

1 Thursday, 23 October 2008

2 (10.00 am)

3 (In the presence of the jury)

4 CODENAME "IVOR" (continued)

5 SIR MICHAEL WRIGHT: Good morning. Yes, Mr Mansfield. Oh,
6 before you start, a couple of questions I have in mind.

7 I don't think you were actually asked this, Ivor.

8 When you wrapped your arms round Mr de Menezes, you told
9 us what you were worried about: that he might be
10 carrying either weapons or a device.

11 A. Yes, sir.

12 SIR MICHAEL WRIGHT: What did you hope to achieve, if he had
13 been carrying a device, by wrapping your arms around him
14 in that way?

15 A. Firstly with regard to any weaponry that he had on him,
16 that was to prevent him access to those weapons, either
17 a firearm or a knife. With regard to a device, I was
18 attempting to prevent him -- any sort of detonation,
19 sir.

20 SIR MICHAEL WRIGHT: You mean effectively stopping him
21 moving his hands?

22 A. Yes, indeed.

23 SIR MICHAEL WRIGHT: So far as you could?

24 A. Yes, sir.

25 SIR MICHAEL WRIGHT: I see.

- 1 MR MANSFIELD: Good morning, Ivor.
- 2 A. Thank you, sir.
- 3 Q. I'm only going to actually now deal with the next stage.
- 4 Last night we dealt with the stage at the top of
- 5 escalator before he went down. Now I want to deal with
- 6 the going down and just that, all right? Nothing else.
- 7 So you know the area I want to deal with.
- 8 A. Yes.
- 9 Q. The context is, as you said yesterday, that you follow
- 10 down on the basis that your mindset at that point is
- 11 continued surveillance; correct?
- 12 A. That's correct, sir, yes.
- 13 Q. Then you leave the escalator, turn left, through the
- 14 entrance -- I am just summarising it to speed it up --
- 15 and then you are on to the tube train through that end,
- 16 single door, he has got on a bit earlier, and you sit
- 17 down a couple of seats away?
- 18 A. To his left, sir, yes.
- 19 Q. I'm not going to go through any of the detail of that.
- 20 I just want to put you back in that seat, if you
- 21 wouldn't mind.
- 22 A. Understood.
- 23 Q. So you are back in that seat. Up to that point, so now
- 24 it's sort of retrospectively, during the whole of the
- 25 time that you have seen him -- and you have certainly

1 seen him, it appears, for longer periods than anyone
2 else -- I just want to ask you this: from what you saw
3 there was nothing, up to that point, to suggest that he
4 was a suicide bomber about to detonate a bomb, was
5 there?

6 A. Sir, this is the problem of dealing with this sort of
7 terrorist. Obviously I had him under very close
8 observation, and I was looking for any detail that may
9 give me any indication that he may be carrying a device
10 or indeed a weapon, if that be a firearm or a knife.
11 I couldn't rule that out, sir, given what I saw, but
12 effectively all I saw him carrying openly was a mobile
13 phone, sir.

14 Q. Well, and a newspaper towards the end?

15 A. And a newspaper on the train, sir, yes.

16 Q. Yes. So sorry, I just want to go back. I appreciate,
17 you know, you could look round the members of the jury
18 and say, "Well, I can't rule out any of them haven't got
19 X, Y and Z"?

20 A. Yes, sir.

21 Q. But the question was really posed a different way. From
22 what you saw there was nothing that suggested to you,
23 keeping a close eye on him, that he was a terrorist
24 about to detonate a bomb, was there?

25 A. There was nothing that I could confirm either way.

- 1 I couldn't confirm whether he was carrying anything or
2 whether he didn't have anything under his jacket, sir.
- 3 Q. Let us just go through that, because what I want to
4 suggest to you is, keeping a close eye on him --
5 I appreciate it could have been incredibly well hidden
6 and all the rest of it, but I am looking at it the other
7 way around. We now know, of course -- and I appreciate
8 this is hindsight -- that he didn't have anything.
- 9 A. Sir.
- 10 Q. First of all -- and this is just up to the point that
11 you sit down in the tube, so it's looking back over that
12 previous 20 minutes, roughly speaking, all right?
- 13 A. Yes, sir.
- 14 Q. He wasn't wearing any inappropriate or unusual clothing,
15 was he?
- 16 A. He was dressed virtually identical to myself, sir, yes.
- 17 SIR MICHAEL WRIGHT: Appropriate to the weather?
- 18 A. Appropriate to the weather, sir, yes.
- 19 MR MANSFIELD: Tab 59, the jury have it, and I'm not sure,
20 I can't see from here whether you have it there. It's
21 in the jury bundle, probably volume 2, and if you look
22 at tab 59. I'm not sure you have seen this before.
- 23 A. I'm going to need some assistance, I think. I have only
24 up to 50 in this one.
- 25 Q. Sorry about that. If you just look at volume 2.

- 1 A. Yes.
- 2 Q. Tab 59, it's on screen as well so everybody can see it,
3 but you might like to look at the hard copy, I don't
4 know.
- 5 A. I have got it on the screen, it's not in the bundle.
- 6 Q. It's just the bottom left is where he's on the bus
7 before you get on the bus, because I think the seat
8 that's empty there, that he's walking past, is the seat
9 you occupy when you get on the bus? Perhaps you can't
10 say.
- 11 A. I can't confirm that, sir, no.
- 12 Q. We will leave that to one side. There he is dressed
13 obviously as you saw him, and what I would like you to
14 note, especially when you see him in the foyer or
15 concourse rather of the tube station, but at all times
16 his jacket is undone, isn't it?
- 17 A. Yes, sir.
- 18 Q. And it's difficult to tell precisely but it looks as
19 though, as you said, similar to you, he's just got
20 a T-shirt or something underneath; yes?
- 21 A. Yes, sir, yes.
- 22 Q. Now, moving from the clothing and just keeping these
23 images up for the moment -- there are others,
24 obviously -- he's not carrying any container, everybody
25 has confirmed that; no rucksack, no case, no container

1 of any kind?

2 A. His -- the way he's dressed and what he isn't carrying,
3 ie he is not carrying a rucksack, is not consistent with
4 the attempted attacks the day before, no, sir.

5 Q. No, absolutely. So he hasn't got that. I appreciate,
6 of course, one whittles it down and whittles it down,
7 but he is not carrying anything, and you can see --
8 well, it's not possibly entirely but there was no
9 occasion did you notice, because perhaps you weren't
10 looking particularly, but I'll have to ask you this:
11 there are no wires protruding from his sleeves, or
12 anything of that kind, that could be seen?

13 A. I was looking particularly --

14 Q. You were looking?

15 A. -- sir, yes.

16 Q. And you didn't notice that?

17 A. All I can say on that issue is that I was looking to see
18 if there were any indications. With regard to his
19 hands, I couldn't see the palms of his hands.

20 Q. I was just going to come to his hands. I'll take it in
21 stages.

22 A. If I could finish that, sir. All I did see was him
23 using a mobile phone. When I tried to take
24 an opportunity to actually examine his hands and his
25 general demeanour -- but if I can just explain what was

1 going through my mind at that time.

2 Q. Which time do you mean?

3 A. Throughout the whole follow.

4 Q. All right.

5 A. He wasn't carrying a rucksack, so that wasn't consistent
6 with the attacks the day before. However, we do need to
7 learn lessons, and as we know on 7 July there were
8 successful attacks on the Underground system and indeed
9 a bus.

10 I was aware that in the follow-up operation
11 following those attacks that devices had been recovered,
12 I believe, in Luton that were smaller. As for the blast
13 effect of those devices, I don't know. But also
14 recovered was an improvised firearm. All of this was
15 going through my mind at the time of the follow, sir.

16 Q. Yes, I do appreciate that, I am just suggesting that --
17 just going on the Luton for a moment, you see, as far as
18 the information or intelligence you had out of Luton,
19 there was no intelligence from the Luton find that
20 anything that was in the boot of the car was a component
21 of a body-borne device. There was no intelligence to
22 that effect, was there?

23 A. All I was aware of is that smaller items had been
24 recovered. As to how they could be deployed, I don't
25 know, sir.

1 Q. I think, just going back to the question, as far as you
2 could tell, and you were looking --

3 A. Yes.

4 Q. -- you weren't aware of seeing any wires protruding from
5 his sleeves, and secondly you had obviously been looking
6 at his hands, and I think you have mentioned that, quite
7 closely?

8 A. Yes, sir.

9 Q. Or --

10 A. As close I could.

11 Q. -- as close as you could. Besides the mobile phone --
12 you have dealt with that -- one of the other aspects of
13 this is that if it is a suicide bomber with
14 a well-hidden device in his case underneath his T-shirt,
15 he's going to have to detonate it somehow, isn't he?

16 A. Yes, sir, he is.

17 Q. Right? That stands to reason. I don't know whether you
18 are aware that one of the ways -- in fact I am going to
19 suggest to you the principal way -- in which that might
20 be detonated is by the person concerned putting his hand
21 into one of his pockets, either the jacket pocket or the
22 denim trousers pocket, where there is a battery which
23 itself is connected internally in the clothing with
24 whatever it is, the vest or the belt, and then with the
25 hand that's in the pocket, connecting wires to the

- 1 battery so that it detonates. Are you aware of that
2 technique?
- 3 A. I understand, sir, yes.
- 4 Q. At no stage that day did you ever see him with his
5 hands, either hand, in any pocket for any length of
6 time, did you?
- 7 A. I don't recall seeing his hands in his pockets, although
8 he wasn't under -- his hands weren't under my full
9 control at all times. But I don't recall seeing that,
10 no, sir.
- 11 Q. I accept obviously you can't stare at him and you are
12 not necessarily seeing him all the time. All these
13 questions are qualified by the time that you did see him
14 rather than you didn't. Do you follow?
- 15 A. Yes, I understand, sir, yes.
- 16 Q. I accept there will be periods. Right, so we are back
17 into the tube train carriage, do you follow, and you are
18 sitting down?
- 19 A. Yes, sir.
- 20 Q. Then if I may put it, there is a sea change in the
21 situation as far as you are concerned, and you have
22 touched on it here, but you summarised this at the trial
23 last year. So could I just have one more passage of
24 your evidence.
- 25 A. Am I able to see that?

1 Q. Yes, we will bring it up, so you can see exactly what
2 you said. This is when you were being asked questions
3 by counsel for the prosecution and it's towards the end
4 of your evidence-in-chief there, as its called, when
5 first asked questions. It's on 8 October last year.

6 At the bottom of the page it's dealing with this
7 question of feeling uncomfortable and so on, which you
8 touched on --

9 A. Deeply uncomfortable, yes.

10 Q. That's right. You see that at the bottom. After you
11 have mentioned that, you then go on and say:

12 "However, when I saw the CO19 officers on the
13 platform, I had to make an assessment within seconds as
14 to why they were there ..."

15 A. Yes.

16 Q. "... and I could only assess that the threat assessment
17 had changed and that they were there out of some
18 urgency. And given that, and given the fact that I may
19 be dealing with a terrorist subject involved in suicide
20 terrorism, I could not afford to take a chance, and
21 therefore my reaction was instinctive."

22 SIR MICHAEL WRIGHT: That's what you said last night.

23 MR MANSFIELD: Yes. Very much the same. So that's your
24 clear recollection of that situation.

25 Now, can I come to -- this is the second stage.

- 1 Your mindset -- a word that you have used yourself --
2 changes, doesn't it?
- 3 A. Well, we need to go back to what happened in the foyer,
4 sir.
- 5 Q. I don't want to repeat what's --
- 6 A. I understand, but it's important that I asked that
7 question because of my fears of letting him run on to
8 the tube.
- 9 Q. I appreciate.
- 10 A. I was told to wait and continue with surveillance. So
11 I had to rely on the threat assessment at that time.
12 When I saw the CO19 officers, as I have said in my
13 statement, I could only assess that the threat
14 assessment had changed and they were there out of some
15 urgency, ie was there intelligence to suggest that he
16 was carrying something?
- 17 Q. Exactly.
- 18 A. And he needed to be detained. That is basically what
19 I'm trying to say.
- 20 Q. Absolutely understood. If I may say, this is one of the
21 problems. We now know of course there wasn't any
22 intelligence to suggest he was carrying anything.
23 I don't know whether you now know that?
- 24 A. I do know that, sir, yes. Of course. Of course.
- 25 Q. There wasn't any intelligence. It's not just hindsight

1 about we now know he was just an ordinary member of the
2 public. The command and control operations room do not
3 suggest they had intelligence that he was.

4 But I want to suggest what happened here -- and
5 please understand this is absolutely no criticism of you
6 or anything you did, quite the reverse; do you follow?

7 A. Thank you, sir, yes.

8 Q. Not that at all. But what you did instinctively at that
9 moment was because of what you thought the control room
10 must have in mind, wasn't it?

11 A. It was only -- it was my assessment, sir, that -- that's
12 the best way of summing it up.

13 Q. Yes, I understand. I am sorry to have to do this again,
14 as I said yesterday, just to go back over this very fast
15 incident. You see them on the platform and you get up
16 and go to the doors --

17 A. Yes.

18 Q. -- right opposite where you have been sitting and he is
19 sitting; all right?

20 A. Yes, sir.

21 Q. You don't look like a police officer, if I may say so,
22 certainly wouldn't in your denim and all the rest of it;
23 we have seen it on the camera. The two people on the
24 platform, they don't look like police officers either,
25 do they, to an ordinary member of the public?

- 1 A. Who are you talking about, the firearms officers?
- 2 Q. Yes.
- 3 A. Apart from the fact that they are openly carrying
4 firearms, sir.
- 5 SIR MICHAEL WRIGHT: Well, there is a logic in that. And of
6 course not just any old pistols, they were carrying
7 rifles, or long guns anyway.
- 8 A. I saw one long-barrelled weapon, sir.
- 9 MR MANSFIELD: Only one. One had a pistol, I think you
10 called it a black pistol, a handgun, and the other one
11 had a rather long-barrelled gun.
- 12 A. Yes, sir.
- 13 Q. We are not talking Schwarzenegger here or anything like
14 that. We are talking: you are sitting on a tube --
15 I want in a sense to put you in his shoes as well for
16 the moment. He is looking out of the door. He can see
17 you stand up, he is capable of seeing you stand up. You
18 go to the door, put your foot in the door; he won't see
19 that necessarily. Two men in T shirts, one with
20 a handgun and one with a rather long-barrelled gun --
21 now, this is happening very quickly, isn't it?
- 22 A. Yes, sir, it is.
- 23 Q. We are talking about five seconds, ten seconds,
24 something like that?
- 25 A. Less than ten seconds, sir.

1 Q. Less than ten seconds. You gave a dramatic indication
2 yesterday to the jury that you made it very clear where
3 he was by turning with your right arm, right, you held
4 it out across here --

5 A. Yes, sir, yes.

6 Q. -- showing the two there where he was (indicated)?

7 A. Yes, sir.

8 Q. Of course in that situation, first of all, if you were
9 sitting in his position and you saw that happen, you
10 might be agitated, mightn't you?

11 A. I fully understand that, sir, yes.

12 Q. What I want to suggest to you -- I can't say what
13 happened exactly because, as you appreciate now, the
14 many passengers in that carriage were also in one form
15 or another under certain amount of stress once this
16 happens, as you would appreciate?

17 A. I accept that, sir, yes.

18 Q. So people have very different, even without stress,
19 viewpoints necessarily. All I can ask you is that --

20 SIR MICHAEL WRIGHT: Could I just break that down a moment,
21 Mr Mansfield?

22 MR MANSFIELD: Certainly.

23 SIR MICHAEL WRIGHT: After the shots obviously there was
24 panic and screaming and general disruption in the
25 carriage.

1 A. Yes, sir.

2 SIR MICHAEL WRIGHT: Just focus for a moment on the very
3 short space of time when you heard shouting, two CO19
4 officers coming down the platform carrying guns, you
5 standing up and pointing.

6 A. Sir.

7 SIR MICHAEL WRIGHT: Saying, "He's here", or it was Ken who
8 said, "He's here", you pointing to him. I appreciate
9 that you were focusing intensely on Mr de Menezes;
10 I understand that.

11 A. Yes, sir.

12 SIR MICHAEL WRIGHT: Do you recollect any reactions of alarm
13 or agitation from other people in the carriage?

14 A. No, sir.

15 MR MANSFIELD: Now, again, you turn round within this
16 ten-second window, and perhaps it's easier just to
17 visualise it. It's in your bundle at tab 35, the
18 diagram of the carriage itself again. It's on the
19 screen.

20 I think you have just accepted in one of the
21 questions that the learned Coroner asked you this
22 morning: with your back against the glass panel, with
23 your left foot against the door, and you see where he's
24 placed on this diagram, even sitting down he's only two
25 or three feet away from you, isn't he? He's a very

1 short distance from where you are standing when he's
2 sitting down.

3 A. He is a short distance from the door, but it's more than
4 two or three feet, sir.

5 Q. From the door maybe, but from your right foot -- I am
6 sorry to be particular, but from your position of
7 standing back to the seat where he's sitting is really
8 a very short distance?

9 A. It is a short distance, sir, yes.

10 SIR MICHAEL WRIGHT: You were checking the door with your
11 foot?

12 A. I was, sir, yes, as I explained.

13 SIR MICHAEL WRIGHT: Which side of the doorway, left or
14 right on that plan?

15 A. As you look at it, it's the right-hand side.

16 SIR MICHAEL WRIGHT: Thank you.

17 A. And I was holding the door with my left foot and, as
18 I explained, I was partially out of the carriage.

19 SIR MICHAEL WRIGHT: Yes. Do you mean one foot back on the
20 platform?

21 A. No, my left foot was in the door but I was partially
22 leaning out.

23 SIR MICHAEL WRIGHT: Leaning out?

24 A. Yes.

25 MR MANSFIELD: What I want to ask you is whether in fact

1 what happened was he stood up and may have looked
2 agitated, but for you to be able to push him back into
3 the seat, he can't have been very far away from it.

4 Is that possible, that he wasn't far away and you
5 just, as you have already described, a kind of bear hug
6 back into the seat?

7 A. As I have explained, sir, he was on his feet and he was
8 walking towards me. As I said in my statement, he was
9 advancing. He was away from the seat and, as you
10 appreciate, it is a confined area on the tube, so we are
11 not talking about great distances here, sir.

12 Q. No, no, and --

13 SIR MICHAEL WRIGHT: Can I put the question that has just
14 come in because it's directly in point?

15 MR MANSFIELD: Yes, sir.

16 SIR MICHAEL WRIGHT: Did you still have your rucksack on
17 your back?

18 A. I believe I have it over my left shoulder. I believe
19 so, sir. I can't be certain.

20 SIR MICHAEL WRIGHT: I think we know the answer to the next
21 question but I will put it.

22 So far as you could tell -- I think it follows from
23 the way they behaved -- certainly up to the time that
24 you were ejected from the carriage after the shooting,
25 the CO19 officers had not identified you as a police

1 officer?

2 A. I can't comment, sir. You would have to speak to them.

3 SIR MICHAEL WRIGHT: We will. Well, that's the answer to

4 the question, really. It's not something you can

5 comment on.

6 A. No, sir.

7 SIR MICHAEL WRIGHT: Hang on a minute.

8 MR MANSFIELD: It's perfectly all right.

9 SIR MICHAEL WRIGHT: Well, it's an adjunct to the same

10 question. You had your chequered cap in your pocket?

11 A. In my jacket pocket, yes.

12 SIR MICHAEL WRIGHT: Did you consider putting it on before

13 you actually pointed out Mr de Menezes?

14 A. This would be quite a lengthy answer, sir. It's a very

15 important issue and obviously I need to explain --

16 MR MANSFIELD: Certainly, yes.

17 A. -- exactly the reasons for my actions.

18 SIR MICHAEL WRIGHT: Yes.

19 A. As I explained yesterday, I was sat on the tube to the

20 left of Mr de Menezes and, as I stated in the trial and

21 my statements, I was deeply uncomfortable. However,

22 I was prepared to continue with the surveillance follow.

23 My assessment was I was trying to keep as tight

24 a control of Mr de Menezes as I possibly could, that

25 being peripheral vision to my right and also trying to

1 monitor him in the reflection of the window of the tube
2 opposite. I couldn't have total control of him, which
3 is why I felt quite uncomfortable, bearing in mind the
4 context of the deployment, that is we are deployed
5 against suspected failed suicide bombers.

6 However, I was prepared to continue with the
7 surveillance, and what was going through my mind at the
8 time was that if Mr de Menezes did anything that
9 I assessed to be a threat to the public or myself, then
10 I, supported by my colleagues on the tube, would have to
11 deal with it.

12 So that was my mindset as I was sat on the tube,
13 sir.

14 MR MANSFIELD: Yes, I think -- sorry, do go on.

15 SIR MICHAEL WRIGHT: Yes, go on.

16 A. As the CO19 officers appeared, I had to make
17 an assessment within seconds as to what to do. It
18 appeared that they did not know where Mr de Menezes was
19 and, as I have already stated, I was unaware that they
20 were deploying into the tube station because I had lost
21 comms with them as I deployed down the escalator.

22 As I said yesterday, I assessed that they were there
23 in relation to the activities of Mr de Menezes and, as
24 I have said in my statement, I assessed that they were
25 there to carry out an armed stop, that being

1 an aggressive detention at gunpoint.

2 My concern was if Mr de Menezes saw them before they
3 saw him then he might react, if he was indeed what we
4 suspected he might have been. So my instinct was -- my
5 other concern was that, having done that, the train
6 doors would close, the train would pull away, and
7 I would be left on the train with a compromised subject.
8 Whether he was carrying a device or not, a cornered
9 terrorist is an extremely dangerous option. That's why
10 I stood up and put my foot in the door: to keep the door
11 open, to prevent the train from leaving the station.

12 Secondly, it was important that I pointed out to
13 them who the subject of the operation --

14 SIR MICHAEL WRIGHT: Before he realised who you were?

15 A. Yes, sir.

16 SIR MICHAEL WRIGHT: Yes.

17 A. Now, obviously I considered the cap; and this is
18 happening probably in about two seconds, I have got to
19 make this decision. So I decided not to put the cap on
20 because I would have to walk straight in front of him
21 with a police cap on. If the train doors closed, it's
22 down to me to deal with it. That is my logic in not
23 putting the cap on at that time, sir.

24 SIR MICHAEL WRIGHT: I think we all follow all of that. It
25 comes to this: you couldn't afford to give him any

1 warning that you were a police officer before you had
2 actually had the opportunity to grab him?

3 A. That's right, sir, yes.

4 SIR MICHAEL WRIGHT: That's in a sentence what it's all
5 about?

6 A. Yes.

7 SIR MICHAEL WRIGHT: Thank you very much.

8 MR MANSFIELD: May I just follow that on, because I want to
9 suggest that the two that came on with arms didn't want
10 to give him any warning either. Do you follow what I am
11 putting to you?

12 A. I understand, sir, yes.

13 Q. I think you are not in a position to say, are you, that
14 either of those two that you can recall actually shouted
15 anything?

16 A. As I said yesterday, sir, all I can recall at that stage
17 is that I heard shouting.

18 Q. But that was from the direction of the platform?

19 A. Initially, yes, but at that stage there was still
20 shouting, sir.

21 Q. Yes?

22 A. And as I have explained, my -- almost my entire focus at
23 that time was on trying to deal with Mr de Menezes.

24 Q. When you were -- can I just, and I am really sorry for
25 the detail --

- 1 A. Sir, I understand it's important.
- 2 Q. -- because it's most distressing for you, because your
3 head is next to his when shots are fired and you must at
4 that stage obviously have been extremely concerned that
5 you were going to yourself get hit, even if only by
6 accident. You must have been concerned for yourself at
7 that point; would that be fair?
- 8 A. All I can say on that is that at that stage, yes,
9 I was -- I was pretty shaken up, sir, I think that's --
- 10 Q. That's absolutely understandable. All I wanted to ask
11 you, if you just for one second put yourself back with
12 the head next to his, did you hear anyone shout at that
13 point -- at that very point -- "armed police", with your
14 head next to his?
- 15 A. I can't say either way. All I can say, sir, is that
16 during the incident I could hear shouting. I can't be
17 any more specific, sir.
- 18 Q. All right. Because there is no dispute to this extent:
19 the reason I'm asking you carefully is that we will hear
20 that of the civilians on the railway carriage, and there
21 may be reasons for it, no-one else seems to have heard
22 the words "armed police". Do you follow? That's why
23 I am asking you this.
- 24 A. I understand, sir.
- 25 Q. But there is no dispute that "police" or "armed police"

1 was certainly being shouted afterwards to clear the
2 carriage.

3 Is there some possibility that events, because of
4 the shock you had yourself, have become in the ten
5 seconds concertinaed and although the word "police" was
6 shouted, it wasn't until just afterwards? Is that
7 a possibility, that you in other words elided -- do you
8 understand what I am putting?

9 A. I understand.

10 Q. Is there any possibility?

11 A. I can't comment on that, sir.

12 Q. There is only one other aspect of it, and it's really
13 a detail. His hands -- you have described a football in
14 front of him, as though he's holding a football. But at
15 the point at which you see his hands -- I appreciate
16 because of what you have seen, the armed officers --
17 anything he did from then on was liable to be
18 misconstrued, wasn't it; there is a risk of that?

19 A. I can only comment on what I saw, sir, and I have
20 explained my actions.

21 Q. Yes, I understand why you may think, because he has his
22 hands out front, that: oh, is he going to go for
23 something in his waistband? That is how you have put
24 it.

25 A. Not in those words, sir, but I understand what you are

1 saying.

2 Q. That's the thrust of what you were concerned about?

3 A. Yes, sir.

4 Q. I think this is a question again you will just say:

5 well, I really don't remember. In that ten-second

6 window, you certainly --

7 A. It was probably less than that, sir.

8 Q. All right, less than ten seconds. I don't mean to pin

9 it to a particular figure. A very, very short interval

10 of time. Would it be fair to say you don't recall

11 anybody saying, shouting an order to him, "Stand still",

12 "Don't move", "Put your hands in the air"; nothing like

13 that that you recall?

