

1 Tuesday, 30 September 2008

2 (10.00 am)

3 (In the presence of the jury)

4 SIR MICHAEL WRIGHT: Good morning, yes, Mr Hough.

5 MR HOUGH: The first witness is Mr Forteath.

6 SIR MICHAEL WRIGHT: Yes.

7 DETECTIVE CHIEF INSPECTOR MICHAEL FORTEATH (sworn)

8 SIR MICHAEL WRIGHT: Thank you, Mr Forteath. Please sit  
9 down.

10 Questions from MR HOUGH

11 MR HOUGH: Would you give your name and your present rank to  
12 the court, please.

13 A. Yes, sir. Good morning. I am Detective Chief Inspector  
14 Michael Forteath. I am currently attached to SO15, the  
15 Counter-Terrorism Command at New Scotland Yard.

16 Q. In July 2005 you were a Detective Inspector?

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

18 Q. And in SO13?

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

20 Q. The predecessor of SO15?

21 A. One of the constituent parts, yes.

22 Q. In that month, July 2005, you were staff officer to  
23 Mr McDowall from whom we have heard?

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

25 Q. In fact, you had only started work for him on 4 July

1 2005?

2 A. 7 July was my fourth day with the Anti-Terrorist Branch.

3 Q. In this period, after 7 July, you were working as his  
4 loggist, I think?

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

6 Q. Because we have not heard from a loggist so far, can you  
7 very briefly say what a loggist does?

8 A. In essence, sir, one would try as far as possible to  
9 keep records of key meetings, decisions or any other  
10 events which may be salient at a later date, sir.

11 Q. I think you were also logging decisions and notes for  
12 Mr White from whom we have heard?

13 A. Yes, at different points, sir, yes.

14 Q. We have already heard from Mr McDowall, so I'll go quite  
15 quickly over some of the ground with you. I think you  
16 have your log with you?

17 A. Yes, sir.

18 Q. There is a typewritten version, so a little easier to  
19 read, which I can show on screen where necessary and  
20 which will, I hope, at lunchtime, go into the jury  
21 bundle.

22 So on 21 July, were you in New Scotland Yard in the  
23 middle part of the day?

24 A. Yes, sir, I was.

25 Q. Did you become aware of the attempted bombings?

- 1 A. That is correct, sir, yes.
- 2 Q. After that, did you go to the S013 reserve area?
- 3 A. Yes, sir, at New Scotland Yard.
- 4 Q. When there, were you asked by Mr White to act as  
5 a loggist in relation to these new attempted attacks?
- 6 A. That's correct, sir, yes.
- 7 Q. We have already heard that at that time Mr McDowall was  
8 on his way back from Leeds where he was liaising with  
9 other officers in relation to the investigation?
- 10 A. Yes, I believe those who were still dealing with the  
11 bomb factory, as it's been described, sir.
- 12 Q. Yes. Now, can we start on your log at page 845 of the  
13 exhibits bundle, so exhibit 845.
- 14 A. Yes, sir.
- 15 Q. That should come up on screen in a second, once things  
16 have warmed up. (Pause)
- 17 We see there about halfway down the page, 2.22,  
18 a meeting involving Mr McDowall, Mr Boutcher, Mr White,  
19 Mr Macbrayne, somebody we have heard of, Mr Purser and  
20 Mr Mellody?
- 21 A. That's correct, sir, yes.
- 22 Q. That's your note of that meeting?
- 23 SIR MICHAEL WRIGHT: SMT, Mr Forteath?
- 24 A. Senior management team, sir.
- 25 MR HOUGH: Only one point to pick up from this meeting,

- 1           please, following page, 846, and about a third of the  
2           way down the page, do we see there that  
3           Detective Superintendent McKenna was appointed as  
4           Senior Investigating Officer?
- 5   A.   That's correct, sir, yes.
- 6   Q.   That was for the investigation into the bombings,  
7           I think?
- 8   A.   That's correct, sir, yes.
- 9   Q.   We will hear later and I think we have heard already  
10          that Mr Boutcher was appointed  
11          Senior Investigating Officer for the manhunt?
- 12   A.   That is correct, sir, yes.
- 13   Q.   Moving on one page, 3 pm, a meeting that we have already  
14          heard of, a video conference with some officers from  
15          Leeds, which Mr McDowall, I think, joined at 3.35, if we  
16          look at the following page.
- 17   A.   That is correct, sir, yes.
- 18   Q.   Then do we see there a list of a number of topics  
19          discussed, most of which we have heard of from  
20          Mr McDowall. I'll only mention one of those:
- 21                 "2. S013 deployed to urgent CCTV".
- 22                 Is that a reference to the CCTV trawl that we have  
23          heard about?
- 24   A.   That would be correct, sir, yes.
- 25   Q.   Then is this right, between 3.30 and 5.15, there were

1 a number of meetings we don't need to go into, but  
2 Mr McDowall was engaged in a number of meetings over  
3 that time?

4 A. That would be correct, sir, yes.

5 Q. Then the next meeting of interest to us, page 850,  
6 please, 5.15, do we see there a reference to a meeting  
7 in the conference room with a number of people present,  
8 at which explosives officers, and four of them, gave  
9 a briefing about the precise nature of the devices which  
10 had been found?

11 A. Yes, sir. It's a fairly detailed, or the most detailed  
12 briefing up to that point around what the devices had  
13 contained, sir.

14 Q. We see there Detective Chief Inspector Scott,  
15 Detective Chief Inspector Mellody and Mr Boutcher. Then  
16 the next meeting, 853, please, again heard about this,  
17 is this another full meeting of the command team?

18 A. That is correct, sir, yes.

19 Q. At that meeting, we see a number of topics being  
20 discussed, including further summary of the explosives  
21 officers' findings, discussion of what had been  
22 discovered from prisoners, and we had heard about that.  
23 Then just one thing I would like to ask you about. Near  
24 the end of the page appear the words:

25 "DCI Scott highlights concerns over night duty

1 staff."

2 Can you explain what concerns she was highlighting,  
3 if you can remember?

4 A. Sir, I cannot remember that. Clearly Ma'am Scott may be  
5 able to shed some light on that, sir.

6 Q. We will ask her. Then page 856, please, we have heard  
7 that a meeting took place at 10.10, I think this is your  
8 loggist's record of that meeting?

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

10 Q. Does that note record that the possibility of a media  
11 appeal was considered at some length?

12 A. Yeah, there was a consideration, sir, about remaining,  
13 this remaining a covert inquiry or whether in fact the  
14 right route was to release the pictures and deal with it  
15 that way, sir.

16 Q. Again, one point that I would like you to help us with,  
17 if you can. It's these words, towards the bottom of the  
18 page where we are now:

19 "JM, public note of caution. If there is possible  
20 identification, S013 must look to corroborate this via  
21 statement, and other possible evidence. Need thought of  
22 intelligence flow around response. Looking at fast time  
23 response, fly away teams including issues of  
24 resilience -- there is armed surveillance at Tintagel."

25 Tintagel House I think is an S012 location,

1 a Special Branch location?

2 A. It was at the time, sir, yes.

3 Q. Can you just briefly explain to us what that entry  
4 refers to?

5 A. Sir, if my memory serves me, there was discussion about  
6 how police in general would respond to a media appeal.  
7 Clearly the likelihood of a significant number of calls,  
8 some of which were relevant, some of which may not be  
9 would be generated, and it was how that may be assessed  
10 and how, of all the possible leads that may generate,  
11 how we would assess them and best place the -- what are  
12 in fact finite resources to deal with it, and how we  
13 would respond if, for instance, a credible call came in  
14 of perhaps one of the suspected bombers not in London.

15 So it was all consideration of how we would deal,  
16 like I say, sir, with those finite resources amongst  
17 what may well have been a morass of telephone calls.

18 Q. So discussion of identification there is in the context  
19 of the media appeal?

20 A. Yes, as far as I can remember. If you have got 300  
21 calls, how would you look at those 300 calls and what  
22 ones would you decide were relevant, and if a number of  
23 people rang in with the same information, perhaps that  
24 would tend to suggest that were -- more salient  
25 information than others. So there are, as we have seen,

1 even without the media appeal, significant numbers,  
2 nearly 3,000 calls, I think, between the period of  
3 varying degrees of relevance.

4 SIR MICHAEL WRIGHT: This is Mr McDowall speaking at this  
5 point?

6 A. Yes, the minutes are as comprehensive as I can. There  
7 would be a discussion around how we would deal --

8 SIR MICHAEL WRIGHT: But JM is Mr McDowall.

9 A. Yes, sir.

10 MR HOUGH: Next page, please, another entry to pick up, and  
11 can we look about just where the first holepunch is, "JM  
12 question", so this is Mr McDowall again speaking:

13 "... question about resilience, CT".

14 Counter-terrorism?

15 A. Yeah, there is a particular strand within what was then  
16 SO13 that was called the CT section, and as far as I am  
17 aware, they would have been providing some of the main  
18 resources to deal with the operational support office,  
19 so it's about who would look after that room and  
20 resource that room the next day.

21 Q. Just to be clear, which room is this?

22 A. It is the room on the 15th floor that would have -- it's  
23 not the 16th floor ops room, I think at the time it was  
24 also called an ops room but in essence would have  
25 supported the investigation, the overt investigation,



1 distinctly to the covert --

2 SIR MICHAEL WRIGHT: If you had gone down the public appeal  
3 route?

4 A. It's a reasonably sized office that was aware of the  
5 totality of the resources available to S013, what scenes  
6 were significant, what skills officers possessed that  
7 could be deployed to those scenes, so they were looking  
8 at a co-ordination of resource function and would have,  
9 within their own right, needed people, sir, to sit  
10 within that room to answer telephones and deal with  
11 specific tasking. So it's really, I believe, pointing  
12 towards who would resource that room on the 15th floor  
13 the following day.

14 SIR MICHAEL WRIGHT: I see.

15 MR HOUGH: Then at the end of that meeting, were there  
16 discussions between Mr McDowall and some other officers  
17 about following up intelligence sources?

18 A. Sir, yes, I think there was, and in terms of the  
19 meeting, there is a lot happening, people are taking  
20 telephone calls within -- at the end of the discussion,  
21 there may well have been a number of discussions about  
22 issues. That's the one I have noted. But there is  
23 a lot happening in these meetings, like I say, sir,  
24 people that are there are looking after their own  
25 strands of work, may well have taken a telephone call

1           within, so in terms of an absolute record even of who  
2           sits down, and people, I would not possibly have been  
3           able to record that. But as far as my notes, you know,  
4           as far as the record is made, that's what would have  
5           happened, sir, yes.

6   Q. In your statement, and this is paragraph 13 of your  
7           statement, you say that a decision was taken around the  
8           end of the meeting by Commander McDowall:

9                   "... regarding the use of a variety of intelligence  
10           sources to attempt to identify the persons responsible  
11           for these latest attacks."

12   A. That's correct, sir, yes.

13   Q. Now, moving on, the next page, please, 858, then over to  
14           859, please, do you record there about halfway down the  
15           page at 11.50, Mr White giving his authority for, it  
16           says there "deployment S019".

17                   Just to be clear, we have heard that that authority  
18           was not for any firearms team to go anywhere in  
19           particular. It was a generalised firearms authority for  
20           officers to bear arms if necessary?

21   A. That is correct, sir, yes.

22   Q. Then further down, 12.50, "review of CCTV". Does that  
23           record Mr McDowall or other command officers reviewing  
24           CCTV images which had come in?

25   A. That's correct, sir, yes.

1 Q. Then we are moving now to 22 July, just going past  
2 midnight, and we see on page 860 reference to the  
3 different scenes, Oval, bus Shepherd's Bush and  
4 Warren Street.

5 Can you help us with what these references indicate?

6 (Pause)

7 I can give you a prompt, if you like. It's  
8 paragraph 17 of your witness statement.

9 A. The notes are of a summary of what the images would have  
10 shown and the subsequent entries are about enquiries  
11 through, you know, covert means, those that may have  
12 some or may be able to identify those contained within  
13 the pictures, sir.

14 Q. Is this right, that you personally were speaking to  
15 other officers to see if you could identify the people  
16 shown on the different CCTV images?

17 A. Sir, the background is I worked at Brixton previously,  
18 had some contacts with people there that would have been  
19 expeditious for me to speak to, to try to find those who  
20 would best been able to look at the pictures and see if  
21 they were aware of them, sir.

22 Q. So you were trying to make identifications?

23 A. No, sir, I was trying to contact those that worked  
24 within Brixton at the time, to look at whether they,  
25 from the images that were available, recognised anybody.

1           It was one of a number of enquiries. It's just because  
2           I had worked at Brixton, had access to those individuals  
3           I followed that line.

4   Q. Thank you. Is this right, at 2 o'clock that morning,  
5           Mr McDowall left and you remained at New Scotland Yard?

6   A. That's correct, sir, yes.

7   Q. 2.15 am, do we see you there recording details of the  
8           gym card found in the bomb bag at Shepherd's Bush?

9   A. That's correct, yes, sir.

10   Q. And the name and details on that gym card, Mr Osman?

11   A. That's correct, sir, yes.

12   Q. So it's at this time, shortly after Mr McDowall has  
13           left, that the information about the gym card comes in?

14   A. That's when I was made aware of it, sir, yes.

15   SIR MICHAEL WRIGHT: How would it have come in?

16   A. Well, there are officers dealing with the forensic  
17           recovery at the scene, sir. Any significant finds they  
18           would have highlighted and telephoned into whatever --

19   SIR MICHAEL WRIGHT: That's what I wanted to know. They  
20           would have telephoned into the Yard. Would you have  
21           been the first recipient?

22   A. I doubt so, sir.

23   MR HOUGH: We may hear a little bit more about that  
24           from Mr Macbrayne in due course.

25           At 4 o'clock in the morning, is this right,

- 1 Mr McDowall returned to New Scotland Yard and at around  
2 the same time you left for a very short sleep?
- 3 A. Yeah, I can't pin down exactly when Mr McDowall  
4 returned, because I think we crossed, but I leave at  
5 about 4 o'clock, sir.
- 6 Q. Can we now go to page 861, please. 6.05 am. Were you  
7 back in at this time?
- 8 A. Yes, sir.
- 9 Q. The reference, "contact Ian Carter, commander", what  
10 does that reference indicate?
- 11 A. I think Mr McDowall, sir, would have asked me to contact  
12 Mr Carter and asked him to attend a meeting in his  
13 office, which I spoke to him and he said he would be  
14 there in 15 minutes.
- 15 Q. Then is this right, that you record a meeting in  
16 progress taking place in Mr McDowall's office at 6.20?
- 17 A. Yes, sir, that's correct.
- 18 Q. We see there present Mr Macbrayne, a forensics officer?
- 19 A. Yes, that's correct, sir, yes.
- 20 Q. Mr Mellody, an intelligence officer?
- 21 A. That's correct, sir, yes.
- 22 Q. DCI Scott from whom we will hear, an S013 officer?
- 23 A. Yes, sir.
- 24 Q. Andrew, from whom we heard yesterday, the senior  
25 tactical adviser?

