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Friday, 24 October 2008

(9.00 am)

(In the presence of the jury)

SIR MICHAEL WRIGHT: Good morning. Yes, Mr Hough.

MR HILLIARD: The first witness is Piers Dingemans.

DETECTIVE SERGEANT PIERS DINGEMANS (sworn)

SIR MICHAEL WRIGHT: Thank you, Mr Dingemans. Please sit
down.

Questions from MR HOUGH

MR HOUGH: Is your name Piers Dingemans?

A. That is correct, yes, sir.

Q. I'll ask you questions first on behalf of the Coroner
and then you will be asked questions by others.

A. Sir.

Q. In 2005 were you a detective sergeant in S013, the
Anti-Terrorist Branch of the Metropolitan Police?

A. That is correct, sir, yes.

Q. Were you on 22 July 2005 the head of what we have heard
called an arrest team?

A. Yes, sir, that is correct.

Q. Was that you and three detective constables under your
direction?

A. That is correct: DC Hillier, DC Braithwaite and
DC McAuley, sir.

Q. You and all three of your constables were, I think,

1 unarmed that day?

2 A. That is correct, sir.

3 Q. And in plain clothes?

4 A. That is correct, sir.

5 Q. I think you have made three witness statements about the

6 events that day, the first just a couple of days

7 afterwards, the second another substantial statement and

8 then the third just about some telephone calls?

9 A. Yes, sir.

10 Q. If you have those statements to hand, then have them in

11 front of you and there is no difficulty about you

12 looking at them to refresh your memory.

13 A. Thank you, sir.

14 Q. I think you gave evidence at the Health and Safety trial

15 on 15 October last year?

16 A. That is correct, sir.

17 Q. That day, 22 July 2005, what time were you due to come

18 on duty?

19 A. We were all lodged in hotels, and I don't remember being

20 given a specific time. I think it was -- you know, you

21 were up as soon as you could be and you were in, and

22 then you go to the operations room.

23 Q. Is that the operations room on the 16th floor that we

24 have heard of or another operations room?

25 A. No, it's probably now called the support operations

1 room, which is on the 15th floor.

2 Q. Did you arrive at New Scotland Yard sometime around
3 7 o'clock that morning?

4 A. That is correct, yes. I can't be precise on the time,
5 but I believe that it was at some time around that time,
6 yes, sir.

7 SIR MICHAEL WRIGHT: Do I understand you to say that you
8 weren't working on formal shifts at all?

9 A. Well, no. After 7 July, we had obviously done various
10 deployments then, sir, and then some people were still
11 on those deployments. The night before I had been at
12 Paddington, finishing in the sort of early hours, and
13 then we were coming in. So you weren't with teams or,
14 you know, the teams hadn't been formulated, so you were
15 going in and being directed. So there was no formal --

16 SIR MICHAEL WRIGHT: I follow that. As you say, you used
17 the words you were coming in as soon as you could get
18 there?

19 A. Yes, sir.

20 SIR MICHAEL WRIGHT: Was this an extraordinary situation
21 because of the impact of 7 July?

22 A. It was, sir, yes. I mean, myself I had been down the
23 tunnels at Edgware Road for two weeks and I had come out
24 of the tunnel on the Monday. Tuesday was sort of making
25 sure the kit was all clean, sort of for future

1 cross-contamination issues.

2 SIR MICHAEL WRIGHT: Were you and your colleagues working
3 exceptional hours?

4 A. Yes, sir. I think my last sort of call the night before
5 on the phone billing was something like 2.00 or 3.00 in
6 the morning, sir.

7 MR HOUGH: Is this right: had you been involved the previous
8 day in any of the investigations arising out of the
9 failed bombings?

10 A. I had, sir. There was an arrest, I think that was made
11 from Warren Street, where it was somebody who wasn't
12 after investigation involved, but their manner and
13 acting around the cordons had caused the officers there
14 to arrest him. I went and interviewed that person at
15 Paddington that night, sir.

16 Q. Before you arrived at 7 o'clock on the 22nd, did you
17 know anything about the suspects who had been named and
18 identified?

19 A. No, I wasn't aware. I mean, I was aware that obviously
20 work was going on in the night but I wasn't aware of the
21 details and the specifics.

22 Q. We have from your telephone billings a call from your
23 mobile to an unknown number at 6.30 in the morning, so
24 a little before you came in on duty. Did that have any
25 relevance to what we are discussing?

1 A. I mean, it might well have been asking what the
2 direction for the day was. I can't be more specific
3 than that.

4 Q. When you arrived in New Scotland Yard and got to the
5 15th floor room, did you receive a briefing from anyone?

6 A. Yes, I did, from DCI Scott, sir.

7 Q. We have heard from her about that briefing. I think it
8 was rather a brief briefing?

9 A. Yes, it was, sir, yes.

10 Q. Certainly from what she has said, she told you that two
11 suspects had been identified and told you their names,
12 Osman and Omar?

13 A. That is correct. She gave me the address of
14 21 Scotia Road. She told me that DCI Purser would be
15 Silver and effectively I was to work to his direction
16 and sort of get the team together and then go to
17 Nightingale Lane, sir.

18 Q. Did she tell you that images had been obtained either
19 from gym cards or records or from CCTV?

20 A. It was from what had been retrieved at the
21 Shepherd's Bush in -- that had led to the CCTV and
22 therefore these two people were believed, I think, to be
23 responsible for, at the time, Warren Street and the Oval
24 tube stations.

25 Q. Did she show you any of the photographs?

1 A. I don't believe so, no, sir. She may have, but I don't
2 have a recollection.

3 Q. Were you given any photographs or stills to take away
4 with you?

5 A. No, I wasn't, sir.

6 Q. Were you told about any other address other than the
7 Scotia Road address?

8 A. I don't believe at that time I was, sir, no, sir.

9 Q. Now, in general terms, either from what DCI Scott told
10 you or from what you understood of your general duties,
11 what was your role that day to be?

12 A. It was a dual role, sir: that was of an arrest team
13 supporting a firearms team, sir. In essence the
14 firearms team would do the stop and control the subject
15 and then we would come in and arrest in a manner that we
16 did on S013 which was to sort of achieve the highest
17 possible integrity re the forensics if any tracework was
18 found.

19 The second role was to act if people came from the
20 premises that weren't identified as either of the two
21 that had been spoken of, to speak to them as witnesses,
22 taking them away from the area to a police station and
23 seeing what they knew about 21 Scotia Road because it
24 was a communal premises.

25 Q. So just to expand on those two roles, first of all if

1 the CO19 officers were called in to effect an arrest,
2 for example, on an actual suspect, you would come in
3 after they had done the arrest and you would help to
4 detain them in such a way that forensic material could
5 be taken away from the scene?

6 A. Yes, the aim would be -- we didn't have sterile cars out
7 actually sort of with us at the time, but they were
8 available and ready --

9 Q. Just help us with what sterile cars are.

10 A. Basically it's a car that's -- normally a hire car
11 that's been cleaned, it's then further cleaned when we
12 get it; all the windows are then covered, all the seats
13 are covered with brown paper.

14 The prisoner on arrest is put into a white suit, his
15 hands and face and everything is covered, and then they
16 are taken to a cell which again has been made sterile
17 with brown paper on the floors and the walls; the idea
18 being that once they are at Paddington and tracework
19 samples are taken from their hands, I think it's
20 normally with a sort of alcohol, and that might leave
21 a bomb or a firearms sort of explosives trace, and
22 that's then analysed by a scientist, the idea being that
23 if there is a trace, that in a court of law when the
24 defence are arguing that they can't say that that sample
25 came from a firearms officer or somebody else, well,

1 they can obviously say it came from the firearms officer
2 if they were involved in the arrest, but they couldn't
3 say it could come from another scene --

4 SIR MICHAEL WRIGHT: You don't get accidental contamination
5 is what you are essentially telling us; it doesn't spoil
6 the samples?

7 A. It's to try and make it as good as we can in the
8 circumstances.

9 MR HOUGH: So that's strand one of your role.

10 Strand two of your role is if C019 aren't brought in
11 but it's necessary to stop somebody and talk to them in
12 order to gain intelligence, you would be deployed for
13 that purpose also?

14 A. That is correct, yes, sir.

15 Q. You have told us about what DCI Scott did tell you. At
16 the time of the briefing, were you made aware that
17 Scotia Road was a communal block?

18 A. I was, sir, yes, sir.

19 Q. Were you told that a surveillance team was in place and
20 that another surveillance team might be sent there?

21 A. I think -- yes, I mean, I was told stuff by DCI Scott
22 and then DCI Purser, and exactly who told me what, you
23 know, my memory now --

24 SIR MICHAEL WRIGHT: That doesn't matter. You were told by
25 somebody?

1 A. I was told, yes, sir. I did know that a surveillance
2 team was in place.

3 MR HOUGH: But it may have been either DCI Scott at this
4 stage, 7 o'clock, or DCI Purser rather later, a little
5 after 9.00?

6 A. Yes, sir.

7 Q. From what you have said about your role, can we assume
8 that you understood that firearms teams were to be
9 involved assisting the operation?

10 A. Yes. I mean, if there is a Silver appointed, sir, then
11 the Silver's appointed for firearms operations.

12 Q. Had you been told that a DSO had been appointed?

13 A. I don't believe I was at that stage, sir, no.

14 Q. At that stage or any stage?

15 A. I became aware of it, and whether I was aware before or
16 afterwards, I couldn't --

17 Q. Before or after?

18 A. The incident.

19 Q. The shooting?

20 A. The shooting, sir, yes, sir.

21 Q. After you had had the briefing from DCI Scott, were you
22 given instructions then to go to Nightingale Lane?

23 A. That is correct, yes, sir.

24 Q. For what purpose?

25 A. Basically to attend a briefing with the Silver,

1 DCI Purser, and then take further instructions from him
2 there, sir.

3 Q. So what did you do then to prepare for setting off?

4 A. As I say, I said earlier, I can't -- obviously I had to
5 get the team together. I don't know whether that team
6 had been formulated overnight by the ops room or it was
7 a case of, you know, as people -- getting who was
8 available, who had then had to obviously get our kit
9 together, as people had been deployed all over the
10 place.

11 Then we had to get a vehicle and again half our
12 command was up in Leeds so, you know, vehicles -- it
13 obviously had to be a vehicle that was capable of having
14 the warning equipment and then a blue light, sir.

15 So it would have been getting that together and then
16 going down Nightingale Lane.

17 Q. Did you arrive at Nightingale Lane at around 9 o'clock
18 that morning?

19 A. Yes, that's correct, sir.

20 SIR MICHAEL WRIGHT: You had only been told, as far as you
21 recollect, about Scotia Road?

22 A. I --

23 SIR MICHAEL WRIGHT: As an address.

24 A. I honestly can't remember, sir. I know I was told about
25 Scotia Road and I am very clear about that. Whether or

1 not I was told about the other address or not, I don't
2 know, sir.

3 SIR MICHAEL WRIGHT: Did you understand you to be, as it
4 were, as a team, as an arrest team, effectively
5 exclusively allocated to Scotia Road?

6 A. That was my understanding, yes, sir.

7 SIR MICHAEL WRIGHT: We know there was another address,
8 Portnall Road.

9 A. Yes, sir.

10 SIR MICHAEL WRIGHT: Would that have had another S013 arrest
11 team?

12 A. I think that would have been my understanding. My
13 understanding was, you know, Mr Purser was Scotia Road,
14 I was to report to Mr Purser, and we were to be deployed
15 to Scotia Road. But as in many instances, you know,
16 a deployment can change in, you know, seconds and we
17 could have been moved. But my understanding at the time
18 was --

19 SIR MICHAEL WRIGHT: I am only asking you about what it was
20 at the beginning and that was purely Scotia Road?

21 A. Yes, sir.

22 SIR MICHAEL WRIGHT: Thank you.

23 MR HOUGH: We have a number of calls from your mobile phone,
24 I think around six, between 7.20 and 9 o'clock that
25 morning.

1 A. Yes, sir.

2 Q. Can you help us with what those calls were about, either
3 individually or in general terms?

4 A. I believe I would have probably spoken to Mr Purser. It
5 might have been speaking to some of the officers. You
6 know, I might have been given a list of names, then
7 I would have rung round to see where they were. They
8 might have been there, they might have had to go and get
9 stuff. I might have been ringing them up to say, you
10 know, "Have you got your stuff? Are you coming? We're
11 all" -- generally it might have been chasing up trying
12 to find a vehicle, trying to find a blue light. I can't
13 be more specific than that, sir.

14 Q. You travelled, I think, to Nightingale Lane with the
15 three members of your team?

16 A. That's correct, yes.

17 Q. Your vehicle I think was a blue Vauxhall Zafira saloon
18 car?

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

20 Q. Not a marked police vehicle?

21 A. No, sir.

22 Q. But, as you've indicated, had a blue light that you
23 could put on top?

24 A. And one in the grille, sir, and also the ability to have
25 the headlights flashing and what's known as a two tones,

1 the sound that you hear that emergency vehicles make,
2 sir.

3 Q. So you could use the lights and sirens, but it wouldn't
4 be apparent when you were driving along ordinarily that
5 you were a police car?

6 A. That is the idea, yes, sir.

7 Q. When you arrived at Nightingale Lane, at the police
8 station, at around 9 o'clock, what was DCI Purser doing?

9 A. He was already giving a briefing to the firearms
10 officers and we stood at the back of the room while that
11 briefing continued.

12 Q. We have heard that that briefing took place between
13 about 8.45 and 9.15, so that would put you arriving
14 about halfway through; is that right?

15 A. From my recollection the briefing was -- it was well
16 underway, you know, more than halfway through, sir,
17 probably.

18 Q. After that general briefing to the firearms teams, did
19 DCI Purser give you and your team a specific briefing?

20 A. Yes. Basically he explained that Scotia Road was
21 a communal door, again that it was controlled by
22 a surveillance team, that the TA Centre had been
23 identified as an area where we were to be deployed to
24 sit and wait out of sight until we were then further
25 deployed.

1 Basically the two roles were discussed, the fact
2 that sterile cars weren't immediately available, as in
3 normally in a situation like that you would actually
4 have the sterile cars in a convoy, so they sort of would
5 move up immediately after the arrest, but he said they
6 were available, you know, within London and we would
7 make a decision at the time on arrest, you know. If
8 certain situation was becoming volatile and we needed to
9 remove the prisoner quickly then we probably would have
10 foregone the sterile vehicle, but that decision would
11 have been made there.

12 He also spoke about the other role, which was to
13 stop people coming from the address, but under his
14 direction.

15 Q. Did he tell you anything about the strategy in general
16 for the address; what kinds of people would be stopped
17 by the C019 team and then you brought in as back-up, and
18 what kind of people you would be dealing with directly?

19 A. Well, we were dealing with obviously the two named
20 people, Hussain Osman and Abdi Omar, and they would have
21 been stopped by C019, and others, persons who were not
22 identified as those two, would have been stopped by us
23 for intelligence purposes.

24 Q. Is this right: you would only be deployed and stop
25 people for intelligence purposes under the specific

1 direction of Mr Purser?

2 A. Absolutely, yes, sir.

3 Q. Not on your own discretion?

4 A. No, no. No way, sir.

5 Q. Was there another arrest team being briefed at

6 Nightingale Lane for deployment in the Scotia Road area?

7 A. Yes. From my recollection we had a mirror car that

8 basically was the same as us, yes.

9 SIR MICHAEL WRIGHT: A mirror car, do you call it?

10 A. It was identical in formation to us, sir.

11 MR HOUGH: Another four SO13 officers in an unmarked saloon

12 car?

13 A. Yes, sir.

14 Q. We have heard that the SFO teams left Nightingale Lane

15 one by one and some at least got to the TA Centre. Were

16 you aware of the cars leaving one by one before you?

17 A. Yeah, we -- I mean, after the briefing we went to the

18 car park and we were starting to get ready. You

19 obviously saw the cars leaving the car park. I mean,

20 it's a big car park but, you know, you are aware of

21 people, as it were, getting kitted up and moving out.

22 The sort of direction was obviously to wait until

23 the firearms were in place and they had also reced it

24 and they were comfortable. So we didn't, as it were,

25 drive through the scene or the plot until people were

1 ready for us to come through, sir.

2 Q. Were you aware of Mr Purser and his tactical adviser,
3 Trojan 84, leaving before you?

4 A. Yes, sir.

5 Q. You, I think, didn't get to the TA Centre?

6 A. No, it was literally as we were pulling out of
7 Nightingale Lane I received a telephone call, sir.

8 Q. Now, we have seen from Mr Purser's billing records that
9 he made a call to your mobile at 09:48:50 lasting just
10 under a minute, so about 9.49, lasting just under
11 a minute. Can you remember what that call was to do
12 with?

13 A. Yeah, I believe that call, sir, was Mr Purser telling me
14 that what was known as an IC2, a dark European, had left
15 Scotia Road and that the person was to be stopped by
16 ourselves. He said that the person was travelling on
17 a bus towards Brixton.

18 He gave me a telephone number, which was recorded by
19 DC McAuley, of one of the surveillance officers to speak
20 to, to obviously -- because we didn't have Cougar in our
21 car. That was something we would normally have got hold
22 of down at the TA Centre, we would have probably got
23 a hand-held off the surveillance team. So we would
24 communicate by mobile.

25 So the number was to allow us to speak to the

1 surveillance team and, as it were, sort of tell us
2 exactly where things were, because obviously they move
3 by the second, and as we were going to approach and get
4 on the bus, to be talked on to the bus, sir.

5 Q. Now, just talking through the instructions you got and
6 what you understood of them, you understood that it was
7 your job to stop the man?

8 A. Yes, sir.

9 Q. Can you explain what you mean by "stop" and for what
10 purpose?

11 A. The stop was for intelligence purposes. Had we not been
12 stood down, as we were slightly later, we would have
13 boarded the bus, identified the individual with the
14 assistance of the surveillance team, invited that
15 person -- and it would have been a strong invitation,
16 that would have been sort of four people, as you could
17 on a bus -- to come with us, and hopefully that person
18 would have come with us, co-operating.

19 We did have obviously a sort of potential power of
20 arrest to fall back on, you know, if there was not
21 co-operation. But the idea was to take that person with
22 co-operation, to put that person in our vehicle, to
23 drive away from what was going on, so obviously away
24 from Scotia Road, because it would have been
25 a continuing surveillance plot, to take that individual

1 to a police station and then speak to that individual
2 about where they lived at Scotia Road.

3 Really that conversation would then develop
4 depending on what -- that conversation -- depending on
5 what you were given, who they lived with. You know, if
6 they sort of said they were in a line of work and
7 certain things they could give you could be checked out
8 easily, and you could have trust and belief in what that
9 person was saying, you know, you might have then looked
10 to find more and more detail about Scotia Road.

11 If you were uncomfortable with that person then, you
12 know, what we wouldn't have wanted to do was educate
13 somebody who may have been obviously in the flat of Abdi
14 and Hussain.

15 Q. So you would have questioned them to get as much
16 information as possible but careful not to give too much
17 away in case it was somebody who was up to no good?

18 A. Yes, and it's impossible to say how that conversation
19 would have developed until you were given information
20 back.

21 SIR MICHAEL WRIGHT: Does it follow from that, what you were
22 being asked to do, that it would have been apparent to
23 you that at this moment in time the person you were
24 going to stop was not regarded as being a suspect?

25 A. Yes, sir.

1 MR HOUGH: The Coroner has taken my next question.

2 SIR MICHAEL WRIGHT: Sorry.

3 MR HOUGH: I'll move on to the next one.

4 You have told us also that you were going to be
5 identifying the man, when you came to him, with the aid
6 of the surveillance team --

7 A. Yes, sir.

8 Q. -- in order to stop him and speak to him. But were you
9 told anything by Mr Purser about his description to help
10 in picking him out?

11 A. From my recollection it was, as I said, dark European.
12 I can't recall if in the phone call I had from Mr Purser
13 any clothing or anything. I seem to remember that we
14 were told that he wasn't carrying anything, which should
15 have obviously took -- you know, lowered the sort of
16 risk factor when you are trying to balance these things
17 up at the time.

18 Q. You think you were told that in this call at 9.48, 9.49?

19 A. I believe from my recollection, yes, sir, but, you know,
20 that is to the best of my recollection.

21 Q. Did you then travel up towards first of all Brixton Road
22 and then Stockwell Road?

23 A. I seem to believe that I think we actually came up sort
24 of, as it were, towards the bus and then turned round
25 behind the bus. So I think we possibly came up

1 Stockwell Road and saw the bus, because we had the
2 registration by that time, coming towards us.

3 Q. Let us take that in stages. As you set off from
4 Nightingale Lane, did you use the lights and sirens for
5 your whole journey?

6 A. I did. In preparation of this case -- and I'm aware
7 that in evidence at the hearing I said that we had
8 lights on all the way and behind, when we were behind
9 the vehicle.

10 My recollection, I cannot be as certain as I was at
11 the time I gave that evidence. I know we used blue
12 lights, I am absolutely certain of that, and at some
13 stage they were turned off. I know and I am absolutely
14 certain that we were behind the bus; I have no doubt
15 about that. What I cannot be certain about is at the
16 point that the blue lights were turned off, sir.

17 Q. Okay. So you travelled in the car from Nightingale Lane
18 to Stockwell Road, you used the blue lights and sirens
19 for at least part of that journey?

20 A. Yes, sir.

21 Q. But you are not sure now at what time you turned off the
22 lights and sirens and in particular whether you had the
23 lights and sirens on when you got close to the bus?

24 A. Yes, that is correct.

25 Q. Is this right: Constable Hillier had access to your

1 mobile phone to use that?

2 A. Yes, sir.

3 Q. And Constable McAuley was using his own mobile phone?

4 A. Yes.

5 Q. We have a couple of calls I would like to ask you about.

6 First of all, Mr McAuley at 9.51 made a failed call to
7 Tim, a member of the grey team. Is that consistent with
8 him trying to make some initial contact with the grey
9 team at 9.51?

10 A. Yeah, I mean, I think we were given a number, and I am
11 not sure if the number we were given was that number,
12 and he then had to, either through the ops room or some
13 other means, get another number which he then rang.

14 Leading on from that, my understanding is that, you
15 know, he spoke to the surveillance team and obtained
16 from the surveillance -- who in the surveillance team
17 I couldn't tell you, but he spoke to someone.

18 Q. I can help you with that. It was 9.52, it was
19 a 45-second call from his phone to the mobile phone of
20 James, whom we have heard from. We have heard that
21 there was a communication between those two phones about
22 where the subject was and about where you might be able
23 to effectively stop the subject.

24 Mr McAuley has made a statement to the effect that
25 the bus was near the Brixton Academy when he had his

1 call with James's mobile. Is that something you recall?