14 A. All I recall is hearing shouting, sir, nothing more

15 specific.

16 Q. Nothing more specific.

17 SIR MICHAEL WRIGHT: The trouble of course is that even if

18 anybody does shout words to that effect, it doesn't stop

19 him from doing whatever it is he is intent on doing.

20 A. I would accept that, sir, yes.

21 SIR MICHAEL WRIGHT: That's the realistic problem that you

22 were dealing with.

23 A. Yes, sir.

24 MR MANSFIELD: Can I just go back to the briefing and so on

25 earlier on, or even before that. Were you familiar with

1 Kratos training; is that something you knew about?

2 A. I was aware of it, sir.

3 Q. Were you aware of what the conditions were for the
4 delivery of, if you like, a brain stem handgun critical
5 shot?

6 A. No, sir. That is the realm of the specialist firearms
7 officer.

8 Q. So you didn't know about that, all right.

9 One final question, it's a point of information: as
10 a Special Branch officer with the experience you have
11 had, did you have anything to do with
12 Operation Ragstone?

13 A. Not personally, sir, no.

14 Q. So you didn't go to the Lake District?

15 A. I did not, sir.

16 MR MANSFIELD: Thank you very much indeed.

17 A. Thank you, sir.

18 SIR MICHAEL WRIGHT: Thank you, Mr Mansfield. Yes,
19 Mr Stern.

20 Questions from MR STERN

21 MR STERN: Ivor, I represent C2 and C12.

22 A. Thank you, sir.

23 Q. At the Health and Safety trial, the learned judge
24 described your instinctive acts of courage as
25 magnificent and he commended you. I would like to echo

- 1 those words, if I may.
- 2 A. Thank you, sir.
- 3 Q. Can I ask you some details about the tube itself. The
- 4 first is this, and I'm afraid it's a little mundane
- 5 following what I have just said, but were you wearing
- 6 a baseball cap on the tube?
- 7 A. A black baseball cap, sir.
- 8 SIR MICHAEL WRIGHT: You mean an anonymous cap?
- 9 A. Yes, not a police -- yes, an anonymous one.
- 10 MR STERN: On the tube, you said you saw four men moving
- 11 along the platform?
- 12 A. Yes, sir.
- 13 Q. They were moving, as you were looking at them, from your
- 14 right?
- 15 A. From my right, sir, yes.
- 16 Q. Then I think within 10 or 15 seconds you went over to
- 17 the doorway; is that right? Or was it a shorter period
- 18 than that?
- 19 A. It was a much shorter period than that. I think
- 20 I described it was after I had seated; it was 10 to
- 21 15 seconds later that I saw the four men, sir.
- 22 Q. When you saw them, were they walking in your direction?
- 23 A. Yes, they were.
- 24 Q. You also told us that they appeared to be looking into
- 25 the carriage as if they were searching for someone?

- 1 A. That was my assessment, sir, yes.
- 2 Q. My recollection of your evidence was that you saw two
3 people with firearms, the first one with a handgun?
- 4 A. Yes, sir.
- 5 Q. And one further back, I think, with a rifle?
- 6 A. Yes, sir.
- 7 Q. You got up and went to the door, as you have told us,
8 and put your foot in the door, and obviously you had to
9 be a little out of it in order to be able to prevent
10 those heavy doors from closing?
- 11 A. Yes, sir.
- 12 Q. At that point, you shouted, "He's here", and you have
13 demonstrated that to us.
- 14 A. Yes, sir.
- 15 Q. It was after you had shouted, "He's here", that the word
16 "police" or such other shouting in addition to that was
17 heard by you, and I am taking that from the evidence you
18 gave at the Health and Safety trial.
- 19 A. Yes, sir, if I can just confirm in my statement.
20 I believe that's the case, if I could just confirm.
- 21 Q. No, of course, please do. I can give you the page
22 reference if you would like for the evidence he gave at
23 the trial if you want to look.
- 24 A. Yes, sir, that's correct.
- 25 SIR MICHAEL WRIGHT: Can you read the passage?

1 MR STERN: From the statement or from the evidence?

2 SIR MICHAEL WRIGHT: The statement, because that came first.

3 MR STERN: Yes.

4 A. "I shouted, 'He's here', and indicated to the male in
5 denim jacket with my right hand. I then heard shouting
6 which included the word 'police' and turned to face the
7 male in the denim jacket."

8 SIR MICHAEL WRIGHT: Thank you.

9 MR STERN: As soon as you turned, you saw the male start to
10 advance, get out of his seat and start to advance
11 towards you?

12 A. He stood up and advanced towards me, sir, yes.

13 Q. The way you put it in a document in November 2005 was
14 this, that:

15 "... the male in the denim jacket, who had got up
16 from his seat and appeared to react to the presence of
17 the armed police ..."

18 You may not have that document in front of you.

19 A. No, I don't.

20 Q. Page 1491 in the documents. It's the third paragraph:

21 "It is, however, important to emphasise that at the
22 time of the shouting almost my entire focus was directed
23 towards dealing with the man in the denim jacket, who
24 had got up from his seat and appeared to react to the
25 presence of the armed police officers ..."

1 Then you grabbed him, as you say in your statement?

2 A. Yes, sir.

3 Q. That was your feeling at the time, was it?

4 A. That was my assessment, yes.

5 Q. You have given a time estimate of ten seconds.

6 A. Less than that, sir.

7 Q. Less than ten seconds?

8 A. Yes, my --

9 Q. Could you -- I am sorry. No, please.

10 A. It was much less than ten seconds.

11 SIR MICHAEL WRIGHT: He did not give -- ten seconds he

12 wouldn't have. Much, much less.

13 A. Yes, sir, yes. It was less than ten seconds, much less.

14 MR STERN: You mentioned ten seconds and I wanted to ask you

15 what that related to.

16 SIR MICHAEL WRIGHT: The ten seconds came from Mr Mansfield.

17 MR STERN: What was the period of time, if you could help us

18 then, please, from the time that you heard the shout to

19 the time of the first shot? Are we talking --

20 A. Oh ... it was a very short period of time. It was

21 certainly less than ten seconds, and I am only

22 estimating, in the region of the whole incident, in the

23 region of five to ten seconds.

24 Q. The whole incident, five to ten seconds?

25 A. Yes.

1 Q. I think you believed, as you put in your statement, that
2 there were CCTV cameras on the Underground; I think
3 everybody knows that there are?

4 A. Yes, sir.

5 Q. You were of the view in your statement that there was
6 an possibility that the actions that you had taken, and
7 indeed other people on the platform, may have been
8 recorded?

9 A. Of course, sir.

10 Q. At the time you wrote your statement you didn't know
11 whether or not there was a record of that?

12 A. I assumed there was, sir.

13 MR STERN: You assumed there was. Yes, thank you very much.

14 SIR MICHAEL WRIGHT: Yes. Ms Leek?

15 MS LEEK: No questions, sir, thank you.

16 SIR MICHAEL WRIGHT: Mr Perry?

17 MR PERRY: No questions, sir, thank you.

18 SIR MICHAEL WRIGHT: Mr King?

19 MR KING: No, thank you, sir.

20 SIR MICHAEL WRIGHT: Yes, Mr Horwell.

21 Questions from MR HORWELL

22 MR HORWELL: Ivor, my name is Richard Horwell. I appear on
23 behalf of the Commissioner.

24 A. Thank you, sir.

25 Q. Can I just start first, please, with the briefing that

1 you had that morning. Could we put the transcript up,
2 please? 8 October, page 160, line 24, please:

3 "Question: Also by the time you had the briefing,
4 there were four addresses the subject of interest that
5 you were given. Firstly Scotia Road, that you have told
6 us about; then after you were given the details of the
7 car that had been found close to Scotia Road, there was
8 an address in Portnall Road, was there not?

9 "Answer: 161 Portnall Road, I believe, yes.

10 "Question: ... 34 Mitcham Lane?

11 "Answer: Yes.

12 "Question: And 60 Corfe House, Dorset Road ...

13 "Answer: Yes, it was given as 60 Corfe House, it
14 was either Dawcett ... or Dorset Road ..."

15 At the time of this briefing, those four addresses
16 were given to you and you could have gone to any one of
17 them; is that right?

18 A. Yes, sir.

19 Q. As you understood it to be?

20 A. As I understood it to be, yes.

21 Q. Two suspects, four addresses. As you understood it at
22 the time of this briefing, was it more likely than not
23 that you would have been sent to one rather than the
24 other, or were all options open?

25 A. I don't know, sir. I think it's fair to say all options

1 were open.

2 SIR MICHAEL WRIGHT: As far as you were concerned, you did
3 what you were told?

4 A. Exactly -- yes, sir, yes.

5 MR HORWELL: Of course.

6 In relation to the questions that Mr Mansfield was
7 asking you this morning about looking at Mr de Menezes
8 to see whether or not there were any signs that he was
9 a suicide bomber, you no doubt approached this issue on
10 the basis that suicide bombers do not make a habit of
11 advertising either their murderous intent or their
12 hidden explosive devices?

13 A. That is the massive problem we face with this sort of
14 threat, sir, yes.

15 Q. It is the most enormous dilemma that a police officer
16 faces in these circumstances, looking for either
17 positives or negatives, very unlikely you will receive
18 indications one way or the other, because that is the
19 nature of the suicide terrorist?

20 A. That is correct, sir, yes.

21 Q. We have heard evidence of reports when Mr de Menezes was
22 at Brixton that he was very jumpy or nervous. Did those
23 reports come from you?

24 A. No, sir.

25 Q. Can I turn to some basic and, I hope, uncontroversial

1 principles.

2 CO19 specialist firearms officers are the
3 best-trained and equipped police officers to conduct
4 an armed stop of a possible suicide bomber?

5 A. I accept that, sir, yes.

6 Q. In July 2005 the training, equipment and expertise of
7 SO12 surveillance officers in conducting an armed stop
8 of a possible suicide bomber did not even begin to
9 compare to that of the specialist firearms officer, did
10 it, Ivor?

11 A. I accept that, sir, yes.

12 Q. You in fact had had no training by July 2005 in relation
13 to the stopping of a suicide bomber?

14 A. A confirmed suicide bomber?

15 Q. A possible suicide bomber.

16 A. No, sir.

17 Q. Do you accept that in a difficult investigation of this
18 type the operations room is best placed to decide how to
19 use or deploy its available resources?

20 A. Yes, I accept that, sir.

21 Q. At the time you entered the station concourse -- and we
22 saw the film of this last night, we will play it again
23 if necessary --

24 A. Sir.

25 Q. But at the time you entered the concourse, were you

- 1 aware where in fact Ken was?
- 2 A. I was aware that he was close to me and I was aware that
- 3 he was to my right-hand side, sir.
- 4 Q. So if there was to have been a stop in the concourse, it
- 5 would have been you and Ken?
- 6 A. Probably, sir. As I explained last night, it would have
- 7 been dependent on where the subject was.
- 8 Q. Now, there was reference yesterday to a potential nod
- 9 and a wink between you and Ken before this stop -- all
- 10 of this is hypothetical, Ivor, we appreciate that -- but
- 11 there was reference yesterday to a nod and a wink
- 12 between you and Ken before this stop would have taken
- 13 place?
- 14 A. Sir, yes.
- 15 Q. Again, I am sure you will be the first to accept that
- 16 a nod and a wink is no substitute for a detailed
- 17 firearms briefing?
- 18 A. I wouldn't describe it as a briefing, sir. This is
- 19 a dynamic incident.
- 20 Q. It is as far removed from a briefing as it is
- 21 possible --
- 22 A. Absolutely, sir, yes.
- 23 SIR MICHAEL WRIGHT: I have an uneasy feeling, Mr Horwell,
- 24 that the phrase came from me.
- 25 MR HORWELL: I am far too polite to confirm that, sir, but

1 that's the spirit in which it is intended, as you can
2 imagine.

3 SIR MICHAEL WRIGHT: We were discussing the possibility of
4 a spontaneous interception on the concourse because Ken
5 was close by, obviously done in such a way that didn't
6 alarm the subject of the surveillance.

7 MR HORWELL: Of course, of course.

8 SIR MICHAEL WRIGHT: I am not sure, in fact, that Ivor
9 necessarily agreed with me that a nod and a wink would
10 have been enough.

11 MR HORWELL: I think he nodded.

12 SIR MICHAEL WRIGHT: Yes. It would have been something
13 pretty surreptitious, would it not?

14 A. Yes, sir.

15 MR HORWELL: Now, this man at this stage was a possible for
16 Hussain Osman, wasn't he?

17 A. A possible, yes, sir.

18 Q. And you gave evidence yesterday as to your intention to
19 arrest this man if the order had been given?

20 A. It was an offer I made, sir, yes, and had I been told to
21 do it, I was in a position, I felt, to do it, sir.

22 Q. Obviously before there can be an arrest there has to be
23 a reasonable suspicion that this man is the terrorist,
24 Hussain Osman?

25 A. I don't necessarily accept that, sir.

- 1 Q. All right. But that would have been the basis upon
2 which this arrest would have been made; that there was
3 reasonable evidence to suggest that he was
4 Hussain Osman?
- 5 A. Well, as I explained yesterday, I could say that he
6 wasn't identical with Omar, he was a possible for Osman,
7 but he also, in my mind, was an associate who had come
8 out of 21 Scotia Road. So as an associate he would
9 equally have been of interest to me, sir.
- 10 Q. All right, Ivor, I understand.
- 11 A. Do you understand?
- 12 Q. I do, thank you.
- 13 Now, whether Hussain Osman or whether an associate,
14 if Hussain Osman, the previous day he had attempted to
15 commit mass murder in London?
- 16 A. Yes, sir.
- 17 Q. And if Hussain Osman, he may have had that intent on
18 this morning; it follows, obviously?
- 19 A. Quite possibly, yes.
- 20 Q. You have dealt with this already, but may I go back to
21 it very briefly: he may have been armed --
- 22 A. Yes, sir.
- 23 Q. -- this man, he may have had a bomb?
- 24 A. Yes, sir.
- 25 Q. And arresting this man in those circumstances was always

- 1 going to be a dangerous and risky operation?
- 2 A. Yes, sir.
- 3 Q. Now, you were asked yesterday a number of hypotheticals
4 and I'm going to ask you some more, Ivor, if I may.
- 5 A. Sir.
- 6 Q. Mr de Menezes acted in an unpredictable manner on the
7 Underground train, didn't he? He was the only passenger
8 that you were aware of who got up at the time the armed
9 officers appeared?
- 10 A. That's not a fair assessment, sir, because my entire
11 focus was on him. I can't comment on the rest of the
12 passengers.
- 13 Q. That's why I put the question in the way that I did: he
14 was the only one that you were aware of?
- 15 A. Yes, sir.
- 16 Q. Not only did he stand up, he actually walked towards the
17 armed officers in a state, in a condition that you
18 described in your statement as being "agitated"?
- 19 A. Yes, sir.
- 20 Q. You didn't expect that to happen?
- 21 A. I didn't want it to happen, sir.
- 22 Q. No doubt you didn't expect it to happen, did you?
- 23 A. I didn't know what to expect, sir.
- 24 Q. All right. Mr de Menezes's behaviour that morning
25 caused you to spring forward and hold him?

- 1 A. "Spring forward" are your words, sir. As I have said in
2 my statement, if I could refer to my statement --
- 3 Q. Let us not worry about the words.
- 4 A. You understood that I grabbed him around the torso and
5 pinned his arms to his sides?
- 6 Q. Yes, very quickly indeed you took hold of his torso and
7 you pushed him back into his seat?
- 8 A. Yes, sir.
- 9 Q. As you told us yesterday, you thought that you might
10 die?
- 11 A. I said I was in fear for my life, yes, sir.
- 12 Q. You said yesterday, and indeed you have said in the
13 course of your evidence on at least two occasions at the
14 Health and Safety trial, that you acted instinctively?
- 15 A. Yes, sir.
- 16 Q. No doubt what was happening at the time caused you to
17 act instinctively, but equally no doubt, Ivor, the
18 atmosphere in July 2005, the bombings on 7 July and the
19 attempted bombings on the 21st, they must have had some
20 part to play in that instinctive reaction, rationalising
21 it as best as one can; do you not agree?
- 22 A. Well, I have already explained that I was briefed that
23 we were deployed against suspected suicide bombers, so
24 obviously my risk assessment is quite high.
- 25 Q. Accordingly. Ivor, we have two months at this inquest

1 to receive evidence as to what happened that morning.
2 You probably had about two seconds to decide what to do
3 when Mr de Menezes stood up and walked towards you?
4 A. Yes, sir.
5 Q. Going back to the station concourse and back to the
6 hypotheticals, Ivor, again.
7 A. Sir.
8 Q. If you had attempted to arrest that man in the concourse
9 and he had reacted in an unusual or unpredictable or
10 a surprising way, and if you believed that your life and
11 the lives of the public around you were in danger, and
12 your instincts were not only of self-preservation but of
13 protecting the public, hypothetically you might have
14 shot this man, if you considered that the danger was
15 immediate?
16 A. I can't comment on that, sir.
17 Q. You can't comment?
18 A. Can I just qualify --
19 SIR MICHAEL WRIGHT: You might have drawn your weapon?
20 A. If I could just qualify, sir, I fully accept that, as
21 I said yesterday, that CO19 are highly trained,
22 well-equipped and highly motivated professional
23 individuals, and they are without doubt the best unit to
24 have carried out that detention in the foyer.
25 SIR MICHAEL WRIGHT: Yes, but -- forgive me interrupting --

1 what Mr Horwell is putting to you is if it had to be you
2 because CO19 weren't there.

3 A. That's why I made the offer, sir.

4 MR HORWELL: I appreciate that.

5 SIR MICHAEL WRIGHT: I want to follow it through.

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: Just to take Mr Horwell's question, if
8 you had attempted to do it and he had reacted in
9 a hostile or uncompromising or uncooperative way,
10 I fully accept you really can't say whether you might
11 have shot him; do you think you might have produced your
12 weapon and called out "armed police"?

13 A. It was an option, as I explained yesterday, and I had
14 a range of options open to me. I fully accept what you
15 are saying, sir.

16 The reason I made the request was that as a police
17 officer my first duty is to protect the public.
18 Particularly as an authorised firearms officer, I'm also
19 duty-bound to protect the public. I had fears in
20 allowing Mr de Menezes to run through the barrier.

21 SIR MICHAEL WRIGHT: We understand.

22 A. And I fully accept that CO19 were -- I wouldn't say
23 "best placed", but they are the best unit to have
24 carried that out. I was offering to do, as I explained
25 yesterday, in order to try to protect the public.

1 If I could just reiterate, as he was approaching the
2 barrier he had a newspaper in one hand, he had a ticket
3 in the other. He was preoccupied with using that
4 ticket. I felt that it may have been a viable option to
5 have carried out the action that I explained yesterday,
6 and that is using officer safety techniques that I grab
7 his left arm, my colleague grabs his right arm, we take
8 him to the floor, we cuff him, possibly evacuate the
9 station and seek further directions. But I fully accept
10 that CO19 are the best-trained unit to do this, sir.

11 MR HORWELL: But on the basis of what might hypothetically
12 have happened, Ivor, as the Coroner has asked of you, of
13 course if this had gone wrong and if you had thought
14 that the safety of the public was in immediate danger,
15 you may well have drawn your firearm?

16 A. I don't know, sir. The word you used is "if" and we are
17 talking hypothetically, sir.

18 Q. All right. You will only go so far, it seems, in terms
19 of hypotheticals?

20 SIR MICHAEL WRIGHT: In fairness of course it is a series of
21 hypotheticals.

22 MR HORWELL: Of course it is.

23 SIR MICHAEL WRIGHT: The first question is: it depends how
24 successful your tackle is.

25 A. Indeed, sir.

1 SIR MICHAEL WRIGHT: If you and Ken had grabbed him at the
2 right time and got him down to the ground, there might
3 have been no necessity to go that far.

4 A. Indeed. Indeed, sir.

5 SIR MICHAEL WRIGHT: It all depends on what happens.

6 MR HORWELL: And thereafter it is pure speculation.

7 SIR MICHAEL WRIGHT: It is in the lap of the gods.

8 MR HORWELL: I accept that, and thank you.

9 A. Thank you, sir.

10 SIR MICHAEL WRIGHT: Mr Horwell, Mr Stern has drawn
11 attention to the comments of Mr Justice Henriques at the
12 end of the Health and Safety trial after the verdict was
13 in, and he has reminded us of the glowing tribute that
14 the learned judge paid to Ivor. I think it might be of
15 comfort to Ivor if he knew what the Metropolitan Police
16 Service view was about that tribute.

17 MR HORWELL: Sir, I hope it is understood and accepted that
18 we fully support those words. So that everyone can
19 understand, the Metropolitan Police Service do not take
20 the view that this is a platform for apologies and words
21 of the nature that you have described, sir.

22 SIR MICHAEL WRIGHT: I know.

23 MR HORWELL: That will come after this inquest.

24 SIR MICHAEL WRIGHT: But as it has been introduced this
25 morning -- I say no more about it than that -- I thought

1 I would give you the opportunity to support it.

2 MR HORWELL: Sir, we fully support those words. Ivor, as
3 did other officers that day, acted with extreme bravery
4 and without regard to their own safety.

5 SIR MICHAEL WRIGHT: Thank you.

6 MR HORWELL: The commendation cannot be higher than that.

7 SIR MICHAEL WRIGHT: Thank you very much. Mr Gibbs.

8 Questions from MR GIBBS

9 MR GIBBS: Sir, could I just pick up something rather more
10 mundane than that?

11 Ivor, you have described how you were wearing more
12 or less the same as Mr de Menezes was wearing?

13 A. Yes, sir.

14 Q. And that you found it difficult to tell whether he was
15 or whether he wasn't carrying about his person something
16 which might have been dangerous in one way or another?

17 A. Yes, sir.

18 Q. Concealed underneath the similar clothing that you were
19 wearing, what were you carrying?

20 A. To confirm, yes, I was dressed virtually identically to
21 Mr de Menezes and I was carrying a range of operational
22 police equipment, and that included a covert
23 surveillance radio.

24 Q. Yes.

25 A. A spare battery for that radio.

1 SIR MICHAEL WRIGHT: How big is that; the size of a mobile
2 phone?

3 A. No, much larger, sir, at that stage.

4 SIR MICHAEL WRIGHT: How is it secured?

5 A. It's secured in a harness, and on that occasion it was
6 secured to the left-hand side of my torso.

7 SIR MICHAEL WRIGHT: Thank you.

8 A. I had a spare battery for that radio.

9 MR GIBBS: How big is that?

10 A. This is the old Cougar system.

11 Q. Yes.

12 A. That's about two and a half to three inches square.
13 I was carrying, as we know, a Glock 17 pistol.

14 Q. How big is that? Just show us.

15 A. (Indicated)

16 Q. Thank you.

17 SIR MICHAEL WRIGHT: There was a possibility that somebody
18 might get hold of a photograph. If, Mr Hilliard, we
19 could ask those instructing you to see what they can dig
20 out. I dare say Mr Horwell will be able to help.

21 MR HORWELL: We can discuss it with Mr Stern and of course
22 a photograph can be available when the firearms
23 officers --

24 SIR MICHAEL WRIGHT: It was my reaction to suggestion that
25 we actually produce a pistol.

1 MR HORWELL: I understand.

2 SIR MICHAEL WRIGHT: I thought that was going an bit too
3 far.

4 MR HORWELL: We will do that.

5 MR GIBBS: A Glock pistol. A spare magazine?

6 A. A spare magazine --

7 Q. How big is that?

8 SIR MICHAEL WRIGHT: Well, it fits into the butt of the
9 pistol, doesn't it?

10 A. Four to five inches long, loaded with 17 rounds. Two
11 mobile phones.

12 MR GIBBS: We understand how big a mobile telephone is.

13 A. And a chequered police cap.

14 Q. Right. So the cap doesn't take up much room, but you,
15 covertly so that no one else in the bus or in the tube
16 can see that you are doing so, have a gun and the spare
17 magazine, a radio that is significantly bigger than
18 a mobile telephone and a spare battery, two mobile
19 telephones and something that identifies you as a police
20 officer should you put it on your head?

21 A. Yes, sir.

22 Q. If there had been another surveillance officer unrelated
23 to your team in the bus or in the tube, would he or
24 should he have been able to tell whether or not you were
25 carrying all of those things?

1 A. No, sir.

2 Q. There is just one other thing, because the jury asked
3 a question yesterday, a member of the jury asked about
4 what you meant or what it meant by the phrase "remaining
5 covert". So can we just try to understand? I think
6 that question may give us an opportunity to understand
7 what the job involves that you do.

8 There are two main roles, am I right, for
9 a surveillance officer; one is to follow and not to lose
10 the person you are following, and the other is to gather
11 information; am I right?

12 A. Gathering information, yes, sir. With regard to the
13 first part, we generally would not look to lose the
14 subject, particularly in an operation of this sort.
15 However, there may be occasion where we will
16 intentionally lose the subject for fear of compromising
17 the deployment. However, in an operation of this sort,
18 it would appear imperative that we wouldn't lose the
19 subject.

20 Q. By "gathering information", I include of course
21 gathering information, whatever information you can,
22 about the identity of the subject?