- 1 A. Yes, sir.
- 2 Q. DCI Esposito, another tactical adviser from CO19, also  
3 known as Trojan 80?
- 4 A. I believe he is actually Chief Inspector, but yes, sir,  
5 he is there.
- 6 Q. And DI Merrick, I think that's the first name for  
7 DI Merrick Rose; is that right?
- 8 A. Yes, sir, it's fair to say a lot of the people I didn't  
9 know. Had I worked there a little bit longer, it may  
10 have been easier to ask who people were, but that's my  
11 recollection, sir, and I believe there may well have  
12 been another DI of who details I have not --
- 13 Q. I will have to press you on one point of memory and  
14 identification of a person. Are you clear in your own  
15 mind that Andrew was there at that meeting at 6.20?
- 16 A. I have recorded Andrew being present. I don't know  
17 Andrew personally, but the record is fairly accurate and  
18 I would have asked Mr McDowall who that was, sir.
- 19 Q. Then do we see there at 6.40 you are recording  
20 Commanders Allison and Carter, two DSOs, present?
- 21 A. That's correct, sir, yes.
- 22 Q. And a review of the command structure being explained by  
23 Commander McDowall at that time?
- 24 A. That is correct, sir, yes.
- 25 Q. Then was there a larger meeting at 6.50, chaired by

- 1 Mr McDowall?
- 2 A. That is correct, sir, yes.
- 3 Q. We see there on the page a summary of what was  
4 discussed, and is this right, that summary includes  
5 information about Osman and Omar?
- 6 A. That's correct, sir, yes.
- 7 Q. It also, I think, records that Omar, who had been  
8 connected with this investigation through the gym card  
9 or the gym records, was also connected with  
10 Operation Ragstone, the investigation in Cumbria?
- 11 A. That's correct, sir, yes.
- 12 Q. Then next page, please, do we see there the meeting  
13 breaking up at 7.05?
- 14 A. That is correct, sir, yes.
- 15 Q. Just above that, the reference to Blair House which we  
16 have heard about as another address of interest?
- 17 A. Yeah, there were at that time, sir, I believe, a number  
18 of addresses which were of a significant ...
- 19 Q. Yes. Then at 7.15 am, I think Commander Dick arrived at  
20 the meeting?
- 21 A. Yeah, I believe, sir, by reference to the later exhibit,  
22 the attendance sheet.
- 23 Q. Can we have up documents page 62. Perhaps if we have  
24 the previous page, 61, just to put it in context. This  
25 is a list of attendees at the meeting at 7 am?

- 1 A. That's correct, sir, yes.
- 2 Q. Did you have responsibility for ensuring that list was  
3 filled in?
- 4 A. I would have thought it prudent from the outset to  
5 circulate an attendance list, but again, sir, other  
6 people may have arrived slightly later, may have had to  
7 leave and take a telephone call, but it's as best  
8 a record as one could possibly hope to get within that  
9 situation of who was present, sir.
- 10 Q. Back to page 62, please, there we see Cressida Dick and  
11 actually annotated 7.15 am, just on the left?
- 12 A. That's correct, sir, yes.
- 13 Q. Now, can we go back to page 863 actually of the exhibits  
14 bundle, exhibits page, we see there at 8.15 am another  
15 address being identified, Corfe House, from  
16 a jobseekers' allowance --
- 17 A. Yes, sir, that's correct.
- 18 Q. -- record.
- 19 Then a meeting of Mr White and Mr McDowall with  
20 Assistant Commissioner Brown. Then 8.45, meeting  
21 concludes. Perhaps you can help us with this reference:  
22 "Personal tasking re: briefing note for  
23 Commander Dick."  
24 What does that signify?
- 25 A. Sir, Mr McDowall asked me to have the salient



1 intelligence summary from what in fact was the 6.50  
2 meeting typed up, so DAC Dick could have that  
3 information available, which was done and which I handed  
4 to her, I believe, sir, at 9.20.

5 Q. So that's the information we have already seen digested  
6 under the 6.50 meeting?

7 A. Yeah, and there is again an exhibit of that item, sir.  
8 It's not a comprehensive briefing note, sir; it's just  
9 a summary of that main chunk of intelligence from the  
10 6.50 meeting.

11 Q. Then 9.20, we see you handed that to Commander Dick.  
12 How long did you stay in the -- because she was in the  
13 operations room at that time -- how long did you stay?

14 A. Less than a minute. It was literally, is that okay, and  
15 then I leave, sir.

16 Q. Then we see you in a conference room meeting at 9.40,  
17 and then just to complete over the page, please, we see  
18 you recording there at 10.10 that shots had been fired  
19 at Stockwell?

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

21 MR HOUGH: Thank you very much. If you will wait there,  
22 others will have some questions.

23 Questions from MR MANSFIELD

24 MR MANSFIELD: Good morning, Mr Forteath. My name is  
25 Michael Mansfield. I represent Jean Charles de Menezes'

1 family.

2 I appreciate at once it's some time ago and you are  
3 relying on notes. Please say if you can't really  
4 remember the detail.

5 I want to come straightaway to a critical time when  
6 you come back, having had a rest, so it's page 861 in  
7 the notes that you made. I am just using this as  
8 a framework to jog your memory. When you first came  
9 back, did Commander McDowall say to you: look, in your  
10 absence I have made a strategic decision and it's this.

11 A. No, sir. Not that I recall, sir.

12 Q. No, no, no, I am only doing it on what you recall. If  
13 he had told you: I have made a strategic decision and  
14 it's this; would you have noted it down?

15 A. I would have hoped so, sir, but Mr McDowall indeed had  
16 his own notes. These weren't the totality of the  
17 records.

18 Q. No, I appreciate that. The reason I'm asking you is,  
19 there are questions about what he meant by what he said.  
20 Do you follow?

21 A. I do, sir, yes.

22 Q. So that's why I am asking you the questions, and who  
23 knew about what he had said. So I appreciate you are  
24 not a party to, in that sense, the decisions or who they  
25 should be passed to. You are merely noting it down,

1 I accept that.

2 Now, at 6.20 there is a meeting and from your note,  
3 that is not a meeting that deals with strategy; in other  
4 words it doesn't appear as though the question of  
5 planned action or how to carry it out is actually talked  
6 about; is that right?

7 A. Sir, and I think if I was present actually in the  
8 meeting, I would have made other notes. I think the  
9 truth is I sit, my office is next to, and the actions  
10 around contact Commander Allison, I wasn't present in  
11 that meeting. I have noted there is a meeting in  
12 progress and I have noted who is present and I then move  
13 on to other things.

14 Q. Perfectly understood. Then we come to 6.50. Now,  
15 I have an interim question here. The  
16 Senior Investigating Officer for the manhunt as opposed  
17 to the bombings was Mr Boutcher?

18 A. That is correct, sir, yes.

19 Q. He had gone off for a rest; did you know that?

20 A. I am unaware of Mr Boutcher's movements, sir.

21 SIR MICHAEL WRIGHT: Well, he wasn't there.

22 A. No, he wasn't. I was asked to call him, sir, but in  
23 terms of when he left, I have no knowledge of that.

24 MR MANSFIELD: I don't know whether you can help on this:  
25 who took over in his absence.

- 1 A. I have no idea, sir.
- 2 Q. You weren't informed at any time that someone else had  
3 taken over from Mr Boutcher while he was away?
- 4 A. No, sir, but the Senior Investigating Officer, whatever  
5 role, wouldn't be expected to be present 24/7.  
6 Mr McKenna wasn't present but he is still the  
7 Senior Investigating Officer.
- 8 Q. Yes, I understand that, and everybody understands you  
9 have to have a rest. You don't want tired officers who  
10 might make, for very human reasons, decisions that could  
11 be questionable.
- 12 So you want fresh officers. One understands that.  
13 When they go, it is important that someone else is  
14 prepared to step into their shoes, at least while they  
15 are away. That's pretty common practice, isn't it?
- 16 A. Sir, I am sure Mr Boutcher will be aware of what  
17 arrangements or what arrangements Mr McKenna made around  
18 making sure key actions or key command positions were  
19 resourced where necessary, sir. I believe he is best  
20 placed to answer that.
- 21 Q. I will wait for him. On the other hand, in relation to  
22 Mr McDowall, he went off for a rest as well, and you  
23 stayed at New Scotland Yard?
- 24 A. For about another two hours, yes, sir.
- 25 Q. Who took his place in that time? Mr Boutcher certainly

1           wasn't there.

2   A.   Who took Mr McDowall's place?

3   Q.   Yes, who acted as the Gold Commander during that time?

4   A.   I have no note of that, but again, sir, I come back to  
5       my earlier point: a Gold Commander, if a decision is  
6       taken by Mr McDowall, that needs to be a separate Gold  
7       Commander for the day and evening, I am unaware that  
8       decision was taken. But again, just because you leave  
9       the building, you don't stop being the SIO.

10  Q.   I just want to go back one page before we go to the  
11       meeting at 6.50, 7 o'clock. 860, please. Some very  
12       important information comes in to you, or you get hold  
13       of it somehow, and I just want to deal with this, it's  
14       page 860 at 2.15.

15               Now, where did it come from, this information?

16  A.   It may have been -- I can't quite recall who was present  
17       at that time of the morning, but it would have come from  
18       the forensics. The routing I can't answer on, sir.

19  Q.   Right. It came to you because?

20  A.   Well, I can't remember the context. I am not even sure  
21       whether Mr McDowall is still present. I can't offer any  
22       further information on who was present, who told me  
23       that. A number of people would have been aware of it,  
24       so it would come back from the scene, and a number of  
25       people as tasked would progress enquiries around the

1           significance or otherwise of that find.

2    Q.   Yes, one appreciates that, but time is -- may be of the  
3           essence in this case, and here is, apparently, a key,  
4           possibly key address.  What do you do with that  
5           information?

6    A.   Well, it's not for me to task.  There are people that  
7           deal with intelligence.  There are people that would  
8           have specific roles within the -- you know, and  
9           I couldn't speculate on who was tasked with developing  
10          that intelligence, Mr Mellody and Mr --

11   Q.   Macbrayne?

12   A.   Mr Taylor dealt with the intelligence strand, so I can't  
13          answer for what they did, or who progressed those  
14          specific enquiries, but it would have been progressed  
15          expeditiously along with any other significant exhibits  
16          found at any of the scenes, sir.

17   SIR MICHAEL WRIGHT:  How does it come to be in your log?

18   A.   Again I am trying to recall, sir, sat down, whether  
19          Mr McDowall was present, whether I had been told it by  
20          anyone.  I can't recall, sir.

21   SIR MICHAEL WRIGHT:  No, very well.

22   MR MANSFIELD:  Certainly, if you had given it to  
23          Mr McDowall, either because he was there, hadn't quite  
24          gone off, or somebody else, or you telephoned him  
25          wherever he had gone to say you had got this, you would

- 1           make a note of that presumably in your log?
- 2    A.   Potentially, sir, yes.
- 3    Q.   So it doesn't look as though, because there is a bit
- 4           redacted underneath, I am assuming that Mr Dale hasn't
- 5           got much to do with what's in -- or has he? Did you
- 6           give it to him?
- 7    A.   I don't think so, sir, I think that relates to --
- 8    Q.   I do not want to know what's under the redaction, but
- 9           did Mr Dale get that information? Did you give it to
- 10           him?
- 11   A.   No, I think that relates to the actual specific
- 12           enquiries I'm making within the Brixton environment,
- 13           sir. There are a lot of professional people dealing
- 14           throughout the night with different finds from different
- 15           scenes. It's inconceivable that somebody wouldn't be
- 16           progressing that as a significant line around
- 17           intelligence enquiries. In fact, we know later on that
- 18           other facts are found, so that would have been
- 19           progressed as a matter of some priority. By whom, sir,
- 20           I cannot shed any light.
- 21   Q.   We understand the process. The question is really to
- 22           what extent it's co-ordinated, tied up and who knows
- 23           what. Do you follow? That's why I am trying to follow
- 24           it through. You may not be the person who knows all the
- 25           answers.

1 A. There are distinct people dealing with -- there are  
2 people dealing with the scene, sir. There are people  
3 dealing with intelligence.

4 Q. We know that.

5 A. Beyond my records, you know, they would be the people  
6 that would be able to account --

7 SIR MICHAEL WRIGHT: I think we all recognise, Mr Forteath,  
8 for this purpose you were the recording angel and  
9 nothing else.

10 A. Yes, sir.

11 MR MANSFIELD: So can we fly on with your wings to 6.50,  
12 please. That's 861, the next page.

13 You have a list of who's present and I don't go  
14 through it. The jury have seen the list before, quite  
15 a lot of people, and here is the content of the meeting  
16 set out as best you could do it at the time, and one  
17 realises how difficult that is.

18 Now, if you read through it, it would appear, am  
19 I right, at this meeting where a lot of people were  
20 present, there is no discussion of strategy, is there?

21 A. This meeting, it was a broad overview, there wasn't  
22 discussion around firearms strategy in detail. Again,  
23 what meetings took place earlier on, Mr McDowall or  
24 others may have some record.

25 Q. Mr McDowall has told us what he thinks happened at this



1 meeting. Your record does not indicate that there was  
2 any discussion of strategy at this meeting; is that  
3 right?

4 A. The notes are as they are, sir. I would have tried as  
5 far as possible to record most significant events. It's  
6 entirely possible I have missed events. In fact, sir,  
7 I believe on a previous evening, I had to deal with  
8 an action part way through a meeting. I don't remember  
9 leaving the meeting but there is room for error in these  
10 notes, sir.

11 Q. I appreciate, and one can understand the odd bit of  
12 detail getting missed or you can't get all the words  
13 down or whatever. But an important, as it were, update  
14 and review of the strategy that had been set at 4.55, in  
15 other words telling all these people that come in, some  
16 people for the first time, for the 7 o'clock meeting:  
17 look, this is the strategy I have been pursuing since  
18 4.55, this is the state we are in and so on. There  
19 doesn't appear to be anything like that going on at that  
20 meeting; is that true?

21 A. Not by my records, but then, sir, we don't know what --  
22 I am not privy to what other discussions have taken  
23 place, what actions have been generated from --

24 Q. I am dealing with this meeting with these individuals,  
25 Mr Forteath, and Mr McDowall was indicating to this jury

1           what happened at this meeting that you logged. Do you  
2           follow?

3   A. I do, sir. I have no record beyond the broad strategy,  
4           sir.

5   Q. Where is the broad strategy in that meeting?

6   A. "A few hours now exist to pursue covert opportunities.  
7           There may be a need to go overt if no progress. A few  
8           hours need ... need to make sure resources are available  
9           for support."

10   Q. You are reading from another page, so can we just turn  
11           over the page, it's 862. Having listed lots of  
12           intelligence information, which is perfectly fine, you  
13           say, and this is Mr McDowall:

14                 "Need to make sure resources available to support.  
15           May need to move this on quite quickly."

16                 What does that mean?

17   A. Well, I can't recall specifically that -- what was meant  
18           by that entry, but again if a key development was  
19           generated or came about, then obviously we would need to  
20           be expeditious around how that was dealt with, sir.

21   Q. I'll come straight to the point on this one. Did  
22           anybody at that meeting that you can recollect --  
23           certainly it's not noted -- say, "we can move extremely  
24           quickly, we've got an orange team sitting here at New  
25           Scotland Yard and, it's fact, it's been waiting all

1 night for action"; did anybody say that?

2 A. I have to rely on my note, sir, but the 6.50 meeting is  
3 the meeting which deals with the totality --

4 Q. No, this is the meeting I am talking about. This is the  
5 meeting which Mr McDowall has talked about. This is the  
6 meeting that others have talked about. Did anybody in  
7 this meeting, never mind other meetings, say: we have  
8 got an orange team waiting in the wings, we can move  
9 very fast.