2 A. I mean, no, I can't -- the specifics. I mean, he would
3 have been telling us the direction the bus was going and
4 therefore directed sort of where we were driving to.
5 But the specifics -- I mean, I am obviously aware from
6 sort of other people's evidence the route the bus took,
7 but my personal memory, no, sir.

8 Q. We have another call from Mr McAuley to James's mobile
9 at 9.54, just under a minute. Would that have been more
10 questions about where the bus had got to, just to focus
11 in on it?

12 A. Yes, I would imagine -- obviously, you know, the
13 surveillance is moving, so, you know, if you are told
14 something is at one place at 9.52, the logic if the
15 subject is moving is that it's somewhere else at 9.54,
16 sir.

17 SIR MICHAEL WRIGHT: How close did you get to the bus?

18 A. I have a very clear recollection that we were behind the
19 bus, because --

20 SIR MICHAEL WRIGHT: The next vehicle behind the bus?

21 MR HOUGH: Can we get to that in a second? There are
22 a couple of things to deal with first, because by the
23 time that these calls are taking place between the
24 mobile phones, I don't think you had got as far as the
25 bus?

1 A. No, sir.

2 Q. So we have had the calls at 9.52 and 9.54 between
3 Mr McAuley and James's mobile. James has told us that
4 the calls were taken by his passenger and that he never
5 found out who was calling.

6 A. Yes, I am aware of the evidence that he has given, sir,
7 yes, sir.

8 Q. Can you recall whether Mr McAuley, sitting in your car,
9 explained to the surveillance team who you were and what
10 you were going to be doing?

11 A. That would have -- from my recollection, you know,
12 that's what Mr McAuley would have been asked to do. He
13 certainly didn't come off the phone and say, you know,
14 "I haven't told them anything, they can't understand
15 what I am saying", or anything like that. But I also
16 accept that, you know, as a surveillance officer running
17 an operation like that, he has a massive amount of
18 information to take on board and he may receive
19 information and not necessarily register it, sir.

20 Q. Yes. As you were driving along this section of road,
21 trying to get behind the bus, were you aware of where
22 the SFO teams were and what their intention was?

23 A. No, I mean, as we were sort of, as it were, in the
24 primary role as, you know, the bus and the individual on
25 it was down to us, no. So I wasn't -- you know, my

1 understanding was they would still have been waiting to
2 be deployed at the TA Centre.

3 Q. So en route to the TA Centre or at the TA Centre?

4 A. Yes, sir.

5 Q. You were not going to be having SFO support in stopping
6 the bus?

7 A. No, my understanding was a purely unarmed stop to be
8 done with ourselves with officer safety equipment, sir.

9 SIR MICHAEL WRIGHT: Forgive me, Mr Hough. Can we just go
10 back for a moment to a couple of questions ago. You
11 were talking about whether or not the surveillance team
12 understood what was being said to him on the phone or
13 who was talking. You have heard the suggestion.

14 Do you have, with your wireless procedure or your
15 telephone procedure, any sort of laid-down protocol as
16 to whether you announce yourself or say who you are?

17 A. Well, the protocol with surveillance is effectively the
18 eye, sir; the eye, as it's known. Whoever in
19 surveillance has the eye has control of the radio and to
20 a certain extent the phones. If you want to break that
21 control, you have to ask for permission. So, you know,
22 if you were speaking to a surveillance team who were
23 concentrating on the eye, you would -- you know, you
24 would say, "Can we speak to you? Can you listen to us?"

25

1 But once it moves from the surveillance to us then
2 performing a role under the guidance or with the
3 assistance of the surveillance team, then there is no
4 formal words other than the fact that you would be very
5 clear that, you know: we are coming here, we are doing
6 a job and we need your help to do it, and you couldn't
7 do it without the surveillance officers.

8 SIR MICHAEL WRIGHT: That I fully understand. What I'm
9 interested in is whether or not there is any procedure
10 which is supposed to be observed so that the
11 surveillance officer for the first on one hand will know
12 that it's an S013 officer speaking or whether,
13 vice versa, the S013 officer will know it's
14 a Special Branch officer speaking.

15 A. Normally, sir, in a more planned operation you would
16 have something laid down because you would have had
17 a much more thorough briefing and you would -- normally,
18 you know, on a larger operation you would brief the team
19 leaders first and those sort of problems would be ironed
20 out.

21 It would be, you know: we expect X, Y, Z to happen,
22 and at that point we are then going to bring in 13.
23 When they come in -- you would agree those, but there
24 would be no -- there is no sort of set formula that you
25 would lay across everything, sir.

1 SIR MICHAEL WRIGHT: No set formula. Thank you.

2 MR HOUGH: Just to be specific on that, no guidance or
3 instruction that if one of your colleagues is making
4 a mobile phone call to a surveillance officer who isn't
5 actually on the subject himself, no guidance that he
6 says, "It's the SO13 arrest team here"?

7 A. I mean, he would have said that, sir, and sort of common
8 sense and professionalism would dictate that that would
9 be done, sir, but I don't think it --

10 Q. It's not in a manual?

11 A. It may be written down in a manual, sir, but I am not
12 aware of it, sir.

13 Q. Can we have tab 11 of the jury bundle, 23C on screen.
14 This is just to help with where you had got to.
15 You see there in red marked the route of the bus up
16 Stockwell Road and to where it stopped in
17 South Lambeth Road, just on the left bottom corner of
18 the screen?

19 A. So it's coming up the screen, as it were?

20 Q. Exactly, going north. Using this map, and we can show
21 you a map a little south of that if it helps, roughly
22 where did you reach by the time that you saw the bus?

23 A. All I can say is obviously in between Brixton and
24 Stockwell. My recollection is that we came up -- so we
25 came up Stockwell Road, turned round.

1 I have a very clear recollection that I wasn't
2 wearing my officer safety vest at the time because I was
3 going to put it on down at the TA Centre and it was
4 racing through my mind whether I should or shouldn't put
5 it on as we were about to sort of get -- stop the bus.

6 Where -- I mean, all I know is either out of -- we
7 have sort of turned, we are behind the bus, we are sort
8 of thinking about getting the kit on. At some point the
9 call comes in from Mr Purser. At some point we do see
10 one of the firearms team -- what I believe to be the
11 firearms team come through, and then we see the bus go
12 right and --

13 Q. Can I just pause you there.

14 A. All I can say -- in answer to your question, sir, all
15 I can say is, you know, those things happened and, you
16 know, as much road as it could take for that to happen,
17 but I couldn't be more precise than that.

18 Q. Okay. Let's do the sequences if we can't do the place.
19 You travel north up Brixton and Stockwell Roads, and
20 does a time come when you see the bus ahead of you?

21 A. Yes, sir. We turned round for the bus, yes, sir.
22 I believe somebody, one of the people in the car,
23 spotted the bus and the registration.

24 SIR MICHAEL WRIGHT: When you say "turned round", what do
25 you mean?

1 A. Well, we were travelling north and we saw the bus coming
2 south, so we turned round to go behind it, sir.

3 MR HOUGH: I am sorry, you have confused me there.

4 A. We were travelling from, as it were, we had -- my
5 directions are probably wrong, but we had Stockwell tube
6 station behind us and --

7 SIR MICHAEL WRIGHT: In that case you were going south.

8 A. I do apologise, sir.

9 SIR MICHAEL WRIGHT: That's all right. The bus was coming
10 in the opposite direction?

11 A. Yes.

12 MR HOUGH: Let's get your route right, then. Can we please
13 have the maps brochure, page 3 on screen, please.

14 Now, the arrow on the left-hand side bottom of the
15 screen points to Nightingale Lane; not to the specific
16 address you were coming from, but to Nightingale Lane.

17 A. Yes, sir.

18 Q. The arrow towards the top right is Stockwell station.

19 A. Sir.

20 Q. Now, you think that you got to Stockwell station with
21 Stockwell station behind you?

22 A. I mean, in essence I think the journey we would have
23 probably taken is from Nightingale, leaving
24 Clapham Common to our left and continuing straight up
25 that road.

1 Q. So if we can focus in a little, just to get the route
2 right. Is this right: you would have gone up
3 Nightingale Lane on the south side, Clapham Common South
4 Side, then up Clapham High Street, Clapham Road, up to
5 Stockwell tube?

6 A. That would be the logic, bearing in mind that when we
7 came into Stockwell Road we were travelling towards
8 Brixton as opposed to --

9 SIR MICHAEL WRIGHT: You went up to Stockwell and then came
10 back down Stockwell Road?

11 A. Yes, sir.

12 SIR MICHAEL WRIGHT: Going away from Stockwell station?

13 A. Yes, sir.

14 MR HOUGH: So going south on Stockwell Road, and while you
15 are going south on Stockwell Road, with the tube station
16 behind you, one of your passengers sees the bus and
17 identifies its registration number?

18 A. Yes, sir.

19 Q. You did a U-turn in the road to get behind it?

20 A. Yes, sir.

21 Q. At this point, when you are coming south down
22 Stockwell Road and doing the U-turn, did you have your
23 lights and sirens on, do you think?

24 A. You know, my honest recollection -- and I know the
25 evidence I gave in the Health and Safety -- I cannot

1 remember, sir.

2 Q. How long had you been behind the bus when you received
3 further instructions?

4 A. It was -- it wasn't long, because we either pulled in,
5 we were going to pull in or there was a thought of
6 pulling in, you know, to get all the sort of kit on. As
7 I say, I wasn't wearing my vest, and --

8 SIR MICHAEL WRIGHT: Is that the yellow jacket?

9 A. No, the stab vest, sir. The sort of -- you know, the
10 bulky --

11 SIR MICHAEL WRIGHT: It's an anti-stab vest?

12 A. Yes, it's not ballistic, it's stab, sir.

13 It was all sort of merged almost into one. We were
14 turning, we were thinking about getting the kit on, we
15 were either pulling in or we were just about to pull in,
16 and then the call was received to stand us down.

17 MR HOUGH: How close did you get to the bus before you were
18 stood down?

19 A. My recollection is, you know, we were right behind the
20 bus because racing through my mind was whether or not to
21 put my vest on before we got on the bus. You know,
22 I wouldn't be thinking that until the sort of -- until
23 you are sort of almost about to open doors and get out.

24 I am not saying we got in front of the bus or
25 anything like that, but it was becoming very close, sir.

1 There might have been one or two cars, there might not
2 have been.

3 Q. The call that stood you down was, I think, from
4 Mr Purser's mobile to your mobile but was taken by
5 Constable Hillier?

6 A. Yes, sir, that's correct.

7 Q. What did he tell you while giving you the instruction to
8 stand down?

9 A. Well, we were basically informed that it was -- the
10 CO19, the firearms, were going to take control of the
11 operation and the subject was now theirs and not ours,
12 sir.

13 Q. We have two calls on our records from his mobile to
14 yours, one at 9.55 lasting just 19 seconds and one at
15 9.58 lasting 35 seconds. Do you have any idea which of
16 those two calls might have been the one that called you
17 off?

18 A. I haven't, no.

19 Q. We know that there was a call from Mr McAuley to James
20 of the grey team at 9.56, so between those two calls.
21 Does that help you work out which one might have been
22 the one calling you off?

23 A. I mean, I know when we saw the bus go right and we saw
24 what we believed to be the firearms team not follow the
25 bus, we were sort of obviously -- because we were then

1 obviously dropping into the arrest mode, which was our
2 other briefing, so we still had to stay in convoy -- we
3 were concerned that the bus was going one way and 19
4 were going the other. So I know Mr McAuley made a call
5 to the surveillance team to find out what was happening,
6 and we were told that the subject had alighted and was
7 going towards the tube station.

8 So it may well be the first call was the stand-down,
9 Mr McAuley's comes in the middle, and Mr Purser, being
10 the sort of person he is, would have probably rung again
11 to double-check that we understood the instruction and
12 that we were stood down, and probably just to let us
13 know what was going on as things were happening.

14 Q. In either of those calls did Mr Purser say anything
15 about the view the control room had about who the man
16 was and why you were being called off?

17 A. My understanding was that because the subject had sort
18 of changed status from an unknown to one of the targets,
19 then that is why we were called off, sir.

20 Q. Is that your deduction or inference or was it something
21 that Mr Purser actually told you?

22 A. Well, I didn't speak to Mr Purser direct, so --

23 Q. I appreciate that, but it's being relayed through your
24 passenger.

25 A. Because in essence it was coming through a couple of

1 hands, things were getting lost in translation and
2 I couldn't, hand on my heart, say which one of those it
3 was.

4 Q. You have said that when you were told to stand down you
5 still thought that you would be playing a role backing
6 up the CO19 team and arresting the suspect or taking the
7 suspect away?

8 A. Yes, sir.

9 Q. Did you, however, drop back from your position behind
10 the bus?

11 A. Yeah, I mean, obviously we -- you know, surveillance
12 officers sort of when they are controlling a subject
13 want the sort of bolt-ons, as it were, out of their way
14 and their view. So yes, sir, we would have dropped back
15 a few cars.

16 Q. After you had dropped back, is this right, from what you
17 have told us: you were in fact passed by a vehicle
18 containing some firearms officers?

19 A. Yes. As I said in my evidence, I strongly believed it
20 to be by the type of vehicle, the number of people in it
21 and the sort of look of the people in it, they looked
22 like police officers to me, sir; but, you know, they may
23 not have been. But that was the vehicle we then saw
24 sort of doing a left, so I would believe it to be, yes,
25 sir.

1 Q. Is this right: you then see the bus go through the
2 junction --

3 A. Yes, sir.

4 Q. -- towards it's stopping point? You have seen the
5 firearms officers pass in front of you, and they turn to
6 the left while the bus turns to the right?

7 A. Yes, sir.

8 Q. We know there was another call from Mr McAuley at 9.59
9 for one minute and 25 seconds, but I don't think we know
10 who that call was to. So that would, as far as we can
11 tell, be at a time when the bus was around the area of
12 the junction and the firearms officers were driving
13 north on Stockwell Road.

14 Can you remember what that call was to do with?

15 A. That might have been the call that I spoke about
16 earlier, which was Mr McAuley, as we saw the sort of two
17 items split, was trying to find -- get clarity as to why
18 that split had occurred.

19 Q. Then we know also that there was a failed call from your
20 mobile to Mr Purser's at 10.02. Can you remember why
21 your colleague would have been trying to call him with
22 your mobile?

23 A. I mean, you know, whether we were out at that point and
24 we were trying to ring in to see what was going on, it
25 might have been myself at that point, I don't -- I can't

1 say, sir, I can only suggest.

2 Q. We have the bus going through the junction turning
3 right, the firearms officers turning left; where did you
4 go?

5 A. We sort of -- my understanding, I think, and I learnt
6 this in the Health and Safety trial, which I think it
7 was Binfield Road that we parked our vehicle in and then
8 left it there and went towards the entrance of the tube.

9 Q. I won't show a map or a photograph up because we have
10 seen them many times. Binfield Road is a relatively
11 small road just by the tube station?

12 A. Yes, it's a sort of slip road, yes, sir.

13 Q. As you were parking there, could you see any of the
14 firearms officers doing anything?

15 A. I mean, I think we have seen them park and obviously
16 I think we have seen some or others park and getting
17 out, but I don't have a sort of strong recollection of
18 that, sir, no, sir.

19 Q. Did you get out of your vehicle?

20 A. We did, sir, yes.

21 Q. Did you wait above ground?

22 A. Yeah, we went to the tube entrance and it was literally
23 as we were walking through the entrance, or jogging --
24 I can't, you know, whether we walked or -- that was when
25 obviously the people who had been on the carriage were

1 coming out.

2 Q. So you were entering the tube station when large numbers
3 of members of the public were coming out?

4 A. Yes, who obviously -- you know, there was an amount of
5 hysteria and shock from some of the people coming out of
6 there.

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

8 SIR MICHAEL WRIGHT: Yes, Mr Mansfield.

9 Questions from MR MANSFIELD

10 MR MANSFIELD: Good morning, Mr Dingemans. My name is
11 Michael Mansfield. I represent the de Menezes family.

12 Can I just take you back to one or two points
13 en route, as it were. I'll deal with it
14 chronologically.

15 The briefing that you had with DI Angela Scott early
16 in the morning, sometime after 7 o'clock or thereabouts,
17 it was clear from what she said to you that she was
18 anxious that you got down there -- that is to
19 South London, certainly, if not Scotia Road -- as soon
20 as you could?

21 A. Sorry, is that a question?

22 Q. Yes. It was clear, wasn't it, that she wanted you to
23 get down --

24 A. There was an urgency in the instruction, in what she
25 said, yes.

1 Q. To use a phrase that you have put in one of your
2 statements, "This is the situation", in her words, "and
3 you need to go there now"?

4 A. Yes, sir.

5 Q. Right. So do we take it that if that's said around
6 7.15, the delay between 7.15 and 9 o'clock, when you
7 arrive halfway through the briefing, is due to the fact
8 that you have to get everything together and then drive
9 down?

10 A. That's most likely the case, yes, sir.

11 Q. The reason I'm asking you this is because the red
12 team -- you may not have known them as that --
13 a surveillance team had been near the block of flats
14 since 6 o'clock. Did anyone tell you that?

15 A. I think in answer to -- I think I was asked a similar
16 question earlier, sir, and, you know, at some point
17 I was told there was a surveillance team and they were
18 covering the address.

19 Whether I was told specific times, sir, that they
20 had been on the address, I don't know. I mean, I was
21 aware that people had been working through the night.
22 As most things were that month, it was sort of 24 hours
23 a day, sir.

24 Q. Yes, I appreciate that. Was there any discussion about
25 the fact that there wasn't a back-up team down there to

1 perform your role, should anyone come out and need to be
2 stopped for intelligence purposes?

3 A. The direction I was given on the day, sir, was to work
4 to Silver, Mr Purser, you know. So I wouldn't have gone
5 down there without his direction before the firearms
6 team and done that before, sir.

7 Q. No, I understand you need to be under the guidance of
8 a Silver, location Silver I have called him so far,
9 someone who's in charge of the location for surveillance
10 and firearms purposes.

11 What I am concerned to know is whether anybody --
12 either Angela Scott, who's deputy SIO, or Mr Purser
13 himself -- said, "Look, the real problem is there is
14 actually no-one down there at the moment"?

15 A. I was told by Mr Purser, you know, where to attend,
16 Nightingale. That discussion wasn't had. I mean, all
17 I can say in answer to that is, you know, if I went in
18 there without Mr Purser's -- you know, without proper
19 communications to surveillance, you can cause far more
20 problems than you could actually solve, sir.

21 Q. Yes. No, there is no dispute about at that.

22 The question really is there appears to have been,
23 putting it in a nutshell, absolutely no consideration
24 given by anyone at that stage for any contingency; do
25 you follow? In other words, until you could get down

1 there with a Silver, there wasn't any other plan that
2 you were told of?

3 A. I would disagree with that, sir. You know, the back-up
4 plan is the ARVs.

5 It wasn't -- you know, and I know I sort of tread on
6 other people's evidence but you have asked me the
7 question -- it wasn't a pre-planned job where you knew
8 the people were in the house, you knew they had
9 rucksacks, you knew that they were coming out at
10 6 o'clock and you knew they had to be stopped.

11 This was a job that had emerged and the picture was
12 growing, as it was all over the place, where potentially
13 there were bombers there, potentially they may have
14 still had explosives, but they might have been at many
15 other addresses. Yes, get the surveillance in, get the
16 eye on, but get the firearms, get everything else in
17 there properly, because if you get it in there, you
18 know, without getting it in there, then things can go
19 wrong.

20 I know, sir, on this day that things did go wrong
21 and I don't pretend, you know, that they didn't, because
22 obviously the result was the wrong result, sir.

23 Q. I understand all of that. Were you made aware at any
24 time of what the overall strategy was and had been set
25 at 4.55 that morning?

1 A. I wasn't given the sort of, as it were, what would be
2 known as a gold strategy. I was given my deployment, as
3 you would expect. I think, you know, when people are
4 operating at below the top level, as it were, you get
5 your job to do and you do it. You obviously know how
6 everything else sits, but sometimes if you are told
7 absolutely everything going on, that's for the senior
8 officers to deal with and you have your instruction to
9 deal with your areas.

10 Q. Because in fact you didn't get down there until 9.00,
11 does it follow that of course -- and there hadn't been
12 a reconnaissance -- you really don't know, did you, the
13 exact location and roads and how long it would take
14 between, for example, Scotia Road block and a bus stop,
15 did you?

16 A. We didn't, sir, and because it wasn't a pre-planned
17 operation.

18 SIR MICHAEL WRIGHT: Presumably you, of course, primarily
19 were working with the CO19 team?

20 A. Behind them, yes, sir.

21 SIR MICHAEL WRIGHT: Behind them, that's right.

22 Did you appreciate that when you were told to go
23 down to Nightingale Lane you were going to meet your
24 Silver, Mr Purser?

25 A. Yes, sir.

1 SIR MICHAEL WRIGHT: Who would then -- did you know -- be
2 briefing the CO19 team?

3 A. Yes, I mean, that was the point of going there because
4 he said he would be briefing --

5 SIR MICHAEL WRIGHT: To get in on the briefing?

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: So it follows, as Mr Mansfield is
8 putting to you, that however long the red team might
9 have been down at Scotia Road, the CO19 team wasn't
10 there?

11 A. Yes, sir.

12 SIR MICHAEL WRIGHT: And that you knew?

13 A. Yes, sir.

14 MR MANSFIELD: Just moving it on from that position, in
15 other words after the briefing and the others have gone,
16 as you have said, you don't get to the TA Centre and you
17 have described the route that you used.

18 Can I ask you a hypothetical. I will start at the
19 beginning. Could you have come on duty earlier that day
20 if somebody had thought about this in enough time?
21 Could you have come on before you did?

22 A. I mean, of course I could have come on earlier in the
23 day, sir.

24 Q. Yes. I'm sorry, it may seem obviously. For example, if
25 someone had really thought about it, could you as

1 an arrest team have been available sometime after
2 6 o'clock?

3 A. I mean, I refer you back to the answer I have given,
4 sir, which, you know, we had to go behind the firearms
5 team.

6 Q. Yes. But you could have come on earlier?

7 A. I could have come on earlier, yes.

8 Q. Had you got to the TA Centre much earlier with the CO19,
9 much earlier of course, and you had the call which we
10 have itemised or identified at somewhere near 9.48,
11 9.49, that this person on the bus was to be stopped by
12 you, if you had been going from the TA Centre,
13 presumably you would have gone straight down the
14 number 2 route from the TA Centre; is that right?

15 A. Most likely, yes, sir.

16 Q. Right. Using, as you have called it, the blues and
17 twos, you can drive on the wrong side of the road and
18 all the rest of it; is that right.

19 A. Yes. I mean, there are certain instructions. At the
20 end of the day you can drive through traffic far more
21 quickly than you could normally, yes, sir.