23 A. Yes, sir.

24 Q. There is a tension, an obvious tension, isn't there,
25 between on the one hand getting close enough so that you

- 1 don't lose the person and don't lose an opportunity to
2 gather information, and on the other hand not getting so
3 close that you risk the person realising he's being
4 followed?
- 5 A. That is the balance, sir, yes.
- 6 Q. Would I be right in thinking that -- because you have
7 followed lots of different sorts of people over the
8 years, I have no doubt?
- 9 A. Yes, sir.
- 10 Q. That where you are dealing with a failed suspected
11 suicide bomber, the risks involved should the person
12 realise that he is being followed are disproportionately
13 higher than in most follows?
- 14 A. I would accept that, sir.
- 15 Q. Because there is a risk that if the person realised that
16 he is being followed, he may do something really
17 terrible?
- 18 A. As I said earlier in my evidence, a cornered terrorist
19 is an extremely dangerous option, sir.
- 20 Q. When you set out on a follow, am I right in thinking
21 that you don't know for how long and how many times you
22 are going to be the person who is the eye on the
23 subject?
- 24 A. That's correct, sir, yes.
- 25 Q. Because when you are, as you were, first the eye, you

1 don't know when next or if you are next going to be the
2 eye, you don't want to be too obvious, in fact you
3 mustn't be obvious at all, to the person you are
4 following?

5 A. Yes, sir.

6 Q. Did that inform, for instance, where you sat on the bus,
7 what you did on the bus, how often you looked across on
8 the bus and so on?

9 A. As I explained yesterday, sir, I had to maintain
10 a balance between maintaining vision on Mr de Menezes
11 and remaining covert, sir.

12 Q. Then when you were again the eye, at the Stockwell tube
13 station in the concourse and downstairs in the carriage,
14 did that risk that you might be recognised -- if this
15 person was who he might have been -- as someone who had
16 been on the bus sooner, for instance, inform where you
17 sat, how far away and what you did?

18 A. That was a risk, sir. It's always a risk with covert
19 surveillance. It was summer and there is a limited
20 opportunity to carry changes of clothing, for example.

21 Q. Had you managed to change your clothing at all between
22 the two moments?

23 A. All I managed to do was change my baseball cap from
24 a beige baseball cap to a black baseball cap, which is
25 what I was wearing on the tube, sir.

1 Q. Was that to mitigate the risk of someone identifying you
2 as having been on the bus and now also being on the
3 tube?

4 A. An attempt to do that, yes, sir.

5 Q. Lastly this: there has been a lot of talk about
6 self-preservation, but actually when you grabbed
7 Mr de Menezes, who were you looking to preserve?

8 A. The public, sir.

9 Questions from THE CORONER

10 SIR MICHAEL WRIGHT: Thank you, Mr Gibbs.

11 Two things, please: as you have told us, one of the
12 functions of the follow, apart from keeping tabs on the
13 person you are following, is, where possible, to get
14 more intelligence, more information --

15 A. Yes, sir.

16 SIR MICHAEL WRIGHT: -- that may assist with the
17 identification procedure.

18 By the time you got to Stockwell station, you got
19 there ahead of him into the foyer --

20 A. Yes, sir.

21 SIR MICHAEL WRIGHT: -- of the station, and he came in and
22 you saw him pass you, and you followed him down to the
23 platform. As I have understood it, nothing happened in
24 that period which would have added to your information
25 about him in any significant way?

1 A. No, sir.

2 SIR MICHAEL WRIGHT: In those circumstances, because
3 identification as a process was not going forward, would
4 it be right to suppose that at that stage your prime
5 concern was with stopping him, or was there another or
6 other concerns?

7 A. The other concern, sir, as I explained, was that he was
8 running down the escalator and it was a big concern that
9 I was going to lose him, sir.

10 SIR MICHAEL WRIGHT: So it was keeping touch with him?

11 A. Yes, sir.

12 SIR MICHAEL WRIGHT: Because at that stage, as I understood
13 your evidence, you thought that the situation might well
14 be that the follow would be allowed to continue.

15 A. That was my assessment, sir, yes.

16 SIR MICHAEL WRIGHT: That was your assessment of what you
17 thought the situation then was?

18 A. Yes, sir.

19 SIR MICHAEL WRIGHT: It wasn't until the CO19 officers came
20 into sight that your assessment changed as to what the
21 situation might now be?

22 A. Yes, sir.

23 SIR MICHAEL WRIGHT: Very well.

24 The second question I want to ask you is this: the
25 two CO19 officers entered the carriage from behind you,

1 because by that time you had turned towards
2 Mr de Menezes and your back was towards them.

3 A. Yes, to my left, sir, yes. Over my left shoulder it
4 would have been.

5 SIR MICHAEL WRIGHT: Half left, as it were?

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: I appreciate you don't have CO19
8 training and so you may not be able to answer this
9 question, but what did you expect they were going to do
10 or what did you think they might do, or did you not have
11 any idea?

12 A. I can't comment, sir.

13 SIR MICHAEL WRIGHT: You don't have any idea?

14 A. No, sir.

15 SIR MICHAEL WRIGHT: Thank you very much. Mr Hilliard.

16 Further questions from MR HILLIARD

17 MR HILLIARD: Only this: you were asked whether -- do you
18 remember? -- you were the source of any report that
19 Mr de Menezes had been jumpy or nervous at Brixton and
20 you said: no, you weren't, and indeed you had not seen
21 him in your view behaving, is this right, either very
22 jumpily or very nervously when he was at Brixton?

23 A. I didn't use those terms, no, sir.

24 MR HILLIARD: Thank you very much indeed. Thank you.

25 SIR MICHAEL WRIGHT: Thank you very much indeed. That is

1 all. You are free to stand down. That might be

2 a convenient moment, Mr Hilliard.

3 MR HILLIARD: Yes, sir.

4 SIR MICHAEL WRIGHT: 11.30, please, ladies and gentlemen.

5 (The witness withdrew)

6 (11.24 am)

7 (A short break)

8

9 (11.35 am)

10

11 (In the presence of the jury)

12 SIR MICHAEL WRIGHT: Yes, Mr Hilliard.

13 MR HILLIARD: The next witness is Tim.

14 SIR MICHAEL WRIGHT: Can I ask while he is coming in, does

15 anybody want Adam? Just say if anybody does. Does

16 anybody want Hotel 11? Yes, I think somebody might.

17 No. Does anybody want Geoff? Yes. All I need is

18 a "yes". That has got rid of two witnesses, anyway,

19 subject to reading them.

20 MR HOUGH: Perhaps first of all time can be given to those

21 on my right to respond to those quick requests.

22 SIR MICHAEL WRIGHT: I am sorry, I thought there was

23 universal assent.

24 MR HOUGH: Almost.

25 SIR MICHAEL WRIGHT: Take your time, Mr Horwell. I have

1 bowled you the ball; if you want to either deflect it to
2 leg or just block it, let me know.

3 MR HORWELL: I am very keen to say we don't want them, but
4 a minute or two's time.

5 MR HOUGH: Also to avoid ambiguity perhaps people can
6 indicate to us privately whether they would like those
7 statements to be read.

8 SIR MICHAEL WRIGHT: I am perfectly happy to read them under
9 rule 37 if anyone wants them read.

10 CODENAME "TIM" (sworn)

11 SIR MICHAEL WRIGHT: Thank you, Tim. Please sit down.

12 A. Thank you, sir.

13 Questions from MR HILLIARD

14 MR HILLIARD: You are going to be known as "Tim" for the
15 purpose of these proceedings?

16 A. That's correct, sir.

17 Q. I am going to ask you some questions first of all on
18 behalf of the Coroner, then you may be asked questions
19 by others; all right?

20 A. Yes, sir.

21 Q. In July 2005, I think you were a detective constable
22 working with a surveillance unit attached to S012
23 Special Branch; is that right?

24 A. That's correct, sir, yes.

25 Q. I am going to ask you about 22 July of that year in

1 particular, and I think you have made a number of
2 statements about that day, including one dated 23 July;
3 is that right?

4 A. That's correct, sir, yes. I have made a total of eight
5 statements, I believe.

6 Q. Do you have copies of them there?

7 A. I have, from the Health and Safety trial, yes.

8 Q. I am sure you understand by now there is no difficulty
9 about you looking at any of those if you need to.

10 A. Thank you, sir.

11 Q. So on the 22nd you had been to the briefing that we had
12 heard about at New Scotland Yard; is that right?

13 A. That's correct, sir, yes.

14 Q. You were going to go with the grey team, weren't you, on
15 the operation they were involved with that day?

16 A. Yes, sir.

17 Q. You had a particular role; is that right?

18 A. Yes, I was a photographer.

19 Q. You were surveillance photographer?

20 A. That's correct, sir, yes.

21 Q. What does that come to: that if there was the
22 opportunity of take pictures of anything relevant, then
23 that would be your job to do it?

24 A. Indeed, sir. I ran along with the team and anyone
25 pertaining to -- any person or building pertaining to

- 1 that operation I would try and get photography of.
- 2 Q. Right. In the course of the briefing you were shown
- 3 photographs, including one that we have seen many times
- 4 now of Mr Osman, who was known as Nettle Tip?
- 5 A. That's correct, sir, yes.
- 6 Q. You didn't keep any copy of that?
- 7 A. No, I didn't, sir.
- 8 Q. I think you were armed with a Glock 9mm handgun and
- 9 ammunition; is that right?
- 10 A. That's correct, sir, yes.
- 11 Q. Shortly before 9 o'clock in the morning, did you go to
- 12 the vicinity of Scotia Road?
- 13 A. I did, sir, yes.
- 14 Q. So we can see where you were -- it will come up on the
- 15 screen -- divider 11, please, page 23A. I think you
- 16 were just south of somewhere called Christchurch Road;
- 17 is that right?
- 18 A. I was, sir. There is nothing on my screen.
- 19 Q. No, nothing on my screen either. We will do it the
- 20 old-fashioned way: if you turn to --
- 21 A. It is there now. Yes, south of Christchurch --
- 22 I believe it was just off this map, sir.
- 23 Q. All right. But you have in pink there Scotia Road,
- 24 Marnfield Crescent and Upper Tulse Hill?
- 25 A. Yes, I have, sir, yes.

- 1 Q. Below that it's in orange, a big road, Christchurch
2 Road?
- 3 A. That's right, yes.
- 4 Q. You think just off the map?
- 5 A. Yes, just south of this map here, yes.
- 6 Q. All right. Can you just help us with this: at any time,
7 as it were, that morning, from the briefing onwards
8 until if we say the shooting that we know happened, had
9 you heard anything about buses stopping or not stopping
10 at any stage in the morning?
- 11 A. I had heard the team leader from the red team, Derek,
12 mention over the radio, the Cougar channel, that he was
13 trying to suspend bus services in that vicinity. That's
14 all I heard re the bus services.
- 15 Q. Do you know whenabouts that was?
- 16 A. It was between the time that I arrived and also the time
17 that Mr de Menezes came out of the address.
- 18 Q. Right.
- 19 A. I believe.
- 20 Q. Right. That's some time after 9.30, isn't it, that he
21 comes out of the address?
- 22 A. Yes, that's correct, yes.
- 23 Q. Were you aware of a transmission to the effect that
24 someone had come out of the address?
- 25 A. Yes, because I had started to move towards the vicinity

- 1 of where effectively it then -- James had said he had
2 seen him go towards Tulse Hill.
- 3 Q. Right.
- 4 A. So I was then manoeuvring myself around to try to get
5 in that area.
- 6 Q. Were you also aware, did you hear that he had got on
7 a number 2 bus that was going in the direction of
8 Brixton?
- 9 A. That's correct, sir, yes, I was.
- 10 Q. You were tasked, is this right, by James to get close to
11 the bus if you could to take a photograph?
- 12 A. I was, sir, yes. It was the intention that I try and
13 get some imagery of the subject that had come out and to
14 either prove or disprove identity.
- 15 Q. That job in particular, was the aim that you should try
16 and do that when the bus was in the vicinity of Brixton
17 tube?
- 18 A. It was whenever I could get a chance to do that, sir.
- 19 Q. Did you in fact ever manage to do that?
- 20 A. I didn't, sir, no, because I never saw Mr de Menezes at
21 any time.
- 22 Q. Right. So you never saw him?
- 23 A. No, sir.
- 24 Q. Never took any photographs of him either?
- 25 A. No, sir.

- 1 Q. Right. Were you aware again of the bus moving off from
2 Brixton; he having got off it, got back on it?
- 3 A. I was, sir, yes. At that time I was -- I had gone past
4 the bus and I was held just in front of the bus trying
5 to locate where Mr de Menezes was, but I couldn't, and
6 then the bus came past me.
- 7 Q. We heard about Ivor, who had been on the bus, he had got
8 off it and then got a lift with you; is that right?
- 9 A. That's correct, sir, yes. I picked him up.
- 10 Q. And in fact gave him a lift, although you obviously
11 didn't know where you were going to end up when you
12 started, but gave him a lift and I think he got out at
13 Stockwell station; is that right?
- 14 A. That's correct, sir, yes.
- 15 Q. In that area, Stockwell station, did you hear that
16 Mr de Menezes, as I'm going to call him, had got off the
17 bus?
- 18 A. I did. I heard that he was walking towards the tube.
- 19 Q. I want to ask you about four events, and I'm going to
20 give you them in no particular order but I would like
21 you to put them in an order for us as you tell us about
22 them; all right?
- 23 A. Okay, sir.
- 24 Q. First of all I think you are going to tell us that you
25 heard "state red" called; is that right?

1 A. Trojan control "state red", sir.

2 Q. That's one thing I want to ask you about.

3 I think you heard, is this right, about

4 Mr de Menezes being in the tube and going down the

5 escalator?

6 A. That's correct, sir, yes.

7 Q. So that's another thing.

8 A. Yes.

9 Q. All right.

10 Ivor asking James if he should prevent the man

11 entering the tube; did you hear that?

12 A. I did, sir, yes. I relayed that.

13 Q. You relayed that, we have heard about that, because he

14 was on, as it were, a body set, wasn't he?

15 A. Yes, that's right.

16 Q. And you had a set in the vehicle?

17 A. That's right. He was a footman, he had a body set on.

18 I was in a vehicle, so I relayed back --

19 SIR MICHAEL WRIGHT: You stayed in your van, did you?

20 A. I did, sir, yes.

21 MR HILLIARD: Then Trojan control asking where the subject

22 was and James saying that he had lost communication; do

23 you remember that?

24 A. James said that -- after that question was posed James

25 had said that he didn't know where the subject was

- 1 because he was down the tube and comms had been lost.
- 2 Q. So those things, I want to -- so it's "state red",
- 3 subject being in the tube and down the escalator, Ivor
- 4 asking if he should prevent him entering the tube,
- 5 Trojan control asking where the subject was; can you put
- 6 those in an order for us, please?
- 7 A. It was Ivor asking whether he should prevent
- 8 Mr de Menezes going down the tube.
- 9 Q. Just pause. So Ivor has left your vehicle?
- 10 A. That's correct, yes.
- 11 Q. Then you have heard, is this right, over the radio, Ivor
- 12 asking James if he should prevent the man entering the
- 13 tube?
- 14 A. That's correct, yes.
- 15 SIR MICHAEL WRIGHT: The batting order is what?
- 16 MR HILLIARD: If we just deal with them one at a time then
- 17 we will get the order. We can't do them all at once.
- 18 So that's the first of the four I asked you about,
- 19 isn't it?
- 20 A. Yes, sir.
- 21 Q. You told us that you then relayed that over the Cougar
- 22 system because you have, what, a more powerful system in
- 23 your vehicle --
- 24 A. That's correct.
- 25 Q. -- than he had on his body set?

1 A. Yes.

2 Q. So that's the first of them. Then of the other things
3 I asked about, what happens next?

4 A. Mr de Menezes, I hear he's running down the escalator.

5 Q. Right.

6 A. And then I hear Trojan control "state red", and then
7 I hear asking -- Trojan control asking James where the
8 subject is.

9 Q. And James said?

10 A. James said he didn't know because he was down the tube
11 and comms had been lost.

12 SIR MICHAEL WRIGHT: Let us get this right. The first thing
13 is Ivor asking if he should make the stop?

14 A. That's correct, sir, yes.

15 SIR MICHAEL WRIGHT: Second, that Mr de Menezes is now going
16 down the tube, going down the escalators, going down the
17 tube? What --

18 A. Prior to that, I had also heard James waiting, saying
19 "awaiting decision".

20 SIR MICHAEL WRIGHT: That's the answer to the request.

21 A. Yes, that's correct, sir, yes.

22 SIR MICHAEL WRIGHT: Answer: wait?

23 A. Yes. Then --

24 SIR MICHAEL WRIGHT: Next event, he is going down the tube?

25 A. That is correct, sir.

- 1 SIR MICHAEL WRIGHT: Did you infer going down the
2 escalators?
- 3 A. Down the escalators, that is right, sir, yes.
- 4 SIR MICHAEL WRIGHT: Third is "state red"?
- 5 A. Trojan control "state red".
- 6 SIR MICHAEL WRIGHT: And then finally Trojan control asking
7 where he is?
- 8 A. That's correct, sir, yes.
- 9 MR HILLIARD: You have already told us that you never saw
10 Mr de Menezes, and I think after this you in fact went
11 to a location about 200 metres away from the tube and
12 stayed in your van; is that right?
- 13 A. That's correct, sir. I took up --
- 14 Q. I say "your van", whatever it was --
- 15 A. I took up a supporting role some 200 metres away from --
16 south in Clapham Road, away from the tube.
- 17 Q. Did you ever hear any instruction to S012 to make a stop
18 or not make a stop?
- 19 A. No, sir.
- 20 Q. Did you ever hear any positive identification of the man
21 who was being followed as being Nettle Tip?
- 22 A. No, sir.
- 23 Q. Did you ever hear, as it were, putting that in reverse,
24 any positive discounting of the man as being Nettle Tip?
- 25 A. No, sir.

1 Q. As far as you were concerned, as you understood it, what
2 was the status of the man? Do you follow the question?

3 A. Yes, sir. As far as I was concerned as I stated in the
4 Health and Safety trial, he was unidentified from the
5 moment he left the building -- Scotia Road, sorry -- to
6 the tube, Stockwell tube. That was my job, was to try
7 to obtain some imagery to either disprove or prove his
8 identity.

9 SIR MICHAEL WRIGHT: So you were particularly interested in
10 what people were saying about him?

11 A. No, not particularly. I was trying to get in
12 a position, sir.

13 SIR MICHAEL WRIGHT: To get pictures.

14 A. To get pictures, sir, yes.

15 SIR MICHAEL WRIGHT: But nevertheless identification was one
16 of your primary considerations?

17 A. That is correct, sir, yes.

18 SIR MICHAEL WRIGHT: And everybody as far as you were
19 concerned was saying, "We don't know, he's
20 unidentified"?

21 A. That's correct, sir, yes.

22 MR HILLIARD: I just want to know, for example, at the tube
23 station, Brixton tube, where you didn't manage to get
24 any pictures, would you have indicated that over the
25 radio system, that you hadn't managed, or would you

1 only, as it were, communicate if you managed to get
2 a picture?

3 A. I would have only communicated to James over the radio,
4 sir, if I had managed to get some imagery.

5 Q. Right. So the fact that you are saying nothing is
6 an indication that you had got nothing?

7 A. That's correct, sir, yes.

8 MR HILLIARD: Right. Thank you very much.

9 SIR MICHAEL WRIGHT: Mr Mansfield.

10 Questions from MR MANSFIELD

11 MR MANSFIELD: Good morning. My name is Michael Mansfield.

12 I represent the family of Jean Charles de Menezes. Just
13 one issue, really.

14 A. Good morning, sir.

15 Q. Had you got into a position, which I appreciate you
16 didn't, to obtain images of this unidentified person,
17 what was going to happen to the images? In other words,
18 were they going to be saved and dealt with later, or how
19 was this going to work?

20 A. Sir, I was -- I had the facility within my van to
21 transmit those images back to the operations room.

22 Q. Right. I was going to ask you about that, subject
23 obviously to sensitivity. So there was the facility
24 even then to obtain images which could be transmitted so
25 that somebody else could then actually take a look at

1 the image of the person as he appeared that day?

2 A. That's correct, sir, yes.

3 Q. Compared to the descriptions being given. Now, again

4 I do not want to know exactly how it's done, but that

5 presumably is done electronically pretty quickly once

6 you have an image?

7 A. It can take me up to about five minutes to do that, sir.

8 Q. Five minutes?

9 A. Yes.

10 SIR MICHAEL WRIGHT: Can you use the camera when you are

11 transmitting?

12 A. I have a variety of cameras, sir, so I could move on to

13 a second camera.

14 MR MANSFIELD: So in a nutshell, what was the problem about

15 you getting an image that day? Is it just --

16 A. The way I saw it, sir, is there were three options in

17 hindsight. Now, looking back at it, there were three

18 options for me to get an image.

19 There was an option right at the beginning when he

20 first came out; I wasn't able to do that because

21 I wasn't quick enough and due to the traffic at that

22 time of the morning I wasn't able to get a position to

23 obtain a photograph.

24 There was the option at Brixton tube station, where

25 again due to the traffic and the conditions I didn't see

1 where he went and I wasn't able to get an image there.

2 Then there was the option at Stockwell tube, but
3 I had dropped Ivor off and I had turned left, and again
4 it was across the road and due to the prevailing
5 conditions it was just impossible to get anything.

6 Q. All right. Leave aside the last two options.

7 A. Okay, sir.

8 Q. Go back to the beginning.

9 A. Yes, sir.

10 Q. You said you were south of Christchurch Road. Who was
11 really determining -- may I put it this way: did you
12 know where the address was in relation to where you
13 were?

14 A. Looking on the map, sir, having had the briefing, I knew
15 where the road was. I didn't exactly know where --
16 because I hadn't been down there, I didn't know where
17 the block was or the house was or whatever it was.
18 I didn't know where number 21 was, sir, because I hadn't
19 been down there.

20 Q. No, all right. But the question I have been asking
21 other witnesses is about this initial period of time,
22 because obviously it's -- did you recognise how
23 important it was at the beginning to try to get an image
24 because the window of opportunity, if this really was to
25 be Osman, was actually very limited? Do you recognise

1 that?

2 A. I recognised it, yes, but at the same time there was

3 already a van in position with capability of taking

4 video imagery. I know that couldn't be transmitted --

5 SIR MICHAEL WRIGHT: But not apparently transmitting.

6 A. No, that is not and still can't be done, sir. We still

7 haven't got the capability of doing that now.

8 SIR MICHAEL WRIGHT: Sorry, I thought you could.

9 A. Not from the surveillance teams, not -- the surveillance

10 teams themselves had handy-cams, little hand-held cams,

11 and they do not have the facility to transmit that

12 imagery back to an ops room.

13 SIR MICHAEL WRIGHT: Is that what Frank was using?

14 A. Yes, that's correct, sir, yes.

15 SIR MICHAEL WRIGHT: What did you have?

16 A. I had stills imagery, I had a stills camera, sir.

17 SIR MICHAEL WRIGHT: Which you could transmit?

18 A. Which I can, yes, but that involves a laptop and sending

19 imagery over a GSM encrypted line.

20 MR MANSFIELD: I'm concentrating on that facility for the

21 moment because it's an important facility and if it's

22 going to be used where there is a problem about

23 identification, do you follow me, you have really got to

24 be in a very accessible position, do you follow, before

25 the target, person, gets anywhere near a bus stop?

1 A. Yes, but I didn't know he was going towards a bus stop,
2 sir.

3 Q. No, I appreciate that, but --

4 A. I was in a position, sir. I was in the area of the
5 address.

6 Q. But had you worked out how long it was going to take
7 you, because you obviously didn't get there in time, to
8 get from Christchurch Road to -- well, not to
9 Scotia Road, because you are not going to drive up
10 there, but to the vicinity of Scotia Road, particularly
11 Upper Tulse Hill?

12 A. No, I hadn't worked it out, sir. I thought I was in
13 a position near enough to get around, to determine which
14 way whoever came out of the address would go.

15 Q. I have been through it with other witnesses and I do not
16 want to take up a lot of time, but the window of
17 opportunity one way, the minimum was four to five
18 minutes if he turned left and went up towards
19 Tulse Hill -- do you follow me? -- and the other way
20 could be longer.

21 So you would have to work out, if you are going to
22 make sense of your being there, you would have had to
23 have been within three minutes; in other words what I am
24 really suggesting is you should have been somewhere very
25 near Upper Tulse Hill, if not in Tulse Hill?

- 1 A. Not necessarily, sir.
- 2 Q. I don't say necessarily, but you have to be within
3 reach, otherwise it's a complete waste of
4 an opportunity; do you follow? I'm not blaming you
5 particularly but who's in charge?
- 6 A. It was the team leaders on the day, sir.
- 7 Q. The team leaders?
- 8 A. I take my instruction from the team leaders.
- 9 Q. Did they say: look, stick yourself in Christchurch Road
10 or somewhere near?
- 11 A. No, they leave that to me. They leave that to my own
12 devices, sir.
- 13 Q. We have heard quite a lot has been left to one's own
14 devices. Did you appreciate that there was a Silver
15 that had by the time you got there been appointed as
16 a location Silver; did you know that?
- 17 A. No, sir.
- 18 Q. You didn't know that?
- 19 A. No, sir.
- 20 Q. Because the location Silver really should have a handle
21 on all this, shouldn't he?
- 22 A. I can't answer that, sir.
- 23 Q. I think you can if you think about it.
- 24 SIR MICHAEL WRIGHT: We rather glided over what you were
25 putting a moment ago, Mr Mansfield.

1 MR MANSFIELD: I will go back to it, if I may.

2 SIR MICHAEL WRIGHT: I am sure you will.

3 What's really being suggested to you is you took up
4 a position which actually you didn't give yourself of
5 getting a decent shot of Mr de Menezes when he left
6 Scotia Road and made his way up to and along
7 Upper Tulse Hill. That is what it comes to.

8 A. Sir, if he had turned right out of the road, at the end
9 of Scotia, he would have been coming towards me.

10 SIR MICHAEL WRIGHT: In fact he turned away from you.

11 A. Indeed, sir. So I could have put myself in any position
12 around that plot and he could have gone the other way,
13 and I have done many times now where I have put myself
14 in a position and the subject that we have been
15 following has gone the other way.