10 A. I have to defer to my notes, sir, not that I have  
11 recorded.

12 SIR MICHAEL WRIGHT: Forgive me one moment, Mr Mansfield.

13 Mr Mansfield, nothing to do with this witness,  
14 apparently there is a technical hitch with the recording  
15 system. It appears to have frozen, and so I think we  
16 had better break off for a few minutes until it has been  
17 sorted out. Thank you very much.

18 (10.40 am)

19 (A short break)

20 (10.50 am)

21 (In the presence of the jury)

22 SIR MICHAEL WRIGHT: Thank you, Mr Mansfield.

23 MR MANSFIELD: I wonder if you would be kind enough,

24 I think, to look up the list just for a moment, before

25 I continue with the meeting around 7 o'clock in the

1 morning, just to remind ourselves it's document 480,  
2 page 61. There we are.

3 Is the writing at the top yours:

4 "7 am, 15th floor, Commander McDowall, operational  
5 review".

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: It looks like the first four names, as  
8 well.

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

10 MR MANSFIELD: So that the subject of the meeting was  
11 "operational review"?

12 A. Sir, there is an important point contextually, and  
13 forgive me, sir, for this, this is not the totality of  
14 the meeting. I know you want to talk about this  
15 meeting, but there may well have been numerous other  
16 meetings that deal with specifics. This is a broad  
17 overview of where we are at this time, very similar to  
18 the evening before and a number that we have recorded on  
19 the previous day. This does not represent the sole  
20 meeting at which all the incidents that are pertinent to  
21 this investigation will be discussed. Forgive me, sir,  
22 I feel that's significant contextually.

23 Q. We do understand that. I am not dealing with the  
24 context. We are dealing with this meeting, which other  
25 people have already spoken about this meeting, do you

1 follow?

2 A. I don't know what others have mentioned or not, sir.

3 Q. I know you don't. When you wrote "operational review",  
4 what was meant by that?

5 A. One could get lost in -- it's whatever the review,  
6 whatever the headlines are that need dealing with at  
7 that meeting that day. It's a broad title. It would be  
8 a headline meeting; what would have been discussed  
9 thereafter will be recorded and whatever's salient.  
10 I mean, it's ... it is what it is, sir. It's a review  
11 as the chair of the meeting deems fit to deal with.

12 Q. Yes, I understand that. We have run through the list  
13 before so I will not do it. You can run your eye down.  
14 In fact many of the key people, nearly all the key  
15 people save one are there, including the head of the  
16 anti-terrorist operation at that time, the  
17 Assistant Commissioner Andrew Hayman, he is number 2 on  
18 the list?

19 A. I have recorded him as present, sir.

20 Q. Yes, and we have gone down, go over to page 62 so the  
21 jury can see the completed list of people that are  
22 there. Then in the context, as you rightly say, of who  
23 is there, with Cressida Dick arriving a little later,  
24 7.15, we go back to page 862 of the exhibits-bundle,  
25 please, and I am concerned with, as you know, the

1 strategy issue, and I have been over that.

2 What you have written, once the account or narrative  
3 has finished of the intelligence that was available, you  
4 then have written:

5 "Rucksack dumping -- have a few hours e now exists  
6 a few hours to pursue covert opportunities. However,  
7 there may be a need to go overt if no progress."

8 Then these words:

9 "Have maybe few hours and need to throw everything  
10 at it. Black Primera in [the] vicinity of Scotia Road."

11 Now, then there is the sentence:

12 "Need to make sure resources available to support,  
13 may need to move this on quite quickly."

14 Now, it's clear first of all that what was being  
15 said is in the context of Scotia Road there, isn't it?

16 A. Difficult to say, sir, I think it would relate to the  
17 enquiry in general.

18 Q. All right. So where had it got to by that stage?

19 A. I am uncited on what activity had taken place up  
20 until -- I would be unaware of that, sir.

21 Q. Did anybody at the meeting say: look, whatever the word  
22 is, chaps, folks, however they are addressed, members,  
23 this is the position, we have got a red team down at  
24 Scotia Road watching the premises; and if it's McDowall  
25 speaking: as far as I am aware we have got firearms

1           either there or they should have been there by now  
2           because I said as soon as possible, and it's this team  
3           and so on, the place has been reced so we know the  
4           location, et cetera; did anybody go through that kind of  
5           detail?

6    A.  No, sir, but they are experienced people.  They would  
7           raise issues they think salient.  If they are not raised  
8           they are either not thought of or they would be raised  
9           elsewhere.  This is my point around, this is not the  
10          totality of any discussions that day.  If people had  
11          raised points I would have done my best to record them  
12          but it's not dealt with there, sir.

13   Q.  No, it's not dealt with.

14   A.  Not dealt with there, sir.

15   Q.  Mr Forteath, as you go on about it, it's not dealt with  
16          anywhere, Mr Forteath.  Did you know that?

17   A.  Sir, in my notes, I am not privy to what others have  
18          said, sir.

19   Q.  I know, and no-one else has said it either, anywhere  
20          else, at this time, because they claim they didn't know  
21          about it.  So Mr Forteath, please be careful about  
22          talking about other meetings and other people.

23                 Now, I want to go back a little and ask you, and it  
24                 may be you can't help us, but just a few more enquiries  
25                 in relation to various entries.  Could we go back to

1 page 850, and it's now possibly too late, but I just  
2 wanted to ask you: the explosives officers on page 850  
3 who come to, as it were, brief everyone at 5.15, there  
4 were four of them, and they go through -- I am not going  
5 through the detail you have noted of what they say  
6 there, the jury can read it for themselves if they wish;  
7 850 and 851, the rucksacks, the type of devices, the  
8 electrical leads and so on, it's all there.

9 Can you now help us about the identities of any of  
10 the four explosives officers or not?

11 A. No, sir, I can't assist.

12 Q. Would a record have been kept somewhere, even if you  
13 didn't, of who they were who came to do this?

14 A. Again, I couldn't possibly comment on what other notes  
15 people have made, sir.

16 Q. All right, you can't help, so I can't take that further.

17 You have been asked about the concerns that  
18 Angela Scott had. You can't help on that.

19 There is another one, page 856, it's an entry about  
20 Commander Carter at the bottom of the page. This is the  
21 10.10 meeting in the evening of the night before,  
22 Commander Carter, do you see that very last entry:

23 "Need to get clarity balance between premises and  
24 Kratos."

25 I am not quite sure ... Can you help us as to what



1           was being discussed?

2   A.  No, sir, I can't.

3   MR MANSFIELD:  You can't.  Then I think I'll leave other  
4           questions for others.  Thank you very much.

5   SIR MICHAEL WRIGHT:  Thank you.

6   MR GIBBS:  I have no questions, sir.

7   SIR MICHAEL WRIGHT:  Thank you.

8   MR SINGH:  I have no questions.

9   SIR MICHAEL WRIGHT:  Thank you.  Yes, Mr Perry.

10   Questions from MR PERRY

11   MR PERRY:  Thank you very much, sir.  Mr Forteath,

12           I represent Mr McDowall as well as Cressida Dick, and  
13           Chief Inspector Esposito and Detective Inspector Purser,  
14           and my name is David Perry.

15   A.  Good morning, sir.

16   Q.  May I just ask you just these introductory questions  
17           first of all, Mr Forteath.  I am just trying to pull  
18           a few things together.  You act, were acting at this  
19           time, as a loggist for Mr McDowall.  You try, as far as  
20           possible, to make a record of key meetings, events and  
21           decisions?

22   A.  That's correct, sir, yes.

23   Q.  But, as you have fairly and reasonably explained, you  
24           can't record everything?

25   A.  No, sir.

1 Q. Making all due allowance for human fallibility, you are  
2 trying to be as accurate as possible?

3 A. Yes, sir.

4 Q. Now, we have seen from the notes of the log, for  
5 example, we don't see anywhere reported direct speech;  
6 there is nothing in speech marks?

7 A. No, sir.

8 Q. So is it really trying to get the gist of conversations  
9 and who's present at particular times and meetings?

10 A. Yeah, I think one, it would be impossible to do it  
11 verbatim and generally around minutes or records, it's  
12 the general gist and key issues that are raised.

13 Q. And probably trying to report the actual words used,  
14 that's probably the most difficult thing that not only  
15 a loggist but I suppose anyone would face?

16 A. Unless perhaps trained in shorthand or otherwise, sir,  
17 yes.

18 Q. Unless you are the skilful people who keep the  
19 LiveNote --

20 SIR MICHAEL WRIGHT: You don't have shorthand, Mr Forteath?

21 A. Regrettably not, sir.

22 SIR MICHAEL WRIGHT: Could I ask, Mr Perry, arising out of  
23 that, I think I know what the answer is, presumably  
24 there is no facility for recording, mechanical recording  
25 of what goes on at these meetings?

- 1 A. I think a decision could have been made but I am not  
2 sure how useful or otherwise it would have been. It's  
3 not routinely done, sir, no.
- 4 MR PERRY: I think just to follow the point that has been  
5 made, Mr Forteath, there are in some rooms at  
6 New Scotland Yard now facilities for recording  
7 communications, but it wouldn't ordinarily be the case  
8 that you would record what was taking place at  
9 a particular meeting, for example in Mr McDowall's  
10 office?
- 11 A. No, sir.
- 12 Q. What I am going to do, Mr Forteath, with your  
13 assistance, and so everyone can follow, is just produce  
14 some of the relevant pages of your log, and we have got  
15 copies of it for the ladies and gentlemen of the jury to  
16 go into the bundle.
- 17 SIR MICHAEL WRIGHT: Is this to go into the bundle?
- 18 MR PERRY: Yes, please.
- 19 SIR MICHAEL WRIGHT: Perhaps I could ask this, if we are  
20 going to add some more, have the two pages from the  
21 tactical options document gone in?
- 22 MR PERRY: Not yet, sir, as I understand it.
- 23 SIR MICHAEL WRIGHT: Do we know, Mr Hough?
- 24 MR HOUGH: I don't know. I know that they had been copied  
25 and I don't know if they have yet been inserted. This

1           would be to go in at tab 43, this new document.

2   SIR MICHAEL WRIGHT: Leave one tab clear, if you would.

3   MR PERRY: Sir, I was going to put this in tab 38, if that's

4           all right, sir, because if you can recall, sir, I asked

5           for Mr McDowall's note.

6   SIR MICHAEL WRIGHT: Yes.

7   MR PERRY: It might be convenient, as this goes with it, to

8           go into tab 38 and then we have the complete

9           McDowall/Forteath record. Unless anyone has any

10          objection.

11   SIR MICHAEL WRIGHT: There is quite a lot of tab 38. I am

12          just wondering whether that's sensible.

13   MR PERRY: I wasn't going to ask anyone to put it in for the

14          moment because I would like to do what I did with

15          Mr McDowall and just use it.

16   SIR MICHAEL WRIGHT: All right. Put it in at the back of 38

17          and as you say, it's a complete record of these

18          meetings, anyway.

19   MR PERRY: Thank you very much.

20   MR HOUGH: It may be sensible to write "Forteath" on the

21          first page.

22   SIR MICHAEL WRIGHT: Certainly.

23   MR PERRY: Yes, if I can just explain what we have done.

24          There should be a copy.

25   SIR MICHAEL WRIGHT: Thank you.

1 MR PERRY: Mr Forteath, we have now got hard copies of this,  
2 and I am just going to explain, just to put it in  
3 context, we haven't copied everything, we picked it up  
4 where you actually begin the note on 22 July, which is  
5 page 859. So if we get page 859 up on the screen, and  
6 I hope the ladies and gentlemen of the jury will have  
7 that.

8 Just to put it in context, we will come on to  
9 page 860, but page 859 is the previous page, which  
10 I have not bothered to copy, because what we have done  
11 is, this is the start of 22 July, page 859, but the only  
12 entries there for 22 July are:

13 "12.06 am Chief Inspector Gately will prepare Kratos  
14 slide.

15 "12.17 am Jim speaks to Assistant Commissioner Brown  
16 re TFL [that's Transport for London] and Transec -- he  
17 will deal. S013 will deal with TPU."

18 Then:

19 "12.50 Review of CCTV."

20 Then we come on to the first page of the hard copy  
21 that we all have.

22 If anyone wants to make a note, this is  
23 Mr Forteath's log and we are now into 22 July.

24 Just before we deal with this, Mr Forteath, just  
25 looking back over the 21st first of all, I don't think

1           you had been in West Yorkshire with Mr McDowall; is that  
2           right?

3    A.   I did go to West Yorkshire with Mr McDowall.  We went up  
4           on the Monday before the find of the bomb factory in  
5           Alexander Grove.  I came back, I believe, sir, on the  
6           Wednesday.

7    Q.   So when he was travelling back on the 21st, you were  
8           already --

9    A.   That's correct, sir, yes.

10   Q.   So you weren't travelling back to him, but he arrived at  
11          New Scotland Yard, you were there on duty, and during  
12          the rest of the day following his arrival at  
13          New Scotland Yard, I just want to ask you this: was  
14          there a moment of inactivity so far as Mr McDowall was  
15          concerned?

16   A.   No, sir, it's energetic, frenetic, but no, it was -- one  
17          thing after another, sir.  In fact, one entry on the  
18          morning of the 22nd, so he is going to deal with issues  
19          relating to 7 July, so there are a lot of things people  
20          are doing, sir.

21   Q.   Yes.  So if we pick up your log, then, please,  
22          Mr Forteath, at page 860, and I'm going to come on,  
23          please, to the 2.15 am entry, which we have.  Just  
24          before I ask you about that, just above the 2.15 am, we  
25          see a little dash or hyphen.  Does that indicate that

1 Mr McDowall has gone off duty at that stage or are we to  
2 ignore it?

3 A. I cannot regrettably, sir, tell you when Mr McDowall  
4 left. Hopefully his notes would.

5 SIR MICHAEL WRIGHT: Is that what it means?

6 A. No, sir, it's a dash on the page.

7 MR PERRY: That's all right, then, I was just asking about  
8 that.

9 Whatever time Mr McDowall left precisely, there was  
10 a time when he was away at a local hotel, Mr Forteath;  
11 is that right?

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

13 Q. Then just to give an overview summary, he comes back at  
14 about 4 o'clock and you pass, with you effectively  
15 leaving to take your couple of hours' sleep, so between  
16 2 and 4 he's away, approximately, and between 4 and 6  
17 you are away approximately?

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

19 Q. So this is you making a note here of the intelligence  
20 coming in about the information from the bag recovered  
21 from the scene of the attempted bombing at  
22 Shepherd's Bush, and at this stage the information is  
23 that there is information in the bag linking some of the  
24 documents there to a gym club in South London?