22 Q. You have indicated the route, which is logical: in other
23 words, you go to Stockwell through Clapham High Street
24 and all the rest of it, and then have to turn back down
25 the road towards Brixton to face the bus.

1 I want to deal with the situation there with the
2 blues and twos. Because you had been told it wasn't
3 a suspect, or that's what it amounted to, you were using
4 the warning equipment. I just want to go through what
5 you have said about that.

6 Would you look at your statement of 24 July. Do you
7 have it there?

8 A. Yes, sir, I do.

9 Q. It's the second page. I just take it in order as to how
10 you have described this part of it. It's page 338, if
11 anybody wants to follow it. You will see you describe
12 the car departing Nightingale Lane. Do you see that:

13 "My team was travelling in an unmarked
14 Vauxhall Zafira ..."

15 And then you give the number.

16 A. Yes, sir.

17 Q. "We travelled closer to the venue using warning
18 equipment of two tones, blue light and flashing
19 headlights. McAuley obtained the registration of the
20 bus ..."

21 And so on. Then you deal with the call from Silver
22 and then the firearms team undertaking the stop. So
23 that's how you describe it there.

24 Then you make another statement on 31 July 2007,
25 page 339 onwards, and you give a description here on

1 page 341. Once again, the second paragraph towards the
2 end:

3 "Hillier received a mobile phone call from
4 Silver ... clear instructions to stand down ..."

5 And so on. The next paragraph:

6 "We had not been behind the bus for very long when
7 we were stood down. At this point we were in the
8 vehicle behind the bus with our blue lights on. We
9 turned our warning equipment off. A vehicle passed
10 through."

11 So it looks as though, from that description, you
12 did have the warning equipment on when you were right
13 behind the bus. So in other words you had come in the
14 opposite direction with the warning equipment on; you
15 had turned round to follow the bus with the warning
16 equipment on; and you were behind the bus with the
17 warning equipment on?

18 A. Yes, I totally accept that from the second statement,
19 sir, and obviously the first statement which you
20 referred to, it said we travelled to the vicinity.

21 In my preparation, you know, I have obviously looked
22 at those two statements, sir, and I have obviously also
23 looked at the evidence that I gave in court, and
24 that's -- you know, and there is a slight contradiction
25 because --

1 Q. Please understand I am not trying to point out
2 a contradiction at all.

3 A. Sorry, but you have asked me the question. The first
4 statement would infer that I travelled to the vicinity
5 on the blue light and the second statement would infer
6 that I was behind the bus on the blue light.

7 The second statement, sir, was given two years after
8 the event. It was also given in a manner that I am not
9 used to. I make absolutely no criticism of the person
10 taking that statement, but I was interviewed, it was
11 typed, it was sent to me. There were massive changes on
12 that typed version that was sent back and, you know,
13 there is a comma in the second statement which changes
14 the meaning, because if the comma was to move to
15 following, and then "with the warning equipment" -- you
16 know, you could change.

17 So that is why I have said in the evidence today
18 I cannot be sure whether I had my equipment --

19 Q. I want to come to this. You do recognise the
20 significance of this point, don't you?

21 A. Well, I mean, I think, you know, it's significant to the
22 surveillance team because the surveillance -- the grey
23 team leader said he didn't see us coming in, and if we
24 had our equipment on or had our equipment off, you know,
25 that's obviously more likely.

1 Having said that, sir, you know, we swept round
2 doing an u-ey in the road, and I would have thought the
3 surveillance team would have seen us. They have
4 obviously said that they didn't, and I can't --

5 Q. It's not about what the grey team may or may not have
6 seen; it's what in fact was being claimed within seconds
7 of you being called off was an identified suicide bomber
8 on the top deck of the back of the bus.

9 If he had been a bomber and you had been sent in,
10 blues and twos, down the Stockwell -- not a criticism of
11 you, you follow -- down the Stockwell Road, and then you
12 do a turn and you are right up behind the bus, and this
13 is minutes before he's shot dead down in Stockwell tube
14 station, the whole operation would have been compromised
15 at that point.

16 That's what the risk was; not by you, because you
17 were told, and you did what you had to do. Do you
18 follow? A high risk of compromise from the control
19 room, wasn't there?

20 A. I think in fairness to the control room they would
21 probably expect that we would travel to the vicinity, as
22 I have said in my first statement, and as you approach,
23 even if you are going in for an arrest or a stop or to
24 get someone as a witness, you would probably turn your
25 lights on until you were comfortable behind the bus and

1 turn them on (sic) again, you know.

2 I mean, you say --

3 SIR MICHAEL WRIGHT: But you were being sent out to pick up
4 not a suspect but a witness?

5 A. Yeah, absolutely --

6 SIR MICHAEL WRIGHT: The point I want to know is this: if
7 that's what you are going to do, there is no reason why
8 you shouldn't use your blue lights, is there?

9 A. Yes, and at the point -- you know, until we had had the
10 call, he wasn't in the category of a potential suicide
11 bomber, sir.

12 SIR MICHAEL WRIGHT: I think Mr Mansfield is looking at this
13 from a different direction. The point really is that
14 because of what you had been told to do -- it's not your
15 fault.

16 A. No, sir.

17 SIR MICHAEL WRIGHT: You did what you were told to do, go in
18 and pick up this man on the bus. The point Mr Mansfield
19 I think is making -- he will tell me if I'm wrong -- is
20 that inevitably you were likely to, in effect, blow the
21 operation.

22 A. But, as I say in reply to Mr --

23 SIR MICHAEL WRIGHT: Is that right?

24 A. In reply to that, yes, if he was a suicide and you had
25 come behind him with big blue lights, yes.

1 But I mean, you know, Mr Mansfield makes the point
2 that sort of potentially my evidence assists the control
3 room but, you know, you could say potentially my
4 evidence assists the grey team leader, who gives
5 evidence that he didn't see me coming on to the plot and
6 whether I had my blue light on or not goes towards his
7 evidence as well, sir.

8 MR MANSFIELD: This theme for very different reasons was put
9 to you in the Health and Safety trial and I'm going to
10 deal with your cross-examination by those representing
11 the Commissioner at that point.

12 The evidence that you gave, there are two separate
13 passages. Monday, 15 October, page 22. You have it
14 there. Page 22, line 14, the questioning is taken up:

15 "Question: And to do so you were prepared to flash
16 your lights and sound your horn and your siren, in other
17 words to speak to somebody who was not believed to be
18 a suspect; that is correct?"

19 All right? That's the precursor. You say:

20 "Answer: Yes, sir, because of course that person
21 wasn't the suspect.

22 "Question: You were miles away from the target
23 premises weren't you?

24 "Answer: That is correct.

25 "Question: So you would not compromise the

1 operation going on at Scotia Road?

2 "Answer: That is correct.

3 "Question: And if the person was not a suspect,
4 there would be no harm in him realising a police car was
5 stopping the bus?"

6 And you agree.

7 A. Sir, I mean, all I can say in answer to the wider
8 question is: yes, I gave that evidence, as I said, when
9 I was giving my evidence-in-chief, sir. Please can I --

10 Q. Would you like to look at that? Certainly.

11 A. I did give the evidence and I know I gave the evidence
12 that I was behind the bus. At that time -- we travelled
13 to the bus using blues and twos -- I didn't put that
14 much weight on at what point we turned the blues and
15 twos off. Obviously in preparation of this trial there
16 has been more weight put on that question and I can
17 understand that, sir.

18 I have looked, you know, at what I have said, I have
19 looked at my first statement, which slightly contradicts
20 the second statement, and I have come to a point where
21 I cannot be clear, 100 per cent clear, at what point
22 I turned the lights off, sir. That's why I have given
23 the evidence today as I give. You know, there is not
24 anything lurking behind it that I don't -- you know,
25 that you may seek to suggest, sir.

1 Q. Mr Dingemans, please don't worry. I'm not suggesting
2 there is anything behind it. I am not trying to lead
3 you down an evidential alleyway; do you follow? I am
4 just trying to establish -- and it really has nothing to
5 do with you, it has everything to do with the control
6 room.

7 So could you look at page 9, please, of the same
8 stretch of evidence in which you were giving evidence at
9 the Old Bailey. It's the same date, Monday 15 October,
10 only these are the questions that came before by counsel
11 for the prosecution, for whom you had been called,
12 asking you.

13 At the bottom of page 9 you indicate you are
14 driving, travelling towards Stockwell, "couldn't tell
15 you where on the road it was"; route, couldn't recall
16 that. All right, fine:

17 "Question: You have told us about your motorcar.
18 Did you use any of the warning equipment as you made
19 your way towards the bus?

20 "Answer: I know when we were behind the bus we did,
21 and I think to get there we did as well, yes.

22 "Question: Some of us have seen it on TV but we may
23 not have a correct view of it. A blue light that sticks
24 on ..."

25 I think it should be "top" rather than "stop":

1 "... is that right?

2 "Answer: Yes, you have a blue light that will go on

3 top, you have -- in the grille there is a blue light and

4 there is also sound as well, so you would have the

5 normal sound that you would hear, the two tones.

6 "Question: Are your headlights used at all in that

7 process?

8 "Answer: The headlights automatically sort of come

9 on and off, sort of alternatively.

10 "Question: Flashing?

11 "Answer: Yes."

12 Then you talk about the registration.

13 So that's the evidence that you have been talking

14 about that you gave at the Health and Safety trial,

15 isn't it?

16 A. That's correct, yes.

17 Q. What I would like to do, and if you can't help I won't

18 take it further: have you seen a compilation, CCTV, of

19 the lead-up into Stockwell station?

20 A. No.

21 Q. You haven't. I'm going to ask that you be shown

22 a stretch.

23 A. I have seen clips, you know, bits and bobs, but

24 I haven't sat there and watched the whole thing, sir.

25 Q. I'm not expecting you necessarily at this distance of

1 time to be able to say: I think that's me or my car or
2 anything, it's just if you can help. Tom has kindly set
3 it up.

4 This is a CCTV looking from Stockwell tube station
5 down the road where you had gone, done a U-turn and come
6 back up. Do you follow?

7 A. Yes.

8 Q. You have the position. So the CCTV -- you see something
9 else first.

10 (Video footage shown)

11 So there is a bit of a pavement view first.

12 SIR MICHAEL WRIGHT: This is just before we see the traffic,
13 isn't it?

14 MR MANSFIELD: Yes, it is. The camera has an angle that
15 swings round and looks up the road. (Pause)

16 There we are. Pause a moment. There is a view up
17 the Stockwell Road and a shot of the bus.

18 SIR MICHAEL WRIGHT: Is it that bus?

19 MR MANSFIELD: It's the other bus, yes. Not the bus,
20 a number 2. It had already turned. Are any of the
21 vehicles there yours or you can't tell?

22 A. I think I would be guessing if I did, sir. I mean,
23 there is nothing in the first three or four cars which
24 wouldn't be a guess, and the rest -- I mean, it could go
25 seven back, could be a Zafira, eight ...

1 Q. I will just let it run and if there is something there
2 that triggers your memory then we will stop it;
3 otherwise I'll leave it at that. Could we just run
4 through it?

5 A. Sorry, that vehicle on the right could -- does look like
6 a Vauxhall Zafira without --

7 Q. Sorry, right. You mean in this still we have now --

8 A. Yes, sir.

9 Q. -- the one as we look at it on the right, dark-coloured
10 at the front?

11 A. Yes, sir.

12 Q. Right. It looks like -- and I am not going to pin you
13 to it, don't worry -- but you think it looks like that.
14 So by the time you had got to the lights, the
15 number 2 that you are talking about, everybody else is
16 talking about as being followed, has already turned off
17 to the right?

18 A. I mean, that is how we saw it. We saw it going right
19 and the firearms team going to the left, sir. So --

20 Q. Right. Can we just let it run on. (Pause)
21 You see there is a car coming up the outside there,
22 coming in. (Pause) Then it goes back again. Thank you.
23 I don't need it to go further.
24 So the best you can do is that that might have been
25 your dark car?

1 A. It does have the appearance of a Vauxhall Zafira, yes,
2 sir.

3 MR MANSFIELD: Thank you very much.

4 SIR MICHAEL WRIGHT: Thank you. Mr Gibbs?

5 Questions from MR GIBBS

6 MR GIBBS: Sir, could I just deal with the sirens/lights
7 point. Mr Dingemans, I represent the red and grey
8 surveillance teams.

9 A. Yes, sir.

10 Q. Leaving on one side what you wrote in this statement or
11 that statement or said in the trial and all of that, can
12 we try and approach it from a common sense point of
13 view.

14 There was a surveillance team composed of a number
15 of cars and a number of officers who were quite tightly
16 around the number 2 bus on which Mr de Menezes was
17 sitting; yes?

18 A. I --

19 Q. As you now know?

20 A. I mean, I haven't listened to all the surveillance
21 evidence but I presume that to be the case, yes, sir.

22 Q. Take that from me, perhaps. Those officers were engaged
23 in a covert follow.

24 A. Yes, sir.

25 Q. And not a single one of them saw a Zafira or any other

1 car with lights and sirens come screaming past the bus
2 and tuck in behind it. Is that any comfort to you?

3 A. Not really, no, sir.

4 Q. If they had, they might have had something to say about
5 it, you would expect?

6 A. I am aware if you drive through a surveillance plot
7 that -- at a time when you are not supposed to, then
8 that is one way to upset surveillance officers, yes.

9 SIR MICHAEL WRIGHT: And no doubt there are others.

10 MR GIBBS: Now, you have described telephone conversations
11 between someone in your car and a surveillance officer
12 who we are calling James. That's certainly the
13 telephone that was being rung.

14 Was it Mr McAuley who was doing the talking?

15 A. Yes, sir.

16 Q. I am just going to ask that part of his statement be
17 brought up on screen and that may clear it all up. It's
18 statement page 1044. I am looking at a passage which
19 begins by the first holepunch. If Tom could do those
20 ten lines, yes.

21 Do you see, "I made contact with the surveillance
22 officer whose name was Hotel 5", just to the right of
23 the holepunch?

24 A. Yes, sir.

25 Q. "I made contact with the surveillance officer whose name

1 was Hotel 5 and he informed me that the bus was near to
2 the Brixton Academy and the registration number was
3 [so-and-so]. I relayed this information."

4 Do you remember that?

5 A. I remember Mr McAuley obtaining the registration of the
6 relevant bus, yes, sir.

7 Q. If it helps you, we know that the telephone records show
8 calls at 9.52, at 9.54 and a short call at 9.56.

9 A. Yes, sir.

10 Q. "After a few minutes I again telephoned Hotel 5, who
11 told me the bus was in the Stockwell Road at the
12 junction with Stansfield Road."

13 That's in fact not far beyond the Academy. Do you
14 remember that?

15 A. Yes, sir.

16 Q. "A short time later we observed the bus and positioned
17 ourselves in Stockwell Road a safe distance behind
18 it ..."

19 Do you remember that?

20 A. I remember coming round and, as it were, getting behind
21 the bus, yes, sir.

22 Q. "... and at this time Detective Constable Hillier ..."

23 Was he another member of your team in your car?

24 A. He was, and he was the one that answered my phone from
25 Mr Purser, yes, sir.

1 Q. That's what he says:

2 "At this time DC Hillier took a call on
3 DS Dingemans' mobile from Mr Purser and Mr Hillier
4 relayed the instruction that the firearms team would now
5 undertake the stop on the male and we were not to
6 attempt to stop the male."

7 We have a call of 35 seconds at 9.58.

8 A. Sir.

9 Q. All right? Would that fit in with how you remember it?

10 A. As I say, it fits in with the fact that we turned.

11 I have been asked whether we were right behind the bus
12 and I said, you know, we were either right behind the
13 bus, or one or two cars. You know, a two- or three-car
14 cover would probably be, you know, a description of
15 a safe distance.

16 Q. Thank you. That's all I need from the statement of your
17 brother officer.

18 So just explain this to us, would you: were you
19 using the lights and the sirens to make progress as fast
20 as you could to where you were being told the bus was?

21 A. Yes, sir.

22 Q. Were you using the lights and sirens or proposing to use
23 the lights and sirens to stop the bus and board it?

24 A. We would have used lights and sirens to stop the bus.
25 We would have driven in front of the bus with that

1 equipment on.

2 Q. But before doing that, would you have had a conversation
3 with the surveillance team leader about how and when and
4 where you were going to do that?

5 A. Those were the conversations that DC McAuley was having
6 on our approach and as we were coming behind the bus,
7 and that was the exact purpose of his communication,
8 was, "We are coming on" -- you know, "We are coming, can
9 you talk us on to the bus and we do it under your
10 instruction", because it was a plot.

11 Q. Because the way in which it would work -- correct me if
12 I'm wrong -- is that normally when your team come
13 through a covert surveillance team and on to a subject
14 for arrest purposes, although you would be talked in by
15 the surveillance, they would try not to show themselves
16 during the process?

17 A. Yes, the perfect world would be the arrest is made with
18 the correct identification without showing out the
19 surveillance officer, but obviously that doesn't always
20 work that way, sir.

21 MR GIBBS: Thank you very much.

22 MR STERN: No questions, thank you.

23 MS LEEK: No questions, sir.

24 SIR MICHAEL WRIGHT: Mr Perry.

25 Questions from MR PERRY

1 MR PERRY: Mr Dingemans, I'm going to ask questions on
2 behalf of Mr Purser. I just have two very short points.

3 You are the sergeant in charge of a team of three
4 other detective constables who make up your arrest team
5 vehicle, and there is another vehicle which contains
6 another team similarly configured with a detective
7 sergeant and three detective constables; is that right?

8 A. Yes, sir.

9 Q. Just so we know, help us on this: there were also two
10 similar teams deployed to Portnall Road?

11 A. I mean, that would be my understanding now; not
12 necessarily on the day, sir.

13 Q. You didn't know that on the day?

14 A. I mean, I think I was asked by the Coroner sort of
15 a similar question earlier on, sir, and, you know, I had
16 my direction into what I was doing but I didn't
17 necessarily exactly know initially what everyone was
18 doing. Normally as time would play out you would become
19 aware of everything and everybody, sir.

20 Q. Thank you for that.

21 The other short matter is if I may just ask you --
22 and if we may have on the screen, please, your statement
23 of 24 July 2005 at page 337 -- just to deal with a short
24 point in relation to Mr Purser.

25 In the bottom half of the page, you say that you:

1 "... arrived at Nightingale Lane at about 9.00 am
2 and there was an ongoing briefing by Silver [Mr Purser]
3 to the firearms teams. We stayed at the back of the
4 room. During this briefing I received a call on my
5 mobile phone."

6 Then you say this:

7 "At the end one of the officers from the firearms
8 team complimented Silver [Mr Purser] on the briefing.
9 It was stated it was the most informative briefing they
10 had received in recent weeks."

11 And you can confirm that that was the case?

12 A. Yes, and I think that was mainly based on the detail,
13 especially the detail of what came from the car at the
14 station, I believe it was Luton station, which the 7/7
15 bombers had travelled down and left an array of sort of
16 improvised explosive devices in. He ensured the
17 firearms team were aware of those, the nature and also
18 the size, because obviously some were very small.

19 MR PERRY: Yes. Thank you very much, Mr Dingemans, that's
20 all I have. Thank you.

21 SIR MICHAEL WRIGHT: Mr King?

22 MR KING: Nothing, thank you, sir.

23 SIR MICHAEL WRIGHT: Mr Hilliard?

24 MR HILLIARD: No, thank you, sir.

25 MR HOUGH: No, thank you, sir.

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Questions from THE CORONER

SIR MICHAEL WRIGHT: I think it follows, but when you were put on by Mr Purser to go and pick up this witness, the man on the bus, was there any suggestion that you should do it quietly, as opposed to with the blues and twos?

A. No, because it was moving away from the plot. If we had had done it tightly within the area of Scotia Road then we would have tried to do it quietly.

SIR MICHAEL WRIGHT: That didn't arise; you were a long way away from there?

A. Absolutely, sir.

SIR MICHAEL WRIGHT: So there was never any suggestion, "Go and pick him up, but for heaven's sake keep quiet"?

A. No, the suggestion was: get there as quickly as possible, get him off the Bus. But there was a suggestion to get out of the area as quickly as possible, so once we had that individual with us, to then get out of what was an ongoing situation.

SIR MICHAEL WRIGHT: When you got into the vicinity of the bus and did your U-turn to get in behind it, did you hear anything from anybody, any of the surveillance team, to the effect of, "Would you mind shutting up?" or "Would you mind going away"?

A. No, but in fairness to the surveillance team, we didn't have a radio listening to their commentary. If we would

1 have had a radio listening to their commentary, I think
2 my answer would be fairer. But as we didn't, sir --

3 SIR MICHAEL WRIGHT: That's all right. If you didn't have
4 a radio contact then you wouldn't know. They would have
5 had to ring you up if they wanted to talk to you?

6 A. They would have had to ring up Mr McAuley, yes, sir, or
7 somebody else.

8 SIR MICHAEL WRIGHT: Very well. That's all I have.

9 MR HOUGH: Thank you very much.

10 SIR MICHAEL WRIGHT: Detective Sergeant Dingemans, thank you
11 very much indeed. You are free to stand down and go.

12 (The witness withdrew)

13 That's very convenient because we need 20 minutes to
14 put up the screens. Let us say 10.45, ladies and
15 gentlemen.

16 (10.30 am)

17 (A short break)

18 (10.50 am)

19 (In the presence of the jury)

20 MR HILLIARD: The next witness is C12, please.

21 CODENAME "C12" (sworn)

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

23 Questions from MR HILLIARD

24 MR HILLIARD: I'm going to ask you some questions first of
25 all on behalf of the Coroner, and then you will be asked

1 questions by others. You are going to be known, as you
2 appreciate, for the purpose of these proceedings as
3 Charlie or C12. All right?

4 A. Yes, sir.

5 Q. Have you got to hand a witness statement that you made
6 on 23 July 2005? Do you have a copy of that there?

7 A. Yes, I have, sir.

8 Q. Just so you understand, as with all other witnesses,
9 there is absolutely no difficulty about your looking at
10 that and helping us with details from it. Do you
11 understand that?

12 A. I do, sir, thank you.

13 Q. I see that you are in uniform. Are you still
14 a specialist firearms officer with the
15 Metropolitan Police?

16 A. Yes, I am, sir, yes.

17 Q. How long have you been in the Metropolitan Police for?

18 A. Since 1983, sir, so approximately 25 years.

19 Q. When did you join SO or CO19?

20 A. In 1996, sir.

21 Q. Before joining SO or CO19 in 1996, had you had any
22 firearms experience within the police service?

23 A. Yes, I had, sir. In 1989 I first passed a divisional --
24 what we used to call a divisional shots course, which
25 was to enable me to carry a revolver for protection

1 purposes and just general firearms duties.