16 SIR MICHAEL WRIGHT: Yes.

17 MR MANSFIELD: You are in a van?

18 A. That's correct, sir.

19 Q. If you are in Roupell Road -- you know Roupell Road?

20 A. That's the one at the top, isn't it.

21 Q. You can look on the diagram you have there. The one you
22 have in front of you. It's map 7 of the maps brochure.

23 A. Yes.

24 Q. I am afraid it isn't actually named. If you go to --
25 you see where it says "Bus route from these stops, route

- 1 201"?
- 2 A. Yes, sir.
- 3 Q. That block, it's the road underneath there.
- 4 A. That one there, sir, yes.
- 5 Q. We know someone else has parked in that road, but if in
6 fact you had been parked in that road and you had heard
7 that he had left the block, you could have been out on
8 foot if necessary, but that may have exposed you too
9 much; you could have been around the corner in your van
10 pretty quickly, couldn't you?
- 11 A. I could have done, sir, yes.
- 12 Q. Do you appreciate what I am putting? You would be
13 within -- by the time he had walked from the block in
14 which 21 was, you could have been in Tulse Hill itself
15 ready for him to turn either left or right, couldn't
16 you?
- 17 A. That's correct, sir, but as I understood it at that time
18 the red team had that plot and didn't want any of the
19 grey team or anyone else to come into that area.
- 20 Q. That's another issue. All right.
- 21 A. So that's why I stayed away, sir.
- 22 SIR MICHAEL WRIGHT: You told us you were south of
23 Christchurch Road?
- 24 A. That is correct, sir, yes.
- 25 SIR MICHAEL WRIGHT: So actually off this map altogether?

1 A. That is, yes, sir.

2 SIR MICHAEL WRIGHT: If I remember rightly,
3 Christchurch Road is the South Circular Road, isn't it?

4 A. The route I took to go round to -- I came down the
5 South Circular road and then back up into the one-way
6 system and then back into Tulse Hill, I think.

7 SIR MICHAEL WRIGHT: That's the one-way system up at the top
8 of the hill?

9 A. It's just off -- without a map.

10 SIR MICHAEL WRIGHT: We have all been there, so ...

11 A. Right, so I turned right on to Christchurch, came
12 south --

13 SIR MICHAEL WRIGHT: But you had Christchurch Road between
14 you and Scotia Road?

15 A. That's correct, sir, yes.

16 SIR MICHAEL WRIGHT: Christchurch Road, if I'm thinking of
17 the right road, it is a heavily trafficked road, isn't
18 it?

19 A. It is, sir, yes.

20 MR MANSFIELD: Final question, if I may, and I do not want
21 to trespass on sensitivity again, but this is really for
22 the future: has the technology improved since then, so
23 it's easier to take covert photographs and transmit?

24 A. The technology in terms of transmitting the imagery
25 hasn't changed. We still use the same technology, sir.

1 What has changed is the fact that we can now transmit
2 images -- once it's sent to the ops room, we can now
3 transmit images back out to the teams.

4 Q. Right. So they are going to be having hardware which
5 can receive those images?

6 A. That's correct, sir.

7 MR MANSFIELD: Thank you very much.

8 SIR MICHAEL WRIGHT: Thank you. Mr Stern?

9 MR STERN: No, thank you.

10 SIR MICHAEL WRIGHT: Ms Leek?

11 MS LEEK: No, thank you.

12 MR PERRY: No, thank you.

13 SIR MICHAEL WRIGHT: Thank you Mr Perry. Mr King?

14 MR KING: No, thank you.

15 SIR MICHAEL WRIGHT: Mr Horwell?

16 MR HORWELL: No, thank you.

17 SIR MICHAEL WRIGHT: Mr Gibbs.

18 Questions from MR GIBBS

19 MR GIBBS: Could I just clarify a couple of things, please,
20 Tim.

21 A. Yes, sir.

22 Q. We know from other officers that the observation van
23 within a surveillance team will usually, during the
24 follow, remain towards the rear of the follow in case it
25 needs to go into a static observation position halfway

- 1 through the follow?
- 2 A. Absolutely, sir, yes.
- 3 Q. What generally is the position during a follow of any
4 photographic van like yourself which is attached to the
5 team?
- 6 A. I would stay probably behind the observation van, sir.
7 I wouldn't want to expose my van to unwanted scrutiny.
- 8 Q. Quite. You have been given some advice about where you
9 might have positioned yourself on this particular day.
10 Are you quite an experienced surveillance photographer?
- 11 A. I am, sir; well, I am an experienced surveillance
12 officer, sir. I have done it two months short of ten
13 years now.
- 14 Q. It may be very good advice, but perhaps you could just
15 explain why it was that you chose to be where it was
16 that you chose to be on the day?
- 17 A. Basically one, as mentioned, the fact that the red team
18 had told the grey team in effect not to go near to the
19 plot, to stay off the plot, so I positioned myself in
20 an area which I thought would give me enough time to get
21 around -- as it happened it didn't give me enough
22 time -- but I would get around to take photographs of --
- 23 SIR MICHAEL WRIGHT: Bearing in mind that there was another
24 van there already.
- 25 A. That's correct, sir, yes. The OP van was already

1 in situ and I didn't want to --

2 SIR MICHAEL WRIGHT: The red team van?

3 A. That's correct, sir, yes. I did not want to ...

4 MR GIBBS: Could I just ask you to deal with some telephone

5 calls that we have on a schedule which is at tab 60 in

6 our bundle. It's a multicoloured document.

7 If I can take you to 09:47 on the right-hand side,

8 do you see at 09:47:44 there is a very short call, it

9 appears, from Trojan 84 to you?

10 A. That's correct, sir.

11 Q. Then another one in the next minute at 09:48 which is

12 slightly longer?

13 A. Yes, sir.

14 Q. Then if we go on to 09:56:13, which is on the second

15 page, do you see another call from Trojan 84 to you, and

16 that's about 12 seconds long?

17 A. Yes, sir.

18 Q. Do you remember receiving any telephone calls that day

19 during the follow?

20 A. During the follow, sir, I remember receiving two phone

21 calls, and that was in the vicinity of Brixton tube

22 station. One was from an officer from S013, identified

23 himself as from S013. The other was from an officer

24 identifying himself from S019. I didn't get a name.

25 What they were asking for was whether I was James and

1 whether I had James's phone number.

2 MR GIBBS: Thank you.

3 SIR MICHAEL WRIGHT: Thank you, Mr Gibbs. Mr Hilliard?

4 Nothing.

5 MR HILLIARD: Thank you very much.

6 SIR MICHAEL WRIGHT: Tim, thank you very much indeed. You

7 are free to go.

8 (The witness withdrew)

9 MR HOUGH: Sir, the next witness is Lawrence.

10 SIR MICHAEL WRIGHT: Thank you.

11 CODENAME "LAWRENCE" (sworn)

12 SIR MICHAEL WRIGHT: Thank you. Please sit down.

13 A. Thank you, sir.

14 Questions from MR HOUGH

15 MR HOUGH: I think you have been given the name Lawrence

16 both for the Health and Safety trial and for this

17 inquest?

18 A. That's correct, sir, yes.

19 Q. Is this right: in 2005 you were a police officer

20 attached to SO12 and a specialist surveillance officer?

21 A. Yes, I was, yes.

22 Q. You were on 22 July 2005 a member of the grey

23 surveillance team?

24 A. Yes.

25 Q. When we are looking at documents, your call sign ended

- 1 37?
- 2 A. That's correct, yes.
- 3 Q. And you have also been known as Hotel 8?
- 4 A. Hotel, yes.
- 5 Q. I think you were also an authorised firearms officer, so
- 6 not somebody in CO19 but trained and approved to use
- 7 firearms in your duty?
- 8 A. Yes, that's correct, yes.
- 9 Q. But not trained obviously to the same level as
- 10 specialist firearms officers?
- 11 A. No, no, just basic firearms officer.
- 12 Q. I think you made a number of witness statements in the
- 13 aftermath of these events, the first one on the day
- 14 after?
- 15 A. Yes, that's right.
- 16 Q. Do you have a copy of that with you?
- 17 A. I have indeed, yes.
- 18 Q. If you get it out now, you may find it helpful to look
- 19 at it from time to time and there is no problem about
- 20 that.
- 21 A. Thank you.
- 22 Q. While you are getting that out, I think you gave
- 23 evidence at the Health and Safety trial spanning two
- 24 days, 9 to 10 October last year?
- 25 A. That's right, yes.

- 1 Q. Moving to 22 July, we have heard about your team being
2 summoned by pager message to Tintagel House and then
3 being called to attend a briefing at New Scotland Yard?
- 4 A. Yes, that's correct.
- 5 Q. Were you summoned by that means as well?
- 6 A. I was indeed, yes.
- 7 Q. Then there was a briefing with Mr Whiddett and
8 an officer we are calling Colin?
- 9 A. Yes.
- 10 Q. In that briefing you were told of the suspects Osman and
11 Omar and another man?
- 12 A. Yes, that's right.
- 13 Q. You were told of a number of addresses but not told at
14 that stage which one you would be covering?
- 15 A. That's correct, yes.
- 16 Q. You were shown a pack of photographs, I think. If we
17 can show one up on the screen, tab 37 of the jury
18 bundle. Do you recognise this as one of the documents
19 you saw?
- 20 A. Yes, I do, yes.
- 21 Q. Because you were one of the people who saw
22 Mr de Menezes, I'll ask you this: what kind of quality
23 did you regard that image as being?
- 24 A. I would say it's fairly poor quality.
- 25 Q. Did you take a copy of this sheet with this image with

- 1 you on your deployment?
- 2 A. I didn't, no.
- 3 Q. But you had the opportunity to do so, I think?
- 4 A. I don't think there was enough to go around.
- 5 Q. Were you told anything about the strategy and what your
- 6 team would be doing around the premises that day?
- 7 A. My understanding was that we would go to the address and
- 8 take away any possible suspects from that address and
- 9 follow them, obviously we would identify them.
- 10 Q. Did any member of your team ask for clarification about
- 11 what you would be doing?
- 12 A. Yes, indeed. At the end of the briefing Harry, I think
- 13 his name is, asked DI Whiddett what we would do if
- 14 someone came out, I think it was, and DI Whiddett said
- 15 something like "contain" or "containment", and then
- 16 Harry asked him what he meant by that and DI Whiddett
- 17 shrugged his shoulders and said "contain", or words to
- 18 that effect.
- 19 Q. After the briefing, I think that firearms were
- 20 distributed and I think you were armed with a Glock
- 21 pistol that day?
- 22 A. That's correct, yes.
- 23 Q. Just to help us, where did you put that sidearm?
- 24 A. It was attached to my belt.
- 25 Q. But obviously underneath some clothes?

- 1 A. Absolutely. Concealed, of course. Sorry, concealed.
- 2 Q. We have heard again from others how your team went to
3 a holding area and then were told to go to Scotia Road
4 and deployed there, and other members of the team have
5 said that they arrived shortly before 9 o'clock. Was
6 that around the time you arrived?
- 7 A. Yes, I came with the team.
- 8 Q. I think you drove there in a car on your own?
- 9 A. That's correct, yes.
- 10 Q. Can we just locate where you were: tab 11 of the jury
11 bundle, 23A, please. If we look at a road north of
12 Upper Tulse Hill, if we see Upper Tulse Hill and then
13 just move immediately directly north, can you see the
14 words "Elm Park"?
- 15 A. Yes.
- 16 Q. A road running to the east off Brixton Hill?
- 17 A. Yes.
- 18 Q. Does that help you to locate where you were?
- 19 A. Yes, it does.
- 20 Q. Where were you?
- 21 A. Initially when I arrived on plot -- sorry, in the
22 area -- I parked at Elm Park initially.
- 23 Q. You say initially; did you go anywhere else between that
24 point and when you joined the follow?
- 25 A. Yes, I then parked in Brixton Hill in between

1 Morrish Road and Park Road, sir, which is on -- east of
2 Brixton Hill.

3 Q. Can you help by locating that on this map?

4 A. If you see where Christchurch is, the road Christchurch,
5 you go north up Brixton Hill, just on the left-hand side
6 you see Morrish Road.

7 Q. Yes. You see Morrish Road just being highlighted there.

8 SIR MICHAEL WRIGHT: Sorry, where did you start from?

9 A. Elm Park, sir. Further north.

10 SIR MICHAEL WRIGHT: The one further north, actually
11 opposite the prison?

12 A. Yes, sir.

13 MR HOUGH: Those have been helpfully highlighted by Tom.

14 Between 9 o'clock when you arrived and 9.30, when
15 you were in those two places, were you listening to the
16 traffic on the Cougar?

17 A. I was indeed, yes, sir.

18 Q. Did you hear anything about support from C019?

19 A. I believe I was informed that C019, I believe, were to
20 arrive in the area and pitch up at the TA Centre, which
21 is nearby.

22 Q. Did you hear anything over the radio about bus routes?

23 A. Yes, I believe Derek had informed us that he had
24 requested that bus routes be cancelled in that area, but
25 not whether he came back with the result whether they

1 were or not.

2 Q. So you didn't know whether they had been?

3 A. I didn't, no.

4 Q. Thirdly this: was anything said over the radio about
5 what your team would do if somebody came out of the
6 premises who seemed to be one of the suspects?

7 A. If I recall correctly, and unfortunately it's faded
8 after all this time, but I believe Derek, supported by
9 James over the radio, suggested that if someone came out
10 of the address who was a suspect, who posed a threat,
11 maybe had a rucksack or something like that -- I think
12 it was mentioned, I'm not too sure -- as firearms
13 officers we would just make the stop, both the red team
14 and the grey team.

15 SIR MICHAEL WRIGHT: You are speaking quite quickly. Can we
16 have that answer again?

17 A. Yes, indeed, sir. Derek I think over the radio,
18 supported by Lawrence -- supported by James, said if
19 anyone came out of that address who was a suspect, and
20 I think possibly mentioned the rucksack, I think he
21 mentioned a rucksack, we would stop him ourselves before
22 he boarded a bus.

23 MR HOUGH: Moving on to after 9.30, we know that

24 Mr de Menezes came out of the block just after 9.30.

25 Did you hear his coming out being described over the

- 1 radio?
- 2 A. Yes, I was aware he did come out, yes.
- 3 Q. What did you hear over the first five or ten minutes or
4 so about his description and identification?
- 5 A. I can't fully give a recollection of what was said other
6 than the suspect came out of the address. Initially it
7 was -- he was almost dismissed, but it came round from
8 I think it was Harry said it's worth another look and
9 then we took him from that area.
- 10 Q. Is Harry a member of your team?
- 11 A. No, he is -- not Harry, sorry.
- 12 Q. Do you mean Frank?
- 13 A. Frank, sorry.
- 14 Q. The man in the van?
- 15 A. The man in the van, yes.
- 16 Q. Did you then drive off to join the follow?
- 17 A. I did indeed, yes.
- 18 Q. Did you drive up towards Brixton Road?
- 19 A. I did indeed, yes.
- 20 Q. Going north. Can we have tab 11, page 23B on the
21 screen, please. You see there the route of the bus
22 marked in red, and I think you found yourself driving
23 north a little behind the bus on Brixton Road?
- 24 A. That's correct, yes.
- 25 Q. Is this right: you arrived there sometime around 9.47?

- 1 A. Yes.
- 2 Q. At that stage, as you were driving up towards
3 Brixton Road, had you been aware that one of your
4 colleagues, Ivor, was on the bus with the subject?
- 5 A. Yes, indeed, yes.
- 6 Q. By that stage, so before you are getting to
7 Brixton Road, had you heard anything to the effect that
8 the subject was or was not one of your suspects?
- 9 A. He wasn't confirmed or denied at that stage, no.
- 10 Q. We have heard from Ivor that he communicated that the
11 subject had distinctive Mongolian eyes.
- 12 A. That's right, yes.
- 13 Q. Is that something that you you heard relayed?
- 14 A. Yes.
- 15 Q. As you were driving up Brixton Road to the north, did
16 you in fact see the subject of your surveillance, whom
17 we now know to be Mr de Menezes?
- 18 A. I did, yes.
- 19 Q. Where was he when you saw him?
- 20 A. He had stepped off. He was on the footpath on
21 Brixton Road. He had deployed -- got off the bus and
22 walking north on Brixton Road. He was followed by Ivor.
- 23 Q. So when you saw him he had already got off the bus?
- 24 A. Yes.
- 25 Q. He was on the left-hand pavement?

- 1 A. Yes.
- 2 Q. Walking north, followed by Ivor?
- 3 A. Yes.
- 4 Q. Were there other people around him or between you and
5 him?
- 6 A. There were other people on the footpath but nobody was
7 in between me and him as such.
- 8 Q. Did you drive past him and get a view of him?
- 9 A. I did indeed, yes.
- 10 Q. What kind of view of him did you have in terms of the
11 angle of his head and face?
- 12 A. Initially -- the traffic is quite slow on that road at
13 that time of day, so I drove past him quite slowly.
14 I initially had a side view of him. As I drove past him
15 I looked behind my shoulder; I had a full-frontal view
16 of him for a split second.
- 17 SIR MICHAEL WRIGHT: Seeing him on the footpath at Brixton
18 when he got off the bus, was that the first chance you
19 had actually to see him?
- 20 A. It was, sir, yes.
- 21 MR HOUGH: So initially a side profile, then as you drive
22 past look over your shoulder and catch a full-frontal
23 view, but only for a split second?
- 24 A. Yes that's correct.
- 25 Q. In those two views what did you notice about his dress,

- 1 appearance and features?
- 2 A. He was dressed in denim jacket, denim jeans, nothing
3 particularly different about his appearance which wasn't
4 given over the radio or the commentary from Ivor.
5 I concur with the description given by Ivor.
- 6 Q. So you say you concurred with the description given by
7 Ivor; which part of the description did you particularly
8 concur with?
- 9 A. The description Ivor gave about Mongolian eyes.
10 I thought Mr de Menezes had distinctive eyes which could
11 be described as Mongolian.
- 12 Q. What does that phrase mean to you?
- 13 A. To me it was -- probably the best way to describe it
14 would be almond-shaped eyes, not so much Chinese but
15 certainly shaped more almond rather than caucasian.
- 16 Q. Did you notice anything or did anything strike you about
17 the man's demeanour or movements?
- 18 A. No.
- 19 Q. At that time, when you were driving past, did you
20 broadcast anything about the description of the man you
21 had seen?
- 22 A. No, I didn't.
- 23 Q. You said you saw Ivor also and that he was behind the
24 subject?
- 25 A. That's correct, yes.

- 1 Q. After you have seen them and driven past obviously, you
2 don't know what the subject is going to do; you don't
3 know he is going to get back on the same bus?
- 4 A. No, absolutely not.
- 5 Q. What did you decide to do?
- 6 A. I decided to get on -- dump my car and get on the
7 footpath to assist Ivor in the foot follow.
- 8 Q. So you decided to drop off your car and get out and
9 attempt to follow wherever the subject was going?
- 10 A. Yes.
- 11 Q. Again, can we have tab 11/23B up on screen. Can you
12 help us with roughly where you parked your car?
- 13 A. I think -- I don't think I have written it in my
14 statement, but I think it's on the left-hand side, off
15 Brixton Road, possibly Dale Road, which is just north of
16 Nursery Road.
- 17 Q. Where we see the sports centre?
- 18 A. Yes, indeed, yes.
- 19 Q. I wonder if that can be highlighted. Yes, around there.
- 20 SIR MICHAEL WRIGHT: So you actually got off Brixton Road?
- 21 A. I did, sir, yes, and parked on a side road.
- 22 SIR MICHAEL WRIGHT: I dare say parking on Brixton Road
23 wouldn't have been very easy.
- 24 A. Not at all, sir, no.
- 25 MR HOUGH: Did you then get out of the car and walk back to

- 1 where you had seen the subject?
- 2 A. That direction, yes.
- 3 Q. Did you see anything of him when you had got to that
- 4 point?
- 5 A. No, I didn't, no.
- 6 Q. Had you become aware from radio transmissions what had
- 7 happened to him?
- 8 A. Yeah, I was made aware he was heading back and got on
- 9 the bus.
- 10 Q. By the time that you had got back to where you had seen
- 11 him, had he actually got on the bus according to those
- 12 transmissions?
- 13 A. Yes.
- 14 Q. Shortly after that were you seen and picked up by James,
- 15 your team leader, in his car?
- 16 A. Yes, indeed, yes.
- 17 Q. Was that in fact on Brixton Road?
- 18 A. No, it was round the corner. I think it was
- 19 Stockwell Road.
- 20 Q. So just where we see Brixton Road turning left into
- 21 Stockwell Road?
- 22 A. Yes, indeed, yes.
- 23 Q. At the time that he picked you up, I think Ken was in
- 24 his passenger seat acting as his loggist?
- 25 A. That's right, yes.

- 1 Q. As he picked you up, what was James doing?
- 2 A. I believe he was speaking either into his mobile phone
3 or on to the radio.
- 4 Q. So you can't say which?
- 5 A. I couldn't say for definite, but he was speaking,
6 talking to somebody, remarking that he thought he was
7 a good possible.
- 8 Q. Pausing there, what was Ken doing?
- 9 A. He was in the front. I couldn't see because he had his
10 back to me.
- 11 Q. You said that James was speaking either on phone or on
12 mobile to somebody; did you know who the somebody was
13 either immediately or afterwards?
- 14 A. For definite no, but I thought it was the ops room.
- 15 Q. You said that you heard James saying that he was a good
16 possible; anything more than that?
- 17 A. At that time, no.
- 18 Q. Good possible for anyone in particular?
- 19 A. I assumed it was for Nettle Tip.
- 20 Q. How did you respond to these words of James?
- 21 A. I said, "I don't think it was him".
- 22 Q. Did you say that while he was communicating with what
23 you thought was the operations room or after he had
24 finished?
- 25 A. It was actually after he had finished talking to them.

1 SIR MICHAEL WRIGHT: Were those near enough your actual
2 words, "I don't think it's him"?

3 A. The actual words were, "I don't think it's him".

4 MR HOUGH: Can we have on screen your statement, page 264 of
5 the statements bundle. It's right at the top of the
6 page:

7 "Shortly afterwards I was in the company of James
8 and Ken. I informed James that on the view I had of
9 this male I did not believe he was identical with
10 Nettle Tip."

11 A. Yes.

12 Q. Is this right you said that in a statement you wrote on
13 the day after these events?

14 A. Yes. I am just looking, just reading this here. (Pause)
15 Yes, I said I didn't believe it was him, yes.

16 Q. Thanks very much. If we can have that off screen now.
17 We will see in a moment why it's significant to note
18 that you wrote that on the day afterwards.

19 When you had said those words to James, how did he
20 react or what did he do?

21 A. He showed me the picture which we got from the briefing,
22 which was on previously.

23 Q. The one we saw earlier?

24 A. Yes. He used his hand, he covered the bearded area of
25 that subject's face and said it was a good likeness or

1 something like that, or a good possible, words to that
2 effect.

3 Q. Did that persuade you?

4 A. No.

5 Q. What did you say?

6 A. I mean, I said nothing afterwards. I mean, I couldn't
7 be adamant that it was definitely not the subject we
8 were looking for, but I didn't change my opinion at all.

9 Q. Anything else said between you and Ken, of course, who
10 was also involved, and James about identification over
11 that journey in the car?

12 A. No.

13 Q. Anything else communicated by James or Ken in your
14 hearing to the operations room about identification at
15 this stage?

16 A. No.

17 Q. While you were in the car, was anything said to say to
18 the operations room, anything beyond "good possible"?

19 A. No.

20 SIR MICHAEL WRIGHT: You said you didn't change your
21 opinion; did you tell James that?

22 A. I didn't, no.

23 SIR MICHAEL WRIGHT: You just --

24 A. I gave my opinion that I didn't think it was him and
25 then left it at that, sir.

1 SIR MICHAEL WRIGHT: Left it at that, yes.

2 MR HOUGH: Perhaps we can have documents page 465 on screen.

3 This is one of the supplementary entries in the log. We

4 don't need to go to the original entry but this is

5 something you wrote during the debriefing of the log?

6 A. That's correct, yes.

7 Q. Just to remind ourselves, that debriefing of the log

8 took place between 8.40 pm and 10.30 pm on the night of

9 22 July?

10 A. That's correct, yes.

11 Q. Can we just run through this:

12 "Reference the discussion I had with James relating

13 to the identity of NT ..."

14 Pausing there, you are using "NT", Nettle Tip, just

15 to refer to the subject, whoever he might be?

16 A. Yes.

17 Q. "... I saw the male who is referred to at NT ..."

18 Perhaps "as NT":

19 "... on the Brixton Road after he had left the

20 number 2 bus (refer 9.47 am)."

21 We have seen that entry:

22 "I saw a side view of his face as I slowly drove

23 past him whilst he walked along the nearside footpath.

24 Looking back, I had a split-second view of his face

25 and~..."

- 1 The word is "and" there immediately after "face":
- 2 "... I believed it was not NT [or Nettle Tip].
- 3 I told James shortly afterwards ..."
- 4 Can you interpret the next words?
- 5 A. "... whilst I was in the vehicle ..."
- 6 Q. "... whilst I was in his vehicle, as referred as above."
- 7 There is your call sign next to that and your
- 8 initials at the top and bottom?
- 9 A. That's correct, yes.
- 10 Q. Can we go back to the previous page, please. I think
- 11 you have been told already that there has been some
- 12 scientific testing of this page, this document?
- 13 A. That's right.
- 14 Q. I think you are aware that that scientific testing has
- 15 shown that the word "not" before "NT" was added after
- 16 the rest of the entry?
- 17 A. That's right, yes.
- 18 Q. I think the word "and" has also been shown to have been
- 19 added after the word "face"?
- 20 A. Correct, yes.
- 21 Q. That allegation I think was put to you some months after
- 22 these events. Can you remember how you reacted when the
- 23 allegation was first put to you?
- 24 A. Disbelief, to be honest with you. I was being accused
- 25 of conspiracy to pervert the course of justice and

1 couldn't think of anything further from the truth,
2 really. I thought it was a ridiculous allegation
3 initially.