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

- 1 Q. Were you aware that at some stage later, officers went  
2 to visit the gym club and actually located someone who  
3 could provide them with information as to Mr Osman?
- 4 A. Subsequently, yes, sir.
- 5 Q. So that was not at 2.15 but later that morning?
- 6 A. Yeah, so there is a course of action between 2.15 and  
7 the 6.50 meeting, I believe involving officers going to  
8 that gym, sir, yes.
- 9 Q. Yes. Then just going over, the 2.15 am meeting, we then  
10 go over to page 861 in the hard copy, still 22 July, and  
11 the gap between the 2.15 and the 6 o'clock can be  
12 explained by the fact that you were off between 4 and 6  
13 and Mr McDowall was coming on. We know, we have heard  
14 from him making his own notes?
- 15 A. That's correct, sir, yes.
- 16 Q. I just want to ask you something about an incident  
17 before 6.05 am to see if you can assist us. Can you  
18 recall making a telephone call to  
19 Detective Superintendent Boutcher at 5.45 am that  
20 morning? It's not in the note, Mr Forteath, but I am  
21 just asking you or giving you an opportunity to deal  
22 with it, if your recollection is jogged.
- 23 A. I don't think I do, sir. I think the first occasion is  
24 just before 7.
- 25 Q. Yes. So just so we know, Detective Superintendent



- 1           Boutcher, did you know where he was before 6 o'clock?
- 2    A.  No, sir.
- 3    Q.  So let us move on through page 861, if we may, please,
- 4           Mr Forteath.
- 5    SIR MICHAEL WRIGHT:  Can I just follow that last point up?
- 6           Apparently you did make a call to him or somebody made
- 7           a call to him at 6.40.
- 8    A.  That's me, sir, but not at the time --
- 9    SIR MICHAEL WRIGHT:  I understand that.  Where was he then?
- 10   A.  I didn't ask him where he was, sir --
- 11   SIR MICHAEL WRIGHT:  You had a number for him?
- 12   A.  I rang his mobile, said there was a meeting in progress.
- 13           His understanding was he was expected at a meeting at 7
- 14           and would be there for that, sir.
- 15   SIR MICHAEL WRIGHT:  Very well.
- 16   MR PERRY:  Thank you.
- 17           Then we have got the 6.20 meeting in Mr McDowall's
- 18           office and you have got "meeting in progress".  Does
- 19           that signify, when you make an entry such as "meeting in
- 20           progress", that you actually join it as the meeting is
- 21           in progress?
- 22   A.  Yeah, I have arrived, sir.  There were a number of
- 23           people already in Mr McDowall's office.
- 24   Q.  Yes.
- 25   A.  I have not witnessed the start of that meeting.  It's

1 already happening, sir.

2 Q. Thank you very much for that, Mr Forteath. I just want  
3 to ask you this, so that we understand it: you dealt  
4 with this in the statement that you prepared back on  
5 7 November 2005. Do you have the statement to hand,  
6 Mr Forteath?

7 A. Yes, sir. Give me one minute.

8 Q. I just want you to assist with this, because you deal  
9 with this at paragraph 20, where, if I may just put it  
10 to you, and I hope everyone can follow without it being  
11 too unclear:

12 "At 6.05 am I was asked by Commander McDowall to  
13 contact Commander Ian Carter and ask him to attend his  
14 office at the earliest opportunity, which he agreed to  
15 do in 15 minutes."

16 So that's a reference to the 6.05 entry. Then you  
17 go on in your statement:

18 "Several people were already present in  
19 Commander McDowall's office which included Detective  
20 Superintendent Macbrayne [he was involved in the crime  
21 investigation] and Detective Chief Inspector Mellody.  
22 The attendees increased to include Detective Chief  
23 Inspector Scott [that's Angela Scott we have heard  
24 about], 'Andrew', Detective Inspector Merrick Rose,  
25 Detective Inspector Neil Smith, 'Trojan 80' [that's

1 Mr Esposito] Commander Allison and Commander Carter."

2 So what I want us to understand, Mr Forteath, first  
3 of all, that's what you said about this in your  
4 statement?

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

6 Q. What I want us to understand about this, and this is  
7 really the point, in your 6.20 am entry about the people  
8 who were present at the meeting, that reflects the fact  
9 that people were joining this meeting as it was in  
10 progress?

11 A. Yes.

12 Q. Yes, thank you. Then we come on to the 6.40 am meeting.  
13 May I just ask what you said in your statement on  
14 7 November 2005? Did you say this, in relation to the  
15 6.40 am meeting:

16 "Commander McDowall gave an overview of the key  
17 developments and objectives for the enquiry."

18 A. Yes, sir.

19 Q. So there is Mr McDowall at 6.40, giving an overview of  
20 the key developments and objectives, but you have not  
21 made a note of what precisely was said in relation to  
22 key developments or objectives?

23 A. No, sir.

24 Q. Then that 6.40 meeting, that's actually in Mr McDowall's  
25 office?

1 A. That's correct, sir.

2 Q. Then what happens is, because there is going to be  
3 a larger meeting, the 6.50 meeting, that's in the S013  
4 conference room at New Scotland Yard, because it's going  
5 to be a meeting at which Mr McDowall addresses a wider  
6 audience?

7 A. Yeah, I believe there is only possibly nine seats,  
8 including the commander's in his own office, whereas the  
9 conference room is 20 plus.

10 Q. Thank you. If we just look at the 6.50 meeting, on the  
11 basis of your notes which you have told us give a broad  
12 overview, this meeting or this entry here, which is  
13 about 26 lines, that is intended to reflect the first 15  
14 minutes of the meeting?

15 A. Yes, sir.

16 Q. But was there constant discussion at this meeting?

17 A. Of course, sir, there would be other, other discussions.  
18 That's the best record I can make. I haven't got the  
19 "I said", "he said", verbatim. That's the summary, sir.

20 Q. We fully accept that, Mr Forteath, I am just trying to  
21 put it in context, if I may.

22 If we just consider what we have here, at the time  
23 of this meeting there are two addresses, the  
24 21 Scotia Road address and the 61A, it's actually  
25 recorded here as "Portland Road" but we know it was

1 Portnall Road W9, so there are two addresses to which  
2 reference is being made?

3 A. I am not sure if there is one slightly later on.

4 Q. There is one slightly later. I am going to come on to  
5 that in a moment --

6 A. Yes.

7 Q. But two addresses on this page and then as you rightly  
8 say, Mr Forteath, if you go over to page 862, the next  
9 page on the hard copy, we see that there is a third  
10 address, the Blair House address in Stockwell Gardens.

11 A. Yes, sir.

12 Q. Just going up from the Blair House address, four lines:

13 "Have maybe few hours and need to throw everything  
14 at it."

15 You said that that was relating to the enquiry in  
16 general?

17 A. Yes, sir.

18 Q. May I just ask you about that, Mr Forteath, because one  
19 of the concerns was this, wasn't it: that you have got  
20 an incident that has created great anxiety in Central  
21 London, and the strategy overnight, before the  
22 intelligence developed, was directed to the possibility  
23 of an appeal being made through the media for  
24 information from the public?

25 A. Yes, sir.

1 Q. Then that changed, and there was a discussion at this  
2 meeting about the possibility of reverting to the appeal  
3 for information through the media if this enquiry was  
4 not progressed as people hoped that it would be?

5 A. Yes, sir.

6 Q. Then in your note, you have the 7.05 entry:

7 "Meeting breaks -- discussion Commander McDowall re:  
8 fielding hotline calls -- some discussion about managing  
9 national response."

10 Then 7.15 am:

11 "ACSO shown photographs."

12 That's a reference to Mr Hayman?

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

14 Q. Who was the Assistant Commissioner Special Operations.

15 Of course we know from the list of those who  
16 attended this meeting that Cressida Dick arrived at  
17 about 7.15.

18 I just want to ask you this about that, Mr Forteath,  
19 please: can you recall Mr McDowall and Cressida Dick  
20 having a discussion before Cressida Dick left to go to  
21 the operations room 1600 on the 16th floor?

22 A. I do not have a record of it, sir. I can't assist,  
23 regrettably.

24 Q. Thank you. Then you have the entry for 7.25 am, with  
25 Mr Hayman and Commander McDowall meeting

1           Detective Superintendent Turner and Mr Reid. Mr Reid  
2           was the Coroner in relation to the 7 July bombings, so  
3           they are obviously going off to a meeting there.

4           Then 7.35 am:

5           "Tasked DCI Mellody to deal with DSU enquiry."

6           Just tell us what that's about?

7   A. That's around covert opportunities to identify -- to try  
8       to identify these individuals, sir.

9   SIR MICHAEL WRIGHT: What's DSU stand for?

10   A. It revolves around source handling, sir.

11   SIR MICHAEL WRIGHT: I know. Do you know --

12   A. Dedicated source unit, sir.

13   SIR MICHAEL WRIGHT: Thank you.

14   MR PERRY: Then we see that the meetings continue, 7.50,  
15       8.05, and then going over the page, may I just ask you  
16       about the 8.12 am entry, please, Mr Forteath:

17           "Tasking to SB..."

18           Is that Special Branch?

19   A. Yes, that's correct, sir.

20   Q. "... urgent re: Operation Ragstone."

21           We have heard about Operation Ragstone and I need  
22       not go into it in any detail, but so everyone's memory  
23       is refreshed, it was an anti-terrorist investigation  
24       into terrorist training camps, some of which had been  
25       located in Cumbria or at least one of which had. Can

1           you recall now what this reference is referring to?

2   A.   As far as I can, sir, Ragstone was a significant  
3       potential around yielding who else and where else may be  
4       involved. So it was just to try to obtain as much  
5       information that was known at Ragstone and work out how  
6       that could progress the inquiry.

7   Q.   Yes, and then 8.15, we have "Corfu House, Dorset Road".  
8       We know actually it's Corfe House but it's looks as  
9       though people are calling it Corfu House, or at least  
10      you did in your note.

11           That was a new address from a jobseekers' allowance  
12      card in relation to someone called Girma. By 8.15 there  
13      were four potential addresses and the intelligence was  
14      still developing?

15   A.   Quite, sir, yes.

16   Q.   With the possibility of more addresses coming online and  
17      the police having to respond to those other developing  
18      intelligence leads?

19   A.   Yeah, of course, sir, and the hotline calls and all the  
20      other issues, sir.

21   Q.   We see, running down that page, how matters developed as  
22      far as Mr McDowall is concerned. He's in other  
23      meetings, but I think that from 8.45 until 9.20, were  
24      you preparing the briefing note for Commander Dick?

25   A.   That's correct, sir, yes.



- 1 Q. So you weren't actually then acting as a loggist for  
2 Mr McDowall; you were preparing this actual note for  
3 Commander Dick?
- 4 A. That's correct, sir, and again the meeting that  
5 Mr McDowall goes to with Dr Reid, I am not present at  
6 that either, so there are occasions throughout the event  
7 when I am not with Mr McDowall, I am doing other things,  
8 sir.
- 9 Q. If we go on to page 864, just to finish the notes from  
10 22 July:  
11 "Plans underway through GT".  
12 Could you tell us what GT is?
- 13 A. GT is part of the command and control infrastructure at  
14 New Scotland Yard that would deal with significant  
15 uniform police resourcing. It's like a command and  
16 control centre, principally aimed at uniform resources,  
17 public order, say, for instance, Notting Hill Carnival,  
18 those sort of incidents.  
19 If my memory serves, sir, we were looking with  
20 Mr Mackie at how to find possibly an extra hundred  
21 uniformed officers to help facilitate what may be the  
22 scenarios you would have to deal with that morning.
- 23 Q. Then "Chief Superintendent Mackie [the person to whom  
24 you have just made reference] leaves to secure TSG"; is  
25 that the tactical support group?

1 A. Territorial support group.

2 Q. Thank you very much. Then we have "shots fired at  
3 Stockwell"?

4 SIR MICHAEL WRIGHT: "These premises" presumably means the  
5 four premises that we have listed in your --

6 A. Amongst others, sir. The thing is about contingency and  
7 what resources are available to try to line up as far as  
8 possible all the assets one might need and deploy them  
9 as required that day. To secure 100 officers would take  
10 some time, if those assets -- once they're available,  
11 they can deploy as required.

12 SIR MICHAEL WRIGHT: I follow that, but you never know  
13 what's going to happen.

14 A. Quite, sir.

15 SIR MICHAEL WRIGHT: When you refer in this note to the  
16 clearance of these premises, are we to take it that that  
17 means the four premises you have got listed in the note?

18 A. Sir, I think it's potentially misleading to say  
19 clearance was -- has been decided. It was about how  
20 would we deal with if --

21 SIR MICHAEL WRIGHT: I appreciate that. All I want to know  
22 is which premises are we talking about?

23 A. Those known at the time, sir.

24 SIR MICHAEL WRIGHT: The four.

25 A. Yes.

1 MR PERRY: Thank you very much.

2 Mr Forteath, that deals with the log and in the  
3 little clip or extract that we have in hard copy, we  
4 have included the two lists that you made of the  
5 individuals who attended two meetings, and I am just  
6 going to deal with those very briefly, if I may.

7 Page 59, the 10 pm meeting on the 15th floor  
8 conference room. I hope that can be put on the screen  
9 as well. It's documents page 59 but we have got a --  
10 this is the 10 pm meeting. We have heard about this.  
11 Just to again try to pull a few strands together, this  
12 was the senior management meeting including  
13 representatives of the Anti-Terrorist Branch and the  
14 Special Branch, and one or two others, parts of the  
15 Metropolitan Police. It was the review meeting deciding  
16 how the investigation would be carried forward.

17 I just want to ask you: you have recorded at this  
18 meeting on that page two Mr Bakers, Mr Malcolm Baker and  
19 Mr Noel Baker. They are just over halfway down,  
20 Mr Malcolm Baker, and at the very bottom of that page,  
21 Mr Noel Baker.

22 We have also got, going over the page to page 60,  
23 people such as DI Scott and Pat Mellody on page 60.

24 I just want to ask you this, lest there be any  
25 misunderstanding: Mr Malcolm Baker and Mr Noel Baker

1           were not present at the meeting the following morning at  
2           7 am.

3   A.   I have not overlaid the list, sir, but the names  
4           don't ...

5   Q.   Let us move on, then, to look at the list of the 7 am,  
6           because the names don't appear there.

7   A.   They are not there, sir, no.

8   Q.   There is just one thing I want to ask you about this,  
9           about the list of the meeting at 7 am, and the list of  
10          those who attended. You don't actually have on the list  
11          of people attending Detective Superintendent Boutcher,  
12          but can you recall that he too, like Cressida Dick,  
13          turned up after the meeting was in progress?

14  A.   I can't recall that, sir.

15  Q.   Thank you very much for that, Mr Forteath.

16           Then just one final matter: the intelligence update  
17          note that you prepared between about 8.45 and 9.20 to  
18          take to Commander Dick, who was in the operations room  
19          on the 16th floor, operation room 1600, that made  
20          reference to the addresses at Scotia Road and  
21          Portland Road, as you have put it, and also the  
22          Dorset Road address, the Corfe House premises.

23  A.   Yes, sir.

24  Q.   That was all included in that note?

25  A.   There is four addresses there, sir, yes.

1 Q. And also the Blair House. So there were the four  
2 addresses that were potentially relevant, were included  
3 in the intelligence briefing?

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

5 MR PERRY: I am just checking that I do not have any other  
6 questions for you, and I think I have covered everything  
7 I need to, so thank you very much indeed.

8 SIR MICHAEL WRIGHT: Thank you, Mr Perry. Mr Horwell?

9 Questions from MR HORWELL

10 MR HORWELL: Mr Forteath, my name is Richard Horwell.

11 I appear on behalf of the Commissioner.

12 You have been asked a number of questions about  
13 policing, senior investigators leaving the premises for  
14 a time. There are many more police officers employed  
15 during the day than there are at night?