2 Q. But then you joined SO19 in 1996, and did you become
3 a specialist firearms officer in 1998?

4 A. Yes, sir.

5 Q. Can you just help us a bit about this: what sort of
6 training, what sort of assessment you have to go through
7 first of all to become a specialist firearms officer?
8 Can you just help us with that?

9 A. Yes, I can.

10 First of all, it is on a voluntary basis, you have
11 to volunteer in order to become a specialist firearms
12 officer, which I did. Your application has to go
13 through your line manager, your inspector, to see if he
14 thinks you are suitable or not for the tasks that are
15 involved.

16 If that is agreed and you are suitable, then you can
17 then apply for an assessment which can last up to three
18 to four days in length, which is a continual assessment
19 whereby they work on your mental strength, your
20 team-building qualities and teamwork attributes of
21 yourself to see whether you can fit into a close team
22 environment, and also your fitness levels and shooting
23 levels as well.

24 On top of that --

25 SIR MICHAEL WRIGHT: What were you doing before you applied

1 for CO19?

2 A. Sir, I was --

3 SIR MICHAEL WRIGHT: Your last appointment before?

4 A. My last appointment before joining the firearms

5 department at that stage, I worked on an inner London

6 borough, Clapham division, as a police officer, just --

7 SIR MICHAEL WRIGHT: As a -- I will not use the word -- just

8 as a general duties officer?

9 A. That's correct, yes, sir, just general patrol duties.

10 MR HILLIARD: Before you answered that, you just started,

11 "On top of that". Do you remember you were helping us

12 with how you become a firearms officer? You have given

13 us various bits of information, you have explained how

14 your fitness levels and shooting levels would be

15 assessed, and you had just started an answer, "On top of

16 that". Can you remember what you were going to say?

17 A. I can't, sir, sorry. I can go on to the further types

18 of course and selection procedures in order to --

19 Q. Yes, would you do that? Because I want the jury to have

20 some idea of how you become a specialist firearms

21 officer.

22 A. Certainly. From -- if you are successful with the three

23 to four day assessment, you then go on to a series of

24 courses, one of which is is an abseil course, where you

25 learn various rope techniques, rope access into

1 buildings. If -- that's pass or fail. If you fail
2 that, you don't progress any further.

3 If you pass that, you then go on to a shotgun course
4 to enable you to fire the different times of shotgun and
5 the ammunition that we have, which again is pass or
6 fail. If you fail that, again you don't progress any
7 further.

8 If you pass that, I believe the course length has
9 subsequently changed but you are then accepted on to
10 a seven-week specialist firearms officer course, which
11 again is pass or fail.

12 If you pass that, you then go on to different
13 courses which you can then apply for, and then they
14 become our core skills, as it were.

15 Q. So having done all those things, and I appreciate that's
16 an outline that you have given us, you obviously passed
17 them all and so it was in 1998 you became a specialist
18 firearms officer?

19 A. That is correct, sir, yes.

20 Q. Just so we understand, as part of all that, and indeed
21 on a continuing basis, do you receive instruction and
22 training in the circumstances in which you as a firearms
23 officer are entitled to use force or to fire your
24 weapon, to put it simply?

25 A. That is correct, sir. We work in virtually a shift rota

1 of six weeks' period. One week of that is entirely
2 devoted to training.

3 Q. I was going to come on and ask you about that.

4 So after you have qualified, do I understand what
5 you are saying to be this: that there is then
6 a continuing process not only of you being at work as
7 a firearms officer but -- do I have it right -- there is
8 a continuous process of you still receiving training and
9 instruction?

10 A. That is correct, and if new techniques or we have new
11 roles to adapt for any given situation, then obviously
12 that would incorporate a new form of training as well.
13 So it's a continual process.

14 Q. Was that the case up until -- we don't really need to
15 trouble with beyond it for now -- 22 July 2005 that you
16 would have been in this cycle of, as it were, work and
17 training/instruction?

18 A. That is correct, sir, yes.

19 Q. Just one particular aspect, please: prior to
20 22 July 2005, had you received any training or
21 instruction that was specifically concerned with suicide
22 bombers?

23 A. Yes, I had, sir.

24 Q. First of all, can you remember -- and it may be very
25 difficult and we can get at it another way if you

1 can't -- roughly when that was or when it would have
2 been?

3 A. I would have to guess.

4 Q. Don't guess. For example, can you say whether it would
5 have been earlier in 2005?

6 A. It certainly was.

7 Q. That's probably good enough for our purposes.

8 SIR MICHAEL WRIGHT: So it was within the previous six
9 months?

10 A. Prior to July, sir?

11 SIR MICHAEL WRIGHT: Yes.

12 A. Yes, I had. We had actually been involved in a number
13 of exercises prior to July.

14 MR HILLIARD: Can you just tell us in general terms what
15 that training or instruction on the question of suicide
16 bombers that you had had before July 2005 would have
17 consisted of?

18 A. Sir, for some security reason I believe this might be
19 a bit sensitive, so I can give you a rough --

20 Q. Keep it in general terms.

21 A. Very general terms.

22 Q. We all understand.

23 A. I think it was from 13 to 15 July we were engaged in
24 exercises whereby we practised moving through London's
25 traffic in a large convoy of vehicles in order to get to

1 designated points and in order to follow a designated
2 vehicle.

3 Q. Were you familiar with what we have heard about, Kratos
4 and Clydesdale? Had you heard those words?

5 A. Yes, I had, sir, yes.

6 Q. I will come back to those a little bit later on. I just
7 want to ask you two other matters, please.

8 Leaving aside the specific question of suicide
9 bombers, aside from that aspect, in the course of your
10 time as a specialist firearms officer with SO or CO19,
11 had you dealt with incidents in which firearms were
12 involved?

13 A. Yes, sir.

14 Q. Just one other question. Is this right: I think that
15 before this incident, so 22 July 2005, I don't think you
16 had ever fired your gun at a suspect; is that right?

17 A. That is correct, sir, yes.

18 Q. All right. We will come back a little bit to Kratos and
19 Clydesdale later on, but I just want that first of all
20 by way introduction.

21 That is so far as your own experience is concerned,
22 but did you also qualify as an instructor for others?

23 A. Yes, I did.

24 Q. When was that?

25 A. In 2002, I believe.

1 Q. Again, I have them here; don't hesitate to look at your
2 statement if you need to at any time, all right?

3 How much of your work after 2002 was involved in
4 instructing others?

5 A. It was for a period of two and a half years that I was
6 involved in instruction, sir.

7 Q. So that we understand, would that have been full-time
8 for the two and a half years?

9 A. Yes, it was, sir, yes.

10 Q. Was that instructing other CO or S019 officers?

11 A. Yes, it was.

12 Q. If we can come, please, to 22 July 2005. Can you help
13 us: before a meeting with Ralph, who we have heard
14 about, and others at Lemay Street police station at
15 7 o'clock in the morning, can you just help us what your
16 duties had been? Had you been on all night when you
17 came in? Do you see what I mean? What was the
18 position?

19 A. From my recollection, we had -- I believe our tour of
20 duty had started the previous day, approximately about
21 7 o'clock, and I think we had finished at 9 o'clock at
22 night on an unrelated job.

23 Q. So you had finished at about, what, 9 o'clock in the
24 evening of the 21st?

25 A. Yes.

1 Q. Nobody wants the details or anything, but did you go
2 home or did you go to a hotel? What was the position?
3 A. I returned home, sir.
4 Q. You returned home. All right. Were you expecting to be
5 back on at work again at 7 o'clock the next morning?
6 A. That is correct, yes.
7 Q. All right. So did you make your way to Lemay Street to
8 get there for 7 o'clock the next morning?
9 A. Yes, I did, sir.
10 Q. Were you present there when Ralph gave various firearms
11 officers their postings and vehicle crews, who was going
12 to go with who and in what vehicle?
13 A. Yes, sir.
14 Q. Which team were you part of? Which colour team?
15 A. Black team, sir.
16 Q. Your driver I think was going to be Vic, and the two of
17 you in the car would be you and someone we are calling
18 William; is that right?
19 A. Yes, sir.
20 Q. I don't think we are going to need it, but your vehicle
21 had a particular call sign; is that right?
22 A. That's correct.
23 Q. You were going to be the front-seat passenger?
24 A. Yes, sir.
25 Q. Also present when Ralph was doing that was someone we

1 have heard from, Trojan 84; is that right?

2 A. Yes, sir.

3 Q. There came a time, I think, shortly after, where you

4 collected your weapons and ammunition; is that right?

5 A. Yes, sir.

6 Q. Before you did that, had you been given any idea by

7 Ralph or Trojan 84 as to what you were going to be

8 engaged gauged in that day?

9 A. I can't specifically recall, but the general talk was

10 that we were going to be involved in a counter-terrorist

11 operation following the day -- or the previous day's

12 bombings.

13 Q. If we can just look -- and obviously we will deal with

14 this through your statement, because I dare say you

15 couldn't possibly remember this kind of detail now --

16 I just want to look at what it was you armed yourself

17 with; all right?

18 A. Sir.

19 Q. So we understand, is there an armoury there where

20 weapons and ammunition are kept?

21 A. There is, sir, yes.

22 Q. Presumably it's not just a question of you going in and

23 helping yourself; are the items recorded and do you sign

24 for them; is the procedure something like that?

25 A. That is correct. Each team has its own designated

1 armoury.

2 Q. I see. So there is a black team armoury?

3 A. That is correct, sir, yes.

4 Q. So did you book out a Glock pistol?

5 A. Yes, I did.

6 Q. Was that one, as it were, that was very much your Glock

7 pistol?

8 A. It was my personal issue pistol, sir.

9 SIR MICHAEL WRIGHT: So you take the same out each time you

10 book out a weapon, do you?

11 A. Yes, sir.

12 MR HILLIARD: And it has a particular -- we don't need it --

13 number on it, hasn't it?

14 A. That's correct, yes.

15 Q. So you can be sure you have the right one. Did you also

16 take some magazines and ammunition?

17 A. Yes, I did.

18 Q. For the Glock, is this right: was it two magazines?

19 A. That is correct, yes.

20 Q. With -- have I got it right -- 17 rounds in each?

21 A. Yes.

22 Q. But of slightly different ammunition?

23 A. That is correct, sir, yes.

24 Q. Did one of the magazines contain 124-grain ammunition?

25 A. That is correct, yes.

1 Q. And the other 95-grain ammunition?

2 A. Yes, sir.

3 Q. I think you loaded your Glock with the 124-grain
4 ammunition; is that right?

5 A. That is correct, sir.

6 Q. Can you just help us, please -- and if it helps you I am
7 looking at the top of the second page of your statement,
8 just so you know where I am -- with a bit about why you
9 did that? We have two sorts of ammunition, we
10 understand, and you have loaded the Glock with the
11 124-grain. How did that come about?

12 A. Also on the vehicle postings at the initial briefing
13 given by Ralph, we were told that we had specific
14 authority to draw the 124-grain ammunition.

15 Q. Right. So we need to bear that in mind firstly: before
16 you have even drawn it, you have been told you have
17 permission to do this?

18 A. That's right. We had the necessary authorisations in
19 place.

20 Q. Right. So then can you just help us with what the
21 thinking behind it was, now that we know you had
22 authority to do it?

23 A. Certainly. This type of ammunition had been researched
24 by other officers and it was found, upon medical advice
25 and evidence, that it would be far more suitable when

1 in -- for the subject of dealing with suicide bombers,
2 where a critical shot had to be administered, because of
3 the nature and make-up of the actual round that it would
4 cause immediate incapacitation with a brain stem shot.

5 Q. Which you couldn't be confident that the other
6 ammunition would do; is that right?

7 A. That is correct, sir. I think it was generally thought
8 that this type of ammunition was a better, more suitable
9 type of ammunition for this particular role.

10 Q. The thinking being that if you had a suicide bomber who
11 you want to be absolutely sure isn't going to detonate
12 something, that you need to incapacitate them, as it
13 were, as soon as you can, and this ammunition was
14 thought to be better for doing that?

15 A. That is correct, sir, yes.

16 Q. So that's your Glock pistol and the ammunition, and you
17 have explained the reason for that. Then did you also
18 book out something called an MP5 Heckler and Koch
19 weapon?

20 A. Yes, I did.

21 Q. Just explain: what is that?

22 A. Certainly. For all intents and purposes, it is a small
23 carbine, which is a small rifle. It comes in different
24 variants and the one I booked out was a silenced
25 variant.

1 Q. You took with you three magazines, a number of rounds,
2 but for that weapon; is that right?

3 A. That is correct, yes.

4 Q. Did you load that?

5 A. Yes, I did, sir, yes.

6 SIR MICHAEL WRIGHT: Is that also regarded as your personal
7 weapon?

8 A. Not the silenced derivative, sir, no. That is a team
9 weapon which the team have access to. However, we do
10 have our own personal issue MP5, sir.

11 SIR MICHAEL WRIGHT: You do?

12 A. Yes, we do.

13 MR HILLIARD: Then, in addition, a shotgun and some
14 ammunition -- I don't think we are going to need the
15 details of that -- and some stun grenades; is that
16 right?

17 A. That is correct.

18 Q. You signed for all those items, is this right, and do
19 the records show that they were booked out at 7.15 am?

20 A. Yes, sir.

21 Q. The ammunition, the 124-grain, was that booked out at
22 7.29? I am looking at your statement.

23 A. That is correct, sir. The time difference there is
24 because we had to go to a separate room, separate
25 armoury, where that ammunition was kept.

1 Q. Thank you. Did you keep the Glock in a holster on your
2 waistband?

3 A. Yes, sir.

4 Q. I think you put the Heckler and Koch carbine, that went
5 in the footwell of the vehicle; is that right?

6 A. That's right.

7 Q. And the other items you have told us about in the boot?

8 A. Yes.

9 Q. Just so we understand, I don't think we are going to
10 need the details as to the reasons, but were you taking
11 a variety of weapons with you which you would use in
12 different situations; is that what it comes to?

13 A. Yes, sir. I was trying to think ahead and plan ahead
14 for what type of eventualities that we might come
15 across.

16 SIR MICHAEL WRIGHT: It's your choice what you take, is it?

17 A. It was on this day, sir, yes.

18 SIR MICHAEL WRIGHT: On this occasion?

19 A. Yes.

20 SIR MICHAEL WRIGHT: You weren't directed to take any
21 particular weapons?

22 A. No.

23 SIR MICHAEL WRIGHT: Thank you.

24 MR HILLIARD: Then at about 7.45 did you receive a briefing
25 from Trojan 84 that related to somebody called

1 Hussain Osman?

2 A. Yes, sir.

3 Q. I think that briefing lasted -- do you remember this --
4 until about 8.10, 8.15, something of that order?

5 A. I believe so, sir. It was a very short briefing to give
6 us almost like a pen sketch idea of what we were doing
7 and where we had to go immediately, sir.

8 Q. Were you given a date of birth -- again I'm looking at
9 the statement -- 23 July 1978 and an address
10 21 Scotia Road SW2?

11 A. Yes, we were, sir.

12 Q. Were you told that he was believed to have been
13 concerned in the attempted bombing at Shepherd's Bush
14 the day before?

15 A. Yes, sir.

16 Q. Were you told that there would be a Silver Commander
17 from SO13?

18 A. Yes.

19 Q. And that SO12 Special Branch would be doing
20 surveillance?

21 A. Yes, sir.

22 Q. Did you learn that Trojan 80, we know Mr Esposito --
23 would you have been given his name, Mr Esposito?

24 A. Yes, we would have been, yes.

25 Q. Were you told that he would be at New Scotland Yard?

1 A. Yes, sir.

2 Q. Were you also told that there was going to be
3 a designated senior officer or a DSO?

4 A. Yes, sir.

5 Q. Were you given the identity of that person?

6 A. I can't recall, sir.

7 Q. But you may have been, you may not have been?

8 A. Exactly, yes.

9 Q. All right. Now, just pausing there for a moment, first
10 of all had anything been said about the urgency or
11 otherwise of your deployment that you can remember?

12 A. Nothing at all, sir.

13 Q. Secondly, did you have an understanding at this stage --
14 so this is after you have seen Ralph, do you remember,
15 and you have booked your weapons out, and then I am just
16 asking you about some early bits of this briefing from
17 Trojan 84 -- did you understand even at this stage what
18 the role of S019 in all this was? There is going to be
19 some surveillance from S012. Did you understand at
20 a very early stage what S019 would be doing?

21 A. Sir, I could only surmise at that stage. This was, as
22 I have said previously, just a pencil sketch briefing to
23 give us a quick idea or heads-up as to what was
24 happening for the day. I believed that strategy would
25 come later.

1 Q. Right. Then lastly, just before we go back to the
2 detail of the briefing, the fact that there was going to
3 be a designated senior officer or DSO, can you help us
4 as to what that meant to you at the time, when you heard
5 that? Can you try and think back to your thought
6 process?

7 A. It was -- I have never actually deployed with
8 a designated senior officer before, and with the failed
9 attempted bombings the day before, it made me sort of
10 realise that we could possibly face or come across
11 a situation where we would have to deal potentially with
12 suicide killers.

13 Q. When you say "deal with", just so we understand, did you
14 have any understanding of what the role of a DSO was, as
15 it were, what they might perhaps be asking you to do?

16 A. Yes. My understanding of the role of a designated
17 senior officer is that, if needed, they could instruct
18 a critical shot to be taken.

19 Q. You have also told us that in addition you knew by this
20 time that you had been authorised to have the 124-grain
21 ammunition, you knew that had been approved and in
22 accordance with that authority you had that in your
23 possession as well; correct?

24 A. That is correct.

25 Q. One other piece of the jigsaw: you record in your

1 statement that Trojan 84 told the briefing that you:

2 "... may be deployed in unusual tactics that this
3 department hadn't used before."

4 I have quoted directly from your statement.

5 When you wrote that in your statement on the 23rd,
6 were you doing your best to record as accurately as you
7 could exactly what was said? Nobody is going to suggest
8 that you have it faultlessly, but was that what you were
9 trying to do?

10 A. Yes, sir.

11 Q. So the fact that you might be deployed in unusual
12 tactics that the department hadn't used before, can you
13 help the jury: what did that mean to you, that
14 information?

15 A. Certainly. The information I have actually recorded was
16 "may have to use tactics or unusual tactics that we had
17 not used before". So there was a possibility in my
18 mind, and bearing in mind the incidents that had
19 happened the day before, that we may have to face
20 potential failed suicide killers.

21 Q. Right. Did Trojan 84 also say that you would have to
22 trust the information that you received?

23 A. Yes, sir.

24 Q. I am just going to check in the original, but certainly
25 in the typed copy of your statement we have this in

1 speech marks, and your statements read as follows:

2 "It was stated by Trojan 84 that, 'We would have to
3 trust the information that we received'."

4 I am looking in your handwritten original.

5 A. Sir.

6 Q. That's also in speech marks, isn't it?

7 A. Sir, yes.

8 Q. So again, when you made the statement, were you trying
9 to do your best to record exactly what it was he had
10 said to you?

11 A. That is the best of my recollection, yes.

12 Q. Again, can you help us with that? Can you flesh that
13 out a bit more? You would have to trust the information
14 you had received; can you put that into a context for
15 us? What did that mean to you?

16 A. Yes, I can. The previous training that I have had with
17 Kratos and my understanding that a designated senior
18 officer at Scotland Yard could authorise a critical
19 shot, I would have to trust that designated senior
20 officer to have made that decision on the information
21 that they had received.

22 Us on the ground might not be party to all the
23 information that is coming in at the time. So in
24 a specific situation, there might not be time to
25 question a given order. We would just have to act to

1 the best of our ability if a critical shot is
2 authorised.

3 Q. Just to understand it, do you mean there might not be
4 time to question a particular order?

5 A. There might not be time.

6 Q. I think you may have said that. You did say that there
7 might not be time. Right. Absolutely.

8 SIR MICHAEL WRIGHT: That is what he said.

9 MR HILLIARD: All right.

10 A. Sorry, sir, to further add another point: to trust the
11 information we had received as well would also, in my
12 mind, work with the surveillance teams as well, as
13 was -- if they had identified a subject then we would be
14 acting on that subject and we would have to trust them
15 and their professionalism.

16 Q. So just to follow that up for a moment, we will look at
17 the detail of it a bit later, but on that last aspect,
18 do you mean, for example, if, as you understood it,
19 somebody was being identified to you by the surveillance
20 as being one of the subjects of the operation, that
21 might be something that you again had to take on trust,
22 you may not have time as it were to form your own
23 assessment; is that the point?

24 A. That is correct, yes.

25 SIR MICHAEL WRIGHT: Could I just break in at that point, as

1 it is a natural one?

2 MR HILLIARD: Yes.

3 SIR MICHAEL WRIGHT: You said a moment ago that in the light

4 of the incidents of the previous day, because you had

5 heard that a DSO had been appointed, you appreciated

6 that you might have to deal with suicide bombers.

7 A. Yes, sir.

8 SIR MICHAEL WRIGHT: To be specific about that, when this

9 briefing started at 7.45, were you aware that there had

10 been four unsuccessful attempts to cause explosions in

11 the tube and on a bus the previous day?

12 A. Yes, sir. We had been recalled from an operation the

13 previous day and we were held at our base at

14 Leman Street in order to supply additional resources, if

15 need be, after the failed bombings.

16 SIR MICHAEL WRIGHT: For that particular series of events?

17 A. That is correct, sir.

18 SIR MICHAEL WRIGHT: Presumably then you were also aware

19 that the four attempted bombers had escaped and were

20 somewhere in London?

21 A. Very much so, sir.

22 SIR MICHAEL WRIGHT: Or had escaped anyway.

23 A. Yes, sir.

24 SIR MICHAEL WRIGHT: Very well, thank you.

25 MR HILLIARD: Just before we move away and go to another

1 location, can you just help us with this: did you have
2 any understanding at that time as to whether the DSO was
3 in general charge in some way of the operation, or
4 whether the DSO would only become involved at
5 a particular stage or if things got to a particular
6 point? Do you understand?

7 A. I do.

8 Q. What was your understanding at the time?

9 A. I didn't know, is a frank answer. I didn't know exactly
10 when this -- or when the DSO would actually take charge
11 of the operation. I didn't know at that stage.

12 Q. But you had certainly been told that there was going to
13 be one?

14 A. Yes.

15 Q. Right. Did you then move from Lemn Street to
16 Nightingale Lane?

17 A. Yes, sir.

18 Q. That's all the team in the various vehicles, is it?

19 A. That is correct, sir, yes.

20 Q. You with the people you have told us about?

21 A. Yes, sir.

22 Q. Do you have any idea how long it took you to get there?
23 Do you get there, do you remember, do you go with the
24 lights and sirens on, or what's the position? Can you
25 remember?