4 Q. Did you then provide a formal response to caution on
5 this point?

6 A. Yes, I did, yes.

7 Q. Perhaps we can have that on screen. It's page 1502 of
8 the documents. This is signed by you, Hotel 8, and it
9 reads -- I don't think we need the first paragraph, but
10 the second paragraph just below what we have on screen
11 at the moment:

12 "After the entries of Hotel 5 and Hotel 6,
13 I contributed to that supplement. My entry commences at
14 page 11, line 5, and continues on to line 1 of page 12."

15 That's the section we have just read out?

16 A. Yes, that's correct, yes.

17 Q. "This is my handwriting. After I completed the entry
18 I read it through. I have no recollection of amending
19 the entry but understand it is alleged that the words
20 'and' and 'not' were not written contemporaneously with
21 the rest of the entry. The only time I could have added
22 those words was when I read the entry through, realised
23 the error and added them, as the log was never in my
24 possession again from the time I finished the entry
25 other than to sign it at 10.30 pm on page 15."

- 1 A. That's correct, yes.
- 2 Q. "I have no recollection of anyone bringing the error to
3 my attention when the log was read out by Hotel 5 when
4 the debrief was concluded. I can only conclude
5 I spotted the error when I read it through to myself
6 after writing my entry and amended it then to read
7 correctly."
- 8 A. That's correct, yes.
- 9 Q. Is this right: in that response to caution document
10 dated 1 December 2005 you were saying that you had no
11 recollection of amending the entry?
- 12 A. That's correct, yes.
- 13 Q. That if you did amend it, it must have happened before
14 10.30 pm that night because you didn't have the log with
15 you at any point thereafter?
- 16 A. That's right, yes.
- 17 Q. You were also saying that if you did make that
18 amendment, it wasn't made right at the end when the team
19 leader read out the log; it must have been made by you
20 at a stage before that when you were making your
21 entries?
- 22 A. Yes.
- 23 SIR MICHAEL WRIGHT: When you were actually doing the
24 writing?
- 25 A. I believe so, yes.

- 1 MR HOUGH: Is this right: none of your colleagues has said
2 that they might have made any alteration to that?
- 3 A. No, definitely not.
- 4 Q. They have all denied that?
- 5 A. Yes.
- 6 Q. At the trial you mentioned that you answered the
7 questions put to you to the effect that it could have
8 been you who altered it, subject to what you have just
9 told us?
- 10 A. It was me that altered it, there is no doubt. It is my
11 handwriting.
- 12 SIR MICHAEL WRIGHT: So it was you definitely?
- 13 A. Definitely, there is no question about that. It was my
14 handwriting.
- 15 MR HOUGH: In terms of your training about writing up logs,
16 are you given any instructions about what you should do
17 if you notice something that needs changing and you have
18 to make an alteration?
- 19 A. Yes, we are given instructions and I didn't comply with
20 those that night.
- 21 Q. What are those instructions?
- 22 A. For me to make an amendment like that I should have
23 initialled it or put 8 where I was going to add the word
24 and put the word "not" afterwards. I didn't correct or
25 amend the log properly unfortunately.

- 1 Q. Is this right: that you should do that even if you are
2 making the amendment five minutes later?
- 3 A. Yes, you should have done. I have unfortunately messed
4 up that.
- 5 Q. So you accept that you made a mistake but you say, is
6 this right, that there is nothing sinister to it, you
7 haven't been trying to cover up anything?
- 8 A. No, I have made a mistake unfortunately but there is
9 definitely no cover-up.
- 10 Q. Can we move on in the sequence of events. This relates
11 to the time you were in the car with James and Ken. Did
12 you remain in the car as it drove north up Brixton Road
13 and then Stockwell Road?
- 14 A. Yes, I did.
- 15 Q. We have heard from James that he drove north with a view
16 to dropping you off ahead of the bus so that you could
17 get off at a stop, wait for the bus and get on the bus.
- 18 A. That's correct, yes.
- 19 Q. Is that in fact what you did?
- 20 A. I did indeed, yes.
- 21 Q. Did you get off a stop some way up the road?
- 22 A. Yes, it was probably towards the end of that road I got
23 on to that bus.
- 24 Q. Perhaps we can have tab 11 of the jury bundle, first of
25 all 23B, just to see what recollection you have.

1 We see where the road turns from Brixton Road left
2 to Stockwell Road and then up the road. Do you think
3 you got on at any bus stop which might be shown on this
4 map or shall we go north?

5 A. I think it's further north.

6 Q. Can we have 23C, please. Does this help you to locate
7 roughly where you --

8 A. I think roughly it was around Irvine Gardens on the
9 left-hand side of Stockwell. It was the one stop before
10 Stockwell tube stop.

11 Q. Perhaps that can be highlighted so everyone sees it.

12 Thank you.

13 Once you got on the bus, is this right, you scanned
14 the lower level of the bus with a view to seeing if your
15 subject was there?

16 A. That's correct, yes.

17 Q. Did you see him there?

18 A. No, I didn't.

19 Q. Perhaps we can have a short clip of film shown, it's
20 PJJ/1, camera 1, CH14.

21 (Video footage shown)

22 This shows you getting on the bus around 9.56, 9.57.

23 A. Okay, yes, that's me.

24 Q. Did you then go up the stairs with a view to look for
25 your subject?

- 1 A. Yes, I did.
- 2 Q. Did you see him once you got on to the top deck?
- 3 A. I did indeed, yes.
- 4 Q. Where was he sitting?
- 5 A. He was about four rows behind the banister of the stairs
6 on the right-hand side of the bus.
- 7 Q. On the right-hand side of the bus as the driver is
8 looking at it?
- 9 A. As the driver looks at it.
- 10 Q. As you came up the stairs, and turned towards the back
11 of the bus, it was on the left?
- 12 A. On the left, yes.
- 13 Q. Perhaps we can have another short bit of film. It's
14 PJJ/1, camera 8, CH13. I think we might have to go
15 back, actually. I am not sure this is the right one.
16 That's fine.
- 17 (Video footage shown)
- 18 If we play that again. It's very quick.
- 19 Does that show where he was?
- 20 A. It does, yes, indeed, sir.
- 21 Q. We have seen from that that the top deck of the bus
22 looked quite busy; was it quite busy when you got on?
- 23 A. It was, yes.
- 24 Q. Where did you sit down?
- 25 A. I sat about four rows behind him on the opposite side

- 1 of the bus.
- 2 Q. Were there any heads or people between you and him as
- 3 you were looking towards him?
- 4 A. Not on the aisle. I had a clear view of his head so
- 5 I knew where he was.
- 6 Q. I think you were on the bus with him after that for
- 7 about --
- 8 SIR MICHAEL WRIGHT: He was on the offside of the bus, you
- 9 were on the nearside?
- 10 A. That's correct, sir, yes.
- 11 MR HOUGH: I think you were on the bus together for about
- 12 three or four minutes?
- 13 A. Roughly, sir, yes.
- 14 Q. Over that time, your view of him if he was looking
- 15 forward would have been towards the back of his head?
- 16 A. Yes, indeed.
- 17 Q. Did he at any stage turn his head round so you could see
- 18 him more clearly?
- 19 A. No.
- 20 Q. What was he doing as far as you could tell?
- 21 A. He was just sat on the bus like any other passenger.
- 22 Q. Over that time, did you communicate with the rest of
- 23 your team at all?
- 24 A. I did, yes.
- 25 Q. How did you do that?

- 1 A. Initially --
- 2 Q. Without giving anything away.
- 3 A. Initially Harry phoned me, in fact, on my mobile and
- 4 I spoke to Harry.
- 5 Q. We have a call on our various telephone schedules, Harry
- 6 calling you at 9.59 for a period of 12 seconds. Would
- 7 that be the right call?
- 8 A. That would be the right call, yes.
- 9 Q. So a very short call?
- 10 A. Yes.
- 11 Q. What was said in the course of that call?
- 12 A. It was very much that Mr de Menezes was on the top of
- 13 the bus and as I spoke to Harry on the phone
- 14 Mr de Menezes got off his seat and went towards the
- 15 stairs and I relayed that to Harry as well, relaying
- 16 over the radio.
- 17 Q. Was the bus moving at this point?
- 18 A. It was, yes, slowly.
- 19 Q. So just moving up towards the stop near Stockwell tube
- 20 station?
- 21 A. Indeed, yes.
- 22 Q. Did Harry then relay that over the Cougar radio?
- 23 A. Yes, he did, yes.
- 24 Q. Did Mr de Menezes go straight down to the bottom deck or
- 25 was he held up on the stairs?

- 1 A. He was actually held on the stairs.
- 2 Q. For how long?
- 3 A. 10, 15 seconds; that's a guess. It was a short period
4 of time, but significant.
- 5 Q. We have seen where the bus stops at a stop on the
6 South Lambeth Road just beyond the tube station. Did
7 Mr de Menezes get off the bus?
- 8 A. He did indeed, yes.
- 9 Q. Did you get off the bus after him?
- 10 A. Yes. Not straight after him.
- 11 Q. Did you, over this period while you are coming down the
12 stairs, getting off the bus, starting along the
13 pavement, receive any transmissions from the rest of
14 your team?
- 15 A. Yes, Ken had picked up Mr de Menezes on the footpath.
- 16 Q. Where were you when you got that transmission?
- 17 A. I was on the bus.
- 18 Q. So after getting off the bus, is this right, you would
19 have turned left?
- 20 A. Yes.
- 21 Q. Walking towards the tube station?
- 22 A. Yes.
- 23 Q. Did you have sight of him as you got off the bus and
24 started moving?
- 25 A. I didn't, no.

1 Q. So you had lost sight of him in that brief period?

2 A. Yes.

3 Q. Perhaps we can have another bit of film, TS/1, camera 6,
4 CH19. Perhaps we can just watch this through. This
5 will give us an idea of where you were positioned and
6 Ken was positioned relative to Mr de Menezes as he is
7 walking.

8 (Video footage shown)

9 We see him pass. Bus stop to the left of the
10 picture, tube station to the right. That's how far Ken
11 is behind him. (Pause) This is how far you are behind
12 the two of them?

13 A. Yes.

14 Q. Thanks very much.

15 SIR MICHAEL WRIGHT: This is all real time, isn't it?

16 MR HOUGH: This is all real time.

17 SIR MICHAEL WRIGHT: One second lapses between the stills,
18 or do they vary?

19 MS STUDD: Two seconds.

20 MR HOUGH: I am assisted. They are different cameras,
21 obviously.

22 You are then seen walking towards the station. Did
23 you enter the station?

24 A. I did indeed, yes.

25 Q. Over that period of time did you get any more traffic

1 over the Cougar about what was happening up ahead?

2 A. As far as I was aware, Mr de Menezes had gone down to
3 the tube on to the platform.

4 Q. Before that, we have heard that there was an offer from
5 James issued to the control room to detain the suspect,
6 not personally but his team. Did you hear that over the
7 radio?

8 A. Yes, indeed I did, yes.

9 Q. Where were you when you heard that?

10 A. I think I would have probably got off the bus by that
11 stage and made my way towards the tube.

12 Q. We have seen Ken ahead of you. We know that Ivor was
13 still further ahead, actually in the tube station
14 concourse at this point. Were you aware of Ken and Ivor
15 by sight? I know you have heard about Ken, but could
16 you see either of them as you --

17 A. To be honest, no.

18 Q. Again, can we have another bit of film, CC/3, camera 6.
19 This will give us an idea of where you are in the
20 sequence of people.

21 (Video footage shown)

22 We are very familiar with this now. Mr de Menezes
23 entering, going to pick up his newspaper. Ivor around
24 the edge. Ivor passing behind the pillar, then Ken.

25 (Pause) Ivor and Ken through the barriers behind

- 1 Mr de Menezes. (Pause) Pause there, please.
- 2 So these are the relative positions of you ahead and
- 3 Malcolm behind?
- 4 A. Yes.
- 5 Q. At that point were you aware of Malcolm being behind
- 6 you?
- 7 A. No.
- 8 Q. Thanks very much. We can have that off screen now.
- 9 I think, is this right, you then went straight
- 10 ahead, through the barriers and down the escalators?
- 11 A. Yes.
- 12 Q. At any stage over this period, as you are off the bus
- 13 towards the tube station, then into the tube station,
- 14 were you aware of CO19 officers on their way?
- 15 A. No.
- 16 Q. Did you at any stage hear a transmission from CO19 over
- 17 the Cougar?
- 18 A. No.
- 19 Q. Didn't hear "state red"?
- 20 A. No.
- 21 Q. Did you have good Cougar reception as you were walking
- 22 towards and through the concourse?
- 23 A. Whilst on the top level of the tube, yes.
- 24 Q. We have got you going down the escalators. Can we have
- 25 tab 31 of the jury bundle on screen, please. This is

1 a picture we have seen before. As one comes down the
2 escalators and towards the platforms, this is what you
3 see on your left.

4 Which platform did you go towards and why?

5 A. As I come down here, down the steps, I think Malcolm is
6 ahead of me at this stage. He takes a left. I follow
7 him left as well on to the -- you can see the picture
8 there, towards the train.

9 Q. So Malcolm has got ahead of you and you have recognised
10 him at that point?

11 A. Yes.

12 Q. He turns to the left and you follow. We have heard that
13 there was a train held at the platform?

14 A. That's correct, yes, sir.

15 Q. What did Malcolm do ahead of you?

16 A. He walked onto the carriage ahead of him, directly ahead
17 of him.

18 Q. So these are the doors we can see --

19 A. Yes.

20 Q. -- immediately through there. He said he didn't
21 actually get into the train but just looked in. Can you
22 recall which it was?

23 A. I saw him walking towards and I thought he stepped on to
24 it, but I can't give 100 per cent certainty to that.
25 I turned the other way.

- 1 Q. Where did you go?
- 2 A. I turned left at that stage.
- 3 Q. So you turned left, and did you get onto to the train at
4 any point?
- 5 A. I did indeed, yes.
- 6 Q. Which doors did you get into?
- 7 A. It was the carriage next to this carriage here.
- 8 Q. So not just the next doors but the next whole carriage?
- 9 A. Yes.
- 10 SIR MICHAEL WRIGHT: Sorry, going which way?
- 11 A. Left, sir.
- 12 SIR MICHAEL WRIGHT: Left along the platform?
- 13 A. Left on the platform, yes, sir.
- 14 MR HOUGH: Once you had got in there, did you look for the
15 subject to see if you could locate him?
- 16 A. Yes, indeed, yes.
- 17 Q. Did you see him there?
- 18 A. No, he wasn't in my carriage.
- 19 Q. What did you do then?
- 20 A. I walked along the carriage and sat down facing the
21 platform.
- 22 SIR MICHAEL WRIGHT: You were actually, as we know now,
23 going away from him?
- 24 A. Yes.
- 25 SIR MICHAEL WRIGHT: Because you had gone left instead of

- 1 right?
- 2 A. Yes.
- 3 MR HOUGH: Did the train then hold at the platform for
- 4 a short time?
- 5 A. It did indeed, sir, yes.
- 6 Q. You had been sitting down. The train was held at the
- 7 platform. Did you stay sitting down?
- 8 A. No, I didn't, sir. It seemed like an eternity but it
- 9 was about ten seconds I think that the doors hadn't
- 10 closed, there was no beeping of the doors closing, so
- 11 I got up to see what the problem was as such.
- 12 Q. Did you walk to the doors themselves?
- 13 A. I walked to the doors and looked along the platform.
- 14 Q. What could you see?
- 15 A. At that stage I saw about four to six men run on to the
- 16 platform, who were from S019.
- 17 Q. You say "from S019"; how did you recognise them as from
- 18 S019?
- 19 A. One had a police cap on, a police firearms cap on, but
- 20 one, more importantly, had a long-barrelled weapon.
- 21 I couldn't tell you what kind of weapon it was, but ...
- 22 Q. Where did they go?
- 23 A. On to the carriage where I thought Malcolm was, the
- 24 carriage next to me.
- 25 Q. So the carriage, as we are looking at this photograph,

- 1 further to the right?
- 2 A. Yes.
- 3 Q. Down the platform. Did they enter the train as far as
4 you could see?
- 5 A. Yes.
- 6 Q. Could you hear anything as they were either running on
7 to the platform or entering the train?
- 8 A. I believe I heard a shout but I couldn't tell you what
9 was shouted or what was said or who said it. It was
10 a noise; I believe it was a shout of some sort.
- 11 Q. You have said in your statement, and I won't get it up,
12 that it wasn't clear to you who was shouting or what was
13 being said.
- 14 A. That's correct, sir.
- 15 Q. As far as you are concerned it could have been the
16 firearms officers?
- 17 A. Could have been, yes.
- 18 Q. But it could have been civilians?
- 19 A. Yes.
- 20 Q. Or it could have been one of your colleagues?
- 21 A. Yes.
- 22 Q. We have heard about one of his shouts.
- 23 SIR MICHAEL WRIGHT: Can I just ask you this. Sorry,
24 Mr Hough. Until you saw the CO19 officers -- I mean you
25 obviously recognised them when you saw them as CO19

1 officers.

2 A. Firearms officers, yes, sir.

3 SIR MICHAEL WRIGHT: Up to that point, what did you think

4 was going on; just a continuation of the follow?

5 A. Yes, as far as I was concerned, sir, we were just going

6 to continue on the tube to the next stop, until

7 Mr de Menezes got off and --

8 SIR MICHAEL WRIGHT: This was just the follow continuing?

9 A. It was just a conventional follow.

10 MR HOUGH: Just following that up, why had you got on the

11 train and sat down; what was your purpose?

12 A. To follow, with the rest of the team, follow

13 Mr de Menezes off.

14 Q. So to stay on the train and then to be able to assist in

15 any follow from there?

16 A. That's correct, yes, sir.

17 Q. After you had seen these people enter the train, the

18 firearms officers, and you had heard a shout, did you

19 hear anything more?

20 A. Yes, I mean, shortly after the shout I heard the shots

21 being fired out.

22 Q. How long after the shout?

23 A. It was almost immediately afterwards.

24 Q. One of your colleagues was asked this, so I'll ask it of

25 you: can you be sure that the shout took place before

1 the shots or could it in fact have taken place
2 afterwards?

3 A. As far as I recall it was before, but I couldn't give
4 a 110 per cent answer. My recollection, it was before.

5 Q. Did you see anything from the direction the shots were
6 being fired?

7 A. Passengers screaming and running away from the area.

8 Q. Did you then get out on to the platform?

9 A. No, I stood initially on my train, I took out my Glock
10 and sat on the train -- I stood on the train looking
11 down that platform to see what was coming.

12 Q. You had got out your firearm?

13 A. Yes.

14 Q. And you waited there. How long did you wait there for?

15 A. I think a couple of seconds.

16 Q. What did you do then?

17 A. Then I saw another S019 officer come away from that
18 carriage with his Glock shouting, "Clear the area, clear
19 the area", or words to that effect. That's when
20 I stepped off my carriage and screamed -- not
21 screamed -- shouted to everyone else, "Clear the area",
22 and took people up the stairs.

23 Q. So you then assisted in the evacuation of the train and
24 the area?

25 A. Yes.

1 Q. Did you see a number of your colleagues on the platform?

2 A. At that stage I didn't notice anyone. I wasn't looking
3 for any colleagues, to be honest with you.

4 Q. While you were at the tube station, either immediately
5 afterwards or over the next hour or so, did you have any
6 conversation with any of the firearms officers about
7 what had happened?

8 A. No.

9 MR HOUGH: Thank you very much. Those are my questions.

10 Questions from THE CORONER

11 SIR MICHAEL WRIGHT: Before you start, I have one or two
12 matters.

13 I want to just ask you one question about the
14 alterations to the log book.

15 A. Yes, sir.

16 SIR MICHAEL WRIGHT: You told us that you made those
17 corrections as and when you were writing the actual
18 addendum to the log yourself.

19 A. Yes.

20 SIR MICHAEL WRIGHT: The next you heard about it was,
21 I think you said, some months later.

22 A. It was five months later, sir.

23 SIR MICHAEL WRIGHT: Five months later. Your understanding
24 is that in that five months the entries in the log had
25 been subject to some sort of scientific tests?

1 A. Yes, sir.

2 SIR MICHAEL WRIGHT: I don't suppose you know what?

3 A. Not at that stage, no.

4 SIR MICHAEL WRIGHT: You were then accused, effectively, of

5 having wrongfully altered the log?

6 A. I was accused of altering the log or being part of

7 a conspiracy to alter the log, yes.

8 SIR MICHAEL WRIGHT: And part of a conspiracy to alter the

9 log. You were interviewed under cautions?

10 A. Yes, sir.

11 SIR MICHAEL WRIGHT: And you gave your explanation?

12 A. Yes, sir.

13 SIR MICHAEL WRIGHT: Has that matter gone any further?

14 A. It was resolved about a year ago, I think it was. It

15 was words of advice from the senior management.

16 SIR MICHAEL WRIGHT: You were given advice about what?

17 A. How to alter logs properly.

18 SIR MICHAEL WRIGHT: As opposed to improperly?

19 A. Yes, incorrectly.

20 SIR MICHAEL WRIGHT: Have you been told that as far as that

21 is concerned, that's the end of it?

22 A. Yes, sir.

23 SIR MICHAEL WRIGHT: So that your superiors in the

24 Metropolitan Police Service are satisfied that what you

25 did, in fact you may have done it improperly, but not

1 with any wrong intent?

2 A. That's correct, yes.

3 SIR MICHAEL WRIGHT: Very well.

4 When you were sitting on the bus behind
5 Mr de Menezes I think, if I have the layout in my mind
6 correctly, when he stood up to leave the bus he would
7 then have walked down the top deck away from you?

8 A. That's correct, sir, yes.

9 SIR MICHAEL WRIGHT: So you would still be looking at the
10 back of his head?

11 A. Yes.

12 SIR MICHAEL WRIGHT: Even if you had the gym card photograph
13 with you at the time, would it have helped you to make
14 any better identification of him?

15 A. I would say not, sir.

16 SIR MICHAEL WRIGHT: Thank you very much.

17 Yes, Mr Mansfield.

18 Questions from MR MANSFIELD

19 MR MANSFIELD: Good morning.

20 A. Good morning, sir.

21 Q. You now know who I am so I needn't go through that.

22 I have only one question for you, and it relates to
23 the period of time you are on the bus, so this is
24 between Brixton and Stockwell; all right?

25 A. Yes, sir.

1 Q. Now, so far as you are aware, is this right, you are the
2 only one surveillance officer on the bus?

3 A. Yes, sir.

4 Q. First point. Second point: during this journey, did you
5 ever say, "This is definitely our man"?

6 A. No. Definitely, definitely not.

7 Q. Definitely not. Did you say at any time -- and I am not
8 suggesting you did, and I'll make it clear where all
9 this comes from -- over the radio that -- well, you
10 didn't know him as Mr de Menezes, but anyway -- the
11 person you were following was nervous, acting strangely,
12 just before he stood up on the stairs?

13 A. No.

14 Q. Did you ever say during this period of time that he was
15 twitchy?

16 A. No.

17 MR MANSFIELD: Thank you. So it's clear, that all comes
18 from the statement of Charlie 2, the firearms officer.
19 Thank you.

20 SIR MICHAEL WRIGHT: Yes, Mr Stern.

21 Questions from MR STERN

22 MR STERN: Did you confirm that the individual who you were
23 following on the bus was in fact the person who had been
24 followed pursuant to the surveillance earlier?

25 A. What do you mean "confirm", sir? What do you mean?

- 1 Q. There had been a loss of vision, had there not?
- 2 A. There had been, sir, yes.
- 3 Q. So it was very important that you confirmed that the
4 individual was the same person who had been followed
5 before?
- 6 A. I don't think it ever came up and the identity never
7 came up on the bus. It was just -- his identity didn't
8 come up on the bus at all. I was happy the person I saw
9 on the footpath was the same person who was on the bus.
- 10 SIR MICHAEL WRIGHT: You mean it was never questioned
11 whether it was the same person?
- 12 A. Not that I recall, sir. No, not at all.
- 13 MR STERN: I am not suggesting you questioned it, but did
14 you confirm to your colleagues that you were following
15 the same person?
- 16 A. Not.
- 17 Q. You didn't at all?
- 18 A. Not that I recall.
- 19 Q. Would that not be incumbent on you?
- 20 A. Not necessarily, sir. I was happy the person on the bus
21 was the same person from the footpath and all I relayed
22 was his actions, not his identity.
- 23 Q. Can I just ask you about the time on the platform,
24 please. You said as you approached -- this is from your
25 statement. I am looking at the one that you made on

1 23 July. I think Mr Hough, although he didn't give
2 a reference, referred to the one in November 2005. It's
3 page 265, about five or six lines down:

4 "As I approached the doors and looked out along the
5 platform I saw a number of men run on to the platform
6 and enter the next carriage along. I saw one of the men
7 carrying a black long-barrelled weapon. By the group's
8 actions/manner and the weapon I saw I assessed these men
9 to be armed police officers."

10 That was your assessment?

11 A. Yes, sir.

12 Q. "As the men entered the carriage I heard shouting ..."

13 A. Yes.

14 Q. "... and then almost immediately afterwards I heard
15 a number of shots."

16 A. Yes.

17 Q. Then there was some screaming and someone shouting for
18 first aid. So this was obviously an extremely fast
19 incident?

