which
24 helpfully says "Northern accent".

25 MR KEITH: We will come to that at the end, but, of course,

1 this was a document not being prepared for criminal
2 proceedings, because they had not even been arrested at
3 this stage. The Executive Liaison Group meetings which
4 were going on daily at this time had not yet decided
5 whether or not these plotters would be disrupted by way
6 of arrests or whether they would be allowed to continue
7 and kept under surveillance, but there must have been
8 a very close level of liaison between the two
9 organisations in relation to this work product.

10 A. And again I think this is a question for the
11 Metropolitan Police, but my experience tells me based on
12 the enormous amount of time it requires to fully
13 transcribe all this material for criminal proceedings
14 and the understandable desire to get to criminal
15 proceedings quickly, I suspect the Met were sensibly
16 using the resources they had to begin the preparation of
17 criminal proceedings against the day they might be
18 required.

19 Q. We must put it in context. I have already asked you
20 deliberately for this purpose. There was a multitude of
21 eavesdropping transcripts or tapes available. We have
22 in the bundle monitors' notes for two or three of them,
23 but, of course, there was surveillance and eavesdropping
24 on a number of cars and addresses for weeks, perhaps
25 months?

1 A. (Witness nods).

2 Q. So this is just one part of one transcript out of
3 perhaps hundreds, if not thousands, of recordings. Is
4 that right?

5 A. That's correct.

6 Q. The Metropolitan Police then passed the matter to
7 another officer, who had another go, and that's at
8 tab 20, 4th April 2004, less than a month later, I think
9 only a couple of weeks later, SYS11071 [SYS11071-1]. It may be that
10 tab 19 is a draft, in fact, of tab 20, but certainly
11 there's a different officer. Again it refers at the top
12 Asian males including Khyam and his father. That was,
13 in fact, erroneous. It was his brother.

14 A. Correct.

15 Q. Again a reference to NM1, NM2 and Omar Khyam. So
16 certainly this officer took the view that there were
17 three people in the car?

18 LADY JUSTICE HALLET: Sorry. You are on 20. On my copy
19 that's headed April 2004 and 19 is headed February 2004.

20 MR KEITH: Yes. The exact dates, in fact, are not as they
21 appear there in the handwritten entries. They are
22 erroneous.

23 LADY JUSTICE HALLET: Thank you.

24 MR KEITH: The tab at 19 is, in fact, March 2004 and we
25 assess it's a draft of tab 20, which was on 4th

1 April 2004.

2 Then at May, tab 21, a fuller transcript was done by
3 the same officer, the second officer. There's
4 a handwritten note, is there not, "May '04" at the top?
5 This is SYS11072. By this time the transcript was
6 a little more detailed, wasn't it?

7 A. Yes, it was.

8 Q. If we could look, please, at page 4, by way of example
9 at 2433 there was some reference to:

10 "You know what my advice is (unclear) the brothers
11 (unclear) very rarely do I meet them now ... I moved
12 out, because in the next month they're going to start
13 raiding big time all over the UK (unclear) Inshalla when
14 the time comes for me to believe ...", and so on and so
15 forth.

16 Broad, very indistinct, not very clear, but more
17 detailed perhaps if one was focusing on these
18 individuals rather than persons who were actually
19 engaged at the time of the attack planning. Khyam was
20 but there was nothing to suggest again that this
21 conversation concerned attack planning.

22 A. No, I would agree with all of that. This one, of
23 course, is more detailed but makes no reference of
24 a Northern accent.