16 A. I believe so, yes, sir.

17 Q. In an investigation of this nature, the  
18 Senior Investigating Officer will remain in that  
19 position throughout, until the operation has concluded?

20 A. Yes, sir.

21 Q. When the Senior Investigating Officer is away from  
22 New Scotland Yard, he still remains in that position?

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

24 Q. You, like many of the other witnesses we shall hear  
25 from, were involved in this investigation from 7 July?

- 1 A. That is correct, sir, yes.
- 2 Q. We have heard of officers working extremely long hours,  
3 and no doubt that happened in your case, as we will hear  
4 in many others, from 7 July?
- 5 A. That is correct, sir, yes.
- 6 Q. After the events of the 21st, again, having already been  
7 working long hours, had to work even longer hours now?
- 8 A. Or comparable, sir, yes.
- 9 Q. Yes, in view of what had happened. We have heard from  
10 you that you took a rest from 4 am to 6 am, just two  
11 hours. How much sleep were you getting during this  
12 period?
- 13 A. I think it varied. On that evening it was about 45  
14 minutes, sir.
- 15 Q. Right. When something of this importance occurs, police  
16 officers suspend their private lives and get on with the  
17 job of catching criminals?
- 18 A. There was only one priority, sir, and that was to find  
19 the four bombers and who else was interested, sir.
- 20 Q. The systems that are in place, although the jury are  
21 going to hear from and see a very large number of police  
22 officers, the systems in place at New Scotland Yard for  
23 intelligence gathering are significant, aren't they?
- 24 A. Yes, sir.
- 25 Q. The number of police officers, perhaps at times civilian

- 1 staff that are employed, in the process of intelligence  
2 gathering?
- 3 A. Collectively within the Met, sir, yes.
- 4 Q. That is what was happening during the early hours of  
5 this morning, was it not, Mr Forteath? Every effort was  
6 being used to obtain as much intelligence as possible?
- 7 A. Yes, sir.
- 8 Q. The line that you have been asked about in your note,  
9 "we need to throw everything at it", that means we need  
10 to obtain as much intelligence as we can?
- 11 A. Intelligence, as many significant finds from the scenes,  
12 we don't know what these people are going to do that  
13 morning, sir, it's still a significant risk.
- 14 Q. The document that you have been asked about, we have not  
15 seen it so far. If it could be put on the screen,  
16 please. It's document page 55. We are going to be  
17 hearing a lot more about this in the days to come. We  
18 can see from the title, "Update by Commander McDowall at  
19 6.50 am on 22 July"?
- 20 A. That's correct, sir, yes.
- 21 Q. I am going to take you through this. It's a short  
22 document. Is this your record of what was discussed and  
23 known at about that time, 6.50?
- 24 A. Yes, sir.
- 25 Q. This fills in a number of gaps that might still exist:

1           "Correspondence recovered from Shepherd's Bush  
2           included an identity card for the South Bank club WW  
3           section. Enquiries early hours of this morning  
4           identified two members linked to the ID card, namely  
5           Hussain Osman and Abdi Samad Omar. The photo from the  
6           ID card of Osman is a good likeness of the  
7           Shepherd's Bush suspect. The photograph of Omar is  
8           a good likeness for the Warren Street bombing suspect."

9           As we will discover tomorrow, Mr Forteath, Omar in  
10          fact had nothing to do with these outrages on 21 July?

11         A. I believe so, sir, yes.

12         Q. There is another Omar that we will hear about:

13                 "Enquiries at the club show Osman's address at  
14                 21 Scotia Road. Omar generated a hit on  
15                 Operation Ragstone, which relates to intelligence that  
16                 15 Asian males in combat gear were at Baybrowne Farm,  
17                 Stool End, Langdale, along with four vehicles. One  
18                 vehicle is a black Nissan Primera, [vehicle registration  
19                 mark] P579UBB."

20                 That's the Primera that was found very near to  
21                 Scotia Road that morning:

22                 "Registered keeper Abdi Samad Omar."

23                 That's the same name from the gym membership.

24                 "Other vehicles included a white Ford transit,  
25                 a Leyland Daff and a blue Golf [with the registration



1           number] registered to Yeshiem Girma ..."

2           The name Girma appeared frequently throughout the  
3           investigation that followed.

4   A.   Yes, that's correct, sir.

5   Q.   "... Yeshiem Girma from 40 Blair House,  
6           Stockwell Gardens Estate, SW9. Shredded correspondence  
7           from Shepherd's Bush has been re-assembled and shows  
8           correspondence relating to jobseeker allowance for the  
9           Stockwell DHSS in the name Elias Girma Eyassu, who is  
10          linked to Operation Anomalous. Omar's address last  
11          shown [so this is Abdi Samad Omar, the other gym member]  
12          on 14 March 2004 is 61A Portland Road. There now exists  
13          a few hours to pursue covert opportunities."

14                 What did that mean?

15   A.   Without involving the public, sir.

16   Q.   Intelligence gathering?

17   A.   Yes, sir.

18   Q.   Assembling and discovering whatever evidence there was  
19          at the scenes?

20   A.   Yes, sir, without the media appeal.

21   Q.   Without the media disclosure.

22                 "There now exists a few hours to pursue covert  
23                 opportunities, however, there may be a need to go overt  
24                 if there is no progress. The primary aim today is to  
25                 direct all resources to locating these persons. The

1 black Primera has been located through a street search  
2 and is parked in the vicinity of Scotia Road. The  
3 latest DSS address Girma is 60 Corfe (poss Corfu) House,  
4 Dorset Road, SW8."

5 So in that short document, we can see how, by 6.50  
6 that morning, there were in fact four addresses that  
7 were closely linked to the individuals you were  
8 considering?

9 A. Yes, sir.

10 Q. Scotia Road, Blair House, Portland Road, and Corfe House  
11 in Dorset Road. Again, as we will hear, the number of  
12 addresses that were linked to these and other  
13 individuals grew enormously as the investigation  
14 proceeded?

15 A. Yes, sir. 6.50 is very early on in this inquiry. As  
16 the day progressed, in most operations, you will know  
17 more about and make more linkages, so there could well  
18 have been later on numerous other addresses of  
19 significance.

20 SIR MICHAEL WRIGHT: 6.50, yes, but Corfe House appears to  
21 have been added to the list at 8.15, that's at page 20.

22 A. Yes, sir.

23 MR HORWELL: Are the times in your note the times that  
24 certain information first became available, or when you  
25 happened to note it? Because following from the

1           Coroner's question, this is a document that, on the face  
2           of it, sets out the intelligence that was available at  
3           6.50, and we have in your note a reference to  
4           Corfe House, I think it's 8.15.

5   SIR MICHAEL WRIGHT: 8.15.

6   MR HORWELL: At 8.15.

7           Can you help us, does that mean Corfe House first  
8           became available as an item of intelligence at 8.15, or  
9           is this record correct that Corfe House was known about  
10          at 6.50?

11   A. Sir, I believe others who dealt specifically with  
12          intelligence would know the exact chronology of when  
13          addresses emerged. That's the first record I have made  
14          of it, sir.

15   Q. But if we look at document page 55, there is a reference  
16          to Corfe House in an update by Commander McDowall at  
17          6.50. I am simply asking to try to clarify whether  
18          Corfe House was known at 6.50 or became known later,  
19          Mr Forteath?

20   A. Forgive me, sir, I cannot assist. I have only made  
21          a note of it later.

22   SIR MICHAEL WRIGHT: Mr Horwell, when you introduced this  
23          document, page 55, you said we had not seen it before.  
24          That's strictly right but I have just been following it  
25          through; it's actually a sort of fair write-up of what

- 1           appears at pages 18, 19 and 20 --
- 2   MR HORWELL:   It is.
- 3   SIR MICHAEL WRIGHT:   -- in Mr Forteath's original log.
- 4           Nothing new in it.
- 5   MR HORWELL:   No, but it sets out extremely conveniently in
- 6           one page the developments and again I ask, are we to be
- 7           a little wary of the title of this page, "Update by
- 8           Commander McDowall at 6.50" or not, Mr Forteath?  Could
- 9           you have added to this document information that became
- 10          available after 6.50?
- 11   A.   Well, the first --
- 12   SIR MICHAEL WRIGHT:   He might have written it all rather
- 13          later but with reference back to the 6.50 meeting.
- 14   MR HORWELL:   Yes.
- 15   A.   Corfe House, the first time it appears, I know it's
- 16          written as Corfu House, first appears at 8.15.
- 17   Q.   It does in your note.
- 18   A.   It's --
- 19   Q.   Are you able to say that's when it first became
- 20          available to other police officers?
- 21   A.   No, sir.
- 22   Q.   As an address?
- 23   A.   No, sir.
- 24   MR HORWELL:   Thank you.
- 25   SIR MICHAEL WRIGHT:   Thank you, Mr Horwell.  Mr Hough.

1 Further questions from MR HOUGH

2 MR HOUGH: Just one matter arising. I don't think we need  
3 it on screen. You have asked by Mr Mansfield and  
4 Mr Horwell about the 6.50 meeting and the use of the  
5 phrase "throw everything at it", and Mr Horwell  
6 suggested to you that that related to intelligence  
7 gathering, that the phrase "throw everything at it"  
8 meant dedicate intelligence-gathering resources.

9 So we are all clear, as far as you were concerned,  
10 writing that and now reading it, does that phrase,  
11 "throw everything at it", or does it not also include  
12 deployment of teams to control and contain the premises?

13 A. Mr McDowall, sir, would be best able to comment on what  
14 he meant. My understanding is it's at the whole  
15 inquiry, let us, you know, use all the resources we have  
16 to try to identify who these people are. I don't think  
17 it deals specifically with the point you raised, sir.

18 MR HOUGH: Thank you. I think that's cleared it up for me.

19 SIR MICHAEL WRIGHT: I think so. We know from what  
20 Mr McDowall has told us, and we know from the strategy  
21 that he set out, that one of the purposes of having  
22 a surveillance team at Scotia Road was to gain  
23 intelligence from anybody who came out of the building.  
24 So that was all part of the intelligence-gathering  
25 process, if you like.

1 A. It would be one of a number of strands, sir.

2 SIR MICHAEL WRIGHT: Certainly, but one of them?

3 A. Yes, sir.

4 SIR MICHAEL WRIGHT: If it's -- so that when you have this  
5 entry in your note, a "need to throw everything at it",  
6 you rightly say that's at the whole problem, the whole  
7 case you were then investigating.

8 A. Absolutely, sir.

9 SIR MICHAEL WRIGHT: Including the question of gathering  
10 intelligence.

11 A. Yes, sir, and that could come from other exhibits found  
12 through the painstaking enquiries. It could come from  
13 anywhere, sir.

14 SIR MICHAEL WRIGHT: But at this stage, which you say was  
15 pretty early days, intelligence gathering was of supreme  
16 importance, wasn't it?

17 A. Absolutely, sir.

18 SIR MICHAEL WRIGHT: That's really what I wanted to know.  
19 Yes, thank you. Thank you very much, Mr Forteath. You  
20 are free to stay or go as you wish.

21 A. Thank you.

22 (The witness withdrew)

23 SIR MICHAEL WRIGHT: Ladies and gentlemen, you have the  
24 opportunity to just put the extra bundle into 38, tab 38  
25 so we don't lose it. Have you got, because if not I'll

1 get it put in, behind 42 the two documents from the  
2 tactical options ... you haven't got them. I thought  
3 not. We will get that put in over the lunch break.  
4 Leave the bundles in your place when you go.

5 Yes, Mr Hough?

6 MR HOUGH: The next witness is

7 Detective Chief Inspector Scott.

8 SIR MICHAEL WRIGHT: Thank you.

9 DETECTIVE CHIEF INSPECTOR ANGELA SCOTT (sworn)

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

11 A. Thank you.

12 Questions from MR HOUGH

13 MR HOUGH: Could you give your name and rank to the court,  
14 please.

15 A. Yes, good morning. My name is Angela Scott. I am  
16 a Detective Chief Inspector in the Counter-Terrorism  
17 Command.

18 Q. I think you made a statement in the course of the IPCC  
19 investigation. That statement runs to four pages. It's  
20 dated January 2006.

21 A. That's correct, sir.

22 Q. Do you have that to hand?

23 A. I do, sir.

24 Q. I'll refer you to that as needed. Now, you announce  
25 yourself as being part of the counter-terrorist command.

- 1 In 2005, you were part of S013?
- 2 A. That is correct, sir.
- 3 Q. In the week of 21 July, I think you were the oncall  
4 senior investigator for S013?
- 5 A. I was the oncall, yes. We have a rota system, so I was  
6 the oncall senior officer to attend initial incidents  
7 and make decisions in relation to initial deployments.
- 8 Q. Thank you. On that day, we have already heard in the  
9 middle part of the day, around 1 o'clock, information  
10 started coming in about the attempted bombings?
- 11 A. That is correct, yes.
- 12 Q. I think you were at New Scotland Yard when that  
13 information came in?
- 14 A. Yes, I was the oncall senior and actually present in the  
15 reserve room when the initial information came through.
- 16 Q. Over the course of the afternoon, I think you were in  
17 the reserve room arranging initial deployments?
- 18 A. I was, yes.
- 19 Q. Later in the afternoon, did you leave the reserve and  
20 meet with Detective Superintendent Boutcher?
- 21 A. I did, yes.
- 22 Q. By that stage, had he already been appointed as the  
23 Senior Investigating Officer for the proactive  
24 investigation?
- 25 A. He had, yes.



- 1 Q. That was into both the attacks on 7 July and 21 July?
- 2 A. That's correct, yes, sir.
- 3 Q. Just so we can be clear about this, because we have  
4 heard the phrase used before, reference to the  
5 "proactive investigation" means searching for those  
6 involved?
- 7 A. That is correct, yes.
- 8 Q. Did you, when you met with him, agree to be his deputy  
9 at this stage?
- 10 A. I did, yes, sir.
- 11 Q. Now, we are yet to hear from him, and if there is any  
12 question that I or others ask that he would be the  
13 better person to deal with, do say.
- 14 A. Okay, thank you.
- 15 Q. Now, I think you were present for a command team  
16 briefing later that afternoon, where some explosives  
17 officers explained detailed findings about the  
18 explosives that had been used?
- 19 A. That's correct, sir, yes.
- 20 Q. We know that that meeting was at 5.15. Then were you  
21 later present for a further command team meeting at  
22 6.15?
- 23 A. I haven't actually got a note of that, sir, no.
- 24 Q. Perhaps I can take you to something on screen, page 853  
25 of the exhibits. This is something the jury have just

1           been looking at. It is an entry from the log kept by  
2           Mr McDowall's loggist, Mr Forteath, and we see reference  
3           to a full meeting with a conference call in to  
4           West Yorkshire, and your name appears a couple of times  
5           in that. Does that jog your memory?

6   A. Well, if there is a record that I was present at the  
7           meeting, then that would be so, yes.

8   Q. You may not be able to recall something, but there is  
9           one entry I have to ask you about to see if you do  
10          remember. It says towards the bottom of the page we  
11          have on screen:

12                 "DCI Scott highlights concerns over night duty  
13                 staff."

14                 Can you say now what you meant or might have meant  
15                 by, or what might have been meant by that entry?

16   A. I can't actually recall stating that I had concerns over  
17           night duty staff. My only recollection can be that  
18           I wanted to ensure that staff were warned so they had  
19           sufficient time to prepare for the night duty, and we  
20           had the relevant skilled staff there to continue through  
21           the night.