1 A. I can't recall at all, sir. Again, if it may assist, in
2 my recollection there wasn't any urgency.

3 Q. Right, right. Presumably -- would there have been any
4 reason why, if somebody had made the decision, would
5 there be any sort of security reason why you wouldn't be
6 able to use blue lights and sirens? If you are going to
7 Nightingale Lane, you are not actually going to
8 Scotia Road, there would be no reason presumably why --
9 I know you can't remember -- but if somebody had said,
10 "We are going with the lights and sirens", no reason why
11 you wouldn't do that?

12 A. Sir, our general practice is we would actually look and
13 research where the premises was and where we were going
14 to, so we wouldn't compromise any potential operation by
15 excessive noise or undue behaviour in the vicinity of
16 the address. So --

17 SIR MICHAEL WRIGHT: I think you slightly missed the point
18 of the question. Going to Nightingale Lane, which is
19 a police station, I think what Mr Hilliard was asking
20 you is: is there any reason why you shouldn't use the
21 lights and sirens if there was urgency?

22 A. Absolutely none, sir. Sorry.

23 MR HILLIARD: That's all right.

24 Then when you have got to Nightingale Lane there was
25 another briefing from Silver; is that right?

1 A. That is correct, sir.

2 Q. That we know, I think, lasted from 8.45 or so to about
3 9.15. Does that sound about right?

4 A. I haven't got any record of these times, but
5 I appreciate, yes.

6 Q. All right. Again, I think you have made a note in your
7 statement, is this right, of information that you were
8 given at that briefing? I am on the second page, about
9 half a dozen lines up from the bottom.

10 A. Yes.

11 Q. In the typed copy. All right?

12 A. Yes.

13 Q. Do you record that you were informed at that briefing
14 that correspondence was found at the site of one of the
15 bombings or attempted bombings linking Hussain Osman and
16 someone called Abdi Omar?

17 A. That is correct, sir, yes.

18 Q. Were you told that Mr Omar was suspected of being
19 responsible for the Warren Street bombings?

20 A. Yes, sir.

21 Q. Were you told that the correspondence that was found led
22 to both of those people residing or being suspected of
23 residing at 21 Scotia Road?

24 A. Yes, sir.

25 Q. Just as you had been told that Mr Omar was suspected of

1 being responsible for the Warren Street incident, were
2 you told that Mr Osman was suspected of being
3 responsible for the Shepherd's Bush incident?

4 A. Yes, sir.

5 Q. I think in fairness to you as well you tell us, although
6 I am sure it's perhaps obvious from the situation and
7 the circumstances that you have outlined, but having
8 recorded this much that you were told in the briefing,
9 and we are going to go on to other information, I think
10 you record, as it were, your state of mind, don't you,
11 at that particular time?

12 A. Yes, sir, I do.

13 Q. Can you just tell the jury what you recorded, please?

14 A. After the -- certainly the briefing that we had
15 received, my state of mind was that it was possibly one
16 of the best briefings that we have had certainly
17 recently and certainly from the Anti-Terrorist Branch;
18 that the danger we were facing with, or potentially
19 facing with, would be immeasurable.

20 They were failed suspect bombers. Who knows what
21 their mindset would be? They had prepared devices in
22 order to achieve mass murder. They were determined, as
23 we were led to believe, prepared, highly dangerous, and
24 we might have to face them.

25 Q. I am going to come back to some more detail about that,

1 but just so that the jury have the complete picture,
2 after the little passage that you and I have dealt with
3 about the correspondence linking the two men to the two
4 addresses, I think you wrote this, is this right:

5 "I had already formed the idea that these were of
6 the utmost danger both to public, police and
7 themselves."

8 Talking about those individuals, for reasons I'm
9 sure we can all understand. But that's what you
10 recorded; is that right?

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

12 Q. Did you get further information, do you record in your
13 statement, at this briefing? Were you told that there
14 was information relating to Mr Omar that came from
15 something that we have heard about called
16 Operation Ragstone?

17 A. That is correct, sir, yes.

18 Q. You have recorded, and we have heard about this too, you
19 say:

20 "... which concerned the potential training of
21 subjects in Cumbria."

22 A. Yes, sir.

23 Q. Were you also told about a vehicle, a black Primera, and
24 the registration number you have recorded as well;
25 correct?

1 A. Yes.

2 Q. Do you say this:

3 "This vehicle was registered to Omar to another
4 address but was parked in Scotia Road."

5 A. Yes, sir.

6 Q. So this is also information you are given at the
7 briefing?

8 A. Yes, it is.

9 Q. You go on in this way:

10 "I was shown two photos of two Asian-looking males,
11 Omar and Hussain, and was told that they were good
12 likenesses."

13 A. Yes.

14 Q. "We were told of the nature of the bombs that were
15 found, the details being that the type of explosive
16 involved was ..."

17 And then you just have initials:

18 "... HMTD and possibly peroxide-based."

19 A. Sir, yes. Hexamethylene triperoxide diamine, sir.

20 Q. Galvanised nails, you were told, had been found wrapped
21 around one particular device?

22 A. Yes, sir.

23 Q. You were told that:

24 "... the explosives were of a volatile nature and
25 could simply be detonated with a bulb or battery via

1 wires."

2 A. Yes, sir.

3 Q. When you say "via wires", what, as you understood it --

4 did you have any understanding of what had to happen to

5 the wires?

6 A. A very base understanding, but my understanding is that

7 the wires would have to be connected in order to make

8 an electrical circuit in order to make a detonator

9 detonate the main charge.

10 Q. Was it explained to you that the way the devices were

11 placed and the types of injury caused, you were told

12 about blast effects, loss of life obviously, but limbs

13 as well; was that explained?

14 A. It was, sir. I believe the casualty count from the

15 bombings on the 7th as well was explained.

16 Q. Would have been given to you?

17 A. It was.

18 Q. You would have been given information about that?

19 SIR MICHAEL WRIGHT: You are speaking at the moment,

20 Mr Hilliard, about the bombs that had been found in the

21 three Underground stations and the bus, I think?

22 MR HILLIARD: We will find out.

23 You were told were you, about, as you say, what the

24 casualties had been so far as 7/7 was concerned and told

25 about those devices; is that right?

1 A. We were given rough information for it, yes.

2 Q. Were you also told such information as there was
3 available at that stage about, as the Coroner says, the
4 devices which had not actually gone off on 21/7?

5 A. That is correct.

6 SIR MICHAEL WRIGHT: This is what I wanted to be sure about.
7 All in the same briefing?

8 A. Yes, sir.

9 SIR MICHAEL WRIGHT: The four bombs that had failed to go
10 off in London. Were you also told about what had been
11 found a few days earlier at Luton?

12 A. In my recollection, yes, sir.

13 SIR MICHAEL WRIGHT: Thank you.

14 MR HILLIARD: Again, I think in fairness to you it's as well
15 perhaps if you follow, if we just look at exactly how
16 you expressed your state of mind at this stage.
17 Do you sum it up like this in the statement you
18 made:
19 "The time of the detonations/attempted detonations
20 and the effects of large amounts of people near the
21 detonations led me to confirm in my mind that this
22 suspect we could possibly face was [or were]
23 an unbelievable threat to life."
24 A. That's correct, sir, yes.

25 Q. When you speak there of the time of the

1 detonation/attempted detonations, is that because, as it
2 were, you are talking both about 7/7 when the devices
3 had gone off, and then, just as we have explained, 21/7
4 when they hadn't?

5 A. That is totally correct, yes.

6 Q. Were there then some questions from members of the
7 group?

8 A. Yes, sir.

9 Q. Were you told by Silver that the explosives found could
10 easily be concealed around the body?

11 A. Yes.

12 Q. Was that in response to someone asking whether that
13 could be the case?

14 A. Yes, it was, yes.

15 Q. Did someone ask if they -- so presumably at this time
16 the disappeared attempted bombers -- still had ready
17 access to explosives?

18 A. Yes, sir.

19 Q. Was the answer given to that "yes"?

20 A. Yes.

21 Q. Is this right: that at this time, as you understood it,
22 nobody had located anywhere where the bombs had been
23 manufactured, so all that material was, as it were,
24 certainly not available to the police and, for all it
25 was known, available to the attempted bombers?

1 A. Yes, it is, sir, yes.

2 Q. Again I am looking -- I think this is in speech marks --
3 did somebody ask the question, "Could they have been
4 detonated easily?"?

5 A. Yes, sir.

6 Q. And the answer?

7 A. "Yes".

8 Q. Again I think you have put another question in speech
9 marks:
10 "Could the level of death and destruction from the
11 7 July 2005, would it have been the same if the bombs
12 had detonated on the 21st?"

13 To the best of your recollection, did someone ask
14 a question in those terms?

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

16 Q. Have you recorded the answer that was given?

17 A. Yes. The answer was "yes".

18 Q. You then go on to say that Silver or Mr Purser, as we
19 know it was, I think you say "used the following words
20 and phrases to describe the group"; is that right?

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

22 Q. Then have you put some words and phrases again in speech
23 marks?

24 A. Yes, I have, yes.

25 Q. Can you help the jury, please, with what those are?

1 A. Certainly. The words I recall were "well-prepared",
2 that they were "up for it", "deadly and determined".

3 Q. Again, to the best of your recollection when you made
4 your witness statement on 23 July, to the best of your
5 recollection then, were those the actual words that he
6 had used?

7 A. Yes, sir, to the best of my recollection, yes.

8 Q. I just want to ask you this: even if there is any doubt
9 about that or an issue about whether those were the
10 exact words, are you clear that that is the sense of
11 what he was conveying to you?

12 A. Absolutely, yes.

13 Q. I don't think there is any dispute about that at all.
14 All right?

15 A. Thank you.

16 Q. Again, I would just like you to help us, please, so that
17 we have your state of mind. After you have recorded
18 those particular words and phrases in speech marks, do
19 you again, as it were, sort of interrupt the story just
20 to deal with your state of mind?

21 A. Yes, sir. My statement is --

22 Q. What I would like you to do, because I think it's
23 easiest for you -- and then amplify it by all means, but
24 it's not a memory test, you understand, and you recorded
25 this the next day -- can you help the jury with the next

1 three sentences, how, on the 23rd, you put it?

2 A. "I was left in no doubt as to the type of suspects that
3 we were preparing to intercept, that they were prepared
4 to take their own and others' lives and the danger faced
5 would be immeasurable."

6 Q. Just pause there because I cut you off. Is there
7 anything you want to add to that?

8 A. Just I am trying to convey the emotion of writing
9 a statement. Normally we, as police officers, are
10 trained to stick to the facts and quite often we look at
11 avoiding how we feel, as if we are not involved in this.

12 I wanted to put in my statement the emotions that
13 I was feeling at certain times, at certain times of
14 relevant information I was given, in order to make it
15 more human, sir.

16 Q. What you have done, as I put it, is that you have broken
17 into the narrative. So, as the jury have heard, you and
18 I have been going through your record of the bits of
19 information that you were given at these various
20 briefings; correct?

21 A. (Witness nods)

22 Q. Then on occasions, as you understand, I have just asked
23 you to just pause a moment and give us the actual words
24 that you have put down.

25 So we understand what you are saying, what you have

1 attempted to do there, is this right, is to try to think
2 back to what your state of mind was at particular stages
3 when you had had particular information and you have
4 then recorded that at that stage in the narrative; is
5 that right?

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

7 Q. Do you record in the statement that Trojan 84 then said
8 something about the strategy?

9 A. Yes, sir.

10 Q. I think you say this:

11 "Trojan 84 stated the strategy as being any subject
12 would not be left to run, that they would be intercepted
13 as soon as possible away from the address, so not
14 compromising the address."

15 A. That's correct, sir.

16 Q. "An observation point had been set up and had view of
17 the address, which had a communal flat door."

18 We have heard about someone called Frank in a van
19 who had that view:

20 "Several people had left the address and had been
21 discounted as not suspects."

22 So that's just a little passage next, is this right,
23 where you record what you can recall of Trojan 84 saying
24 about the strategy?

25 I just want to ask you this:

1 "... any subject would not be left to run ... they
2 would be intercepted as soon as possible away from the
3 address, so not compromising the address."

4 By "subject", did you mean one of the suspects?
5 That's the first question.

6 A. An identified person, yes.

7 Q. And "would be intercepted as soon as possible away from
8 the address"; who, as you understood it, would be doing
9 the intercepting?

10 A. On identified subjects or suspects, us, C019, sir.

11 Q. Again, if you please have an eye to the statement, do
12 you then break in to the sequence of events again in
13 your statement to say:

14 "To summarise my thoughts at this time ..."

15 Yes?

16 A. Yes.

17 Q. Can you just help us then, with the benefit of this --
18 and, as I say, it's not a memory test so please follow
19 it in this -- with what you said about your state of
20 mind at this stage, so we can follow it through?

21 A. "We were possibly about to face subjects who had
22 training and had attempted to commit atrocities on
23 innocent human beings with complete disregard to their
24 own lives. They had prepared devices in order to
25 achieve this. There was a real tangible danger that if

1 we didn't act quickly or correctly then there would be
2 an extreme loss of life. How would you feel? What
3 would you do? These devices could be concealed around
4 the body, hidden from view. How would you act faced
5 with this type of threat?"

6 Q. If we just pause there, you have said that in your view:

7 "There was a real tangible danger that if we didn't
8 act quickly or correctly there would be an extreme loss
9 of life."

10 Then you added at the end that you have recorded:

11 "How would you feel? What would you do? These
12 devices could be concealed around the body, hidden from
13 view. How would you act faced with this type of
14 threat?"

15 That's what you have recorded?

16 A. Yes.

17 Q. What I want to know is: were those questions that were
18 being posed at the briefing or were those questions that
19 were going through your mind or is it something
20 different?

21 A. These thoughts were composed by myself on writing the
22 statement after the incident, sir.

23 Q. What I want to know is this: "How would you feel? What
24 would you do?", was that a question that went through
25 your mind at the time or that you were posing to anybody

1 reading your account of events? Do you see what I am
2 asking?

3 A. I do, sir. It's the latter option. It was for people
4 reading or subsequently hearing, for the first time or
5 whatever time, my thought processes and perhaps for them
6 to actually see the type of -- type of threat that we
7 would have to face.

8 SIR MICHAEL WRIGHT: Well, you articulated them for the
9 purposes of writing your statement. You set them out in
10 the detail that we have here, but in broad terms was
11 that the kind of feeling that was going through your
12 mind at the time of the briefing?

13 A. No, sir.

14 MR HILLIARD: So what you have done is at some places you
15 have recorded what your own state of mind was at the
16 time; correct?

17 A. Sir.

18 Q. But then what you have also done when you are coming to
19 write this account of events is, as it were, to pose the
20 questions, is this right, to anybody reading your
21 account: "How would you feel? What would you do? How
22 would you act faced with this type of threat?"?

23 A. Yes.

24 SIR MICHAEL WRIGHT: Maybe I have been misunderstanding you.
25 Do you have the statement in front of you?

1 A. Yes, I have, sir.

2 SIR MICHAEL WRIGHT: This passage starts, "To summarise my
3 thoughts at this time"; do you mean at the time of
4 writing the statement or at the time of the briefing?

5 A. Certainly I remember or I recall thinking that we were
6 going to have to come up against these people with
7 a totally unknown threat, the highest possible threat
8 that certainly I have ever could imagine coming up
9 against.

10 As I have said before, this -- the whole journey, if
11 I can call it that, was an extremely emotional one for
12 me, both at the time of the briefing, listening to the
13 briefing and listening to the nature of the threat and
14 the danger these people posed, and possibly not going
15 home again at the end of the day.

16 I was trying to put in my evidence, in my statement,
17 in a formal time, I was trying to realise some of those
18 thoughts that were going through my mind at the time.

19 MR HILLIARD: I think where the confusion may be is this:
20 that you weren't at the time you were at the briefing
21 you weren't thinking of some citizen away from the
22 briefing, thinking to yourself, "How would that person
23 feel? What would they do?" Those are not thoughts you
24 had at the time; those are questions that, as it were,
25 you have just posed when you came to write the narrative

1 later; correct?

2 A. That's correct, yes.

3 Q. But the other things are feelings that you have
4 attempted to summarise here as to how you felt at
5 different stages of the briefing at the time; correct?

6 A. Yes, sir.

7 Q. All right. That briefing finished, we know, at about
8 9.15 or so in the morning.

9 A. Yes, sir.

10 Q. Did you and Vic and William, who you have told us you
11 were going to be with, go to the car park area at
12 Nightingale Lane?

13 A. Yes, we did, yes.

14 Q. Where your vehicle was?

15 A. Yes, sir.

16 Q. Was that to prepare your kit and your communications?

17 A. Yes, it was.

18 Q. Just again, because it will help you more as we go
19 through, I'm now about the top of the fourth page of
20 your statement, all right?

21 A. Sir.

22 Q. So you and I are at the same place.

23 At that time, as you understood it, where were you
24 due to go?

25 A. At that time we weren't given any specific directions as

1 to where to go, during the preparation of the kit.

2 Q. Right. But by the time your kit's been prepared and you
3 have checked your communications, did you then
4 understand you were going to be moving?

5 A. Yes, I did, sir, sorry: to the Territorial Army base up
6 at Tulse Hill.

7 Q. Up until that point -- again, just so we can try and,
8 just as you have explained about some feelings you have
9 had, so we can try and understand what it was like --
10 when you are loading the kit, checking the
11 communications and so on, before there is any mention of
12 going to the TA Centre which you describe as a "forward
13 holding area" --

14 A. Yes.

15 Q. -- again, had anybody told you there was any urgency
16 about getting there?

17 A. No, sir.

18 Q. But then there comes a time when you are told that's
19 where you are going; right?

20 A. Yes, sir.

21 Q. When you are told, "Right, now we are going to the
22 TA Centre, the forward holding area", at that point,
23 when someone says, "That's where we are going", are you
24 then told that it's urgent now? Can you remember: was
25 anything said about urgency at that stage or not?

1 A. Not to my recollection, sir, no.

2 Q. Right. We have heard, and I think you can confirm this,
3 that you don't all go in a convoy of six cars, or
4 whatever it is, driving from a police station to
5 a holding area for obvious reasons; is that right?

6 A. That's correct.

7 Q. You stagger your departure or your arrival?

8 A. Yes.

9 Q. Whereabouts, please, were you, Vic and William in the
10 order?

11 A. I believe, and purely because we just had a Delta call
12 sign, in Alpha, Bravo, Charlie and Delta that we went
13 last.

14 Q. If we can just look -- if we can get this on the screen.
15 It's the maps brochure, page 3. If we can go down to
16 the bottom, can you see that that Nightingale Lane is
17 marked in? I am afraid to say I can't remember whether
18 we were told that's just Nightingale Lane or that's
19 where the --

20 MR HORWELL: Just Nightingale Lane.

21 MR HILLIARD: I am very grateful. Anyway, that's enough of
22 Nightingale Lane for our purposes.

23 Did you make your way along Nightingale Lane and
24 towards Clapham Common?

25 A. Yes, we did.

1 Q. If you just -- jolly difficult to see on this, but
2 imagine the yellow of Nightingale Lane, and then can you
3 see to the right side of Clapham Common is
4 Clapham Common South Side? Thank you. You might just
5 be able to see that. Can you see that?

6 A. Yes, sir.

7 Q. Did you go, as you recall it, along Nightingale Lane and
8 up to Clapham Common South Side?

9 A. Yes, we did. The actual police building is situated
10 quite near the junction of, or quite -- very close to
11 Clapham Common South Side tube.

12 Q. All right. So you do not have to go far before you get
13 to it?

14 A. Yes.

15 Q. Just if we can deal with the route now, because we might
16 be able to put this away perhaps, but did you go along
17 Clapham Common South Side?

18 A. Yes, sir.

19 Q. If we just deal with the journey. Then Clapham
20 High Street and then up Clapham Road?

21 A. Yes, sir.

22 Q. Up to Stockwell tube?

23 A. Yes, sir.

24 Q. All right. So we can all see that. We can lose that
25 for now. Thank you very much.

1 When you got to Clapham Common South Side, did you
2 start to hear communications from your radio?

3 A. Yes, I did.

4 Q. You say in your statement:

5 "The comms [the communications] were quiet and at
6 times intermittent."

7 A. Sir, yes, and I qualified that they were awful. They
8 were so bad that I distinctly remember thinking that
9 another channel is coming over into our channel. So
10 I fiddled with the radio set and I searched the channels
11 above and below, but there was silence on them. So
12 I thought: something's happening on our designated
13 channel.

14 SIR MICHAEL WRIGHT: You thought that there was interference
15 going on?

16 A. I did, sir, yes.

17 MR HILLIARD: Just so we know, I do not want a number or
18 anything, but what channel were you on? Were you on the
19 firearms channel that is peculiar, as it were, solely
20 for firearms officers, or what was the position?

21 A. Sir, we had in our main working channel, we worked on
22 the surveillance channel. We were monitoring what they
23 were saying.

24 Q. Right.

25 SIR MICHAEL WRIGHT: Was this also a Cougar radio?

1 A. It was a Cougar radio, sir, yes.

2 MR HILLIARD: The quality -- have I got it right? I want to
3 make sure I have understood -- was so bad of what was
4 coming through, so faint and in/out, on/off, you thought
5 that, what, somebody else had just drifted onto the
6 channel?

7 A. It can be a feature with a Cougar radio if someone is
8 transmitting on a channel which is quite close to the
9 one that you are actually operating on, it can
10 inadvertently break through. So that was -- I heard
11 something going on and I had to be sure in my own mind
12 that it was our designated working channel that was
13 operating, hence the fiddling about with the --

14 Q. Right. When you had done the fiddling about, did you
15 realise that it was your channel, it just was faint and
16 intermittent?

17 A. Yes, sir, yes.

18 SIR MICHAEL WRIGHT: That was what you put; I would like to
19 be sure. You said the communications were awful; weak,
20 faint or fuzzy, so that you couldn't understand what was
21 being said, or what?

22 A. All of those, sir.

23 SIR MICHAEL WRIGHT: All of those things?

24 A. All of those, sir. It was awful.

25 MR HILLIARD: Is there any system for communication?

1 An important communication comes out; is there any
2 system of, as it were, reporting back that you have
3 heard it or not? Not really?

4 A. Not really. At the time, sir, the only thing we could
5 have possibly done is phone up our control vehicle,
6 another unit, saying, "We are getting something but we
7 can't really hear what" -- so it would have been quite
8 messy to do that.

9 At this stage -- you are probably going on to it --
10 but something was coming through on our main working
11 channel that immediately alerted me that something was
12 happening. So there was an urgency now.