20 A. Very, very fast.

21 Q. You heard the shouting at the same time as the men
22 entered the carriage or nearabouts?

23 A. Yes, sir.

24 Q. But you can't say what that shouting was, as
25 I understand your evidence?

- 1 A. No, I can't say that.
- 2 Q. Did you see Ivor at all?
- 3 A. At what stage?
- 4 Q. At that stage.
- 5 A. No, I didn't, sir.
- 6 Q. You didn't see him standing in the doorway at all?
- 7 A. No.
- 8 Q. You drew your weapon, as you have told us, and
9 immediately after this incident there is a call or shout
10 to clear the area?
- 11 A. That's correct, yes.
- 12 Q. Did you start helping to do that?
- 13 A. I did indeed, yes.
- 14 MR STERN: Thank you.
- 15 SIR MICHAEL WRIGHT: Thank you, Mr Stern. Ms Leek?
- 16 MS LEEK: No, thank you, sir.
- 17 SIR MICHAEL WRIGHT: Mr Perry.
- 18 Questions from MR PERRY
- 19 MR PERRY: Just one matter, if I may, please, sir.
20 Lawrence, I ask questions on behalf of
21 Commander Dick, amongst others. What I would like to
22 do, please, is just go to your statement of
23 14 November 2005, page 272, up on the screen so everyone
24 can follow this.
25 It's the passage in the lower part of the page when

1 you are dealing with the incident after you had driven
2 along Brixton Road, just to locate where we are, when
3 you join up with James and Ken.

4 You do the driveby, don't you?

5 A. Yes, sir, I do.

6 Q. Then you get out of your car and then you subsequently
7 join them before you get on the bus, as we know, that
8 goes up to Stockwell with you on it, sending the text
9 that he is on the stairs?

10 A. Yes, sir.

11 Q. So that is just to locate where we are.

12 So you have done the driveby at Brixton and then you
13 leave your vehicle and you are picked up by James and
14 Ken, and this is what you were saying in your statement
15 made in November 2005:

16 "Upon entering the vehicle, James was speaking on
17 his hands-free telephone set saying words to the effect
18 that he thought that Mr de Menezes was a good possible
19 for Nettle Tip. Before ending his telephone
20 conversation, I then said 'I don't think it's him'
21 meaning Nettle Tip. James showed me the gym membership
22 photo card from H5/1 ..."

23 That's the photo card we have been looking at:

24 "... and remarked that if you took away the beard he
25 thought it was a good likeness. I was not adamant in my

1 opinion of Mr de Menezes' identity. Ken was present
2 during this conversation. Moments later I exited the
3 car. I am unable to say whether my opinion was relayed
4 to the operations room however, I did not hear such
5 a relay over the radio system."

6 I want to ask you just a few questions about this,
7 please, if I may. First of all, you say here during the
8 driveby -- that's the driveby at Brixton -- you formed
9 the opinion that the person you were looking at may not
10 be identical to Nettle Tip?

11 A. Yes.

12 Q. So there was some --

13 A. Well, I mean, it's probably just the way I phrased it.

14 At no stage did I ever think it was Nettle Tip.

15 Q. What you have put in the statement may not be identical;
16 do you say that's inaccurate?

17 A. I'll just read it, sir, sorry.

18 SIR MICHAEL WRIGHT: It's the third line down in that
19 paragraph.

20 MR PERRY: Yes. What you say is:

21 "It was during this driveby that I formed the
22 opinion that Mr de Menezes may not be identical to
23 Nettle Tip."

24 A. That's accurate, yes.

25 Q. Then you are picked up and James was speaking, you say

- 1 here, "on his hands-free telephone set". Now, in
2 evidence today, to be fair to you, you have said you
3 couldn't remember whether it was the hands-free or the
4 Cougar, but this is what you are saying.
- 5 A. At the time, yes.
- 6 Q. Well, in November.
- 7 A. Yes, sir.
- 8 Q. I want you to assist us, if you can. Just so we
9 understand this, James was the person who was in contact
10 with the control room using his telephone?
- 11 A. I believe so, yes.
- 12 Q. You weren't in contact with the control room, were you?
- 13 A. No, absolutely not.
- 14 Q. It was James who was passing on information?
- 15 A. Yes.
- 16 Q. When James was talking to you, he was saying words to
17 the effect that it was a good possible, he thought the
18 person was a good possible for Nettle Tip?
- 19 A. That's correct, yes.
- 20 Q. When he was showing you the gym photograph, it was to
21 show you on what basis he had formed that opinion?
- 22 A. I can't give you his opinion, but yes, I imagine that
23 would be the case, to reinforce his opinion.
- 24 Q. This was a very important matter, wasn't it?
- 25 A. Absolutely, yes.

- 1 Q. James was making it clear that he was very anxious to
2 decide one way or the other the information that was
3 going to be given to the information room; that's why
4 this exercise of covering over the photograph, the
5 beard, was being done, wasn't it?
- 6 A. It was his opinion, as I said. He thought it was a good
7 likeness, yes.
- 8 Q. But he was showing you and covering over to explain why
9 he thought it was a good likeness?
- 10 A. I mean, I imagine so, yes. I concur that.
- 11 Q. You say in your statement:
- 12 "I was not adamant in my opinion [as to the
13 identity]."
- 14 So you weren't adamant, but you have said in
15 evidence today you don't know whether you expressed
16 anything to James?
- 17 A. I didn't -- I mean, the only thing I said to James about
18 identity was, "I don't think it's him". I couldn't say
19 anything more than that.
- 20 Q. Yes, but that was before he had shown you the photograph
21 and said, "Look, take away the beard"?
- 22 A. Yes.
- 23 Q. So after that on your evidence -- and I'm just
24 interested in your evidence, please, so you can assist
25 us -- you say you didn't say anything to him after that?

- 1 A. No, I didn't, no.
- 2 Q. And you can't say what he then said to the operations
3 room?
- 4 A. Afterwards, no.
- 5 MR PERRY: Thank you.
- 6 SIR MICHAEL WRIGHT: I don't know how much more anybody
7 wants with this witness and whether we can finish him
8 before lunch?
- 9 MR HORWELL: I have no questions.
- 10 MR GIBBS: There was just one thing I wanted to pick up.
- 11 Further questions from THE CORONER
- 12 SIR MICHAEL WRIGHT: Before you do, I wanted to ask
13 something arising out of Mr Perry's cross-examination.
14 You drove by at Brixton and you got, as you say,
15 a fleeting full-frontal look at his face?
- 16 A. Yes, sir.
- 17 SIR MICHAEL WRIGHT: Otherwise a profile, and then you went
18 on down the Brixton Road and turned left in order to
19 park your car?
- 20 A. Yes.
- 21 SIR MICHAEL WRIGHT: Then you had to walk back in order to
22 get into the car with James and Ken?
- 23 A. Yes.
- 24 SIR MICHAEL WRIGHT: So that all took a little time?
- 25 A. Yes.

1 SIR MICHAEL WRIGHT: I don't know how long; not all that
2 long, I don't suppose.

3 When you drove by at Brixton, you formed the view
4 that this was not an identical man with Nettle Tip?

5 A. That's correct, yes.

6 SIR MICHAEL WRIGHT: Is it possible that you might have said
7 anything over the radio at that point?

8 A. I didn't, sir, no.

9 SIR MICHAEL WRIGHT: You didn't?

10 A. I didn't.

11 SIR MICHAEL WRIGHT: Thank you. That is what I wanted to
12 know. Yes, Mr Gibbs.

13 Questions from MR GIBBS

14 MR GIBBS: I just wanted to use the multicoloured document
15 that we have at tab 60 just to put one or two things in
16 order, if I may.

17 SIR MICHAEL WRIGHT: Yes.

18 MR GIBBS: It will come up on the screen in front of you.
19 I am looking first at the green entries on the
20 right-hand side. They are telephone calls.

21 At 9:38 we have a call from Graham to you. That's
22 at around about, perhaps slightly before, the time when
23 Mr de Menezes got on to the bus.

24 A. Yes.

25 Q. Do you remember what that was about?

- 1 A. I couldn't tell you with any certainty, no.
- 2 Q. Thank you. Can we then go down the page and we see that
3 at 09:47:38 in blue, Mr de Menezes is off the bus, and
4 he is back on to the bus at 09:50. Do you see those two
5 entries?
- 6 A. Yes.
- 7 Q. Is it in that period that you drive past him?
- 8 A. Yes, would be, yes, sir.
- 9 Q. Then if we go on, please, to 09:59, so that's on the
10 next page. I have got an entry on the left-hand side
11 which is in brown saying that the bus is going towards
12 the junction of the A3:
13 "N top deck towards exit".
- 14 It has your name by it because that's your entry in
15 the log. Can we just look at that together with the
16 green on the right-hand side, which is this 12-second
17 call at around the same time from Harry to you.
- 18 Do you remember whether you were speaking to Harry
19 before or after or at the same time as you were saying
20 anything over the radio?
- 21 A. I didn't speak over the radio at all on the bus.
- 22 Q. So you spoke with Harry and if there is an entry about
23 that in the log, it will be a relay from Harry?
- 24 A. Absolutely, yes.
- 25 Q. Thank you. Then we have, lastly, at 10:02 on the

1 right-hand side in green, something which looks like
2 a text message and that's from you to Harry?

3 A. That's correct, yes.

4 SIR MICHAEL WRIGHT: It was a text, was it?

5 A. It was a text, yes.

6 MR GIBBS: I have put "on stairs". Was that what you
7 texted?

8 A. It was I believe I texted "On the stairwell" or
9 something like that, because he was held --

10 Q. That was obviously at a time before you and before
11 Mr de Menezes got off the bus?

12 A. That's correct, yes.

13 MR GIBBS: Thank you very much.

14 SIR MICHAEL WRIGHT: Thank you, Mr Gibbs.

15 MR HOUGH: Nothing from me. I do want a couple of minutes
16 in the absence of the jury.

17 SIR MICHAEL WRIGHT: Lawrence, that's it as far as you are
18 concerned. You are free to go.

19 A. Thank you.

20 (The witness withdrew)

21 SIR MICHAEL WRIGHT: Ladies and gentlemen, you can have
22 lunch. 2.10.

23 (1.10 pm)

24 (In the absence of the jury)

25

1 Discussion re: timetabling

2 MR HOUGH: Sir, three matters to deal with. First of all,
3 we would propose reading the statements of Adam and H11
4 this afternoon, except for parts which are entirely
5 repetitive. I wonder if anybody has an objection to
6 that being done?

7 MR PERRY: Subject to some editing, sir, which we will
8 discuss with my learned friend.

9 SIR MICHAEL WRIGHT: Yes, that's all right. Then Geoff.

10 MR HOUGH: Then we will be calling Geoff to give oral
11 evidence immediately after those have been read.

12 SIR MICHAEL WRIGHT: Can we get Mr Dingemans here? The
13 giddy prospect, Mr Hough, of getting ahead of the
14 schedule is almost overwhelming.

15 MR HOUGH: It overwhelms me, sir. We will discuss that and
16 maybe an announcement can be made after lunch.

17 Secondly, just to ask everybody to give some
18 consideration to which of the CO19 firearms officers we
19 need to call.

20 SIR MICHAEL WRIGHT: This is the ones you have listed as the
21 remaining firearms officers?

22 MR HOUGH: Yes. As can be seen, we obviously need C2, C12,
23 C5, Ralph, Terry, William and Sam, probably Vic but
24 slight query there, but then the following officers we
25 would like people to think about whether they want

1 called: C3, C6, C7, C11, D4, D9 and D10.

2 SIR MICHAEL WRIGHT: That's seven witnesses altogether?

3 MR HOUGH: Seven witnesses with letters and numbers, and
4 then possibly Vic as well. If people can tell us first
5 of all whether the witnesses need to be called and
6 secondly, if not called, whether they need to be read or
7 if a particular part of their statement needs to be read
8 just to make a particular point.

9 SIR MICHAEL WRIGHT: Mr Hough has made the point. I will in
10 fairly short order be effectively repeating the
11 enquiries in open court. I would hope to be told then
12 "yes" or "no" or "read".

13 MR HOUGH: Yes. Perhaps we can ask just to be told that by
14 either close of play tomorrow or first thing on Monday
15 morning.

16 SIR MICHAEL WRIGHT: As I say, I shall start asking the
17 questions on Monday.

18 MR HOUGH: And of course we will have a bit of time tomorrow
19 afternoon because of the early sitting.

20 The third point raised by my learned friend Mr Perry
21 is that he may have difficulties -- he will have
22 difficulties-- in being present if Mr Paddick gives
23 evidence on 6 November as planned. We are obviously
24 concerned that he should be here when Mr Paddick is
25 giving evidence if at all possible.

1 SIR MICHAEL WRIGHT: Your underlined civilians, of course,
2 are all here for specific days, aren't they?

3 MR HOUGH: They have been summoned.

4 SIR MICHAEL WRIGHT: They have been summoned, so they will
5 expect to be called on that day.

6 MR HOUGH: Yes. In relation to Mr Paddick, scheduled for
7 6 November, we were contemplating asking if he could be
8 moved to Friday, 7 November. I understand that that
9 would be possible for Mr Perry and we will make
10 enquiries with Mr Paddick. If that creates problems for
11 others, perhaps we could be told.

12 SIR MICHAEL WRIGHT: Yes, very well.

13 MR HOUGH: That's all I have.

14 SIR MICHAEL WRIGHT: Thank you very much. 2.10.

15 (1.15 pm)

16 (The short adjournment)

17 (2.10 pm)

18 (In the presence of the jury)

19 SIR MICHAEL WRIGHT: Yes, Mr Hough.

20 MR HOUGH: Sir, yes, we propose to read the statements made
21 by Adam. As I read these, some irrelevant or entirely
22 repetitious passages will not be read and I am sure
23 those behind me following will object if anything
24 arises. There is one point which is going to be
25 clarified and I'll deal with that as I get to it.

1 SIR MICHAEL WRIGHT: Yes, thank you.

2 Statements of CODENAME "ADAM" (read)

3 MR HOUGH: These are statements made by an officer who has
4 been given the name Adam. The first statement is dated
5 23 July 2005, and he says this:

6 "I am a police officer attached to a dedicated
7 surveillance team within the Metropolitan Police
8 Service.

9 "On Friday 22 July 2005, I was on duty in plain
10 clothes when at approximately 7.45 am I attended
11 a briefing at New Scotland Yard which was delivered by
12 Colin, assisted by DI Whiddett."

13 Then he refers to the fact that at the briefing he
14 was told about the different suspects:

15 "At 8.55 am I was engaged in the vicinity of
16 Scotia Road, SW2, and I was further engaged in
17 surveillance Operation Theseus 2.

18 "During the course of the operation I had no
19 sightings of any subject.

20 "Shortly after 10.03 am I was aware of armed
21 officers leaving vehicles outside Stockwell tube station
22 and entering the tube.

23 "A short time later I entered the foyer of Stockwell
24 tube station where I spoke to Police Officer Graham who
25 informed me that shots had been fired in the tube

1 station and that my colleagues were safe.

2 "I remained around the foyer area for a short while
3 and met other officers including Geoff, Ivor and Ken.

4 "A short while later I left the station and returned
5 to my vehicle to check the situation outside the tube
6 station.

7 "I then left the area and returned to my operational
8 headquarters before travelling to Leman Street."

9 Then he refers to the debriefing of the log. Then
10 there is a statement dated 21 September 2005 which sets
11 out a number of telephone calls, and I won't go through
12 those because the relevant ones will have been dealt
13 with either on the schedule or by questioning of others.

14 Then there is a statement dated 10 November 2005,
15 and Adam says this:

16 "I am a police officer attached to a dedicated
17 surveillance team within the Metropolitan Police
18 Service."

19 Then he mentions something about Operation Kratos,
20 but we have heard much more detail about that from
21 others:

22 "I saw photographs of the subject in the briefing
23 pack that I viewed. I did not take a copy of the
24 briefing pack with me. I do not know how many packs
25 were available or whether there would have been enough

1 for me to take a copy along during the operation.

2 "At no time did I board any bus on the day of the
3 operation.

4 "I had no contact with 1600 [the operations room] or
5 CO19 [the firearms officers] during the operation.

6 "At no time did I change clothes during the
7 operation.

8 "I acted as comms relay for the foot units once they
9 had entered Stockwell Underground station. I heard Ivor
10 ask if the control room wanted Mr de Menezes arrested
11 before he entered the tube system. I heard a foot unit
12 say that he was onto the escalator, which I also
13 relayed.

14 "The next transmission was that he was running down
15 the escalator and then running for a train towards
16 platforms 1 and 2. I relayed this transmission to the
17 team. This was the last transmission that I heard from
18 inside the tube.

19 "During the course of the operation, I was posted as
20 team motorcyclist. I was engaged in the general follow
21 of Mr de Menezes and the buses on which he travelled but
22 I had no sightings of him during the operation. I also
23 acted as comms relay at the tube station at Stockwell.

24 "I was monitoring the S012 surveillance radio
25 channel for our team on the day. I was in constant

1 radio contact with my colleagues during the course of
2 the surveillance follow. I did not communicate
3 individually with any of my colleagues during the course
4 of the follow. As far as I was aware, we were following
5 an unidentified male who had left 21 Scotia Road who was
6 a possible likeness for a suspect from the 21 July
7 failed suicide bombings.

8 "At no point did I positively identify Mr de Menezes
9 as the suspect Nettle Tip.

10 "At no time did I hear any of the surveillance team
11 identify Mr de Menezes as Nettle Tip. As the follow
12 continued I could hear that members of the team were
13 trying to confirm or deny identification, but there was
14 no definite identification given.

15 "I heard the team being asked to give a percentage
16 likeness, but no-one replied to this request. I heard
17 at least one team member say that he could not give
18 an identification one way or the other. As far as I was
19 aware from the radio transmissions when Mr de Menezes
20 went down into the tube at Stockwell he was still being
21 treated as an unidentified male."

22 Then he makes a statement on 20 March 2006 about the
23 debriefing of the log. That doesn't, I think, need to
24 be read. Then there is a final statement, dated
25 3 July 2007, and he says this:

1 "I have been advised following the conclusion of the
2 investigation into the events of 22 July 2005 that I am
3 not to be the subject of any criminal or misconduct
4 proceedings."

5 He then goes through the briefing and he mentions
6 Harry asking for clarification about containment of
7 subjects and says that Mr Whiddett shrugged his
8 shoulders in response to that request.

9 He says that he was on his police motorcycle and had
10 a Cougar radio set and that the equipment was working
11 correctly throughout the surveillance.

12 He then says this:

13 "I have no recollection of S019 being mentioned at
14 the briefing or of the fact that they had been or were
15 being briefed elsewhere.

16 "The first time I remember receiving information
17 that S019 were involved was when I heard over the radio
18 just before the subject reached Stockwell station, and
19 was still held on the bus, from James that they were
20 making their way to join us.

21 "I recall nothing in the briefing with regards to
22 buses being mentioned in relation to Scotia Road. I was
23 never aware that a request to suspend buses had been
24 refused. All I can remember whilst travelling towards
25 Scotia Road is overhearing on the radio members of red

1 team discussing attempts to try to suspend buses from
2 running along Upper Tulse Hill.

3 "At no time was I aware of any consideration being
4 given to S012 effecting a stop on Mr de Menezes prior to
5 his arrival at Stockwell tube station. As I indicated
6 in my statement of [November 2005], I did hear Ivor ask
7 James if the subject should be lifted prior to entering
8 the tube system."

9 He adds that "lifted" was the word used by Ivor and
10 that he took that to mean arrested or stopped.

11 He then says this:

12 "I never went down to the platform at Stockwell
13 station. I remained on my bike outside the station to
14 assist with communications. I recall two vehicles pull
15 up behind me and saw several officers, obviously S019
16 officers, get out of the vehicles and run into Stockwell
17 tube station carrying firearms overtly. On seeing the
18 S019 officers enter the tube, it was my belief that they
19 would be too late to make an armed intervention on the
20 subject at Stockwell."

21 Just to clarify that last sentence, Adam has told us
22 today that when he said he believed it would be too late
23 for the S019 officers to make an armed intervention,
24 that is because he had heard that the subject was
25 running for a train and thought that the train would

1 have pulled away before the S019 officers he was seeing
2 had got down to the platform.

3 Those are the statements of Adam.

4 SIR MICHAEL WRIGHT: There was one other piece of evidence
5 you heard about relating to Adam. It's very, very
6 peripheral. But when Harry took his vehicle on up, you
7 remember, the Northern Line to the Oval in the case the
8 suspect had got on a train, this witness who had his
9 motorbike went in the direction of Vauxhall, which was
10 on the other line, but obviously, like Harry, he had no
11 idea what was going on at that stage at Stockwell tube.

12 MR HOUGH: Adam doesn't say anything in his statements
13 about --

14 SIR MICHAEL WRIGHT: It was Harry who told us about that,
15 and that relates to him.

16 Statements of HOTEL 11 (read)

17 MR HOUGH: The next statements are from an officer who has
18 been given the call sign Hotel 11. The first statement
19 he writes is dated 25 July 2005 and he says this:

20 "At the time of writing this statement I am a member
21 of the HM Forces currently attached on duty to S012 of
22 the Metropolitan Police Force.

23 "On 22 July 2005 at 0750 I attended a briefing at
24 Scotland Yard Floor 16 that was conducted by
25 Detective Inspector Whiddett. The purpose of the brief

1 was to inform the grey team of details of the day's
2 subject of surveillance. On completion of the brief
3 I deployed unarmed with the grey team to the Lambeth
4 area to impose surveillance upon the subject address as
5 previously briefed. The address in question was,
6 according to intelligence, connected to the recent
7 London tube and bus bombings dated 7 July and
8 21 July 2005. At 0855 our team resumed surveillance of
9 the said subject address, having relieved red team who
10 had started the surveillance serial prior to our
11 arrival. One member of the red team remained in situ to
12 support [our] operation.

13 "Shortly after assuming control of the surveillance
14 operation the team was informed of an individual leaving
15 the subject address. The subject made his way to the
16 Tulse Hill Road on foot where he boarded the number 2
17 bus and proceeded as a passenger towards Brixton and
18 Stockwell station. This was confirmed by other members
19 of the team.

20 "When the bus arrived in the Brixton area, the
21 subject of surveillance got off the bus and headed north
22 after a distance of around 20 metres. He turned round
23 and ran back to a bus stop and joined the queue to get
24 back on the same bus which he had just alighted. As he
25 waited, he was seen to be making a phone call. Up until

1 this moment in time, I had not yet seen the subject but
2 all the sightings so far had been relayed to me over the
3 radio communications system.

4 "As the bus moved off in the direction of Stockwell
5 station I was behind the bus in my car up until the
6 point that the subject alighted the bus in the vicinity
7 of Stockwell station. I saw the subject at this point
8 at a distance of 10 metres and thought that he was of
9 a similar likeness to the photograph of the subject that
10 we were briefed upon earlier that day.

11 "I then parked my car and made my way towards
12 Stockwell station in order to continue the surveillance
13 of the subject as I reached the upper concourse. I was
14 aware of non-uniformed armed officers making their way
15 in haste towards the lower concourse. As I reached the
16 lower concourse I heard a number of shots being fired.
17 I did not witness the shooting nor did I approach the
18 platform or the train where the incident took place.
19 Shortly after the incident took place I was briefed by
20 pager to return to Tintagel House."

21 Then he refers to the post-incident procedures and
22 the debriefing.

23 He then makes a statement on 28 September concerning
24 telephone calls that doesn't, I think, need to be read.

25 Then there is a further statement also on

1 28 September. He begins that by running through details
2 of the briefing and the suspects that he was told about.
3 He confirms his previous statement and then adds the
4 following comments:

5 "During the surveillance serial, problems with my
6 in-car radio system made it impossible to make any
7 transmissions of any kind. That said, I was able to
8 hear most of the transmissions made by the rest of the
9 team apart from those who were on foot in Stockwell tube
10 station. During the entire serial I was not aware that
11 Mr Menezes was referred to as anything other than
12 a possible likeness of the intended subject of
13 surveillance, namely Hussain Osman."

14 Then he makes a further statement dated
15 13 November 2005. He says it's a supplementary
16 statement. He says he was not aware that the day's
17 surveillance serial was operating under
18 Operation Kratos, but that Operation Kratos is an option
19 that may evolve during a surveillance operation.

20 He then says this:

21 "During the brief I was shown a photograph of the
22 subject known as Nettle Tip, a copy was not made
23 available to me to take on the ground. Up until
24 I entered Stockwell tube station, I remained in my car
25 at varying distances behind the route that Mr Menezes

1 took on his way to Stockwell. At no time did I board
2 the number 2 bus, when Mr Menezes alighted the bus at
3 Stockwell I saw him in my rear-view mirror at a distance
4 of approximately 10 metres I saw a clear but fleeting
5 view of Mr Menezes's profile. I thought to myself that
6 the subject was of a similar likeness to Nettle Tip
7 based upon the photograph shown at the brief. Due to
8 technical problems with my car I was not able to, nor
9 did I, communicate my thoughts to any other member of
10 the surveillance team or to S019.

11 "As I made my way into Stockwell tube station, I was
12 aware of non-uniformed police officers making their way
13 to the lower concourse. Some of the officers were
14 wearing police tactical baseball caps and some were
15 carrying weapon systems in an overt manner. As they
16 made their way into the station they were shouting at
17 the public to get out of the way, and exclaiming that
18 they were police officers; some vaulted the barriers
19 shouting at the staff to keep them open. At no time
20 immediately before or after the incident did
21 I communicate with any of the members of S019.

22 "As I made my way into the station I was aware that
23 our motorbike surveillance operator was acting as
24 a communications relay, as is the usual operating
25 procedure. With regards to clothing that I adorned

1 during the incident, I am having difficulty recollecting
2 exactly what I was wearing."

3 Then he says what he thinks he was wearing and he
4 says he didn't change clothes during the operation.

5 Then he makes a further statement dated
6 20 March 2006 in which he mentions the debriefing
7 process and says that he did not make any amendments to
8 the log. Those are his statements.