22   Q. What kind of staff would that be that you were concerned  
23           about?

24   A. It would be the officers that were experienced in  
25           relation to the operations room, having an operations

- 1 co-ordinator there, and again sufficient senior  
2 management from within S013 to stay through the night  
3 until we were back within the morning.
- 4 Q. I think you were then present -- that can go off the  
5 screen -- for a further command team meeting at 10.10  
6 that evening?
- 7 A. Yes, sir, I was.
- 8 Q. We have seen you listed in a list of attendees at that.  
9 I think that took place in the 15th floor conference  
10 room at New Scotland Yard, under Mr McDowall?
- 11 A. That is correct, sir, yes.
- 12 Q. Is this right, at that stage the CCTV trawl was still  
13 taking place?
- 14 A. That was correct, yes.
- 15 Q. No suspects had yet been identified by name, and no  
16 addresses identified at that stage?
- 17 A. That is correct, sir.
- 18 Q. But I think by that stage, two good images had been  
19 recovered from the CCTV trawl?
- 20 A. Yes, that's correct, sir.
- 21 Q. Was there a discussion at that meeting of the  
22 possibility of a media appeal?
- 23 A. There was, yes.
- 24 Q. We have seen notes about the pros and cons of that. Was  
25 there also discussion in principle of the need for

- 1 a designated senior officer specific to this operation?
- 2 A. I don't recall whether it was specifically at that
- 3 meeting, but there was a discussion on the requirement
- 4 of a DSO and there was a consequent meeting in relation
- 5 to that.
- 6 Q. Was there also a discussion at that meeting about the
- 7 need for firearms authority on a contingency basis?
- 8 A. Yes, there was.
- 9 Q. We have heard from Mr White that he gave that authority
- 10 at just before midnight?
- 11 A. I became aware that he had authorised that through
- 12 Mr Boutcher, yes.
- 13 Q. By the time of this meeting at 10.10, had the 16th floor
- 14 room been identified as the room for the operation?
- 15 A. Yes, it had, yes.
- 16 Q. Can I take you a little further into the night of 21/22
- 17 July. 1 o'clock in the morning, did you take part in
- 18 a discussion with Mr Boutcher and also Commanders
- 19 Allison and Carter?
- 20 A. I did, yes.
- 21 Q. Was an inspector who's been given the name Andrew also
- 22 present at that meeting?
- 23 A. He was, sir, yes.
- 24 Q. He was the senior CO19 tactical adviser?
- 25 A. He was, sir, yes.

1 Q. What was the subject of that meeting?

2 A. It was a discussion on that, the fact there had been  
3 a failed, an attack on the 21st by four different  
4 individuals, and whether when they were potentially  
5 identified and an operation was to be conducted, whether  
6 or not there was the necessity for a designated senior  
7 officer to be part of the proactive operation.

8 Q. Was a DSO identified in that meeting?

9 A. Yes, DSO Cressida Dick was nominated and consequently  
10 contacted.

11 Q. We shall hear that she recalls being contacted very soon  
12 after this meeting, so about 1.30.

13 Now, we have also heard that the discussion was  
14 recorded in the log of Andrew and the log of  
15 Mr Boutcher. Where did this meeting take place?

16 A. It took place at a local hotel close to  
17 New Scotland Yard.

18 Q. At the time of the meeting, were Commanders Allison and  
19 Carter on duty?

20 A. I believe they were on duty, yes, albeit they weren't  
21 physically present in New Scotland Yard, we were all  
22 still on duty.

23 Q. Just so that we can all understand, why was the hotel  
24 chosen as the venue for the meeting?

25 A. It was a suitable location that we could all meet and

1 speak at, and it was very close within five minutes of  
2 Scotland Yard.

3 SIR MICHAEL WRIGHT: Is it regularly used as a place for  
4 officers to go and rest?

5 A. Because of its location, sir, yes, it's an ideal  
6 location for officers to stay at.

7 MR HOUGH: I think you went off duty at about 2 o'clock in  
8 the morning; is that right?

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

10 Q. We shall hear that Mr Boutcher left shortly after you?

11 A. Yeah.

12 Q. You, I think, were due to return at 6 o'clock in the  
13 morning?

14 A. About 7 o'clock, actually, sir.

15 Q. Can I now show you a document that we have been shown.  
16 It's D07685. This is a note from the CO19 operational  
17 policy log kept by Andrew, and it's the second block of  
18 text on the page, and it's an entry at 2.35 am on the  
19 morning of the 22nd. It's Andrew recording the answer  
20 to a question about having Silver Commanders available,  
21 and the answer indicates DI Angela Scott, that's you, as  
22 night duty Silver. First of all, is this a document you  
23 have seen before?

24 A. I haven't seen that document, no.

25 Q. Were you the night duty Silver?

- 1 A. No, sir, I was not the night duty Silver.
- 2 Q. Do you know who was the night duty Silver?
- 3 A. My tasking prior to leaving was from Mr Boutcher to  
4 identify potential Silvers for a deployment the  
5 following morning, which is what I had undertaken.  
6 However, prior to Mr Boutcher and I leaving, we were  
7 clear that there were officers from within S013  
8 available to conduct the role of Silver during that  
9 period whilst we had actually left.
- 10 Q. That leads to two questions. First of all, who had you  
11 and he identified as the Silver Commanders for the next  
12 morning?
- 13 A. What I had actually done was gone into the S013  
14 operational support room, spoken to the officers in  
15 there who were working throughout the night and had  
16 actually asked them to identify from police records who  
17 was on duty the following morning, who was actually  
18 trained and able to do that role, and who would be in  
19 for 7 am. So my understanding was that the ops support  
20 room had a list of officers. Any of a few of them could  
21 have been deployed in Silver that morning.
- 22 Q. Can you remember any of the names?
- 23 A. Those that were, I can recall, were DI Merrick Rose, DI  
24 Brian Tarpey, DCI Greg Purser, myself, I am also  
25 a trained Silver.

1 Q. Secondly, you --

2 SIR MICHAEL WRIGHT: One moment. I think the note has

3 missed out a name. DI Merrick Rose, DI Brian Tarpey,

4 I thought I heard you mention DCI Purser.

5 A. That's correct, yes.

6 SIR MICHAEL WRIGHT: I thought you did. And yourself?

7 A. Yeah. And other officers obviously within the command

8 and within SO12 who could have undertaken that role as

9 well.

10 MR HOUGH: A few moments ago you also said:

11 "... prior to Mr Boutcher and I leaving, we were

12 clear that there were officers from within SO13

13 available to conduct the role of Silver during that

14 period whilst we had actually left."

15 So during the night.

16 A. Yes, absolutely. Prior to Mr Boutcher and I leaving, we

17 went up into the ops room on the 16th floor to ensure

18 that there was staff within the ops room who were

19 working all night and there was a Detective Chief

20 Inspector, Mr Baker, deployed there throughout the

21 evening alongside another officer, an inspector, who was

22 working in the ops room. We were aware that there was

23 a firearms tactical adviser, officer by the name of

24 Andrew, also there throughout the evening. There was

25 staff within the ops support room working throughout the



1 evening as well, throughout the night, and there was,  
2 from within S013, nominated to work through the night  
3 who were aware that we were leaving at that point but  
4 would be back in about 7.

5 Detective Superintendent Macbrayne, he could have also  
6 undertaken the role of Silver, and  
7 Detective Chief Inspector Mellody.

8 Q. We have to be careful with the word "deploy". You said  
9 that Detective Chief Inspector Baker was deployed in the  
10 ops room while you were away. Was he physically there  
11 while you were away, do you know?

12 A. Yeah, my understanding is that he was within the ops  
13 room and we had actually personally gone to visit him,  
14 and in fact I recall Mr Boutcher actually gave his  
15 mobile contact number to Mr Baker and actually placed on  
16 the white board within the room the actual venue that  
17 Mr Boutcher was staying at that night should he require  
18 to be recalled.

19 Q. There appear to be at least two Mr Bakers. What was the  
20 Christian name?

21 A. It was Mr Noel Baker.

22 Q. The name of the inspector in the ops room that you just  
23 referred to, please?

24 A. I think he may be known as Alan on this.

25 Q. Yes.

1 SIR MICHAEL WRIGHT: He has a codename or pseudonym of Alan.

2 A. Thank you, sir.

3 MR HOUGH: Would they all have been in the control room

4 continuously for the period from 2 am to 6 am?

5 A. I would --

6 Q. To the best of your knowledge?

7 A. To the best of my knowledge, yeah, I would expect them

8 to be within the control room.

9 Q. Can I ask a couple of hypothetical questions leading out

10 of that? Who would have made a decision on which of the

11 various addresses that we have heard about was

12 a priority to send a firearms team to, if there was only

13 one firearms team available?

14 A. Again, that would be a discussion with the tactical

15 adviser and the ops room co-ordinator, Mr Baker,

16 depending on what the intelligence was as to which was

17 the actual priority.

18 Q. So Mr Baker in consultation with Andrew?

19 A. Yes.

20 Q. As far as you know, did anybody make a decision over the

21 period that you were away that one of the addresses that

22 we have heard of was the priority to send a firearms

23 team to?

24 A. I can only comment from what happened when I actually

25 got into work and when I got into work that morning,

1 I understood that a surveillance team had been deployed  
2 to the area of Scotia Road.

3 Q. I will come back to that in a second. You came back on  
4 duty, I think, at 6 am; is that right?

5 A. It was approximately 6 am, yes, sir.

6 Q. You also had been in a nearby hotel in the intervening  
7 period?

8 A. I was approximately an hour away from the Scotland Yard.

9 Q. I think you attended the command team meeting under  
10 Mr McDowall at 7 am?

11 A. I did, yes, sir.

12 Q. By the time that you attended that meeting, what did you  
13 know about what had happened in your absence?

14 A. As I -- I received a telephone call as I was heading  
15 back into Scotland Yard, and I was aware that there had  
16 been a development during the actual night. When  
17 I actually arrived about 6 am, I went to try to find  
18 DCI Mellody to get an update and consequently went into  
19 Mr McDowall's office, and as I walked into the office  
20 I saw a meeting was taking place there. I didn't stay  
21 for all of that meeting, a briefing was being undertaken  
22 there. I then left and by 7 am I was made aware that we  
23 had potentially two addresses that were linked to the  
24 individuals we believed responsible, and that there was  
25 co-ordination taking place in relation to surveillance

1 assets and firearms assets for deployment.

2 Q. We know that one surveillance team had gone down to  
3 Scotia Road by then, arriving just after 6 o'clock. Was  
4 anything said to you over that period, either  
5 immediately before you went into Mr McDowall's office,  
6 by Mr Mellody or anybody else, or in Mr McDowall's  
7 office, about the deployment of firearms teams?

8 A. My recollection is that I received a phone call as I was  
9 driving into work from Andrew, approximately 5.20,  
10 asking whether I was going to be the Silver on  
11 an operation. To which I replied that I had not been  
12 updated at that stage that there was in fact  
13 a development. So I consequently contacted DCI Mellody,  
14 who informed me that in fact a Silver had been called in  
15 and was either at Scotland Yard or close by, which was  
16 Mr Merrick Rose, and obviously then I was under the  
17 impression that the co-ordination was taking place and  
18 the two Silvers were being identified for a future  
19 deployment with the firearms teams.

20 Q. When you arrived, that's what was said on your way, was  
21 anything different or additional said?

22 A. No, my understanding was when I arrived that the  
23 Silvers, Mr Merrick, was having a briefing, and was  
24 undertaking, getting the required information he needed  
25 to meet with the surveillance -- the firearms teams and

- 1 to conduct a proper briefing to them.
- 2 Q. To your knowledge at this stage, had a second Silver
- 3 been appointed?
- 4 A. I believe when I arrived the Silver, initial Silver
- 5 appointed was Mr Merrick Rose and he was already there
- 6 at 6 am. I believe the second Silver was identified
- 7 shortly after, that being Mr Purser.
- 8 Q. Coming back to the meeting that was taking place in
- 9 Mr McDowall's office around 7 o'clock or a little
- 10 before, was Mr Boutcher also at that meeting?
- 11 A. No, he wasn't, sir.
- 12 Q. Did he join that meeting later on?
- 13 A. He did, yes.
- 14 Q. We know from records that the meeting involved
- 15 discussion of the gym membership card in the rucksack,
- 16 the identification of two men associated with the gym
- 17 card, and some discussion of both the Scotia Road
- 18 address and the Portnall Road address?
- 19 A. That's correct, sir, yes.
- 20 Q. By the time of that meeting, those two people, Purser
- 21 and Rose, had they definitely been appointed as Silvers?
- 22 A. Yes, sir.
- 23 Q. Had they, as far as you could tell, been told before the
- 24 meeting or were they being told at the meeting?
- 25 A. My only -- I can only comment on that Mr Rose was there

1 as I arrived at 6 am, I was speaking to Mr McDowall;  
2 I do not know when Mr Purser was briefed in relation to  
3 the Silver role.

4 Q. At that meeting, what did Mr McDowall say, if anything,  
5 about the strategy that was to be pursued?

6 A. My understanding at that meeting was that there was  
7 an update in relation to the intelligence, as you have  
8 said, in relation to the rucksack; and that the  
9 intention was that we were going -- the surveillance  
10 teams were going to control the premises using covert  
11 surveillance, and persons from the address were going to  
12 be followed, stopping them away from the address so as  
13 not to alert them, and that the firearms teams were to  
14 be deployed to support the surveillance and provide  
15 armed intervention should they be required.

16 Q. Now, on the basis of what was being said at that  
17 meeting, what was to be done if one of the identified  
18 suspects came out of the premises?

19 A. My understanding was that the person was identified,  
20 that the surveillance again would continue to follow  
21 that individual, and that the firearms team would stop  
22 the individual at the most suitable location.

23 Q. Now, on the basis of what was said at the meeting, what  
24 was to happen if somebody came out of the premises, the  
25 specific address, who was not a suspect?

- 1 A. Again until they could be -- it could be properly  
2 identified that they were not the suspect, it was then  
3 discussed that we sent additional staff from S013 to the  
4 vicinity who could support activity and in fact conduct  
5 an intelligence stop, so try and gain as much  
6 information about those individuals as possible.
- 7 Q. Is this right, certainly at the Scotia Road address, we  
8 have three strands of the strategy, we have the  
9 surveillance team, we have the firearms team, there to  
10 perform a stop of somebody identified as a suspect; and  
11 then we have this third strand of officers from S013 to  
12 stop people who have not been positively identified to  
13 gather intelligence; is that right?
- 14 A. That's correct, as I understood it, sir, yes, that's  
15 correct.
- 16 Q. Did you make arrangements for somebody to cover that  
17 third strand, the intelligence gathering?
- 18 A. Yes, sir, I was asked by Mr Boutcher to speak to  
19 officers and to actually ask them to go down to the  
20 vicinity of Scotia Road to undertake that actual  
21 responsibility of persons that were not identified as  
22 suspects to be discreetly stopped away from the  
23 premises, and for a intelligence-gathering opportunity  
24 to be undertaken and it was in fact Sergeant Dingemans  
25 who I spoke with.