13 Q. Can you help us, please: what was that? What did you
14 understand was going on?

15 A. Well, I could make out that a subject from
16 21 Scotia Road was on a bus and heading towards the
17 Brixton area.

18 Q. When you learned that, did you phone Ralph?

19 A. Yes, I did.

20 Q. Ralph was the team leader?

21 A. He is the team leader, sir, yes.

22 SIR MICHAEL WRIGHT: You mean phone, mobile phone, do you?

23 A. Yes, sir.

24 MR HILLIARD: We have a very long telephone schedule which
25 we are not going to need to look at, because is this

1 right: that you had -- and nothing is going to turn on
2 this I think at all -- but did you have a police issue
3 mobile telephone and your own one?

4 A. Yes, I did, sir.

5 Q. I think the details -- I think there is some reference
6 very early on, but we really don't need to look at them,
7 to calls from you, but really early on, so before any of
8 this, from you.

9 These calls aren't on the schedule because I think
10 the schedule -- will you take this from me, and if I get
11 this wrong Mr Stern will put me right -- I'm fairly
12 confident that your personal mobile records haven't gone
13 into this. All right?

14 A. That is correct.

15 Q. Anyway, it would look as if you had used your personal,
16 not your job telephone, is that right, to phone Ralph?

17 A. That is my recollection, yes.

18 Q. Did you ask him what was happening?

19 A. Yes, I did.

20 Q. As you recall it, what did he say to you?

21 A. "Subject's on a bus, heading towards Stockwell."

22 Q. Is that "subject" singular? Because we may lose it in
23 the -- so, "Subject [singular] is on a bus"? So,
24 "Subject's on a bus", not meaning more than one, but,
25 "Subject is on a bus"; is that as you understood it?

1 A. Just -- I can't recall the exact terminology, but
2 exactly. It was, "Subject's on a bus heading towards
3 Stockwell".

4 Q. Right.

5 A. And it was that short and sharp. There wasn't
6 a "hello", "goodbye". It was I just needed information
7 quickly and as soon as I had that information it was
8 disengage the phone.

9 Q. Right. When you had got that information, what did you
10 do with it?

11 A. I relayed it to Vic and William, who were in my car.

12 Q. Right. As a result, did your vehicle drive towards
13 Stockwell, along the route that you have told us about?

14 A. Yes, sir, under my direction.

15 Q. Did you try and obtain some more information?

16 A. Yes, I did.

17 Q. What did you do?

18 A. My understanding, or I guessed that our team leader
19 would be busy, because I thought that we are on
20 an active follow now, so I would try what would be the
21 second in command, which would be an officer by the
22 pseudonym of C2, Charlie 2.

23 Q. Right. How did you try and get hold of him; telephone
24 again?

25 A. Exactly the same. I believe it was my personal one.

1 Q. Your personal one?

2 A. Yes.

3 Q. Telephoned him, and did you ask him if he had any
4 further information?

5 A. I did. I just asked him for further information,
6 something -- "What's happening now?" or "Help me" sort
7 of thing. The reply I got, he was -- "He's on
8 a number 2 bus, Stockwell Road towards Stockwell".

9 Q. Once you had got that, did you tell the other members of
10 the team in your car?

11 A. Yes, sir.

12 Q. Now, were you getting anything over the radio?

13 A. We were, sir. At this time communications were
14 improving the closer we were getting to the actual scene
15 of the follow, as it were.

16 Q. Now, at this time, you have told us the route you are on
17 and you know that the subject is on a bus heading
18 towards Stockwell. So we understand, was there an air
19 of urgency about movement now?

20 A. Yes, there was.

21 Q. Right. You describe in your statement that you
22 continued into Clapham Road towards Stockwell; yes?

23 A. Yes, sir.

24 Q. Then you have described hearing something; was this over
25 the radio?

1 A. Yes, it was.

2 Q. What was it you heard?

3 A. "Units be aware, SO19 units are moving through."

4 Q. What did you understand that to mean?

5 A. I understood this to mean that we were at condition
6 amber or we had been moved on to condition amber.

7 Q. We have heard about the traffic light system. Did you
8 understand from that that a possible intervention or
9 an action by SO19 might take place?

10 A. Yes, sir.

11 Q. Who did you understand was saying that, "Units be aware,
12 SO19 units are moving through"? Which side of things
13 did you understand was saying that?

14 A. I understand that would be a surveillance officer that
15 had given that in order to warn other surveillance
16 officers that we were actually coming through the
17 convoy, which is as regards our normal options.

18 SIR MICHAEL WRIGHT: Pause there for a moment. That was
19 something you did hear over the radio?

20 A. Yes, I did, sir.

21 SIR MICHAEL WRIGHT: The awfulness of the radio, the way it
22 was working, were there times when nothing was coming
23 through at all?

24 A. I wouldn't have known that, sir.

25 SIR MICHAEL WRIGHT: That's true enough. That is true

1 enough. I suppose we have to try and get --

2 A. I am sorry if that was a glib answer.

3 SIR MICHAEL WRIGHT: No, it's not.

4 A. The problems we had initially, the Cougar radio, they

5 are old technology and they could be affected by

6 weather, height of buildings, distance you are from

7 other transmitters.

8 SIR MICHAEL WRIGHT: Let me put it in this way: you have

9 told us about the problems that you were getting with

10 them about how the quality of the sound was poor, but

11 from your experience of them, because these are the

12 standard radios that you were using every day --

13 A. That is right, at that time, sir, yes.

14 SIR MICHAEL WRIGHT: -- were there times when they would

15 apparently cut out altogether?

16 A. Yes, that is quite possible. The battery life on them

17 was notoriously bad.

18 SIR MICHAEL WRIGHT: Thank you.

19 MR HILLIARD: Just dealing with this reference to "S019

20 units are moving through", had you been told or had you

21 heard any instruction that you were to move through?

22 You have told us that there was, because of what you had

23 heard, an urgency now about your movements, but had

24 anyone in your team or your team leader said anything

25 about moving through, or is that not how it works?

1 A. No, sir. This is purely an assumption on my day-to-day
2 knowledge of operations. When I heard that, I just
3 assumed, rightly or wrongly, that we were then moved up
4 by our Silver or the DSO on to a state amber. As
5 I found out later, this was a totally incorrect
6 assumption. We were never ever placed on amber.

7 Q. Is that how it should happen, that somebody should, as
8 it were, formally address the firearms team and place
9 them on amber, so we understand?

10 A. Yes, sir. An instruction to move from green to amber
11 signifies that the Silver now believes it's appropriate
12 and justifiable that the arrest or intervention phase of
13 the operation should now take place. So that is
14 transmitted over the main working channel to inform all
15 units that are working on that operation.

16 Q. Because of what you hear, and for the reasons you have
17 given, you understand that you are at state amber;
18 correct?

19 A. Yes.

20 Q. Then you indicate in your statement first of all, as you
21 have already told me, that:

22 "This meant that a possible intervention or action
23 by S019 might take place."

24 In addition you go on to say this:

25 "This also indicated to me that the subject had been

1 positively identified and was actively being followed."

2 A. That is correct.

3 Q. Again, was that your understanding: that if you moved
4 from green and amber was declared, that it necessarily
5 followed that the subject had been positively
6 identified?

7 A. Absolutely, sir, yes, as regards the strategic
8 intentions of the operation and the information we were
9 given at the briefing.

10 Q. You go on to explain in your statement that traffic in
11 Clapham Road northbound -- that's the direction that you
12 were going in -- was totally solid. You say:
13 "... two northbound lanes were full of stationary
14 vehicles."

15 A. That is correct, yes.

16 Q. Did you make your way into the southbound carriageway?

17 A. Yes, sir.

18 Q. So you are actually then going the other side of the
19 road; yes?

20 A. Yes, sir, into oncoming traffic, yes.

21 Q. Right. Have you got lights and sirens on?

22 A. We did have, in order to make progress. Certainly along
23 Clapham Common, the side of the common, and certainly
24 through Clapham High Street, it's notoriously -- it's
25 like a bottleneck through there, until I believe we got

1 some way along Clapham Road, which was going to be
2 towards the junction of Stockwell Road. I was very
3 conscious then of not compromising anything there, so
4 I asked the driver to remove the blue lights and the two
5 tones.

6 SIR MICHAEL WRIGHT: How far away from Stockwell station do
7 you think you cut them off?

8 A. I would guess in the region, sir, of -- there is a road,
9 Union Road, which is on the near side, because that's
10 quite a --

11 SIR MICHAEL WRIGHT: Far enough to be out of earshot anyway?

12 A. Sir, in my judgment, yes.

13 MR HILLIARD: You told us that the closer you got to
14 Stockwell, the better the communications got?

15 A. Yes.

16 Q. As you got closer, did you get some more information
17 about where the subject was?

18 A. I did, sir, yes.

19 Q. What was that, please?

20 A. I heard that the suspect was on a bus facing Stockwell
21 tube, in the junction at an oblique angle.

22 Q. Were you actually able to see that?

23 A. I could see a bus stationary at that junction at what
24 I thought was an oblique angle and I assumed that that
25 was the bus that surveillance were talking about.

1 Q. I have no idea, but are you actually able to say now
2 whether it was the bus?

3 A. I can't say, sir.

4 Q. Anyway you certainly saw a bus in a position like that?

5 A. Sir, yes.

6 Q. Did you hear anything else about the suspect?

7 A. That the suspect was acting nervously and preparing to
8 leave the bus.

9 Q. Those pieces of information, that the suspect was on the
10 bus and the position of the bus, that the suspect was
11 acting nervously and preparing to leave the bus, what's
12 the source of that information; how are you hearing
13 that?

14 A. I would guess, sir, that that was surveillance.

15 Q. But again, just so we understand, that's over the Cougar
16 system?

17 A. Yes, sir.

18 Q. You record in your statement:
19 "We were about 100 metres south of Stockwell tube."

20 A. That is an approximation, yes.

21 Q. Did you then hear that the suspect had got off the bus
22 and walked towards the National Westminster Bank at the
23 junction of Binfield Road?

24 A. That's correct, sir. Sir, may I add at this point
25 I have quite a good knowledge of that area, as I had

1 previously served as an officer at Clapham police
2 station.

3 Our vehicle, under my directions, was still moving
4 towards the tube station at this stage. I had pointed
5 out to my crew of the presence of Stockwell tube station
6 and as of a possible threat area. So, and again under
7 my directions, I asked that the car be driven very
8 slowly towards Stockwell tube station in order to
9 prepare for that threat or potential threat area.

10 SIR MICHAEL WRIGHT: What was the purpose of that?

11 A. Sorry, sir?

12 SIR MICHAEL WRIGHT: What was the purpose of driving very
13 slowly?

14 A. In order to get in a position whereby if we had reached
15 the state red, the arrest phase, that we would be able
16 to respond appropriately and timely.

17 SIR MICHAEL WRIGHT: Presumably get out of the car?

18 A. Exactly right, sir. Closer to the tube, yes.

19 MR HILLIARD: Did you then hear that the suspect was walking
20 towards the tube and had entered it?

21 A. Yes, I did, sir.

22 Q. Did you hear anything said to the effect that S012 were
23 or weren't to do any stop?

24 A. Sir, I don't recall any of that conversation at all,
25 sorry.

1 Q. Had you heard that, given, as it were, you were
2 a firearms officer and in this situation, do you think
3 you would have remembered it?

4 A. Sir, yes. It might help the jury: we had continued our
5 forward movement. I was trying to gauge as best I could
6 the location of the identified suspect and try and gauge
7 our movement towards the tube in order to prepare for
8 any intervention phase.

9 So we were at this stage, certainly when the suspect
10 had entered the tube, very, very close to the tube
11 station, and I -- I remember there being a radio silence
12 and I was very frustrated by this.

13 Q. Did you hear this: "Towards platforms 1 and 2"?

14 A. Yes, I did.

15 Q. As you understood it, who was that talking about?

16 A. The identified suspect, who I believed at that time was
17 a failed suicide bomber.

18 Q. Yes.

19 A. Again, if I can add that my sense of frustration at this
20 point was great, to say the least. I couldn't
21 understand, if we were at state amber, why we weren't
22 given state red at this time.

23 SIR MICHAEL WRIGHT: Can I just go back a little bit? You
24 say you never heard that SO12 were to make the stop and
25 you would have remembered it if you had?

1 A. Yes, sir.

2 SIR MICHAEL WRIGHT: As far as you were concerned, certainly
3 once you had got to state amber, which was directed to
4 you as firearms officers; yes?

5 A. Yes, sir, but, as I have said in earlier evidence, that
6 it's now my -- I now know that we were never ever called
7 to amber.

8 SIR MICHAEL WRIGHT: I know that, but under the traffic
9 light system, if it had been said or if you had heard
10 it, it would have been directed to C019 officers?

11 A. The state amber or state red?

12 SIR MICHAEL WRIGHT: Yes.

13 A. Yes, it would have been, sir, yes.

14 SIR MICHAEL WRIGHT: Your view at that time was that you
15 were in pursuit of a suspected, and indeed you now
16 thought confirmed or positively identified, suicide
17 bomber?

18 A. Yes, sir.

19 SIR MICHAEL WRIGHT: If you had heard an order go out, "S012
20 is to do the stop", would that have changed your view
21 about what it was you were following?

22 A. Yes, sir, it quite possibly would have done.

23 SIR MICHAEL WRIGHT: In what way?

24 A. Our strategic intentions that were told to us at the
25 briefing was the fact that we would only ever be

1 deployed and given the arrest phase on identified
2 suspects.

3 SIR MICHAEL WRIGHT: In the context of a suicide bomber?

4 A. Exactly right. If S012 had been given that direction
5 then I must assume that Scotland Yard or the DSO is
6 party to information that hasn't been given to us and
7 therefore the information status has there changed and
8 perhaps the threat level has come down.

9 SIR MICHAEL WRIGHT: Thank you.

10 MR HILLIARD: Were you asked at any stage where you were?

11 A. No, sir, and I didn't volunteer that information either.

12 Q. We have seen how this unfolds, and we are going to hear
13 a little bit more about it in a moment. So not so much
14 concerned with you volunteering, but I just want to be
15 clear: you were never asked, as it were, how close you
16 were, for example, to Stockwell station or what your
17 arrival time would be or anything of that sort?

18 A. Not at all, sir, and that isn't a normal practice for
19 us. It might be a little bit hard to understand, but
20 because we work so closely together and because we know
21 our tactics that you are -- it's assumed that you will
22 get into a position to respond, and that is what we do.
23 It's like a well-oiled machine, sir.

24 SIR MICHAEL WRIGHT: Could you pause there? We have done
25 an hour and a half and I think we could do with a break.

1 MR HILLIARD: Yes.

2 SIR MICHAEL WRIGHT: Let us say 12.30, please, ladies and
3 gentlemen.

4 (12.20 pm)

5 (A short break)

6 (12.35 pm)

7 (In the presence of the jury)

8 SIR MICHAEL WRIGHT: Before we go any further, it has been
9 drawn to my attention that attempts are being made to
10 take photographs of anonymised witnesses, either over
11 the wall of the building or by attempting to take
12 photographs through the windows of vehicles.

13 I wish to make it absolutely clear that I have made
14 an order that the anonymity of these witnesses is to be
15 respected and that any attempt to take photographs by
16 any means, whether directly or through the windows of
17 a vehicle or by any other way, is a contempt of court,
18 and can expect to be dealt with in this way.

19 I would be very grateful if those who can hear these
20 words will pass on to their colleagues that that is the
21 position.

22 Mr Horwell, I don't know whether the
23 Metropolitan Police, who have a considerable interest in
24 maintaining this anonymity, would consider taking such
25 steps as you think appropriate to ensure that my

1 directions are obeyed and communicated.

2 MR HORWELL: Sir, we were unaware of those reports. Those

3 behind me will ensure that immediate action is taken.

4 SIR MICHAEL WRIGHT: Thank you very much. Yes, Mr Hilliard.

5 MR HILLIARD: When we broke off I was just asking you about

6 requests for information as to where particular S019

7 units were and you were explaining that that wasn't the

8 normal practice, you all understood how each other

9 worked and so on; yes?

10 A. Yes, sir.

11 Q. I want to know this: if, for any particular reason,

12 there is an anxiety that S019 units may not be in

13 position in time, all right, so imagine that situation,

14 in that situation presumably there is no difficulty then

15 about somebody -- suppose you need somebody at

16 a particular place in ten seconds, imagine you do; there

17 is no difficulty then in asking, is there, "Anybody able

18 to get there in ten seconds?"?

19 A. No difficulty at all, sir, no.

20 Q. You have told us about hearing these words, and again

21 I think you have put these in speech marks, "Towards

22 platforms 1 and 2"; yes?

23 A. Yes, sir.

24 Q. Do you then record hearing something said by Trojan 84?

25 A. I do, sir, yes.

1 Q. What was that, please?

2 A. The recollection I have was that they said he was to be
3 stopped getting on the tube, he must not be allowed to
4 get on the tube, or words to that effect.

5 Q. This is, so we understand, Trojan 84, as best you recall
6 it, saying -- so this is Trojan 84 speaking -- saying,
7 "They said he was to be stopped getting on the tube, he
8 must not be allowed to get on the tube", or words to
9 that effect?

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

11 Q. So far as "they" was concerned, did you have any
12 understanding as to who he was referring to? If he
13 said, "They said he was to be stopped getting on the
14 tube", who did you understand that would be?

15 A. My assumption was at that time that the instruction had
16 come from New Scotland Yard and therefore from the
17 designated senior officer.

18 Q. Right. Did you then hear Ralph?

19 A. Yes, sir.

20 Q. On what did you hear Ralph?

21 A. I believe it was our -- we call it a 75 set. It's our
22 little back-to-back chat channel or a back-up radio
23 which the firearms teams use.

24 Q. Is that just firearms officers who can hear and transmit
25 on that?

1 A. That was on that day, sir, yes.

2 Q. What do you recall hearing Ralph say on the 75, the
3 back-to-back radio for firearms?

4 A. "All units: state red, state red."

5 Q. Now, when you heard that, what did you do?

6 A. This was the code for our arrest phase or intervention
7 phase. I immediately left our vehicle and sprinted
8 towards the entranceway of the tube.

9 Q. We will look at some film in a minute, but if we just --
10 perhaps we can get them up on the screen is the easiest
11 thing. Divider 22, the first two pictures in there --
12 just wait for the screen, don't worry about finding
13 them -- 34A and 34B.

14 You are coming north up Clapham Road; correct?

15 A. Yes, sir.

16 Q. Just to give you a minute to find your bearings, you can
17 just about make out on the side of the tube over there
18 to the right, can you see "Clapham Road"?

19 A. Yes, I can, sir.

20 Q. You would be coming from the left of this picture?

21 A. Yes.

22 Q. If we look at 34B, we have a bit of a view, as it were,
23 further to the left down Clapham Road.

24 A. Yes, sir.

25 Q. As I say, in a minute we will look at some film of you

1 running towards the station. Can you remember how far
2 away from the station -- if we call that (indicated) the
3 station, all right, the first time it says "Stockwell
4 station"?

5 A. Yes, sir.

6 Q. About how far away from that do you think you parked, or
7 your driver parked?

8 A. I can't give an approximate distance but I can give
9 an approximate location. That is where you see the
10 diagonal white lines along the centre of the road,
11 cross-hatchings I believe they are called. We were
12 parked in the central reservation there.

13 As I say, earlier we had gone down the wrong side of
14 the road, albeit slowly, but we had actually parked up
15 and just remained in that central position of the road.
16 But how close to the actual tube station unfortunately
17 I'm unable to recall.

18 Q. We will just deal with these events just a little
19 further and then we will look at some film and it may be
20 we will be able to see it on that, I don't know. Thank
21 you very much.

22 So when you have heard "state red" called, you say
23 you left your vehicle and sprinted towards the entrance
24 to the tube?

25 A. Yes, sir.

1 Q. Were you carrying anything? We know about the Glock
2 that is on your waistband; is that the only firearm that
3 you took?

4 A. It was, sir. The firearm which was at that stage on my
5 waistband holster and secreted towards my right hip.
6 I had a magazine carrier which contained a magazine for
7 the MP5 and a shorter magazine for a Glock which would
8 be a replacement ammo. I also carried with me a blue
9 overshirt which I had, and also a hand-held Cougar
10 radio.

11 Q. I am sure it's obvious, but you are in an unmarked car,
12 aren't you, and you are not in police uniform, you are
13 in plain clothes, casual clothes?

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

15 Q. So we understand, the blue overshirt, why do you take
16 that with you; what's that for?

17 A. This was just a normal item of clothing which was my own
18 personal issue, my thoughts being that we would have to
19 remain as covert as possible and the only thing I had
20 near to hand in order to cover up the large radio was my
21 overshirt. So I carried that in conjunction with my
22 radio to give it some form of covert capability or
23 ability.

24 Q. Oh, I see. You have your radio under the shirt?

25 A. I have.

1 SIR MICHAEL WRIGHT: How do you carry the radio?

2 A. Sir, the radio, if I can -- description with my hands,
3 the actual main working body is probably about that size
4 (indicated) and out of the top of the radio will come
5 an electrical cord or wire on to a brooch which you can
6 press to talk and also listen.

7 SIR MICHAEL WRIGHT: What I meant was: is the body of the
8 radio itself -- this is part of the Cougar system, isn't
9 it?

10 A. It is, sir, but it's not the car Cougar system, it's the
11 personal radio.

12 SIR MICHAEL WRIGHT: No, no, it's the personal radio. Do
13 you actually wear it on your body, is it strapped on to
14 you in some way, or is it in your hands?

15 A. It can be worn, sir, on the body with the suitable
16 harnesses, but I had this one. It wasn't a covert
17 Cougar radio, as they come in different dimensions.
18 This was more of an overt Cougar radio, which you can
19 get potentially better signals from.

20 SIR MICHAEL WRIGHT: So what were you doing, holding it?

21 A. Yes, sir, I was.

22 SIR MICHAEL WRIGHT: And the mobile telephone?

23 A. No, sir.

24 SIR MICHAEL WRIGHT: Just the radio.

25 A. Yes, sir, with the overshirt around it.

1 MR HILLIARD: Then if we can again -- because this is what
2 you have done in the statement you made -- I just want
3 to interrupt the narrative.

4 So we have you running towards the entrance the
5 tube, all right, radio in one hand or other, but the
6 shirt over it just to try to hide it a bit; yes? Then
7 I think you have helpfully there just explained your
8 thought processes again; correct?

9 A. Sir, yes.

10 Q. Can you just look at that and just help us with what's
11 going through your mind as you remembered it?

12 A. I remember prior to the "state red" certainly
13 frustration and a growing sense of unease that
14 an identified suicide killer, or a potential one, was
15 allowed to enter into a tube station. My thoughts then
16 were: he's entered the tube already, and it was just
17 frustration.

18 Q. Right. I am just going to look at what you have
19 recorded. Is this right:

20 "I thought: he's entered the tube already. It was
21 vital that I reach the subject immediately. I thought:
22 if he reaches the tube there was a chance of another
23 King's Cross scenario."