25 Q. The earlier version, if Mr Hill is right, and I am sure

1 he is, had referred to NM.
2 The final version then is tab 22, which was
3 undoubtedly prepared for criminal proceedings, because
4 by the date of this transcript, which is March 2005 --
5 my Lady, it says "May '05" at the top in handwriting; it
6 is not; in fact, it is 10th March 2005 -- this
7 transcript was prepared a long time after the arrest of
8 Crevice and after the Security Service's role in Crevice
9 had ended. Is that right?
10 A. That is correct.
11 Q. The following year, in fact. This version contained yet
12 more detail.
13 Just to highlight perhaps part of it, the second
14 page -- I am sorry. I didn't give you the reference.
15 It is [SYS11034-002]. Although it was an erroneous
16 reference, the full transcript when prepared didn't
17 contain these words. We can see the transcriber thought
18 there was a reference to terrorism at 1252:
19 "Are you really a terrorist?"
20 There was a reference to one-way ticket on the
21 following page at 1621 [SYS11034-3]:
22 "This is a one-way ticket, bruv, yeah, and you agree
23 ... you're going to leave now. You may as well rip the
24 country apart economically as well."
25 Again I emphasise there was no reference to attack

1 planning specifically in the course of that conversation
2 when it was transcribed then.

3 Later after the events of 7th July it became
4 apparent, did it not, G, that one of the persons of the
5 three there identified was, in fact, Mohammed Sidique
6 Khan?

7 A. That's correct.

8 Q. And the voice on that audio recording of 21st February
9 matched a later recording on 23rd March when again there
10 was a man there who was also subsequently assessed to be
11 Mohammed Sidique Khan?

12 A. That's correct, and I think possibly other recordings of
13 him, but I'm not sure.

14 Q. There was other intelligence you've referred to in your
15 statement which is closed which led you to believe that
16 Mohammed Sidique Khan might have been in the car on
17 21st February?

18 A. That's a separate matter.

19 Q. That's a separate matter, but for all those reasons it
20 became apparent that one of those men was
21 Mohammed Sidique Khan?

22 A. Yes, that's correct.

23 Q. The final transcript of the record of the recording
24 which was transcribed again in December 2008 and
25 January 2009 is at our tab 16. I am going to ask -- I

1 don't know whether this can be done -- for a document to
2 be put on the screen whilst we hear two extracts from
3 that original audio probe.
4 Could we have on the screen, please, document MPS6?
5 Page 2 [MPS6-2] shows it is a Report on Speech Recordings,
6 Operation Theseus. Theseus was the investigation into
7 the 7th July bombings, was it not?
8 A. That's the Met code word.
9 Q. The Met code name for it?
10 A. Yes.
11 LADY JUSTICE HALLET: I am reminded this is the audio that
12 will not be going on the website?
13 MR KEITH: This will not be going on the website, my Lady.
14 At the bottom of the page we can see a date, "26th
15 January 2008". Will you take it from me it is 26th
16 January 2009?
17 A. So I am given to understand.
18 Q. Further over the page, for my Lady's assistance, page 5 [MPS6-5]
19 of this exhibit, my Lady will see, as will the parties,
20 that there is a guide to how the transcript is to be
21 interpreted.
22 Where there is a reference to MV1, 2 or 3 that means
23 male voice 1, 2, 3. A male voice asterisk means
24 an unknown or unidentifiable voice.
25 In relation to the conversation if the conversation

1 is unclear, it will be put in brackets. If it is in
2 double brackets, it is particularly hard to hear, and if
3 there is indistinct noise or absence of conversation,
4 then there are dashes.

5 The two extracts which we are to play are at page 19
6 of this document, please, at 2545 and, secondly, at
7 page 22 of the document, at 30 on the tape counter. So
8 that's page 22 of the document.

9 LADY JUSTICE HALLET: So we are listening to the audio with
10 the benefit of a report from a phonetics expert?

11 MR KEITH: Yes. This, as is now clear I think, G, was the
12 product of five I think attempts to transcribe in
13 successive ways the audio recording prepared for
14 criminal proceedings and I think this final
15 transcription took weeks to prepare.

16 A. Yes, Mr Keith, although this is not the final one.
17 There is a separate West Yorkshire one from February
18 2008, which is not in the core bundle.

19 Q. This related to January 2009. I think this is the
20 final, final version.

21 A. I am sorry.

22 Q. There was a previous one in December 2008 and before
23 that one in February 2008. It is the best one we have.
24 It indicates I think, G, the time that was taken to have
25 to put it together.