9 All of those statements are read as being
10 uncontroversial.

11 SIR MICHAEL WRIGHT: Thank you.

12 MR HILLIARD: Sir, the next witness is to be called, and
13 it's Geoff, please.

14 CODENAME "GEOFF" (sworn)

15 SIR MICHAEL WRIGHT: Thank you, please sit down.

16 A. Thank you.

17 Questions from MR HILLIARD

18 MR HILLIARD: You are going to be known as Geoff for the
19 purposes of these proceedings, I think?

20 A. Yes, that's right.

21 Q. I am going to ask you some questions first of all on
22 behalf of the Coroner, then you may be asked questions
23 by others.

24 I think you have made a number of witness statements
25 about events on 22 July 2005, in particular one the next

- 1 day, 23 July?
- 2 A. That's correct.
- 3 Q. Do you have a copy of that and the other statements with
4 you?
- 5 A. Yes, I have.
- 6 Q. Good. So that you, like all witnesses, understand there
7 is absolutely no difficulty about you looking at any of
8 those when you want to?
- 9 A. Thank you.
- 10 Q. On 22 July 2005 I think you were a member of
11 a surveillance team, the grey team; is that right?
- 12 A. That's correct.
- 13 Q. You were attached to S012 Special Branch at New Scotland
14 Yard?
- 15 A. That's correct, yes.
- 16 Q. We have heard about a briefing at New Scotland Yard that
17 morning and I think you were present at that?
- 18 A. That's correct.
- 19 Q. We have heard that in the course of that briefing
20 a photograph of Hussain Osman was available; do you
21 remember seeing that?
- 22 A. Yes, I do, yes.
- 23 Q. Did you keep a copy of that or not?
- 24 A. No, I didn't.
- 25 Q. You also, is this right, took a Glock pistol and

- 1 ammunition with you on the operation?
- 2 A. That is correct.
- 3 Q. Once you were armed in that way, once the briefing was
- 4 over, did you make your way to the vicinity of
- 5 Scotia Road?
- 6 A. Not initially but subsequently, yes.
- 7 Q. In due course.
- 8 SIR MICHAEL WRIGHT: I think everybody in the grey team that
- 9 we have heard of so far was armed; do you know whether
- 10 that's so?
- 11 A. I am not sure, sir, if every member of the team was
- 12 armed.
- 13 SIR MICHAEL WRIGHT: Quite a lot of you were?
- 14 A. But most, I would suggest, yes.
- 15 SIR MICHAEL WRIGHT: Most, yes.
- 16 MR HILLIARD: Right. I am looking at your statement. You
- 17 explain that observations began shortly before 9 o'clock
- 18 in the morning; yes?
- 19 A. That's correct.
- 20 Q. You explain in your statement that at 9.47 you heard on
- 21 your radio that -- I'm going to say the person we are
- 22 concerned with, because we know in fact it was
- 23 Mr de Menezes -- that person had got off a number 2 bus
- 24 in the vicinity of Brixton Underground station?
- 25 A. That's correct, sir.

- 1 Q. What I want to know is this. That's the first timed
2 entry you refer to in your statement. Had you heard
3 sometime before that and after 9.30 that somebody had
4 come out of the communal door of Scotia Road?
- 5 A. Yes, I was aware of that.
- 6 Q. You were aware of that?
- 7 A. Yes.
- 8 Q. All right, and that that person, who, as I say, we know
9 was Mr de Menezes, was being followed?
- 10 A. That's correct.
- 11 Q. Had you also heard about him getting on a bus?
- 12 A. Yes.
- 13 Q. You had heard about that. So you had heard about him
14 leaving the premises and about him getting on a bus?
- 15 A. Yes, indeed.
- 16 Q. Then, as you say, you hear about him getting off the bus
17 near Brixton Underground station?
- 18 A. That's correct.
- 19 Q. Then about him getting back on the same bus; is that
20 right?
- 21 A. That's correct.
- 22 Q. At that time, so the getting on and getting off the bus,
23 did you have the bus under observation?
- 24 A. Yes, I did. I had visual contact with the bus at that
25 time.

- 1 Q. Could you actually see him?
- 2 A. No, I didn't see the gentleman concerned.
- 3 Q. Until we come to events on the train at Stockwell, did
4 you ever see Mr de Menezes?
- 5 A. No, I hadn't seen Mr de Menezes until --
- 6 Q. Until what you are going to tell us about actually on
7 the train at Stockwell?
- 8 A. Yes, indeed.
- 9 Q. All right. So the closest you have got is a view of --
10 was it the rear of the bus when it was at Brixton?
- 11 A. That's correct, the rear of the bus.
- 12 Q. In due course, off went the bus with him on it; yes?
- 13 A. That's correct.
- 14 Q. Did you make your way, following the bus or ahead of it
15 for all I know, but in the direction of Stockwell tube
16 station?
- 17 A. That's correct, yes.
- 18 Q. At Stockwell tube station, did you hear that he had left
19 the bus?
- 20 A. Yes, I did.
- 21 Q. At any time, if we can just deal with this globally, had
22 you ever heard over the radio the person who was being
23 followed positively identified as being Nettle Tip?
- 24 A. No.
- 25 Q. Going to the other end, had you ever heard him being

- 1 positively eliminated as being Nettle Tip?
- 2 A. No.
- 3 Q. Did you ever hear a request as to whether anybody could
4 give a percentage or a figure out of ten likelihood of
5 him being Nettle Tip?
- 6 A. No, I didn't hear that, no.
- 7 Q. Stockwell tube station, you hear that he is off the bus.
8 Whilst you were in the process of parking your vehicle,
9 did you hear Ivor asking if the subject should be
10 stopped?
- 11 A. Yes, I did.
- 12 Q. Those are the words I am taking from your statement.
13 Can you remember now whether those were the words he
14 used or not?
- 15 A. I can't remember the exact words, but I was in no doubt
16 that his words were asking whether he should be stopped.
- 17 Q. Did you hear the reply from James, which was that he
18 should wait?
- 19 A. Yes.
- 20 Q. Did you then hear that the subject had entered the
21 Underground station at Stockwell?
- 22 A. Yes.
- 23 Q. And that he was running down the escalator?
- 24 A. I didn't hear running down the escalator.
- 25 Q. You didn't. I am looking at your statement, but you

- 1 don't think now that's -- do you want to have a look at
2 that?
- 3 A. Yes, please do.
- 4 Q. Second page, if you count down the lines, seven lines
5 down.
- 6 A. Right, yes, I can see that.
- 7 SIR MICHAEL WRIGHT: Do you reckon that's right? It's
8 a good deal nearer the time. If it doesn't ring a bell,
9 please say so.
- 10 A. It doesn't ring a bell, it doesn't.
- 11 MR HILLIARD: So no recollection of that now; all you can
12 say is that's what you put in your statement the next
13 day?
- 14 A. Yes.
- 15 Q. Certainly you have heard over the radio, is this right,
16 that he has gone into the Underground station?
- 17 A. That's right.
- 18 Q. And what, as you remember it now, that he was making his
19 way down the escalator rather than running?
- 20 A. Yes, making his way down. I mean, it may be that he was
21 making his way down quickly, but --
- 22 Q. Don't worry. But that is just what you remember now, he
23 was going down the escalator?
- 24 A. Yes. Yes, yes.
- 25 Q. Did you then go into the station?

- 1 A. I did, yes.
- 2 Q. Through the ticket barrier?
- 3 A. Yes.
- 4 Q. Did you run on to the down escalator?
- 5 A. I did, yes, or moved quickly on to it.
- 6 Q. Can you help us: as far as you were concerned, why were
7 you doing that? What did you think was going to happen
8 at this stage?
- 9 A. Well, I was obviously aware that Mr de Menezes had made
10 his way into the tube station and I assume towards the
11 train and I was aware that at least two of my colleagues
12 had followed Mr Menezes into the station.
- 13 Q. Those being?
- 14 A. Ken and Ivor.
- 15 Q. Yes.
- 16 A. My intention was to offer support to them and to
17 continue with the surveillance follow of Mr Menezes, so
18 I made my way into the station in order for that to
19 continue.
- 20 Q. At that time, is that what you thought was going to
21 happen; that the surveillance follow would continue?
- 22 A. Yes, indeed.
- 23 Q. Had you heard anything about "state red" being declared?
- 24 A. No.
- 25 Q. Did you know or did you have any information that S019

- 1 were in the area?
- 2 A. No.
- 3 Q. Right. Is this right: that as you went down the
4 escalator you could see another of your colleagues,
5 Malcolm?
- 6 A. Yes, that's right.
- 7 Q. Was he on the escalator in front of you?
- 8 A. In front of me, yes.
- 9 Q. When you got to the bottom of the escalator, did you
10 make your way along -- there is a little passage you can
11 go through, we have seen, if we put up picture 31,
12 divider 31, on the screen.
- 13 We know, we have seen and I'm sure you remember, you
14 come down the escalators, you then go along what's been
15 described as a little alleyway and then do you see
16 a view of the platform entrance from the entrance hall?
- 17 A. Yes.
- 18 Q. This is the first of those little passages.
- 19 A. Yes.
- 20 Q. Does it bring it back to mind?
- 21 A. It does. I don't exactly remember which of the
22 entrances I went through, but I would imagine it was the
23 first of those entrances.
- 24 Q. All right. Through you go, and we have heard that there
25 was a train stationary on the platform; is that right?

- 1 A. That's correct.
- 2 Q. When you went -- I suppose it would rather depend which
3 passageway you had gone through, but could you see that
4 the doors of the train were open?
- 5 A. Yes, I recall that they were, and I made my way towards
6 the train.
- 7 Q. If we just have, please, divider 35 on the screen.
8 I don't know if it has it on yours but unhelpfully there
9 is a bit of a blob in the middle, but hopefully that
10 will go if we are patient.
- 11 Can you see the tube carriage there? Can you see
12 Mr de Menezes's position is marked?
- 13 A. Yes, I can.
- 14 Q. You can see two sets, do you see, of double doors?
- 15 A. Yes.
- 16 Q. As it were, platform side as the train was?
- 17 A. Yes.
- 18 Q. Then at the far end can you see there is a single door?
- 19 A. Yes.
- 20 Q. The first double door, so on the left as you look at it,
21 those are actually the double doors that you could
22 see --
- 23 A. Okay.
- 24 Q. -- through that first passageway that we looked at; all
25 right?

1 Looking at that drawing of the compartment, does
2 that help you as to which doors you got on? If it
3 doesn't ...

4 A. No, it does, because I made my way along the platform --

5 Q. Right.

6 A. -- to the right as we are looking at the screen --

7 Q. Yes.

8 A. -- and entered the train via the furthest door to the
9 right, the single door.

10 Q. Right.

11 SIR MICHAEL WRIGHT: In this carriage?

12 A. In this carriage, sir.

13 MR HILLIARD: Single door, far right, as the Coroner says,
14 of this carriage?

15 A. Of this carriage, sir, yes.

16 Q. So whichever archway you had gone through, you had
17 walked along the platform a bit?

18 A. Yes, that's correct.

19 Q. Had you seen Malcolm when you were on the platform?

20 A. No, not on the platform.

21 Q. Right.

22 A. I recall I only saw him when we were both on the
23 escalator.

24 Q. Right.

25 A. Sorry, you said -- sorry, Malcolm, you are talking

- 1 about?
- 2 Q. Malcolm. Keep an eye on your statement.
- 3 A. Can I? Yes, because --
- 4 Q. You are allowed to do that, you see. That is why you
- 5 have it?
- 6 A. Right, sorry. I was confused as to who Malcolm was for
- 7 a second.
- 8 Q. Don't worry about it.
- 9 A. Malcolm was stood near the open double doors.
- 10 Q. Can you remember which open double doors?
- 11 A. I can't, I am sorry.
- 12 Q. All right, but standing, what, near them?
- 13 A. Yes, near the doors, yes.
- 14 Q. You make your way then on to the train through the
- 15 single door?
- 16 A. That's correct, yes.
- 17 Q. Then whereabouts did you go once you had got on to the
- 18 train?
- 19 A. Well, I walked to the opposite closed door, if that
- 20 makes sense.
- 21 Q. So you have come in, as it were, far right?
- 22 A. Yes, and then walk --
- 23 Q. Then you go upwards and --
- 24 A. Yes, straight upwards, so it is across --
- 25 Q. To the closed single door?

1 SIR MICHAEL WRIGHT: To the other door?

2 A. -- to the other door, yes, which is obviously closed.

3 MR HILLIARD: Yes.

4 A. Then I just remained in that area, which would afford me

5 a view of the --

6 Q. So we understand, do you have your back to that closed

7 door?

8 A. Back to that closed door, that's correct.

9 Q. Could you see Ivor anywhere?

10 A. Yes, I could. Ivor was sat on one of the seats to my

11 right, which would have been facing the platform.

12 Q. So, as it were, Mr de Menezes's side, as it were, of the

13 carriage?

14 A. Yes.

15 Q. So he is sitting on a seat along there, as it were, in

16 that section where Mr de Menezes is?

17 A. Yes.

18 SIR MICHAEL WRIGHT: Was he on the same side of the carriage

19 as you were now standing?

20 A. That's correct, sir.

21 MR HILLIARD: Did you look around at all to see whether you

22 could see the person -- I mean, in your case, as it

23 were, the person whose photograph you had seen earlier?

24 A. Yes, I did. My initial job, if you like, was to scan

25 the train, initially to identify my colleagues --

- 1 Q. Right.
- 2 A. -- who I knew had gone down to the platform.
- 3 Q. Yes.
- 4 A. So the first person that I was aware of was Ivor.
- 5 Q. Malcolm you have seen?
- 6 A. Malcolm, sorry, I have seen.
- 7 Q. That's all right. Malcolm you have seen, Ivor you have
- 8 seen?
- 9 A. Yes.
- 10 Q. Did you then look to see if you could see the person
- 11 whose photograph you had seen earlier on at the
- 12 briefing?
- 13 A. Yes, I did.
- 14 Q. Were you able to see that person in the carriage or not?
- 15 A. No.
- 16 Q. You say in your statement that you had been doing that,
- 17 so looking to see if you could see that person, for no
- 18 more than a few seconds when you saw Ivor get up from
- 19 his seat?
- 20 A. That's right, sir.
- 21 Q. Do you remember that now?
- 22 A. I do, sir.
- 23 Q. Where did Ivor go when he got up?
- 24 A. Ivor -- you are aware where he is sitting on the
- 25 train -- made his way --

- 1 Q. He is sitting, you have told us -- can you remember, you
2 see where Mr de Menezes is marked --
- 3 A. Yes.
- 4 Q. -- and you see where Anna Dunwoodie is marked; is it
5 somewhere between the two of them?
- 6 A. Yes somewhere between the two, sir, yes.
- 7 Q. So he gets up?
- 8 A. Yes, and then he has made his way towards the double
9 doors, the first double doors you see nearest to
10 Mr Menezes, the open double doors on the opposite side
11 of the carriage.
- 12 Q. Those double doors between -- if I say Preston and
13 Wilson, you know what I mean?
- 14 A. Yes.
- 15 Q. Right, yes. So he has gone over there. Did you see
16 what he did there?
- 17 A. He made his way towards the doors and then turned around
18 and gestured back towards the seated passengers where
19 Mr Menezes was sitting, and gestured with his right
20 arm -- or his arm, I don't know which one, sorry.
- 21 Q. Could you see at the time he did it who he was doing the
22 gesture for -- I don't mean who he was pointing to, but
23 for whose benefit he was doing it -- or not at that
24 time?
- 25 A. Not initially.

1 Q. Right. Did you then hear some noise?

2 A. I heard some noise from within the direction of the
3 double doors.

4 Q. Right. What sort of noise was that?

5 A. Just a general noise, and within that noise I heard the
6 word "police" being --

7 Q. Right.

8 A. Audibly to me anyway.

9 SIR MICHAEL WRIGHT: Just pause a moment. You say "noise
10 from the direction of the double doors"; just to make
11 sure we are understanding what you are saying, does that
12 mean from the platform?

13 A. From the platform, sir, yes. Sorry, I should --

14 SIR MICHAEL WRIGHT: Yes, all right.

15 MR HILLIARD: I was going to say, "Inside or out?" The
16 answer is out, is it, the noise is from outside?

17 A. Yes, but obviously, as you understand, this is very,
18 very -- almost instantaneously before the --

19 Q. Yes, so what is outside soon becomes inside?

20 A. Very, very quickly, absolutely.

21 Q. Included in that I think you said the word "police"?

22 A. Yes.

23 Q. What's the next thing you were aware of?

24 A. As I said, my concentration at that point was on Ivor,
25 my colleague, so I am aware something is taking place

1 here, his gesture back towards the passengers where we
2 now know Mr Menezes was sitting. So if you like I am
3 trying to scan both -- albeit they are quite close
4 together -- both scenes here, if you like.

5 Q. Yes.

6 A. And I was aware of a passenger getting up from their
7 seat in the direction that my colleague Ivor had
8 indicated --

9 Q. So you now know that is Mr de Menezes getting up?

10 A. -- and I am now aware that that was obviously
11 Mr de Menezes getting up.

12 Q. As you say, once he has got up -- do I understand it
13 correctly? -- you could see, are you saying, that that
14 was the direction in which your colleague had been
15 pointing?

16 A. Yes, that's correct, sir.

17 SIR MICHAEL WRIGHT: Could you pause there one moment,
18 Mr Hilliard.

19 MR HILLIARD: Yes, certainly.

20 SIR MICHAEL WRIGHT: That's Mr de Menezes, as we now know,
21 you are talking about who got up?

22 A. Yes, sir.

23 SIR MICHAEL WRIGHT: Did you see anybody else in the
24 carriage stand up?

25 A. Yes, I did, sir, but my focus, if you like, was towards

1 where my colleague had pointed, but I was aware --

2 SIR MICHAEL WRIGHT: I fully appreciate that and I wasn't

3 going to ask you to say who it was or to describe them

4 because these would obviously be civilians?

5 A. Sir, yes.

6 SIR MICHAEL WRIGHT: Passengers on the train.

7 A. Yes, indeed.

8 SIR MICHAEL WRIGHT: You have a recollection that others did

9 get up?

10 A. They did, sir, yes.

11 SIR MICHAEL WRIGHT: Any idea how many? Are we talking

12 about one or two, or everybody?

13 A. I would have said three or four people.

14 SIR MICHAEL WRIGHT: Three or four people, thank you.

15 MR HILLIARD: So amongst that number, Mr de Menezes is one

16 who gets up; yes?

17 A. Yes, sir.

18 Q. What did he do after he had stood up?

19 A. Well, Mr Menezes stood up and then he made his way

20 towards Ivor and towards the direction of the double

21 doors.

22 Q. Can you say how he made his way; was he walking,

23 running?

24 A. No, his movements were quite rapid. He rose from his

25 seat quite sharply and then made towards the doors in

- 1 quite a sharp movement.
- 2 Q. So he's made towards the doors quite sharply?
- 3 A. Yes, sir.
- 4 Q. What happens, please?
- 5 A. Bearing in mind the close proximity now between him and
6 my colleague, Ivor, I saw my colleague Ivor literally
7 grab hold of Mr Menezes --
- 8 Q. Did you see how he grabbed hold of him?
- 9 A. I have previously described it as a pincer-like sort of
10 bear hug.
- 11 Q. Where had Ivor got Ivor's arms?
- 12 A. As I recall, he literally put his arms around -- around
13 him, almost in an upright rugby tackle, if that makes
14 sense.
- 15 Q. So they come right round behind Mr de Menezes's arms?
- 16 A. Yes. I believe so, sir, yes.
- 17 Q. Could you see where Mr de Menezes's arms were?
- 18 A. No, I didn't.
- 19 Q. Were you aware of anybody else coming into the carriage?
- 20 A. Well, bearing in mind this is happening in an instant,
21 literally at that moment I was aware of people entering
22 the carriage via the double doors that we have been
23 referring to.
- 24 Q. So the same set of Preston/Wilson double doors?
- 25 A. The same set of doors. Yes, sir, yes.

- 1 Q. How many people? I am looking at the top, if it helps
2 you, of the third page of your statement.
- 3 A. I was initially aware of two people coming on to the
4 carriage, very, very closely followed by a third.
- 5 Q. Right. Did you notice anything about them or any of
6 them?
- 7 A. One of them was wearing a chequered police
8 identification cap; I don't recall which.
- 9 Q. So one of the three is all you can say?
- 10 A. One of the three.
- 11 Q. Anybody with any guns that you could see?
- 12 A. One was carrying a machine gun. That was my initial
13 focus, if you like.
- 14 Q. Right. I am sure they were all armed, probably, here,
15 but you could just see the weapon that one of them was
16 carrying?
- 17 A. Initially, sir.
- 18 Q. You have described that in your statement as a machine
19 gun?
- 20 A. Yes.
- 21 Q. Was that the same or a different person, can you say, as
22 was wearing the chequered cap?
- 23 A. No, I recall that was the same person who was wearing
24 the chequered cap.
- 25 Q. Did you realise who they were? When I say "who",

- 1 I don't mean names, but what they were?
- 2 A. No, immediately I was aware --
- 3 Q. That these were S019 officers?
- 4 A. Yes, sir, yes.
- 5 Q. Right. What happened with Ivor and Mr de Menezes? So
- 6 when we left, Ivor's got his arms round him in the way
- 7 you have described.
- 8 A. Okay. Well, Ivor has hold of Mr de Menezes at that
- 9 point, who is still quite close to his -- to the seating
- 10 area, and Ivor pushed Mr Menezes back down towards the
- 11 seating.
- 12 Q. Right. Actually into the seat?
- 13 A. Umm ...
- 14 Q. If you can't remember --
- 15 A. I can't remember. Towards the seat and certainly they
- 16 went almost down towards the seat, if that helps.
- 17 Q. What about the S019 officers or any of them; what were
- 18 they doing that you could see at this time?
- 19 A. Obviously they were very close by as Ivor has hold of
- 20 Mr Menezes. One of the S019 officers I saw lean across
- 21 and over Ivor. They were basically -- Ivor and
- 22 Mr Menezes were back into the seat at this point.
- 23 Q. Before that, had you heard any challenge issued by any
- 24 of those officers?
- 25 A. I had not heard a challenge, sir, no, but, as I stated

- 1 previously, I, again a fraction of seconds before, heard
2 the word "police".
- 3 Q. Yes.
- 4 A. But I don't know who that word came from.
- 5 Q. But, as it were, once they were in, directed at the
6 person, anything about, "Stop", or, "Stand up", or, "Lie
7 down", or, "Show me your hands", or anything like that?
- 8 A. No, I didn't hear any of that, sir.
- 9 Q. So an S019 officer is leaning across and over Ivor.
10 What did he do, the S019 officer?
- 11 A. Well, as I say, he leant over and across Ivor and, with
12 his pistol which I could see, put the gun towards
13 Mr Menezes and then I heard the gunfire.
- 14 Q. Could you see whereabouts he put the gun?
- 15 A. Yes, sir. The gun was placed at Mr de Menezes's head.
- 16 Q. Could you see whereabouts on his head is what I am
17 asking. There is a reason.
- 18 A. It was to the side. It was to the side of the head as
19 I recall.
- 20 Q. And fired it?
- 21 A. And fired the weapon, or at least I heard the weapon
22 being fired, and very quickly I heard several more, the
23 sound of several more gunshots.
- 24 Q. Right. What did you do when the shooting started?
- 25 A. When that happened, I exited the train from the door

- 1 that I had entered it from, ie the --
- 2 Q. Single door at the end?
- 3 A. -- the single door. Then I went -- rushed around to the
- 4 open double doors, the ones which we had been describing
- 5 where the S019 officers --
- 6 Q. So you come out and along the platform --
- 7 A. Yes.
- 8 Q. -- to those double doors, yes. What did you see when
- 9 you got there?
- 10 A. By the time I got around there, I could see that Ivor
- 11 was being dragged off the train or appeared to be being
- 12 dragged from the train, from the carriage, by one of the
- 13 S019 officers.
- 14 Q. Could you see what had happened to Mr de Menezes?
- 15 A. I mean, obviously I could see into the train and I was
- 16 aware of Mr Menezes lying on the floor of the carriage.
- 17 Q. Right. Then you describe in your statement that:
- 18 "Whilst the incident was unfolding I was aware of
- 19 passengers exiting the train, some shouting, creating
- 20 a general commotion ..."
- 21 Then you say:
- 22 "Once all the passengers had exited the train
- 23 I remained at the scene for several minutes until I was
- 24 directed to leave."
- 25 A. That's correct.

1 Q. So is that down in the platform area, you stayed there
2 for several minutes?

3 A. Down in the vicinity of the platform, sir, yes.

4 Q. Then, as you say, after a time you are told to leave and
5 you do so?

6 A. Sir, yes.

7 MR HILLIARD: Thank you very much.

8 Questions from THE CORONER

9 SIR MICHAEL WRIGHT: Could I ask you, before Mr Mansfield
10 examines you, did you have any idea as to how many shots
11 had been fired?

12 A. No, sir. It was several shots. I couldn't be specific.

13 SIR MICHAEL WRIGHT: Put it in a bracket, if you like. If
14 you can't, that's fine.

15 A. Half a dozen, sir.

16 SIR MICHAEL WRIGHT: Half a dozen?

17 A. Yes.

18 SIR MICHAEL WRIGHT: Were you aware of more than one gun
19 firing?

20 A. I wasn't aware of more than one gun, sir, but I was
21 aware of several shots.

22 SIR MICHAEL WRIGHT: All right. We know that in fact more
23 than one gun was discharged, but however it was and
24 however many, were all the shots fired within a very
25 short space of time?

1 A. Yes, sir.

2 SIR MICHAEL WRIGHT: I mean one second, two seconds?

3 Difficult question I know; don't commit yourself.

4 A. A couple of seconds maximum, sir.

5 SIR MICHAEL WRIGHT: From beginning to end?

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: Yes, thank you.