24 You mean a bomb exploding and people being killed,
25 injured?

1 A. That is correct, sir, yes.

2 Q. "I must stop him."

3 A. Yes. I didn't know at that stage whereabouts he was in
4 the tube station itself, in the tube network, so he
5 could have already been on a tube, he could have been
6 going down to the platform or invariably on the
7 escalators. I just didn't have any knowledge of his
8 location at that time.

9 Q. You have spoken of your frustration that somebody who
10 you understood to be, is this right, an identified
11 attempted suicide bomber from the day before has gone
12 into the tube?

13 A. Yes, sir.

14 SIR MICHAEL WRIGHT: You told us that you had served in this
15 area?

16 A. Yes, I had, sir, yes.

17 SIR MICHAEL WRIGHT: Did you know that Stockwell was
18 a junction where two Underground lines cross?

19 A. Sir, I wouldn't have been able to recall that detail.

20 SIR MICHAEL WRIGHT: You didn't, no.

21 MR HILLIARD: I will go back to what I was asking you.
22 You have told us about your frustration that
23 somebody who you understood to be an identified
24 attempted suicide bomber from the day before had gone
25 into the tube.

1 A. Yes, sir.

2 Q. If you had been asked to, could you have got to the tube
3 any more quickly than you had done?

4 A. Sorry, sir, at what stage?

5 Q. Well, at any time before he goes into the tube?

6 A. Yes, sir.

7 Q. You could have done?

8 A. Yes, sir.

9 Q. Right. When would somebody have needed to have asked
10 you; whenabouts in the journey?

11 A. That would have had to have been a specific order from
12 the DSO or my Silver, and then we would have made great
13 efforts to get there quicker.

14 Q. Suppose someone had said to you five minutes before you
15 get there, say; would you have been able to do that?

16 A. Sir, it would be impossible for me to put any sort of
17 form of time on it. To backtrack and to try to guess,
18 it would be unfair to myself and my colleagues.

19 But through evidence that I have given already, it
20 was my decision to control the speed of our vehicle on
21 approach to the tube station, because at that stage we
22 were still at amber and hadn't been given the necessary
23 authority to act. So therefore, if I had pushed or
24 controlled our vehicle too close into the surveillance
25 hub, as it were, we could have potentially compromised

1 a situation. It was a judgment call that I made at the
2 time.

3 Q. Also of course it depends, doesn't it, as it were, as to
4 whether anybody knows where it is you have to get more
5 quickly; that may not become apparent, may it, until
6 a late stage?

7 A. Exactly, right, yes, sir. I only had identified the
8 tube station as a potential threat area. I mean, the
9 suspect could have gone anywhere for all we knew.

10 SIR MICHAEL WRIGHT: The reason I asked you about Stockwell
11 station was because you had said a moment before that,
12 that you didn't know where in the station he was likely
13 to be.

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

15 SIR MICHAEL WRIGHT: And if it's a junction it's that much
16 more difficult?

17 A. Yes, sir.

18 MR HILLIARD: So I think you got to the entrance to the
19 tube; is that right?

20 A. Yes, sir.

21 Q. Is that the outside entrance you are talking about?

22 A. Yes, it is, yes.

23 Q. Did you see another firearms officer that you remember?

24 A. Yes, sir, I distinctly remember this. I saw Charlie 2
25 and we had eye contact.

1 Q. Did you hear any more information over your radio?

2 A. I heard again, "Platforms 1 and 2". Sir, if I could
3 just go back?

4 Q. Yes.

5 A. The eye contact with Charlie 2 was of immense importance
6 to me at the time because I didn't know where the other
7 firearms officers were. All my knowledge at that time
8 was that we were the only vehicle there ready to
9 respond. So when I saw Charlie 2 at the entranceway it
10 was certainly a reassuring thing that another firearms
11 officer was there.

12 SIR MICHAEL WRIGHT: Another car, presumably?

13 A. Another car, sir, yes.

14 MR HILLIARD: I think you ran into the station and towards
15 the barriers; is that right?

16 A. Yes, sir.

17 Q. Did you in fact jump over the barrier?

18 A. I did, sir, yes.

19 Q. I think you were challenged by someone you thought was
20 a member of the station staff to stop?

21 A. I believe so, sir, yes, who was the other side of the
22 barrier, towards the escalators.

23 Q. As you recall it, what did you do?

24 A. I believe that I pushed him out of the way and I think
25 at that stage I drew my Glock handgun from the holster

1 on my waist.

2 Q. I am just going to look now, I think, it may be at three
3 pieces of film. We are going to see your arrival
4 running into the station. If we can have MB/2,
5 camera 12.

6 (Video footage shown)

7 We just have to wait until we get a view of the side
8 of the station.

9 SIR MICHAEL WRIGHT: While we are waiting for that, you
10 certainly don't suggest it in your statement; is it
11 possible that you might have said anything to the member
12 of the station staff?

13 A. It's entirely possible, sir. My sole focus at that
14 stage was trying to find that identified --

15 MR HILLIARD: Pause, pause. Sorry, you can carry on, but
16 otherwise we will miss the film while you are answering
17 the question. You carry on.

18 A. I could well have done, sir, that's the short answer,
19 yes.

20 Q. If you watch this film carefully you will see yourself
21 coming from the top of it. (Pause) There. All right?

22 Just to solve one thing, I don't think we can see
23 your vehicle, can we, parked in the middle of the road?

24 A. No, sir.

25 Q. It's obviously back from where you are, is that right,

1 further away into the picture from where you are?

2 A. Or perhaps, as I have described previously, we were
3 actually parked in the centre of the road and just
4 abandoned the vehicle there.

5 Q. So you mean it may be level with you there?

6 A. It could well be.

7 Q. It's not further forward, we can say that.

8 A. Yes.

9 Q. You wouldn't have run backwards, so it is either level
10 with where we see you or a little bit further back?

11 A. That's correct, sir.

12 Q. Can you see C6 and C2 also just marked, and you have
13 told us about eye contact you have had, haven't you,
14 with C2?

15 A. Yes, sir.

16 Q. Right. (Pause) Thank you very much. That's your
17 arrival. If we just look at CC/3, camera 4, next.

18 SIR MICHAEL WRIGHT: I think we could see on that shot your
19 blue overshirt over one arm.

20 A. Yes, sir.

21 SIR MICHAEL WRIGHT: Or possibly over your left shoulder.
22 Did you have a police baseball cap?

23 MR HILLIARD: We are just going to see that on the film. If
24 we just pause it, you are actually not wearing one,
25 I think, but if we just wait.

1 SIR MICHAEL WRIGHT: If we go back to the bit we have seen,
2 he certainly wasn't wearing it then.

3 MR HILLIARD: Can we just pause? We will get the best
4 evidence I suspect if we just wait a minute. (Pause)
5 The best evidence won't be on this picture, it will be
6 on the next one. We have just to wait a bit to see you
7 coming over the barrier. (Pause)

8 Pause, if we can. That's good enough anyway. You
9 saw yourself just probably come in with "C12" on, but
10 you can see yourself near the barrier, and I think I am
11 right in saying we will see you come over the barrier if
12 we play on. (Pause)

13 Do you see yourself -- just pause there -- jumping
14 down, and there are a couple of candidates for people
15 speaking to you, but do you see yourself jumping down?

16 A. I do, sir, yes.

17 Q. And something in your right hand?

18 A. Yes.

19 SIR MICHAEL WRIGHT: You are ahead of me, Mr Hilliard.

20 MR HILLIARD: There we are. You are jumping down to the
21 ground, aren't you?

22 SIR MICHAEL WRIGHT: Ah yes, I see it.

23 MR HILLIARD: And you have your right hand -- is that your
24 radio in your right hand? I have no idea.

25 A. Sir, I can't recall, I am sorry.

1 Q. You can't tell, no. It doesn't matter at all. Just
2 play on, and you have gone out of shot.

3 SIR MICHAEL WRIGHT: Can you go back? (Pause) That's you
4 going over the barrier?

5 A. Yes, sir.

6 SIR MICHAEL WRIGHT: Okay. Then I think the next shot you
7 have gone. Thank you.

8 MR HILLIARD: The one just so we can see the headgear or not
9 is CC/3, camera 7.

10 We will just get one shot of you. I think it's
11 quite obvious you are not wearing one.

12 A. My recollection is, if it helps, that I wasn't wearing
13 any form of headgear.

14 Q. I think you are going to find your recollection is
15 proved right. Just make sure then. (Pause)

16 Just pause. There is you, and I think it is just
17 obvious that there is nothing on your head, there is no
18 cap, is there?

19 A. No, sir.

20 SIR MICHAEL WRIGHT: Did you actually have one with you?

21 A. I can't recall, sir. The reason why I took the
22 overshirt was to -- an attempt at being reasonably
23 covert because I didn't know what type of situation that
24 we were going to go into. So I can't recall if I had
25 one.

1 SIR MICHAEL WRIGHT: Very well.

2 MR HILLIARD: Is that -- can you see on your left-hand side,
3 is that the overshirt?

4 A. Yes, it is, sir.

5 Q. All right. If we play that one, you disappear. There
6 is C2 and 11, but that's all we need to see. Thank you
7 very much.

8 I am just going to take this passage from your
9 statement, because we have looked at this. What you
10 said in your statement -- and I'm at the top of the next
11 page, so you are following all right -- you explain that
12 you jumped over the barrier, we have seen that; correct?

13 A. Yes, sir.

14 Q. You say that you were "challenged by what I believe to
15 be station staff to stop", and it certainly looks as if
16 there were two members of the station staff right there,
17 doesn't it?

18 A. Yes, sir.

19 Q. I think I should ask you: did you have access to any of
20 this film when you were recording these recollections or
21 not?

22 A. Nothing at all, sir. I have actually -- we wrote
23 additional information when we first started out writing
24 our statements that we could possibly be the subjects of
25 CCTV or audio recordings of whatever nature and that we

1 had no time to view them. So these were independent
2 recollections of the events. So we didn't have any
3 access to any material whatsoever.

4 Q. You are quite right. Don't go back to it, but there are
5 two sentences right at the start of your statement, and
6 it's probably right I should read them out, where you
7 say this:

8 "I have reason to believe that there may be various
9 video recordings in existence of the incident."

10 Then here you answer my question:

11 "I make these notes without having seen any of
12 them."

13 A. Yes, sir.

14 Q. You have explained and we have seen on the film that you
15 have jumped over the barrier, you have explained that
16 you think it's station staff who tell you to stop, we
17 have seen what may be station staff there.

18 You go on in your statement:

19 "I think I pushed him out of the way and drew my
20 Glock from my holster. I sprinted towards the elevators
21 which were situated on the left-hand side of the foyer.
22 My shirt was over my left shoulder and I carried the
23 radio in my left hand."

24 You have confirmed, I think, that is your shirt on
25 your left-hand side that we have seen in the film;

1 correct?

2 A. That's correct. I would just make one small correction
3 there: that "elevators", I meant to say "escalators".

4 Q. All right. Then you go on in this way:

5 "I reached the down escalators and ran down them.
6 I was aware of members of the public, people standing on
7 the right."

8 We are not going to look at it but we have seen that
9 on the film. Could you hear anything, please, at this
10 stage?

11 A. I could hear people behind me shouting, "Armed police,
12 get out of the way", and words to that effect.

13 Q. Did you assume that that was colleagues?

14 A. Yes, I did.

15 Q. Could you see anybody at the foot of the escalator?

16 A. Yes, I could.

17 Q. Can you describe that person for us, please?

18 A. From my recollection, it was a white male wearing
19 a baseball cap, a top which had red shoulders, and
20 I believe that the body and the sleeves were blue.

21 Q. As you got towards that man, did he say anything to you?

22 A. He said something to the effect of, "He's on the
23 northbound tube".

24 Q. Do you know now who that was or not?

25 A. I assumed at the time by the way that the male looked in

1 my direction that it was a surveillance officer, and
2 subsequently I found out that it was in fact
3 a surveillance officer.

4 SIR MICHAEL WRIGHT: In fact we could probably identify him,
5 couldn't we, Mr Hilliard?

6 MR HILLIARD: We probably can. Malcolm, I am told.

7 You thought, is this right, when he said something
8 to the effect, "He's on the northbound tube", you record
9 that you thought, "Oh no, we are too late"?

10 A. Absolutely, yes.

11 Q. Thinking that he had actually got on the tube and that
12 had been what you were trying to stop?

13 A. It was just an assumption of what he said, "He is on the
14 northbound tube", and I just -- I just -- it implied to
15 me he had gone, he was on the northbound tube, and that
16 we had lost him.

17 Q. Did Malcolm indicate a footway or an archway on the
18 left-hand side?

19 A. Yes, he did.

20 Q. Did you run through that little archway that leads to
21 the platform?

22 A. Yes, I did, sir. I think because he pointed to that
23 archway it made me quickly reassess that perhaps the
24 tube hadn't gone; otherwise why would he have pointed to
25 that direction?

1 Q. We are very familiar with it, but in fairness to you, to
2 bring it back to your mind, I am just going to ask that
3 we show pictures in divider 31 and 32. We have seen
4 them many times, but just so you are aware of what we
5 have seen.

6 That's actually the first -- I think there are
7 two -- of the little archways into the platform on the
8 left; all right? You can see the train hasn't moved,
9 it's still there; all right?

10 If we just show you the next picture, 32, can you
11 see that that's obviously now taken further into the
12 archway?

13 A. I can see, yes.

14 Q. Thank you very much. You described that there was
15 a train at the platform and that it was lit?

16 A. Yes, sir.

17 Q. And that you were aware of another man; correct?

18 A. Yes, sir.

19 Q. Where was that man?

20 A. He was stood where you saw that picture in the open
21 doorway, and I would call it a large open doorway, and
22 facing towards me.

23 Q. So we could see, couldn't we, slightly to the right
24 there was a set of double doors open, so you think this
25 man is there?

1 A. Yes.

2 Q. Anything you can tell us, please, about what he was
3 wearing?

4 A. The only description that I noted was that he had a blue
5 top.

6 Q. What did he do?

7 A. He gave an indication with one of his arms or his hands
8 and he pointed or gesticulated towards his left. So if
9 the jury are myself, in my direction, he looked at me
10 and he gave a distinct indication to his left-hand side.

11 SIR MICHAEL WRIGHT: The photograph is up again. He was in
12 that doorway, was he?

13 A. He was in that doorway, sir, yes.

14 SIR MICHAEL WRIGHT: Pointing to his left?

15 A. To his left.

16 SIR MICHAEL WRIGHT: Along the train?

17 A. Yes, sir.

18 MR HILLIARD: Pointing to his left, so to your right?

19 A. Yes, sir.

20 Q. You told us about hearing some shouts behind you. Do
21 you remember the eye contact you had with C2 on the way
22 in; were you aware of C2 at all at this stage?

23 A. I was, sir, but it was just a general awareness of him
24 being close to me.

25 Q. Did you go in the direction that had been indicated?

1 A. I did, sir, yes.

2 Q. Where did you go to, precisely if you can?

3 A. Sir, can I just pause a moment? I know obviously where
4 we are leading to, and can I say I will try and be as
5 delicate as I can for the benefit of the family, but
6 there are some things that have to be said. I just want
7 that acknowledged, if I may, because I know this is
8 quite frankly an awful time for them, and I'll try and
9 be as sensitive as I can.

10 Q. Of course. Let us deal with it now. You say in your
11 statement, don't you, that you wanted to express how you
12 felt and your sadness at the death of the man. That's
13 how you almost, I think, concluded your witness
14 statement, isn't it?

15 A. Absolutely.

16 Q. So we can just express that at the same time, can't we?

17 A. My sincere regrets, and I can't begin to put myself in
18 the position that they are faced with. I'm a family man
19 myself, and to lose a son or any member of your family
20 in this situation I just couldn't believe. I offer my
21 sincere condolences, I really, really respectfully do
22 that.

23 Q. We will go back to the platform and just pick the story
24 up again. There has been the gesture further along the
25 platform; all right?

1 A. Yes, sir.

2 Q. You have told us that you are aware of C2 very close to
3 you?

4 A. Yes, sir.

5 Q. I think you make your way along, and I was just asking
6 you if you could be, as it were -- what point of the
7 train do you think you make your way along to?

8 A. My recollection is that I had to try to pick up where
9 this male was, where our suspect was. I had to try to
10 remain covert. If I hadn't done that, if my presence as
11 a police officer had alerted the suspect, we could be
12 dealing with a detonation of a bomb.

13 I remember trying to take in as much information as
14 I could and keep as close as I could to the side of the
15 tube train, whilst looking in and trying to pick up any
16 bit of information I could from inside the actual tube
17 carriage itself.

18 Q. How far did you get? What point did you come to when
19 something else happened?

20 A. I think -- I can't put an approximate distance on it,
21 but I was actively searching inside when I came to
22 roughly some more double open doors and I was aware of
23 a person standing facing those, at those doors.

24 Q. If we just put up on the screen divider 35, the first
25 double doors that were -- do you remember? -- just

1 slightly to the right of centre when we looked along the
2 archway, that's the first double doors on the left
3 there, to the left of Mr Whitby; all right?

4 A. Sir.

5 Q. So you have described going along the platform and
6 coming to the next double doors; have I got that right?

7 A. Sir, yes.

8 Q. That's the Preston/Wilson doors, isn't it? You see why
9 I call it that.

10 A. Yes, sir.

11 Q. You can see the configuration of the carriage. Can you
12 see that where Mr de Menezes was sitting has been marked
13 on the plan?

14 A. Yes, sir.

15 Q. Thank you, I think we can take that off for the moment.
16 So you have got as far as the next open doors of the
17 train. What was the position about your gun at this
18 stage, please?

19 A. Again, I wanted to be as covert as humanly possible.
20 I distinctly remember I wasn't running along the
21 platform; it was just a controlled, purposeful walk
22 looking into the tube station, with that covert -- I am
23 trying to remain covert in mind. I believe I had my
24 Glock handgun and it was tucked towards my right leg, in
25 effect trying to hide it from any occupants of the tube

1 train itself.

2 Q. We have heard evidence from Ivor, we know him to be.

3 I don't think you knew him at the time; is that right?

4 A. I didn't know Ivor, sir, at that time.

5 Q. But were you aware of a man in this next tube doorway?

6 A. Yes, sir, I was.

7 Q. What did he do?

8 A. I was aware of his presence primarily, as I have said,

9 before I was actively searching. Then I came to the

10 open door and there was a male in the door, and I did

11 almost a top -- sorry, a toe-to-top scan at him and

12 I realised, I saw, just picked up, that he had his foot

13 in the doorway, and I recognised that as a surveillance

14 technique of keeping open the doorway.

15 It was basically from that and the way he was

16 looking at me, a sort of ... for want of a better word,

17 a needy look in his eyes to be recognised, that I just

18 assumed that he was a surveillance officer.

19 Q. Right. If we can just pause there for a moment. We

20 have you with your gun in your hand by your right side.

21 Can you help us for those who don't know: does it have

22 a safety catch at all or anything of that sort, or once

23 you have it out is it ready to fire?

24 A. That's primarily it, sir, yes. There is no safety catch

25 as such, although it does have three inbuilt safety

1 mechanisms on it, but none of which I have to --

2 Q. To do --

3 A. -- manually switch. It's not switch a button off. It's

4 just -- the first safety in fact is actually on the

5 trigger, and for that to work and operate, my finger

6 must be fully on the trigger.

7 Q. If we just stop there, can you think back: did you have

8 any idea of what you were going to have to do at this

9 stage? Do you understand? What do you think your role

10 is, your job is now?

11 There you are: you have been told that, as you

12 understand it, one of the attempted suicide bombers from

13 the day before, if I have understood it right, has been

14 identified; that's correct, that's what you understand?

15 A. Sir.

16 Q. Been told that he has to be stopped from going on the

17 tube, but in fact, as you understand it, he is now down

18 the tube and on a train; correct?

19 A. Yes, sir.

20 Q. So with that by way of background, what did you think

21 you were going to do or to have to do?

22 A. To primarily intercept him, to stop him, perhaps detain

23 him. That was primarily my thoughts. I did not have

24 any preconceived ideas of what I was going to do or

25 eventually what I ended up doing.

1 Q. What I want to understand from you is this: at this
2 stage, was it in your mind that any interaction you had
3 with this person, if you had some, if you came across
4 him, would inevitably result in you firing your gun, or
5 was that, as it were, a stage away? Were there things
6 that had to happen or might have to happen before you
7 fired your gun? Do you follow the question?

8 A. I didn't have any preconceived ideas of what I was going
9 to do, or in fact what I was going to be faced with.

10 Q. Right. Now, we have the man at the door who you have
11 explained about. I just want to know -- you may have
12 told us and I may have forgotten -- but did he speak to
13 you and do something?

14 A. Sir, he did, yes.

15 Q. What was that, please?

16 A. I can't remember at what stage or where I was exactly
17 when he said it, but his back was against the side of
18 the tube, the glass partition, and he made a clear overt
19 gesture with his right hand and he said, "That's him",
20 and he pointed to where the suspect was.

21 Q. Were you on or off the train at this stage?

22 A. From my recollection, I was in the process of actually
23 getting on. I certainly recall one foot being on the
24 train, possibly two. I can't remember the exact
25 details, I am sorry.

1 Q. All right. He points to the person you now know is
2 Mr de Menezes; correct?

3 A. Yes, sir.

4 Q. Who we have seen on the plan, but again, what you
5 recorded in your statement was that he was "sitting on
6 seat 2 in from a glass partition on the seats facing the
7 platform". Is that, as it happens, in fact where, sure
8 enough, we see him on that plan we have seen?

9 A. Yes, sir, that's my correct recollection of where he was
10 sitting.

11 Q. Your recollection was accurate about that. You had, is
12 this right -- I think I am right in saying you told us
13 that earlier you had seen pictures of Omar and
14 Hussain Osman; do you remember?

15 A. Yes, I had, sir, yes.

16 Q. What I want to know is this: at this stage, after there
17 have been the words you have told us about, "That's
18 him", and the gesture from the person you believed to be
19 a surveillance officer, who was a surveillance officer,
20 is it any part of your function to perform your own
21 comparison exercise at that stage or not?

22 A. At that stage, sir, no.

23 Q. So do you in effect -- you have told us what your
24 understanding was: that the subject had been positively
25 identified. What I want to know is this: when that

1 verbal indication and the gesture is made by the
2 surveillance officer, do you rely on that?

3 A. That was a reinforcement of my belief, yes, sir.

4 Q. Right. What I mean is it's not your role -- this is
5 what I want to understand -- in those circumstances to
6 do your own identification exercise? That's what I want
7 to know.

8 A. Not so, sir, I fully agree with you. It would be
9 dangerous for us to pause potentially at that time in
10 order to make an identification, because then we could
11 possibly alert a suspect who could possibly then
12 detonate.