1 So we can get our bearings on the speakers, MPS6-06,
2 please ...

3 MR EADIE: My Lady, whilst that's being put up on the
4 screen, there is there is a question of fairness here.
5 This transcript was never available to the
6 Security Service before this afternoon.

7 LADY JUSTICE HALLET: That's why I was just underlining and
8 I was just wondering that point myself, because,
9 Mr Keith, the reason I was asking that this is
10 a transcript phonetics expert is if we are going to be
11 analysing what was available to the Security Services
12 and listening to the tape, is it fair, as Mr Eadie is
13 about to say, for us to listen to a supreme expert's
14 version many years down the line or should we perhaps be
15 listening to the versions available back in --

16 MR KEITH: Certainly. It is entirely a matter of
17 impression. I hope I have not done on this point
18 Mr Eadie an unfairness, because I have made it
19 absolutely clear that this transcript was the result of
20 a very lengthy process many years later prepared for
21 criminal proceedings. I have emphasised the date, that
22 it was January 2009, four years, of course, after the
23 events of 7th July 2005.

24 I am quite content for the two extracts to be played
25 without any regard to the transcript. It merely gives

1 you some idea of what is being talked about. If my
2 learned friend is concerned that you might be seduced by
3 seeing the transcript and not able to make the point
4 that it wasn't available to the Security Service, then
5 I stand corrected.

6 LADY JUSTICE HALLET: I don't think Mr Eadie is worried
7 about me so much as --

8 MR EADIE: I'm not in the least worried about my Lady being
9 seduced by anything. What I am worried about is the
10 unfairness of the public impression that is given by
11 playing a transcript accompanied with on the screens
12 a full transcript of this kind when nothing like this
13 was available to the Security Service at the time.
14 If my learned friend is intent on making a forensic
15 point of this kind, the way to do it will be without
16 anything on the screens to play the tape and then we can
17 all listen to it.

18 MR KEITH: I am quite content to have the tapes played. The
19 arrangements for playing the tapes have been in place
20 for many weeks.

21 Could I invite you, G, just to help us with the
22 names of the people? MPS6-006, we can see there
23 a reference to MV1 and MV2. MV1 it subsequently
24 transpired was confirmed to be Omar Khyam. This is
25 again many years later. MV2, again many years later,

1 was assessed to be Mohammed Sidique Khan. ?MV* was
2 a reference to the third or perhaps fourth person in the
3 car, because the final assessment was reached many years
4 later that there may indeed have been four people in the
5 car, possibly Tanweer, but no-one could ever be sure.

6 A. Yes, that's right. I think it is fair, though, as has
7 just been said, this is a transcript with which we are
8 much less familiar.

9 Q. Yes.

10 A. So that seems right based on my knowledge, which is
11 reasonably extensive, of this particular conversation,
12 but I'm working backwards from what I know rather than
13 accepting here -- I mean, I think it is quite
14 significant that this expert doesn't identify the
15 individuals by name in the way that most of the
16 post-2005 transcripts do.

17 MR KEITH: In fact, if I can assist you on that, G, there
18 was a further version in December 2008 prepared by the
19 police. It is MPS8. I need to have it put up.

20 Actually the transcriber uses the initials -- the name
21 Khyam and the initials MSK, but it may be that for the
22 trial that assertion by the transcriber was too much for
23 the defence to swallow in those proceedings and
24 therefore he went back to using the more neutral
25 descriptions MV and MV1.

1 The two extracts, my Lady, are those I have
2 indicated. Let me emphasise they are there to assist
3 the explanation -- to give an understanding of the
4 explanation that at the time not only was the
5 conversation not concerned with attack planning, but it
6 was very hard to hear what was being said, and we are
7 reducing it to --

8 LADY JUSTICE HALLET: I think Mr Eadie thought you were
9 trying to make a forensic point that I didn't understand
10 you were trying to make.

11 Mr G, can I ask as far as the eventual
12 identification of one of the voices as being MSK, can
13 you say in open proceedings in generic terms how the
14 link was made; how it was identified that it was him
15 eventually after July 7th?