- 1 Q. When you spoke to him, where was he?
- 2 A. He was still at Scotland Yard.
- 3 Q. What instructions did you give to him?
- 4 A. I gave an initial update on what had happened overnight  
5 and that this address at Scotia Road was currently under  
6 surveillance, and that he was to make his way to the  
7 vicinity with a team of officers, explain the  
8 opportunity for him to conduct an intelligence stop; and  
9 I also gave him the details of the officer that was  
10 going to be the Silver, so that he could speak to him as  
11 he got closer to the Scotia Road in order to identify  
12 the most appropriate position for them to take.
- 13 SIR MICHAEL WRIGHT: He would be SO13?
- 14 A. Yes, sir.
- 15 MR HOUGH: During the course of this meeting, you said that  
16 there was discussion about the role of firearms teams;  
17 was there any discussion of where the firearms teams  
18 were and when they would get to the two addresses?
- 19 A. As far as I was concerned, sir, the Silvers were  
20 obviously going to brief the firearms teams and that was  
21 currently going to happen or soon underway.
- 22 Q. Was there a progress report or an ETA discussed?
- 23 A. Not that I can recall, sir.
- 24 Q. After 8 o'clock that morning, did you go up to the 16th  
25 floor operations room?



- 1 A. Yes, that's correct, sir.
- 2 Q. Perhaps we can go to a plan of that, because you are the  
3 first witness who was present throughout the events, and  
4 that's at tab 20 of the jury bundle. If it's also shown  
5 on screen, that might help. Has that come up on your  
6 screen as well?
- 7 A. Yes, thank you, sir.
- 8 Q. To remind us of the geography, we have the operations  
9 room over on the left, then what has been referred to as  
10 the forward intelligence cell next to it, and then  
11 a briefing room at the far right.
- 12 A. Yes.
- 13 Q. We are all getting now familiar with the layout in the  
14 operations room: a short line of desks on the upper part  
15 of the page as we see it, the front of the room where  
16 the surveillance monitors were?
- 17 A. Yes, sir.
- 18 Q. And then horseshoe shape of desks around behind them.  
19 When you arrived in the room, who was present?
- 20 A. There was the actual operations room staff, so those  
21 that were performing the role of the surveillance  
22 monitors, they were in place, seated by the actual  
23 monitors themselves. Mr Boutcher was present within the  
24 room, Cressida Dick, Mr Johnston, I believe Mr Cummings,  
25 and the Trojan 80.

- 1 Q. Just to go through those names, we know Commander Dick.  
2 Mr Johnston, what was his role?
- 3 A. He was an officer from SO12 again working within the ops  
4 room.
- 5 Q. The jury will find him in their list of people in the  
6 second tab of the bundle. You don't need to go to it  
7 yet. Detective Superintendent Cummings, was he there to  
8 act as personal assistant to Commander Dick?
- 9 A. That's correct, sir, yes.
- 10 Q. Then Trojan 80, actually Mr Esposito, as tactical  
11 adviser to Commander Dick?
- 12 A. That's correct, sir, yes.
- 13 Q. When you arrived, where were those people, those senior  
14 officers, positioned in the room?
- 15 A. I can't say their exact position, but they were within  
16 close proximity to the actual surveillance monitors,  
17 either standing or sitting at the desks.
- 18 Q. We have heard that Commander Dick was the designated  
19 senior officer, and that the role of a designated senior  
20 officer really comes into play when one has a Kratos  
21 situation, suspected suicide bomber. Was Commander Dick  
22 hanging back for that moment or was she giving commands  
23 and instructions from the start?
- 24 A. No, my understanding was that Commander Dick was in  
25 control of the operation within the ops room and was in

1 fact the decision-maker in the room.

2 Q. Was that clear to everybody else as well?

3 A. Yes, it was, yeah.

4 Q. We know that Commander Dick held a meeting at around  
5 8.15 am in the forward intelligence cell, and we also  
6 know that Mr Boutcher's log records you as being at that  
7 meeting. Do you recall the meeting?

8 A. No. No, sir, I don't.

9 Q. Well, we will show Mr Boutcher's log up on screen, just  
10 to show that you were at it. It's page 207. Or rather  
11 that he records you being at it:

12 "Upon attending the operations room at 8.15,  
13 I attended a meeting accompanied by DCI Mellody,  
14 DCI Scott [et cetera] to ensure that intelligence feeds  
15 from the various disciplines were focused towards the  
16 ops room."

17 Does that jog your memory at all?

18 A. I was in and out of the ops room at that time. I don't  
19 actually recall being specifically at that meeting. I  
20 was in and out of the ops room.

21 Q. We all understand. If we can have that off screen,  
22 please.

23 Do you recall whether at that time or at another  
24 time shortly after you arrived Commander Dick explaining  
25 how she proposed to handle the operation in broad terms?

- 1 A. I think it was clear to everyone within the room that  
2 yes, Commander Dick was in control in the actual ops  
3 room, and as a result she undertook making several phone  
4 calls to individuals that were actually deployed, ground  
5 assigned.
- 6 Q. Did she speak to you or anybody else in your presence  
7 about Mr McDowall's strategy and how she proposed to  
8 implement it?
- 9 A. I believe that the strategy was actually recorded on the  
10 white board within the ops room, had been put there by  
11 Mr Johnston, but my understanding of the strategy was  
12 again that individuals coming away from the premises  
13 would be followed covertly and, depending on whether  
14 they were a suspect or not. If they were not a suspect,  
15 then again at the most appropriate point the  
16 DS Dingemans team would actually stop that person to try  
17 to gather as much intelligence about them as possible.  
18 Those that were in fact suspects, if a suspect was  
19 identified from surveillance, would again be followed  
20 from the premises to what was considered to be a most  
21 suitable location away from the venue and then would be  
22 contained and stopped by the use of firearms team.
- 23 Q. Was there any discussion when you arrived about the  
24 premises and whether it was a single occupancy or  
25 multi-occupancy building?

1 A. It became apparent when I went into the ops room that in  
2 fact there was a -- it was a communal door to the  
3 premises and consequently other members of the -- who  
4 were living in that block could actually come out of the  
5 premises as well.

6 Q. Was there any discussion about how to deal with that  
7 development?

8 A. It went back to the initial strategy again. The  
9 individual that came out of the premises did not appear  
10 to be the suspect, but resided potentially within the  
11 premises. There was an opportunity for us to gather  
12 information about that person and gain more intelligence  
13 in relation to the actual block itself, so that was the  
14 purpose of DS Dingemans' deployment.

15 Q. Can I ask you general questions about what happened from  
16 when you arrived to when Mr de Menezes came out of the  
17 front door at 9.34.

18 First of all, over that period of time, roughly how  
19 many people would there have been in this room?

20 A. Maybe between 10 and 15, maybe.

21 Q. What was the atmosphere in the room like?

22 A. Energetic, it was lively in there, everybody  
23 concentrating on obviously what their role was within  
24 the ops room.

25 Q. Were people coming and going from the room?

1 A. There were some coming and going but predominantly the  
2 main staff remained within the ops room.

3 Q. We have heard that surveillance monitors were in the  
4 front row. Were they receiving messages by radio from  
5 the surveillance monitors?

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

7 Q. From the surveillance teams, rather. How were they  
8 recording those messages?

9 A. They were listening to the information from the  
10 surveillance team, some of them had their headphones on,  
11 and they were recording information directly on to their  
12 machine in front of them.

13 Q. Could the information be seen by other officers in the  
14 room?

15 A. Yes, it could, yeah.

16 SIR MICHAEL WRIGHT: How is that?

17 A. Depending upon where you are seated within the room, sir  
18 --

19 SIR MICHAEL WRIGHT: They are typing --

20 A. On to a machine.

21 SIR MICHAEL WRIGHT: And is it displayed in some way?

22 A. Yes, it is.

23 SIR MICHAEL WRIGHT: On the screens?

24 A. On some of the screens, yeah, I believe, but what would  
25 normally happen is that as the information is coming

1 through to the surveillance monitor, they would verbally  
2 be giving the update to staff so people didn't need to  
3 gather around a monitor. They would be verbally  
4 updating what the actual intelligence was.

5 SIR MICHAEL WRIGHT: And it comes up on the screen as well?

6 A. Yeah.

7 MR HOUGH: This is coming through the Cougar radio as we  
8 have heard?

9 A. It is.

10 Q. The surveillance monitor who was dedicated to the  
11 Scotia Road teams has been given the name Pat, and he  
12 would have been one of the people sitting in the front  
13 row.

14 Commander Dick was in control with the two Silver  
15 Commanders who were going to or at the premises during  
16 the morning?

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

18 Q. Was she in communication with them by telephone?

19 A. She was, sir, yes.

20 Q. So she's got connection with both the Silver Commanders  
21 who are certainly in the case of Scotia Road, Mr Purser,  
22 going out to the firearms team and for the material  
23 events being with the firearms team?

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

25 Q. There is also a communication with the surveillance

1 teams through the monitors?

2 A. That is correct, yes.

3 Q. Those are the communication links. We will also hear  
4 that Commander Dick's tactical adviser had a direct link  
5 for at least certain periods with the tactical adviser  
6 to Mr Purser?

7 A. That's correct, yes.

8 Q. In the period from 8 o'clock through to 9.34, and the  
9 jury have seen footage of this from Frank's observation  
10 van, a number of people came out of Scotia Road without  
11 being stopped, either by Mr Dingemans or anybody like  
12 that, or by firearms officers. Can you explain to us  
13 why they weren't stopped?

14 A. I think a decision was made obviously depending on what  
15 the description was, and if the opportunity arose to  
16 actually follow the person discreetly away from the  
17 premises. This was obviously a covert operation and we  
18 wanted for it to remain covert, and so the opportunity  
19 to stop individuals was evaluated by those actually on  
20 the ground.

21 Q. Who was in practice in the room making the decision  
22 about whether to stop somebody or let them head on?

23 A. Again, that would be down to Cressida Dick to do that.

24 Q. Going now to 9.34, and this is the time which everybody  
25 has worked out from the various records that



1 Mr de Menezes came out of the communal door at  
2 Scotia Road, did you become aware in the room that  
3 somebody had been observed coming out of Scotia Road and  
4 was being watched and followed?

5 A. I was, sir, yes.

6 Q. Where were you in the room when you heard that and  
7 started to hear the information come in about that man?

8 A. As I recall, sir, I was standing close to Pat where the  
9 actual information was coming through from.

10 Q. Perhaps we can have the plan back on screen, tab 20 of  
11 the jury bundle. Pat was one of the surveillance  
12 monitors. Where was he along that front row of desks?

13 A. He was the closest to the door so if it's numbered,  
14 number 51.

15 SIR MICHAEL WRIGHT: It's S1, I think, the left-hand end  
16 anyway.

17 A. Yeah.

18 SIR MICHAEL WRIGHT: The left-hand end of the straight desk?

19 A. Yes, sir.

20 MR HOUGH: I think that will be confirmed by other  
21 witnesses.

22 That's where you were standing. Could you see the  
23 screen and hear what he was saying from where you were  
24 positioned?

25 A. I don't recall I was looking at the screen, I was

1 listening to him verbally relay what was happening.

2 Q. Where was Commander Dick at that time?

3 A. I would say she was slightly to the -- in the middle  
4 probably of the actual four rows of operators, but also  
5 obviously moving forward to listen to what the officer  
6 was saying.

7 Q. So a little to the left of the words "operations room"?

8 A. Yeah.

9 Q. Where was Mr Boutcher?

10 A. He was standing next to Cressida Dick during this  
11 period.

12 Q. Did a time come when Mr Boutcher took a decision about  
13 stopping the man who had come from Scotia Road? This is  
14 the top of the fourth page of your statement, if it  
15 helps you.

16 A. Yeah, my recollection was that an individual had come  
17 from the communal door and initially the information  
18 from the surveillance officers was that it was  
19 a possible, possibly identical, one of the bombers.  
20 However, as the person continued, information came  
21 through that they did not believe that it was one of the  
22 suspects. So it was at this point the decision was  
23 made, as we had had the individual under control, that  
24 there was an opportunity to intelligence gather and  
25 actually deploy Mr Dingemans and his team to speak to

1           this individual.

2   Q.   So at the time that Mr Dingemans -- it was decided to  
3       deploy Mr Dingemans to stop this gentleman who had come  
4       out of Scotia Road, at that time he was not believed to  
5       be a suspect?

6   A.   He was not believed to be a suspect at the time that  
7       Mr Dingemans was asked to stop him, yeah.

8   Q.   Were you involved in making the communication to  
9       Mr Dingemans about effecting that stop?

10  A.   I do recall that I spoke to Mr Dingemans on the mobile  
11       phone to ensure that he understood that there was to be  
12       a discreet stop and for it to be used as  
13       an intelligence-gathering opportunity on this  
14       individual.

15  Q.   Just to fix this in time, and the jury may want to have  
16       the timeline which is tab 1 of the jury bundle, and it's  
17       page 3 of the timeline.  It might be brought up on  
18       screen so that you can see what the jury are looking at.

19           We know that Mr de Menezes boarded a bus on  
20       Tulse Hill at around 9.39 and that he proceeded north  
21       towards Brixton.  We know that he got off at around 9.47  
22       in Brixton and then reboarded the same bus at about  
23       9.49/9.50.  We know that these various stages were being  
24       communicated into the control room through the  
25       communications channels that you have described.

1           Can you recall at what point in this series of  
2           events the instruction came through from Mr Boutcher to  
3           arrange the stop by Mr Dingemans?

4   A.   I believe that the subject was still on a bus, and that  
5           at the most appropriate time Mr Dingemans was to stop  
6           the individual once he got off the bus to actually speak  
7           to him to try to identify where from within that  
8           premises he resided.

9   Q.   Just to be clear about the nature of this stop,  
10          Mr Dingemans was in an unmarked car?

11   A.   He was, sir, yes.

12   Q.   But one that had lights and sirens if it needed them?

13   A.   That's correct, yes.

14   Q.   We shall hear that a call was made from Mr Purser to  
15          Mr Dingemans at 9.48 and I think 50 seconds, lasting  
16          about a minute. Did the instruction to Mr Dingemans  
17          come directly from you or did it come through Mr Purser?

18   A.   I think that Mr Dingemans may have had two or three  
19          phone calls, certainly I know that I spoke to him, but  
20          as I say, Mr Purser was actually there within the,  
21          obviously vicinity as the Silver, so I believe he also  
22          spoke to Mr Dingemans as well.