13 Q. What did Mr de Menezes do at that stage, please?

14 A. I feel I must at this point just reiterate that -- the
15 speed at which the incidents happened. It's very --
16 I found this especially hard to try and write, to try
17 and get over the speed of these actual incidents.

18 So upon being pointed out --

19 Q. Just pausing a moment. We understand that obviously --
20 we have heard it from other witnesses -- things are
21 happening very quickly, but what I want to ask is: what
22 follows, is it your best recollection -- you probably
23 don't claim that it's faultless -- but is it your best
24 recollection of what happened and the order in which
25 things happened, just so we understand?

1 A. It is, sir, yes.

2 Q. All right. Right, you were going to tell us: what, as
3 you recall it, did Mr de Menezes do?

4 A. Things now happened very quickly. He immediately looked
5 in our direction and stood up.

6 Q. Right, and I think you record what he was wearing; is
7 that right?

8 A. I did, sir. It was a -- and I just had a snapshot of
9 him and what he was wearing, but I do recall that he was
10 wearing a blue denim jacket --

11 Q. Right.

12 A. -- the appearance of which appeared in that snapshot to
13 be bulky.

14 Q. Right, and then you have told us but you record in your
15 statement, I think, this, so we should know this:
16 "Things now happened very quickly."
17 Is that what you actually put down?

18 A. Absolutely, yes.

19 Q. What did he do?

20 A. It was a free-flowing movement, so from looking in our
21 direction and standing up, he immediately came towards
22 us and in my opinion he closed us down, he closed the
23 distance down between myself and him.

24 SIR MICHAEL WRIGHT: Just a moment. (Pause)

25 I think certainly I would and I dare say the jury

1 would like you to explain: what do you mean by "closing
2 you down"?

3 A. I had an impression that when he got out of the chair,
4 so he has immediately looked in our direction, he has
5 got out of the chair and he has immediately come towards
6 us and he has closed that distance down between us. He
7 has come towards me.

8 SIR MICHAEL WRIGHT: Thank you.

9 MR HILLIARD: As you recall it, can you remember anything
10 about where his hands were, as you recall it, please?

11 A. His hands were about waist height and the way I can
12 recall it is that they were in line with his legs, for
13 want of a better expression.

14 Q. In your statement you have said this, that:

15 "This male advanced towards us."

16 You have spoken about "closing you down" this
17 morning, all right. Then you say:

18 "His hands were down by his side."

19 Is that what you are describing to us now or
20 something rather different? Don't worry if it is. We
21 want your best recollection now. Are you describing to
22 us this morning his hands being down by his side or
23 something slightly different?

24 A. No, I am sorry, I'm trying to put it in how I -- was
25 that the hands were about waist level and sort of my leg

1 distance apart, so to speak.

2 SIR MICHAEL WRIGHT: Sorry, what distance apart?

3 A. Leg distance apart, his leg distance apart. I was
4 trying to use his legs as a potential measurement for
5 where his hands were.

6 SIR MICHAEL WRIGHT: You mean in line with his legs?

7 A. Yes.

8 MR HILLIARD: Can you stand up and just indicate?

9 SIR MICHAEL WRIGHT: Come out of the box so the jury can see
10 properly.

11 A. Roughly like this (indicated). This is how I recall.

12 SIR MICHAEL WRIGHT: Hip level really?

13 A. At hip level, sir, yes.

14 MR HILLIARD: And just slightly forwards? Don't let me put
15 words in your mouth, but is that how you have them,
16 slightly forwards?

17 A. Just very slightly forwards. But again, this was just
18 a very instantaneous, quick snapshot view.

19 Q. What did you do?

20 A. I took this, him coming towards us -- and I did not have
21 any form of identification on me at all, and he's been
22 positively identified by the surveillance officer,
23 "That's him". He's immediately got up -- he's looked in
24 our direction, he's got up and he's come towards us.
25 I couldn't understand the reaction. Certainly I am

1 probably not the most gentlest looking person in the
2 world, but to be pointed out suddenly on a tube and to
3 go towards a potential threat area, I couldn't
4 understand.

5 Q. You mean him going towards a potential threat area,
6 namely you?

7 A. Yes.

8 Q. So what did you do?

9 A. I shouted, "Armed police", and at the same time brought
10 my handgun up from my leg and pointed it at his head
11 area.

12 Q. So we know, are you holding your gun in one hand or two
13 hands?

14 A. My right hand, sir, just one hand.

15 Q. You have brought it up to, I don't know, shoulder level
16 for yourself?

17 A. I have brought it up facing his head, in the direction
18 of his head, like this (indicated).

19 Q. About how far away do you think the two of you were at
20 that point? If we take the gun in your outstretched
21 hand, about how far away from his head do you think that
22 was? Can you give us any idea?

23 A. Sir, unfortunately I can't, because he carried on his
24 momentum, so that the distance was always getting
25 smaller. So if I give you a distance, microseconds

1 later it's going to be --

2 Q. It's going to be a different one.

3 A. I am sorry, I can't.

4 Q. We understand. So you have shouted, "Armed police",
5 pointed your gun in the way you have demonstrated.

6 Again, please, looking at your statement, I just
7 want your help as to how you described your thought
8 process at that time, please. How have you described
9 it?

10 A. Well, I have challenged and I have brought the weapon up
11 into his facial area, hoping that it would have been
12 seen or whatever, but he's continued on his forward
13 momentum towards me, and it was at that stage then
14 I just formed the opinion that: he's going to detonate,
15 he's going to kill us, and I have to act now in order to
16 stop this from happening.

17 Q. You say in your statement:

18 "I thought, 'He's going to detonate. He's going to
19 kill us'. I had no alternative. I must shoot him
20 before he kills. In my mind I had no choice."

21 That's what you say in the statement.

22 A. Yes, sir.

23 Q. Is that the truth as to your state of mind at this time?

24 A. Yes, it was.

25 Q. Did the surveillance officer do something at that point?

1 A. Yes, he did, sir.

2 Q. What was that, please?

3 A. He immediately grabbed him and I have described it as
4 pushed him back, backwards to the seat where he came
5 from.

6 Q. So was Mr de Menezes then back in his seat?

7 A. Yes, he was, yes.

8 Q. What was going through your mind, please, at that point?
9 I am looking at your statement again, if it helps.

10 A. It just reconfirmed to me now that I have just got to
11 use force as soon as possible. We have here -- the male
12 knows now that we are armed police. I certainly know
13 from history with the Madrid bombings, where police were
14 killed when these bombers knew that they were outside,
15 and I just knew now that at any moment he's going to
16 detonate, and I just had to use force as soon as
17 possible.

18 Q. What I want to be clear about is this: was the force you
19 used in response to what you perceived to be happening
20 in the carriageway or was it in response to anything
21 that had come over the radio that you had heard earlier
22 that you had then acted on irrespective of what was
23 happening in the carriageway? Do you understand the
24 difference?

25 A. I do, sir.

1 Q. What's the answer?

2 A. This was an identified suicide bomber to me. Our orders
3 were we were only going to act or intervene on
4 identified suspects. This person had been identified as
5 a suspect and therefore potentially had equipment with
6 him in order to cause mass destruction, mass death.

7 It was from that information that I had been given
8 and from his actions and what I perceived him to be,
9 getting closer to us in order to give me and my
10 colleagues and the public the full benefit of any
11 potential blast, that is why I came to that conclusion
12 that I had to use force as soon as possible.

13 Q. You have told us in your words today but what you said
14 in your statement at this stage was this:

15 "I had to use force as soon as possible, otherwise
16 we would all be killed. My only option was to shoot
17 this male in the head. I had to kill him instantly in
18 order to save the lives of others. There was no
19 alternative."

20 Now, that is how you spelled it out in your
21 statement, isn't it?

22 A. It is, sir, and --

23 Q. Again, is that true?

24 A. It is true. If there could have been any other
25 alternative, you must believe me, I would have taken it.

1 But I did not have any alternative.

2 Q. That's what I want to ask you. On the situation as you
3 understood it to be -- obviously wrongly, we know, but
4 will you ignore that for the moment, please -- on the
5 situation as you say you understood it to be at that
6 time, did you believe then that you had any alternative?

7 A. I didn't have any alternative. I didn't believe I had
8 any alternative, and if I didn't act then, members of
9 the public would be killed, my colleagues would be
10 killed and I would be killed. I have a duty to protect
11 the public.

12 Q. I just want to have your evidence about one thing. You
13 have told the jury that what you did was in response to
14 your understanding of the position and in response to
15 what you have described as happening in the carriage;
16 all right? I want your evidence, please, on one thing.

17 Had you by this time, in any way at all -- and if
18 you had, then you tell us -- had you understood in any
19 way at all that any authority had been given by
20 a designated senior officer for a critical shot to be
21 taken? Does that come into it at all?

22 A. It doesn't, no, sir.

23 Q. Right. You explained about your state of mind. What
24 did you do then in the state of mind, as you say, that
25 you have described, please?

1 A. As Ivor went back or pushed the suspect back, I actually
2 went with Ivor and I remember having body contact with
3 Ivor, so that when Mr de Menezes reached the chair or
4 the seat where he had come from we were all together,
5 and the analogy I use is a bit of a rugby scrum, as it
6 were. So he's come out, Ivor's got hold of him, and
7 then I am virtually on the top of Ivor bringing my
8 weapon up.

9 Q. If we have Mr de Menezes in the seat and Ivor in front
10 of him, are you slightly to one side or the other or
11 not, or are you directly behind Ivor? Can you remember
12 how it was?

13 A. I can't exactly, sir, but in a way I was behind Ivor
14 because Mr de Menezes went back on the chair, Ivor was
15 on top of him, and then I in turn was on top of Ivor.
16 But exactly where I was in relation to Ivor, I can't
17 recall, I am sorry.

18 Q. Did you then put your gun to Mr de Menezes's head, to
19 the temple area?

20 A. I had to, because of the position of Ivor. I had to get
21 my gun past Ivor's head and I remember the gun actually
22 coming in contact with Ivor's head in order to get on to
23 Mr de Menezes.

24 Q. Was the gun actually against his head or just near to
25 it, very near to it; can you say now?

1 A. To the surveillance officer's or --

2 Q. No, to Mr de Menezes's.

3 A. I don't know how close it was, but it had to be close

4 because I just couldn't afford to miss.

5 Q. Right. I think we will hear evidence in due course that

6 you fired three shots. You say that you fired a number

7 of times; that is in fact correct. Could you remember

8 exactly at the time how many or not?

9 A. I couldn't, sir, no.

10 Q. Apart from shots you were firing, were you aware of

11 shots being fired by somebody else?

12 A. After a time, yes.

13 Q. I just want to know this. It follows I think from what

14 you have said already, but when you fired those shots to

15 his head, is this right, you intended to kill him?

16 A. Yes, sir.

17 Q. What I want to ask you is this. You told us about what

18 you say was in your mind at the time. If you hadn't

19 thought what you have told us about, if those thoughts

20 had not been going through your mind, is there any

21 question of your having decided to shoot that man dead?

22 A. I am sorry, sir, you are going to have to rephrase that

23 question for me.

24 Q. Yes. You have told us what was going through your mind

25 about the threat and so on you perceived; yes? What

1 I want you to deal with is this: if that wasn't the
2 case, if you had not had those thoughts, is there any
3 question about you shooting a man dead without having
4 thought that?

5 A. Not at all, no. It's something that -- through the
6 years of experience I have on operations and in training
7 and instructional role, we are taught threat assessments
8 and everything told me that this was a threat of the
9 highest order, it really did. And I can't emphasise
10 that enough, I really can't. If there'd have been any
11 other way or if I had felt differently, or anything
12 other than take the life of a person.

13 Q. You say in your statement that -- I am looking at the
14 top of the last page, if it helps you -- that you felt
15 that you would not have been safe until the man was dead
16 and that you were aware of C2 to your left as you saw
17 his handgun; is that right?

18 A. That's correct, sir. Looking back on it now, it's
19 an assumption that it was his handgun, I couldn't say
20 for certain, but he had been very close to me throughout
21 the whole incident and it was just an assumption that it
22 was his handgun.

23 SIR MICHAEL WRIGHT: Was he actually there, could you tell,
24 at the time when you pulled the trigger?

25 A. I couldn't tell, sir.

1 SIR MICHAEL WRIGHT: Are you clear in your own mind that you
2 fired first?

3 A. Yes, sir.

4 MR HILLIARD: You say in your statement you have gone
5 through this yourself, but let us just have what you
6 said the next day. You said:

7 "I honestly believed this male to be a suicide
8 bomber. The male fell towards the floor. As he did so,
9 I fired again."

10 Is that right?

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

12 Q. "I can't say how many times. I just wanted to stop the
13 threat of him detonating the bomb. The only way I could
14 do this was to keep firing until I thought he was dead."

15 All right? These are shots to the head and I have
16 no doubt that it's quite impossible to put the
17 consequences of the shots in any order, to say that
18 a particular injury is caused by shot one or whenever;
19 I am sure you understand that.

20 Can you explain, so we understand: why was it you
21 fired -- I'm sure it's obvious but I just want you to
22 explain -- the three shots?

23 A. I had to be certain that life was extinct, that there
24 wasn't any more threat, that this person could not
25 detonate a bomb.

1 Our training is or has been that a critical shot is
2 a single shot perhaps to the base of the skull, which
3 will cause instant paralysis. I was not in a position
4 to get there to do that.

5 I fired the number of shots because I detected
6 movement, albeit it might have been movement caused by
7 bullets or whatever, but I just had to make sure that no
8 longer -- the threat no longer existed, and I had to be
9 sure that he was dead.

10 Q. If Mr de Menezes had not got up, as you describe, and
11 come towards you, suppose he had stayed in his seat;
12 would you have fired your gun at him then?

13 A. No, sir.

14 Q. If he had simply stayed in his seat?

15 A. If -- again, I mean, this is -- you are asking me to
16 guess what I might or might not --

17 Q. I'm not. I just want to have your --

18 A. It was the aggressive --

19 Q. -- understanding of the threat you faced. So it's not
20 quite a guess. There is a logic to it.

21 That's why I am asking you: if he had stayed sitting
22 in his seat, can you help, if he had simply sat in his
23 seat, would you have fired your gun at him?

24 A. And I didn't perceive a threat, I wouldn't have fired.

25 Q. Just look at one other situation. If when you had

1 pointed your gun at him and shouted, "Armed police", and
2 remember you have described him coming towards you, if
3 he had stopped coming towards you at that stage and you
4 had not perceived a threat, would you have fired your
5 gun then?

6 A. No, I would not have fired.

7 Q. Right. So you have explained that you fired a number of
8 shots and why you did that. He and you and Ivor are
9 obviously not the only people in the carriage, are you?

10 A. No, sir.

11 Q. Once you had fired the shots, did you have any thoughts
12 for the situation more generally?

13 A. Once I was satisfied that we had removed the threat then
14 my immediate concern, and it was immediate concern, was
15 just to clear the public and police officers out of that
16 carriage, just to get them out of the danger area before
17 the device would go. It was just instantaneous, "I have
18 got to get everyone out".

19 Q. Did you start shouting and, if so, what?

20 A. Yes, words to the effect of, "Bomb, everyone get out".
21 It was a whole load of sentences like that, short, sharp
22 orders. I just had to get everyone off that carriage as
23 soon as possible.

24 Q. Did you then assist in getting people off the train?

25 A. I believe the only way I would have done that is just

1 verbally, really. I can't remember if I pushed people;
2 I could well have done.

3 SIR MICHAEL WRIGHT: It may again be obvious, but what was
4 the urgency to get people out of the carriage?

5 A. I just thought that there was going to be an explosion
6 at any time. Just because I had stopped the male and
7 I believed that he was fatally injured therefore the
8 threat had been removed, it doesn't mean entirely that
9 the threat had been removed.

10 In my eyes at that time we were dealing with
11 an unknown threat of the highest level, a bomb.
12 I didn't know how the bomb was going to be initiated.
13 That was my sole focus, was just to get everyone away
14 from the danger area immediately.

15 MR HILLIARD: Did you move away from the train yourself?

16 A. Yes, I did, sir.

17 Q. Whereabouts did you go to?

18 A. I believe I went with C2 and I believe we returned to
19 the actual tunnel where we actually entered the platform
20 from.

21 Q. The little alleyway that we looked at?

22 A. Yes.

23 Q. Which we could see the train through to there, that sort
24 of area? All right.

25 You put your gun away at that stage; is that right?

1 A. Sir, I have got distinct memories about what happened
2 there.

3 SIR MICHAEL WRIGHT: Distinct or indistinct?

4 A. Sorry.

5 MR HILLIARD: Just take a moment. (Pause) Do you want
6 a glass of water? There might be one there for you. We
7 can certainly get you one. (Pause)

8 SIR MICHAEL WRIGHT: Please don't think you are under any
9 pressure. If you want a break, you shall have one.
10 Would you like a break? All right. Let me know,
11 Mr Hilliard, please, when we can go on.

12 (1.48 pm)

13 (A short break)

14 (1.58 pm)

15 (In the presence of the jury)

16 SIR MICHAEL WRIGHT: Are you all right?

17 A. Thank you, sir.

18 SIR MICHAEL WRIGHT: Let me tell you now that I know
19 Mr Hilliard only has a few more minutes for you to deal
20 with and then we are going to break off for the rest of
21 the day.

22 A. Okay, sir.

23 SIR MICHAEL WRIGHT: Yes.

24 MR HILLIARD: You were just telling us, do you remember,
25 that you had returned to that little alleyway that we

1 had looked at in the picture and that you had
2 reholstered your gun, and do you remember at that point
3 you said you could remember thoughts you had had there?
4 Nobody wants to distress you unnecessarily. If you
5 think they bear on this at all, then tell us, but ...

6 A. Certainly, and thank you.

7 We checked each others' guns to make sure that they
8 were safe, and we reholstered them. We then did a --
9 what we call a body/body check. We were covered in
10 blood, and we just lifted up each other's T-shirts and
11 turned round, just to make sure that we weren't hurt and
12 just to ascertain that we were okay.

13 We had heard -- I had heard gunshots or bangs at
14 that time, I didn't know what they were, and it could
15 have been the device partially initiating, so we just
16 wanted to make sure that we were okay.

17 Q. All right. After a time you left the scene and went to
18 Lemman Street, is this right, for what's called PIP or
19 post-incident procedures; is that right?

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

21 Q. Did that include -- I think your clothing and the
22 weapons are obviously kept separate and secure; is that
23 right? You're seen by a doctor, a period of rest and so
24 on; do all those things happen?

25 A. Yes, they did, sir, yes.

1 Q. Then the statement that I have been asking you about,
2 I think it began -- I say this because you have actually
3 recorded the start time as 2.57 pm on the 23rd; is that
4 right?

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

6 Q. Then at the end you have put, "Notes ended", because you
7 begin it, "These are my original notes". The jury have
8 heard about different notes being made, but this is your
9 record as in the statement; do I have that right?

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

11 Q. You say, "Notes ended 11.19 pm"?

12 A. Yes.

13 Q. From 3.00 until after 11.00, is that eight hours sitting
14 solidly doing this or is this interrupted on occasions
15 by other things, for example some of the other things
16 that I have been mentioning?

17 A. Yes, I haven't got them as I recall in my statement, but
18 it wasn't a continual note-writing exercise because it
19 was an exhaustive process. So we took rest periods and
20 I believe, I think from my recollection, we had visitors
21 too to check up on our welfare, et cetera.

22 Q. I will make it absolutely plain: you are not responsible
23 for the post-incident procedures. They are in place and
24 they happen.

25 What I want to know about is: before you make your

1 statement, is there an opportunity for officers involved
2 in the incident to go through the events together in any
3 way? Is that part of the post-incident procedure?
4 Before you make your statement, have you discussed it
5 with others?

6 As I say, I'm not criticising because you don't, as
7 I stress, set the post-incident procedure. I just want
8 to know what the position is.

9 A. I can't recall individual discussions, but yes, it would
10 be a perfectly natural thing for us to do, just talk
11 about what we have just been through.

12 Q. Penultimately, so we are nearly there, just again if you
13 have your statement, you explain at the end of it, don't
14 you, that you have gone to Lemman Street for the
15 post-incident procedures? Then there is this passage in
16 your statement:

17 "My thoughts after the shooting was a sense of
18 relief that I had prevented this man from blowing
19 himself up, killing innocent people and [I think that
20 must be] committing a further atrocity. I had no
21 alternative. Having subsequently learned that this male
22 was unconnected with the recent bombings, I wish to
23 express my sadness at the death of this male. But at
24 the time of this incident I had no doubt whatsoever from
25 the information I had received and the actions of the

1 male left me with no option but to conclude that this
2 was in fact a suicide bomber."

3 That's what you say, and that's what you have been
4 telling us and explaining in some detail this morning;
5 correct?

6 A. Yes.

7 Q. Can you remember when it was that you learned that the
8 man you had shot was not Hussain Osman, attempted
9 suicide bomber of the day before, but was a wholly
10 innocent man? Can you remember whenabouts you learned
11 that?

12 A. Yes, I can. It was around midday the day after.

13 Q. Forgive me for asking, but I want you to help us. This
14 is the last question before we break. How did you feel
15 when you learned that; that it was not, as I say, one of
16 the attempted suicide bombers from the day before but
17 a wholly innocent man? Can you remember?

18 A. A sense of disbelief and of shock, sadness, confusion.
19 Everything I have ever trained for, for threat
20 assessment, seeing threats, perceiving threats and
21 acting on threats proved wrong, and I'm responsible for
22 the death of an innocent man. That's something I have
23 got to live with for the rest of my life.

24 MR HILLIARD: All right. You have explained, given your
25 account of how that came about. All right.

1 That's all I am going to ask, as you have heard the
2 Coroner say.

3 SIR MICHAEL WRIGHT: We will break off now, and if you would
4 like to leave at this stage before I let the jury go.
5 10 o'clock on Monday morning.

6 MR HILLIARD: 9.30, I think.

7 SIR MICHAEL WRIGHT: 9.30 for everybody.

8 MR HILLIARD: If we could just have one or two timetabling
9 minutes with you. The witness can go.

10 SIR MICHAEL WRIGHT: I want to let C12 get out of the box.

11 (The witness withdrew)

12 SIR MICHAEL WRIGHT: Just one thing I want to say to you
13 all. This has been a highly emotional experience for us
14 all. Can I simply repeat now, I'm not suggesting that
15 you will have forgotten it, but may I repeat now how
16 incredibly important it is that you don't talk about
17 what you have heard to anybody. Thank you.

18 MR HILLIARD: If the jury want to go, the need not wait
19 here. It's only timetabling.

20 SIR MICHAEL WRIGHT: 9.30 on Monday morning.

21 (2.08 pm)

22 (The court adjourned until 9.30 am
23 on Monday, 27 October 2008)

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