16 A. There are two ways, one which I can't discuss in open --

17 LADY JUSTICE HALLET: Indeed.

18 A. -- the other which is diligent work by the
19 Metropolitan Police to go back and listen to all the
20 transcripts from Crevice where Northern accents were
21 detected and compare them with what was then known about
22 Mohammed Sidique Khan's voice.

23 MR HILL: My Lady, with that, may I just take the
24 opportunity to interject, given I was asked to assist,
25 and make sure, and maybe we will be checking overnight,

1 that hindsight is not being improperly used in looking
2 at these transcripts?
3 The answer that I gave in relation to suggesting
4 that NM1 at your core bundle tab 20 means Northern male
5 is something that may be derived from the consistency of
6 DC Vernon, who is a Metropolitan Police officer, in
7 preparing these transcripts, but I want to make it
8 clear, if I may, that where we see NM as a description,
9 a nomenclature, looking at the same part of the same
10 tape, but in different transcripts, in April 2004 NM1 is
11 the sole description given by DC Vernon. By May 2005 DC
12 Vernon doesn't use NM1 at all, but he does use in
13 relation to the same part of the tape -- this is by now
14 your tab 22, my Lady -- "unknown male Northern accent".
15 He uses the words "unknown male" rather than "UM". So
16 it may be discernable from that that "unknown male
17 Northern accent", which he uses in May 2005, is Northern
18 male in April 2004, or it may not, and I would not wish
19 by the answer that I gave on an invitation earlier to be
20 saying definitively that NM1 means Northern male. It
21 may follow; it may not. We are trying to track --
22 LADY JUSTICE HALLET: I think I have seen references in
23 Metropolitan Police Service documents to the use of the
24 word "nominal" in some odd fashion.
25 MR HILL: Yes. That --

1 LADY JUSTICE HALLET: Loose use of English again, Mr Hill,
2 seems to be creating confusion.

3 MR HILL: The witness is right that "nominal" is a term of
4 art within police nomenclature generally, whether
5 Metropolitan or otherwise. If we can be absolutely
6 clear overnight as to whether DC Vernon meant "N" to
7 mean "Northern" in 2004, we will. If it's apparent that
8 it means "nominal", we will try to confirm that
9 overnight.

10 LADY JUSTICE HALLET: Right. Thank you. Shall we now
11 listen to the audios? I am the only person -- and I
12 have all the points in mind -- who has a transcript in
13 front of me apart from the parties.

14 MR KEITH: And they are, of course, only examples, my Lady,
15 of the wider recording.

16 LADY JUSTICE HALLET: Thank you.

17 (First audio extract played)

18 (Second audio extract played)

19 LADY JUSTICE HALLET: Mr Eadie need not have worried. I do
20 not have an inkling as to which parts of the tape you
21 have just played me.

22 MR KEITH: My Lady, let it make it absolutely plain. It is
23 for precisely that reason that both my Lady and
24 my Lady's inquest team determined a long while ago that
25 those extracts should be played to reflect, G, just how

1 incredibly difficult it is to hear what is being said.

2 A. Yes, I would agree.

3 Q. My Lady, may we leave it there?

4 LADY JUSTICE HALLET: I think, to be fair, I have heard
5 some tape, and it is very difficult, but it is not as
6 bad, if you are, as it were, in a small room on your own
7 as opposed to in a court room, but it is still very
8 difficult.

9 MR KEITH: I think there is a degree of amplification
10 between the speakers in my Lady's court room which makes
11 it harder. We thought it was a bit easier to hear when
12 we heard it like my Lady. It is on any view very hard.
13 Perhaps tomorrow, my Lady, we will look just
14 momentarily at what that amounted to at the time the
15 Security Service had a written record, which was, of
16 course, in February/March/April.

17 LADY JUSTICE HALLET: Right.

18 (4.30 pm)

19 (Court adjourned until 10 o'clock tomorrow morning)

20 --oo0oo--

21

22