8 Yes, Mr Mansfield.

9 Questions from MR MANSFIELD

10 MR MANSFIELD: Good afternoon. My name is

11 Michael Mansfield. I represent the family.

12 A. Good afternoon, sir.

13 Q. I am sorry to have to take you through what was a very

14 disturbing, distressing event for everybody concerned.

15 I really only want to ask you about that moment in

16 time when you have your back up against the single door

17 right at the end of the carriage and Jean Charles is

18 just sitting along the row from you to your right.

19 The first point -- it's rather obvious and you have

20 really said it already -- you plainly weren't expecting

21 anything like this, were you?

22 A. No, sir.

23 Q. Secondly, the whole thing, that is from Ivor getting up,

24 which you plainly weren't expecting, to the shooting

25 itself could be measured -- and I am not going to ask

1 you to put a precise figure -- lasted matters of seconds
2 itself; would that be fair?

3 A. That's fair, sir, yes.

4 Q. The estimate we have had so far, somewhere between five
5 and ten seconds for this whole exercise; very, very
6 quick?

7 A. That's right, sir.

8 SIR MICHAEL WRIGHT: That's from first hearing the noises in
9 the platform to the final denouement?

10 A. Yes, sir.

11 SIR MICHAEL WRIGHT: Five to ten seconds.

12 MR MANSFIELD: Five to ten seconds. The word you used at
13 the Health and Safety trial was "exceptionally quick".
14 So that's how you described it.

15 A. Yes, sir.

16 Q. That's the word you used. Therefore, what you are
17 reflecting on later is an extremely fast-moving incident
18 in which you are then trying to think about the order in
19 which things happened and the speed at which things
20 happened; do you follow? That's what you are trying to
21 do?

22 A. Absolutely, sir.

23 Q. There is a slight risk in doing that -- and you are
24 aware because the word has been used and I think we are
25 going to hear a lot more about it -- that there is

- 1 a form of perceptual distortion that goes on when you
2 are watching something like that; you are aware of that?
- 3 A. I am aware of that, sir.
- 4 Q. In other words, that if you are watching a very quick
5 incident, everything within it becomes very quick; do
6 you follow?
- 7 A. I do follow, sir.
- 8 Q. The reason I ask you that is that what I want to suggest
9 to you is that once Ivor had gone across to the door and
10 pointed, he used this gesticulation (indicated), in
11 other words he put his arm round like this; all right?
- 12 A. Okay.
- 13 Q. Do you remember that?
- 14 A. I do, sir. He gestured with his right arm.
- 15 Q. Yes. Within that moment a number of people got up,
16 didn't they? (Pause)
- 17 A. Are you asking me, sir, whether a number --
- 18 Q. Yes, within that moment a number of people got up?
- 19 A. Well, as I think I stated earlier, my attention was
20 focused on Ivor and then the direction in which he is
21 pointing, which was back towards where Mr Menezes was
22 sitting. So I am naturally going to be taking a lead
23 from my colleague's actions.
- 24 Q. Yes, I appreciate that. But as you were aware that
25 a number of people got up, the only point is -- all

- 1 I want to put it -- that when this happened, some people
2 got up?
- 3 A. Sir, some people did get up.
- 4 Q. In one sense you might -- I just want to reflect on the
5 word "sharply" -- they just get up because this is
6 an unprecedented situation of men carrying arms coming
7 on to a tube train. Do you follow?
- 8 A. Oh, I do, sir, yes.
- 9 Q. We have had a description from Ivor. The two he
10 remembers, or the ones right by the door who come in,
11 they are wearing T-shirts, aren't they, at that point;
12 do you remember that?
- 13 A. Yes, sir.
- 14 Q. And one -- yes? I'm sorry.
- 15 A. Yes, I don't particularly remember their dress, but --
- 16 Q. They are in plain clothes?
- 17 A. They are in plain clothes, absolutely.
- 18 Q. The ones who go -- and I don't know whether you can
19 remember this -- the ones who go across, do you remember
20 both of them or only one?
- 21 A. Both of?
- 22 Q. The officers who go across and actually discharge their
23 weapons?
- 24 A. I remember two going across to -- towards Ivor and
25 Mr Menezes.

1 Q. Right. Neither of those were wearing chequered caps,
2 were they?

3 A. Not to my knowledge, sir, no.

4 Q. Neither of those, to your recollection, ones who went
5 across actually shouted anything, did they?

6 A. I don't recall hearing either of them shout anything.
7 I think I have described what I did hear being audible
8 as the event unfolded.

9 Q. Yes, I appreciate that. I know it's a very short time
10 interval but I have a reason for asking you
11 specifically.

12 Now, the distance also between the seat where
13 Jean Charles is sitting and Ivor is very small, a few
14 feet, isn't it?

15 A. Yes, sir.

16 Q. So having got up, the most you can say is he moves in
17 the direction of Ivor, but he hasn't got very far, has
18 he?

19 A. No, sir, he hasn't.

20 Q. Because Ivor is able to grab, pincer-like, and push back
21 into the very seat he has come out of?

22 A. That's correct, sir.

23 MR MANSFIELD: Thank you very much.

24 Further questions from THE CORONER

25 SIR MICHAEL WRIGHT: Can I see if I have the -- there were

1 three men you saw approaching those double doors?

2 A. I didn't see them approach the doors, sir, I saw them

3 when they entered the train.

4 SIR MICHAEL WRIGHT: As they came in?

5 A. Yes, sir.

6 SIR MICHAEL WRIGHT: Two in front and one behind, I think

7 you told us?

8 A. But very, very close together.

9 SIR MICHAEL WRIGHT: Which one of them was wearing the

10 chequered cap?

11 A. I believe it was the third male.

12 SIR MICHAEL WRIGHT: The one behind?

13 A. The one behind the initial two.

14 SIR MICHAEL WRIGHT: Do I understand you to say that he was

15 the one who was carrying what you called the machine

16 gun?

17 A. Yes, sir, that is my recollection

18 SIR MICHAEL WRIGHT: Which might have been a carbine or

19 something of that nature?

20 A. Yes, sir, that is my recollection.

21 SIR MICHAEL WRIGHT: So the other two had handguns?

22 A. Yes, sir. I didn't see them at the initial -- their

23 initial entry on to the train, so I didn't see their

24 handguns at that point.

25 SIR MICHAEL WRIGHT: On the basis that they were both armed

1 and both fired, they were using handguns?

2 A. Sir.

3 SIR MICHAEL WRIGHT: It's just a logical conclusion?

4 A. Yes.

5 SIR MICHAEL WRIGHT: Thank you. Yes, Mr Stern.

6 Questions from MR STERN

7 MR STERN: Geoff, I ask you some questions on behalf of C2

8 and C12.

9 Just so we have your position clear, you are in the
10 far right side of the carriage against the door, are
11 you, that is closed?

12 A. Against the closed single door, sir, yes.

13 Q. Are you facing then out on to the platform?

14 A. I am facing towards the open door and out towards the
15 platform, sir, yes.

16 Q. It's from that position, is it, that you see everything
17 that you have told us about?

18 A. Sir, yes.

19 Q. It's only after the shooting that you actually move off
20 the carriage and go on to the platform?

21 A. That's correct, sir.

22 Q. When you were first on the carriage, as I understand it,
23 you were surveying the area in order to see whether you
24 could see the subject of the surveillance?

25 A. Initially as I stepped on the train, sir, I was trying

1 to identify where my colleagues may or may not have
2 been.

3 Q. I am just looking at your statement. You say:
4 "I began to scan the carriage to ascertain the
5 whereabouts of the subject."
6 Do you have that?

7 A. Where are we in the statement, sir?

8 Q. Well, it's page 188.

9 A. Sorry.

10 Q. Do you have the page numbers at the bottom?

11 A. Right, yes.

12 Q. You may have a different pagination. About ten lines up
13 from the bottom:
14 "... three or four passengers on seats opposite me
15 with their backs to the platform, four or five
16 passengers ..."

17 A. I see, sir, thank you.

18 Q. "I began to scan the carriage to ascertain the
19 whereabouts of the subject."
20 A. Sir, yes.

21 Q. Yes?

22 A. Sir.

23 Q. Is that right?

24 A. That's correct, sir, to identify the location of the
25 subject and my colleagues.

- 1 Q. Yes. Let me make it clear I'm not criticising you.
2 It's very difficult, three years on, to remember
3 everything that happened and in the precise order it
4 happened. Let me make that clear.
- 5 The next thing happened is you see Ivor get up from
6 his seat, go over to the double doors, and did you see
7 what he did when he was there? Did you see him block
8 the door or not?
- 9 A. No, sir, I didn't see him block the door, but he went to
10 the door, quite close to the door, and, as has been
11 stated, I saw him gesture back towards the area of the
12 seating.
- 13 Q. At that point you had not actually identified the
14 subject of the surveillance, had you?
- 15 A. That's correct, I hadn't identified him.
- 16 Q. What caused you to identify the subject of the
17 surveillance was the movement of the person who we now
18 know to be Mr de Menezes from his seat?
- 19 A. Well, sir, I think I may have stated I was guided by the
20 actions of my colleague.
- 21 Q. Yes.
- 22 A. His gesturing with his arm back towards the vicinity of
23 Mr Menezes made me draw my attention to that area, so
24 that's the point that I was aware.
- 25 Q. Yes, I understand that. You looked towards the area of

- 1 that seating but there were several people there,
2 weren't there?
- 3 A. I don't recall there being several people there, sir,
4 but there were --
- 5 Q. All right, you tell us: how many people were there
6 around Mr de Menezes?
- 7 A. I can't give an exact figure for that, sir, but there
8 were several people, as I recall, in the carriage, but
9 bear in mind now we are focusing on a small area of that
10 carriage to which my colleague has indicated.
- 11 Q. Was there no-one next to him as you recall it?
- 12 A. I don't recall, sir. I don't recall another passenger
13 next to him.
- 14 Q. Once that happened -- and the way again you put it in
15 your statement was:
- 16 "I then heard a shout from the direction of the open
17 doors."
- 18 Again, page 188.
- 19 A. I have got it, sir.
- 20 Q. Can you see five lines up?
- 21 A. Yes, I have got my statement here, sir.
- 22 Q. It was a shout, was it?
- 23 A. It was audible. I don't --
- 24 Q. I am just reading it from your statement made on
25 23 July 2005.

- 1 A. I heard the word ...
- 2 Q. It's there for you to see on the screen if you prefer.
- 3 A. Yes, it's easier.
- 4 Q. "I then heard a shout from the direction of the open
5 doors which included the word 'police'."
- 6 A. I can see it, sir.
- 7 Q. That's your statement?
- 8 A. Yes, sir, yes.
- 9 Q. Do you recall that now or not?
- 10 A. I recall quite vividly that I heard the word "police"
11 in -- audibly at that point.
- 12 Q. At that point you had not seen a police officer apart
13 from Ivor?
- 14 A. That's correct, sir.
- 15 Q. Then, as your statement continues:
16 "Immediately I was aware of a passenger rise sharply
17 from his seat."
18 That's the way you put it?
- 19 A. Yes, sir.
- 20 Q. "He was sitting in the area where Ivor was pointing.
21 The male was dressed in a blue denim jacket and had
22 short dark hair. He appeared animated and made towards
23 Ivor, who immediately grabbed hold of him in
24 a pincer-like bear hug."
25 Does that refresh your memory of --

1 A. Yes, sir, it does.

2 Q. -- how it happened?

3 A. Yes, sir.

4 Q. Could I just ask, please, to have up on the screen the
5 evidence that you gave at the Health and Safety trial;
6 you will be pleased to know not all of it.

7 9 October 2007, page 26. At the top of the page, third
8 line down:

9 "Question: Once you had seen Ivor, did you see
10 anybody else?

11 "Answer: No, not at that stage. I mean, there were
12 several passengers on the train at that time but
13 I wasn't aware of anybody that I was familiar with."

14 Then you are asked to say what happened in your own
15 words:

16 "Answer: Literally within the space of a couple of
17 seconds, I saw my colleague, Ivor, get up from his seat
18 and make his way towards -- away from me and towards the
19 direction of the first set of double doors. Having done
20 so, he sort of turned to his right and sort of made
21 a gesture back towards passengers in the carriage.

22 "Question: Did you hear anything?

23 "Answer: Not at that stage, I didn't hear anything.

24 "Question: He made a gesture and what happened
25 after that?

1 "Answer: At that time -- again, this is happening
2 exceptionally quickly -- I heard a shout from the
3 direction of the double doors ..."

4 So this is what you said in evidence last year.

5 A. Sir.

6 Q. "... and in that shout I heard the word 'police'
7 shouted. That having happened, it evidently prompted
8 a bit of a response from the carriage and I was aware of
9 a male that was to my right jump up from his seat, and
10 that was sort of generally in the direction that my
11 colleague Ivor was pointing at that time.

12 "Question: You said that produced a reaction in the
13 carriage; do you mean in terms of other passengers?

14 "Answer: I wasn't aware of what other passengers
15 were doing ... but for some reason my attention was
16 drawn to ... one particular male, who we now know to be
17 Mr de Menezes, who sort of rose sharply from his seat at
18 that time."

19 Does that refresh your memory that at the time that
20 the shouting had taken place -- and I appreciate this
21 all happened extremely quickly -- there was one
22 passenger who rose sharply or -- you have described it
23 in a variety of ways -- jumped up, and in fact if we
24 look a little further down at line 15, you have him
25 leaping from his seat. That is the way you described it

1 there. Do you see it?

2 A. I see how it's described, sir, yes.

3 Q. You say you were not aware of the other passengers at
4 that time. That's what you said last year in evidence.

5 A. Yes, sir.

6 Q. So is that right?

7 A. Well, I think what I am saying there and what I am
8 saying to you now is that whilst I am aware there are
9 other passengers there within the carriage, my focus
10 naturally is towards my colleague and the person or the
11 area to which he is pointing. It's important for -- to
12 clarify that.

13 This situation, as you have described, is happening
14 very, very quickly. Imagining the scenario that we are
15 in, my focus is on -- is very focused towards my
16 colleague and the area to which he is pointing. So what
17 other passengers are doing is a peripheral thing to me.

18 Q. I understand all of that, but the question I'm asking
19 really is what you put in your statement is this: that
20 you weren't aware of the other passengers at that
21 precise moment.

22 I know it all happened very quickly and within
23 seconds I am sure there were passengers leaving that
24 train, and we will hear from them, for obvious reasons,
25 there were shots; but at the precise time of the shout

- 1 and then Ivor turning round and facing the other side of
2 the seating, there was this incident which stuck out to
3 you from those passengers?
- 4 A. I am not entirely following, sir, here, because I think
5 what I'm trying -- what you are trying to say is that
6 I am not aware of anything else happening in the
7 carriage.
- 8 Q. No, no. Let me explain. The point is Mr Mansfield has
9 said to you: look, there were three or four people that
10 got up at the same time. That's effectively what
11 I think he might be putting to you.
- 12 A. Okay, sir.
- 13 Q. What I am looking at with you is what you said at the
14 Health and Safety trial in relation to that very issue.
- 15 A. Right.
- 16 Q. It seems, does it not, on the evidence that you gave,
17 that those people got up later, after this incident?
- 18 A. Well --
- 19 SIR MICHAEL WRIGHT: Do you mean after the shooting?
- 20 MR STERN: If one looks at his statement, it's not entirely
21 clear.
- 22 A. Sir, if "later" is within a fraction of a second.
- 23 Q. Yes.
- 24 A. I am awfully sorry but I can't pin that down to exact
25 specifics.

1 Q. All right.

2 A. I think that's what you are asking me to do, and I'm
3 afraid I can't do that.

4 Q. I think the point is this: you were focused on that
5 particular passenger at that time?

6 SIR MICHAEL WRIGHT: Forgive me, Mr Stern. You did use the
7 phrase "after that incident" and it's very difficult
8 really to answer that until we know what you mean by
9 "the incident".

10 MR STERN: Can we look at your statement at page 189 and you
11 can tell us what you meant. You have described the
12 entire incident at pages 188 and 189 that we have just
13 looked at; yes?

14 A. Yes, sir.

15 Q. You described the shooting about five or six lines down:
16 "As he did so I saw a pistol in his hand which he
17 placed at the head of the unidentified man and fired the
18 weapon. I heard several more sounds of gunfire as this
19 unfolded very quickly and I stepped out of the carriage
20 through the single door. I moved quickly to the open
21 double doors, and on doing so I saw Ivor being dragged
22 out of the carriage and on to the platform by an S019
23 officer."

24 Then you say:
25 "I could see through the open doors the ... lifeless

1 body ... on the floor ..."

2 In fact we have heard that the body remained on the
3 seat and then was put on the floor later on.

4 A. All right.

5 Q. That may not ...

6 "Whilst the incident was unfolding I was aware of
7 passengers exiting the train, some shouting, creating
8 a general commotion."

9 Was that during the time of the shooting or after
10 the shooting, or can you not now remember?

11 A. No, I --

12 SIR MICHAEL WRIGHT: That relates to leaving the train.

13 MR STERN: Yes.

14 SIR MICHAEL WRIGHT: What he was being asked about earlier
15 was whether anybody stood up from their seats.

16 MR STERN: Yes. That's the only --

17 SIR MICHAEL WRIGHT: What I thought you were putting to
18 him -- I am not sure what you are putting, actually, or
19 whether you are putting anything. I thought you were
20 suggesting that nobody moved out of their seats until
21 after the shots were fired. Is that what you are
22 suggesting?

23 MR STERN: I am not in a position to put that. I think
24 the --

25 SIR MICHAEL WRIGHT: What Geoff has told both me and

1 Mr Mansfield is that when Mr de Menezes stood up,
2 I think, having apparently heard the noises, what Geoff
3 then said -- and we will ask him again whether he thinks
4 this is right -- is that about the time, and
5 I appreciate these are minuscule split-seconds, that
6 Mr de Menezes stood up, so did one, two, three or four
7 other passengers.

8 Is that right?

9 A. Yes, sir, that is right, but, as you rightly say, within
10 a fraction of a second.

11 MR STERN: All right. I'll leave it there. It's in his
12 interview.

13 SIR MICHAEL WRIGHT: Thank you very much. Ms Leek?

14 MS LEEK: No questions.

15 SIR MICHAEL WRIGHT: Mr Perry?

16 MR PERRY: No, thank you.

17 SIR MICHAEL WRIGHT: Mr King?

18 MR KING: No, thank you, sir.

19 SIR MICHAEL WRIGHT: Mr Horwell?

20 MR HORWELL: No, thank you, sir.

21 SIR MICHAEL WRIGHT: Mr Gibbs.

22 Questions from MR GIBBS

23 MR GIBBS: Can we just clear up some words, please, Geoff?

24 If you have page 188 up again on the screen, and if

25 Tom could just use the yellow pen in the second last

1 line to highlight the word "animated". I'm going to ask
2 you about that in a moment.

3 Then if we could go back to the evidence at the
4 Central Criminal Court. It's 9 October, pages 26 and
5 27, I think. I am looking at the last line of 26.
6 I have got "jump up", and then if we scroll on to the
7 next page --

8 SIR MICHAEL WRIGHT: Actually go back up. Go up one line or
9 two lines:

10 "I heard the word 'police' shouted. That having
11 happened, it evidently prompted a bit of a response from
12 the carriage ..."

13 Presumably other passengers?

14 A. Yes, sir.

15 MR GIBBS: So I have "animated", "jump up". Then can we go
16 to the next page, please, and at line 8 I have "sort of
17 rose sharply", and at line 15 we have "leapt up".

18 Now, "animated", "jump up", "leap up", "rose
19 sharply". We understand this takes place very fast and
20 that you are not expecting it to happen; is that right?

21 A. I wasn't expecting it, sir, no.

22 Q. And that you are standing, am I right, with your back to
23 where Mr de Menezes moves away from you towards Ivor?

24 A. I'm stood with my back to the door, sir, affording me
25 some view of the carriage.

- 1 Q. So your view of Mr de Menezes is of him side on or of
2 his back?
- 3 A. Side on.
- 4 Q. So let us just take those words together. You have used
5 different words at different times: "animated", "leapt
6 up", "jumped up". It's all happening very quickly.
7 What was, as you tell us now, your impression from
8 where you were standing of what he did?
- 9 A. Having rose quickly from the seat, my impression that he
10 was trying to leave the train.
- 11 Q. So moving in the direction of the double doors towards
12 where Ivor was?
- 13 A. That's correct, sir.
- 14 Q. Towards where we know later some S019 officers were?
- 15 A. Yes, sir.
- 16 Q. Even if it was only a fraction of a second later that
17 they were there?
- 18 A. Yes.
- 19 Q. "Animated" is the word you used the day after the
20 incident. What did you mean by that? Did you mean
21 "rose sharply", "leapt up"? What did you mean by that?
- 22 A. Well, all of those things, sir. I think it's fair to
23 say that his movements out of the seat towards the doors
24 was somebody in a hurry, not somebody who was just
25 casually about to leave the train, if that makes sense.

1 MR GIBBS: Thank you very much.

2 SIR MICHAEL WRIGHT: Thank you.

3 MR HILLIARD: No more questions, thank you.

4 Further questions from THE CORONER

5 SIR MICHAEL WRIGHT: Just one thing, please. This is
6 a question about which you may have an answer or you may
7 not be able to give any answer at all.

8 You have told us that as far as you were concerned,
9 what had happened within your knowledge or experience,
10 before you went down into the tube station, was that you
11 were expecting this follow to continue?

12 A. Yes, sir.

13 SIR MICHAEL WRIGHT: In a conventional way?

14 A. Yes, sir.

15 SIR MICHAEL WRIGHT: With you there to support your
16 colleagues who were also on the train?

17 A. Yes, sir.

18 SIR MICHAEL WRIGHT: When you heard the noise from the
19 platform and then saw these three men, you of course as
20 an officer recognised instantly that they were CO19?

21 A. Yes, sir.

22 SIR MICHAEL WRIGHT: What did you think they were going to
23 do or what did you expect they were going to do, or did
24 you have no idea?

25 A. That split-second initial reaction, I think you have

1 heard the term "hard stop", and my initial impression
2 was that there was going to be a hard stop performed by
3 the SO19 officers.

4 SIR MICHAEL WRIGHT: Just a moment. (Pause)

5 Now, we have heard that "hard stop" is something of
6 a slang expression in the special operations areas of
7 Scotland Yard. What do you mean by it?

8 A. It means that it would be an armed intervention, sir;
9 basically that a subject, in this case obviously
10 Mr de Menezes, was going to be subjected to an armed
11 intervention and an arrest would be undertaken, but
12 an armed arrest.

13 SIR MICHAEL WRIGHT: Involving either necessarily or
14 probably physical contact between the officers and the
15 subject?

16 A. Undoubtedly, sir.

17 SIR MICHAEL WRIGHT: Undoubtedly?

18 A. Well, without going into how they perform their role,
19 which I can't do, hard stops -- sorry, armed
20 interventions can involve physical contact with the
21 subject. But not exclusively.

22 SIR MICHAEL WRIGHT: We have heard other ways in which it
23 can be done, by challenging from a distance, but this
24 was obviously all at very short range?

25 A. Very short range, sir.

1 SIR MICHAEL WRIGHT: So physical contact you thought was
2 very probable?

3 A. Probable, sir, but not exclusive --

4 SIR MICHAEL WRIGHT: But not inevitable. Very well. Thank
5 you very much indeed.

6 Further questions from MR HILLIARD

7 MR HILLIARD: I just want to understand the context of
8 people with weapons. What do you mean by "physical
9 contact"? Do you mean body to body, pushing someone?
10 I just don't understand.

11 A. Apologies. Perhaps I have not made myself clear there.

12 Q. Not to me.

13 A. As the Coroner suggested, the stops could be at
14 a distance, they could be very close by. I am not
15 involved in how those officers get on with their work,
16 so I wouldn't like to comment on how that might have
17 been conducted.

18 Q. I just want to know what you meant by it.

19 A. I think even the close proximity of the -- I suggest
20 that there was a possibility that some physical contact
21 will have taken place, albeit that is not -- not
22 exclusively would it be done so.

23 Q. You just mean one body against another body?

24 A. I really don't want to comment on that.

25 SIR MICHAEL WRIGHT: Possibly.

1 A. Possibly, sir, yes, but that's not for me to describe.

2 MR HILLIARD: I just didn't know what you meant. Thank you
3 very much.

4 SIR MICHAEL WRIGHT: Thank you very much, Geoff. That's all
5 as far as you are concerned.

6 (The witness withdrew)

7 MR HILLIARD: We can't let the moment pass, I don't think,
8 without drawing attention to it. Sir, as you know, and
9 the jury don't but they may be amazed to hear, that was
10 actually one of tomorrow's witnesses because we are
11 ahead of schedule.

12 SIR MICHAEL WRIGHT: At the moment, ladies and gentlemen,
13 Mr Hough, Mr Hilliard and myself are revelling in
14 an unusual situation.

15 MR HILLIARD: I expect normal service will be resumed as
16 soon as possible and we will be behind again soon, but
17 for a minute we are ahead. So we have run out for
18 today. So that's where we are.

19 SIR MICHAEL WRIGHT: Very well. I hardly like to ask you to
20 turn up at 9 o'clock tomorrow morning. We will have to
21 wait and see.

22 MR HILLIARD: I think if we can stick to it, if we finish
23 early it's even better.

24 SIR MICHAEL WRIGHT: Yes, I know. The reason why I am going
25 to stick to it is because if we come in at 9.00 tomorrow

1 and finish at about 2.00 or 2.30, it may well be that
2 after you have gone in the afternoon we can do quite
3 a lot more about finding a witness list, hopefully.
4 I am putting indirect pressure on everybody in the room
5 except you, but we will see how we get on.

6 Anyway, ladies and gentlemen, I look forward to
7 seeing you all at 9 o'clock tomorrow morning. That's
8 it.

9 MR HILLIARD: Thank you very much.

10 (3.35 pm)

11 (The court adjourned until 9.00 am
12 on Friday, 24 October 2008)

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