23   Q.   If, and I only say if, the call from Mr Purser to  
24          Mr Dingemans at 9.48 was around the time that  
25          Mr Dingemans was first deployed, that would suggest that

- 1 he was asked to make a stop just around the time that  
2 Mr de Menezes was coming up to Brixton and either just  
3 arriving or just about to get off the bus. Does that  
4 accord with your recollection about when it was said  
5 that this man was not the suspect?
- 6 A. Yeah. My understanding was that the surveillance team  
7 had said that this was not the subject, a suspect, and  
8 at that stage he was still on a bus and consequently  
9 Mr Dingemans was deployed.
- 10 Q. Just to pin you down about that, can you recall now  
11 whether that was before or after he had got off the bus  
12 at Brixton, the time he got off and reboarded?
- 13 A. I can't be specific, sir, no.
- 14 Q. Did a time come when a further order was given to  
15 Mr Dingemans?
- 16 A. There was a different order given to Mr Dingemans, yes.
- 17 Q. What was that different order?
- 18 A. That Mr Dingemans was not to undertake the stop of the  
19 subject.
- 20 Q. So the stop was countermanded. He was told pull back?
- 21 A. Yes.
- 22 Q. Why was that new order given?
- 23 A. That new order was given because a surveillance officer  
24 conducting the monitoring, Pat, then stated  
25 a surveillance team officer had said that in fact they

- 1           did believe that it was one of the suspects.
- 2    Q.   Can you recall what level of certainty Pat or anybody
- 3           else attached to that identification?
- 4    A.   I recall that Pat said something like, "They are saying
- 5           that it's him", and that Mr Boutcher at that point moved
- 6           forward and spoke to Pat and actually said, "Is it
- 7           possible for the surveillance team to give us
- 8           a percentage of how sure they are?" The response to
- 9           that was, "They are saying that it's him".
- 10   Q.   And the response from Pat?
- 11   A.   Yes.
- 12   Q.   We know that Mr Purser called Mr Dingemans at both 9.55
- 13           and 9.58. Can you recall roughly how long after the
- 14           first order Mr Dingemans was called back?
- 15   A.   Without looking at my phone records, I can't give
- 16           a specific time, no.
- 17   Q.   Can you recall roughly, was it a few minutes, 10, 20
- 18           minutes?
- 19   A.   I would say approximately about five, ten minutes.
- 20   Q.   Now, we shall hear that when Mr Dingemans actually
- 21           stopped his pursuit to make the stop, when he was
- 22           countermanded, he was close behind the bus in
- 23           Stockwell Road. Is that something you were aware of at
- 24           the time?
- 25   A.   I wasn't aware of his exact location other than that

1           they were putting themselves into a position that they  
2           could have facilitated a stop.

3    Q.   Did the time later come when information was relayed to  
4           the control room that the man being followed was getting  
5           up to get off the bus?

6    A.   Yes, that was the case.

7    Q.   We know that was about 10 o'clock in the morning, and  
8           I think at this time Mr Esposito, so the tactical  
9           adviser in the operations room, was in contact on  
10          an open telephone line with Trojan 84, the tactical  
11          adviser at the scene. Were you aware that there was  
12          that line of communication in place at the time?

13   A.   I was, sir, yes.

14   Q.   At this time, Mr de Menezes getting up to get off the  
15          bus, what did Mr Esposito say about the position of the  
16          firearms teams?

17   A.   My understanding was that the individual was to be  
18          stopped, but the surveillance -- the firearms team were  
19          not in a position at that stage to take control of the  
20          suspect.

21   Q.   What order did Commander Dick then give?

22   A.   She then, I believe, spoke with Mr Boutcher and  
23          instructed that if the surveillance team officers were  
24          in a position, as they were behind the suspect as such,  
25          to stop the individual, then they in fact should do

- 1           that.
- 2    Q.   How long did she spend discussing this with Mr Boutcher
- 3           before she gave the order?
- 4    A.   Just literally seconds, a minute.
- 5    Q.   So she had given that order. Did any further
- 6           information on the progress of the firearms team then
- 7           come in?
- 8    A.   Yes, at that point then Mr Esposito stated that in fact
- 9           the firearms team were in a position to undertake the
- 10          actual stop of the suspect.
- 11   Q.   How long after Commander Dick's order that the
- 12          surveillance teams carry out the stop did that new
- 13          information, that the firearms teams were in place, come
- 14          through?
- 15   A.   Just a matter of seconds, if not a minute, later.
- 16   Q.   How did Commander Dick respond to that new information?
- 17   A.   She was in control, she was in communication with the
- 18          Silver on the understanding that the firearms teams were
- 19          in a position to deploy; she instructed that they were
- 20          the ones that actually detained this -- stopped and
- 21          detained the subject prior to him entering the tube
- 22          station.
- 23   Q.   I am sure we will be asking this of a number of
- 24          witnesses but I need to ask you precisely what words she
- 25          used as her order to the firearms teams?



- 1 A. My understand --
- 2 Q. As far as you can recall?
- 3 A. Yeah, was to detain the subject prior to him entering  
4 the tube.
- 5 SIR MICHAEL WRIGHT: The exact words if you can.
- 6 A. My recollection, sir, was to detain.
- 7 SIR MICHAEL WRIGHT: "detain".
- 8 A. Detain.
- 9 MR HOUGH: After that order had been given, what was the  
10 next piece of information that came through from those  
11 at the scene?
- 12 A. The next that I recall was that the subject was already  
13 within the entrance of the tube station, and in fact was  
14 starting to make his way down the escalators into the  
15 tube.
- 16 Q. So beyond the barriers and going down the escalator?
- 17 A. Yeah.
- 18 Q. Did communication then stop because the officers  
19 involved were going underground?
- 20 A. That's correct, yes.
- 21 Q. Did you later hear, matter of some minutes afterwards,  
22 that the subject, turned out to be Mr de Menezes, had  
23 been shot?
- 24 A. That is correct, I heard that, yes.
- 25 Q. What further role, briefly and in general terms, did you

1 play in the operation after that point?

2 A. I remained within the operations room. Clearly there  
3 was still an active proactive operation to undertake and  
4 that was our role, and myself and Mr Boutcher remained  
5 within the ops room for the next several days in order  
6 for us to try to locate and identify those that were  
7 actually responsible for the attempted bombings.

8 MR HOUGH: We have heard, and I am sure we will hear more  
9 about the products of those investigations and the days  
10 you spent. Thank you very much, those are my questions.

11 SIR MICHAEL WRIGHT: Yes. Mr Mansfield.

12 Questions from MR MANSFIELD

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

14 I represent the family of Jean Charles de Menezes.

15 The question I want to start with in your case is:  
16 did you keep any notes in an IRB or a red book or  
17 anything of that kind that night yourself?

18 A. I was specifically employed in relation to the 7/7 so  
19 I had notes in relation to the 7/7 and general notes in  
20 relation to the events that evening.

21 Q. Sorry, I want to be specific. The reason I ask you is,  
22 you made a statement quite a long time after, unless you  
23 have made some others we don't have. The statement  
24 I have, as has already been pointed out, is  
25 16 January 2006 -- it's a good six months afterwards --

1           about events that morning, primarily, although it  
2           touched on the 21st as well.

3           Had you made any notes that were contemporaneous  
4           with events on 21/22 July?

5    A.   If I can explain, I was actually out of the UK from  
6           September until January on a course in the US. I was  
7           requested to make a statement around the September  
8           period, and that was when I drafted a statement on the  
9           computer and was able to sign it when I came back in  
10          January. As far as contemporaneous notes in a notebook,  
11          general notes were made but as far as the actual events  
12          of the consequent proactive operation, they were being  
13          recorded directly on to the CLIO log.

14   Q.   When you made the statement, did you have any  
15          document -- I'll come to various stages which I suggest  
16          are very important -- did you have any notes or logs or  
17          anything to rely on when you wrote it, as you had been  
18          out of the country?

19   A.   I did not have my notebooks with me at the time when  
20          I wrote this statement, no.

21   Q.   You didn't, right. Have you subsequently cross-checked  
22          this statement -- since you didn't have the notes with  
23          you then -- you made in January with the notes that you  
24          do have somewhere?

25   A.   No. This statement is an accurate record of the events

1           that happened and my actions on those two dates.

2   Q.   We will come to how accurate it is in a moment. Did you  
3           cross-check the statement later with any notes or  
4           contemporaneous documents to make sure the statement was  
5           accurate?

6   A.   I was aware that the CLIO log had been completed, I have  
7           since seen that log of the events of the 22nd.

8   SIR MICHAEL WRIGHT: How does that work? The CLIO log, how  
9           does it work?

10   A.   It was a log, sir, that was within the operations room.

11   SIR MICHAEL WRIGHT: An electronic log.

12   A.   Electronically being -- officers who were present within  
13           the operations room could go and update entries on to  
14           the log as events actually happened and that was in  
15           place from about 10 am on the 22nd.

16   SIR MICHAEL WRIGHT: I think that probably is what  
17           Mr Mansfield is originally after. Certainly it's what  
18           I am after now. You didn't have a notebook, as it were,  
19           keeping handwritten notes of what was going on; is that  
20           right?

21   A.   I did have a notebook but specifically in relation to  
22           the events of the proactive operation, but my notes were  
23           recording in actions on the CLIO log.

24   SIR MICHAEL WRIGHT: So that your notebook was in relation,  
25           really nothing to do with Mr de Menezes at all?

- 1 A. No.
- 2 SIR MICHAEL WRIGHT: That was the -- what you call the  
3 proactive investigation that Detective Superintendent  
4 Boutcher was conducting.
- 5 A. That's correct, sir.
- 6 SIR MICHAEL WRIGHT: Investigating the 21/7 attack. So far  
7 as the events of which you made your statement, that is  
8 the events in the control room that morning, that was on  
9 the CLIO log, was it?
- 10 A. The CLIO log was commenced from 10 am onwards, so this  
11 statement in relation to what had happened the night  
12 before was from my recollection and just general notes  
13 in relation to what --
- 14 SIR MICHAEL WRIGHT: Did you make entries in the CLIO log?
- 15 A. I did, sir, yes.
- 16 SIR MICHAEL WRIGHT: You didn't have them, they weren't  
17 available to you when you wrote your statement?
- 18 A. They weren't, sir, but those events that I refer to  
19 within the CLIO log are the ongoing proactive operation,  
20 which then commenced for several days after  
21 Mr de Menezes has been shot.
- 22 MR MANSFIELD: When you say "CLIO log 10 am", you mean 10 am  
23 on the 22nd?
- 24 A. That's correct, sir.
- 25 Q. That's after the shooting so can we put that to one side

- 1 for the moment. What you are saying is, I want to be  
2 precise because if there are any notes that can help  
3 perhaps we could have a sight of them. The log we can  
4 leave to one side. Are there any notes made by you on  
5 the night of the 21st into the 22nd and then up until  
6 10 o'clock in the morning?
- 7 A. I would have had a red book, yes.
- 8 Q. Right, well, I asked you that in the first place. Does  
9 the red book that you have then have any notes in  
10 relation to this period of time?
- 11 A. It would have some notes, yes.
- 12 Q. Where is it?
- 13 A. I believe at the office.
- 14 Q. Right. Any problem about having access to it?
- 15 A. No, sir.
- 16 Q. Has anybody ever asked you, the IPCC or anybody else?
- 17 A. I was asked whether I had undertaken to take some notes,  
18 and I said that I had had a red book but there was  
19 nothing within the red book. It was all pertaining  
20 specifically to 7/7 and the minimum detail in relation  
21 to this.
- 22 Q. Right, so is the position this: that there are no notes  
23 made by you about what happened on the evening of the  
24 21st/22nd?
- 25 A. There will be some record of that, sir, within the red

1 book, yes.

2 Q. All right.

3 SIR MICHAEL WRIGHT: You said a moment ago "minimum detail";  
4 is that right?

5 A. Detail as in I was involved within the 7/7  
6 investigation, I was then in the control room that as  
7 the events actually happened, the 21/7 bombings; I was  
8 then involved in briefing later on that day as to what  
9 the actual events were. But then the period up until  
10 going off duty and coming in the next morning, there was  
11 minimum notes. I was the deputy to Mr Boutcher, and the  
12 actual events of my consequent actions, I believed were  
13 being undertaken within the CLIO log.

14 SIR MICHAEL WRIGHT: All right.

15 MR MANSFIELD: I am going to leave that for a moment because  
16 it may be we can get the red book you are talking about.

17 The reason I have asked you carefully about this,  
18 it's because of various stages where I want to suggest  
19 you must have become involved -- whether you knew it is  
20 another matter -- in relation to the manhunt, because we  
21 understand there is a Senior Investigating Officer --  
22 his name is McKenna -- who is looking at the  
23 retrospective, if this is a sensible distinction, the  
24 reactive and retrospective look at what happened on the  
25 7th and what happened on the 21st. Did you know that?

- 1 A. The Senior Investigating Officer appointed in relation  
2 to 7/7 was Mr Prunty, and in relation to the events of  
3 21/7 was Mr McKenna.
- 4 Q. That's retrospective?
- 5 A. Yeah.
- 6 Q. In the sense that it's looking at the scenes?
- 7 A. Yeah, the whole investigation.
- 8 Q. Well, what's Mr Boutcher doing?
- 9 A. His role has been nominated for the proactive operation  
10 to actually undertake what is necessary to actually  
11 identify and locate the individuals responsible.
- 12 Q. Right. That plainly -- and you are his deputy?
- 13 A. That's correct, sir.
- 14 Q. So in fact, from the moment you are his deputy, what is  
15 going on that night is of course relevant to you, isn't  
16 it; must be?
- 17 A. Yes.
- 18 Q. Right. Therefore, what happens that night, that is the  
19 night of the 21st into the 22nd, in relation to, whether  
20 you call it -- I'll call it a manhunt because that's the  
21 name that's been used, the Boutcher team manhunt  
22 exercise, plainly is important, isn't it?
- 23 A. Yes, sir.
- 24 Q. I want to come to a stage when you are informed by  
25 Mr Boutcher, you told the jury earlier on it was around



- 1           about the 10.10 time in the evening, that a firearms  
2           authority had been granted; do you remember you said  
3           that this morning?
- 4    A.   I was informed by Mr Boutcher, yes, that firearms  
5           authority had been granted.
- 6    Q.   Yes, is that all he told you?
- 7    A.   He informed me that he had spoken to Mr White and  
8           Mr White was in fact the authorising officer.
- 9    Q.   Yes?
- 10   A.   And that there was surveillance officers armed for their  
11           own protection and a firearms team available should they  
12           be required.
- 13   Q.   Right, a firearms team available. I am not suggesting  
14           you necessarily knew which ones they were, but we have  
15           heard that they have colours and the one that was made  
16           available by the officer you have already indicated you  
17           had met with at some point, Andrew, was the orange team.  
18           Did you know it was in fact the orange team or not?
- 19   A.   No, sir.
- 20   Q.   I'm not suggesting you need to know that, unless you had  
21           a role. Did you have a role that night to play with the  
22           orange team?
- 23   A.   No, sir.
- 24   Q.   Are you sure?
- 25   A.   Yes, sir.

1 Q. All right, well, did you have a role in order to  
2 identify someone who would play a part with the orange  
3 team?

4 A. Not for that evening, sir, no.

5 Q. Are you sure?

6 A. Yes, sir.

7 Q. Have you ever seen the firearms authority in this case?

8 A. No, sir.

9 Q. You haven't. Could we have, therefore, I think it's  
10 page 31 of the documents. I think I have the pages  
11 right on this one. Page 31. It is a page the jury has  
12 seen before. Thank you. The jury have this document.  
13 It's in one of their tabs, if they would like to -- it's  
14 tab 40 -- look it up.

15 There is a particular entry here which I want to go  
16 through with you because you are mentioned, and I think  
17 you have probably had time to read it, but it's just  
18 over halfway down, DCI Scott, do you see that:

19 "DCI Scott tasked..."

20 We have been told by Mr Boutcher that's what Andrew  
21 said -- I'm so sorry, it might have been Mr White said  
22 also.

23 "DCI Scott tasked to identify and brief Silver  
24 Commander for deployment with SFO standby team who will  
25 remain at base awaiting intelligence developments."

1           Did you know about that?

2   A.  No, sir, I was not tasked to undertake that actual  
3       briefing.  My tasking was from Mr Boutcher and that was  
4       to identify Silvers potential deployment with the  
5       firearms team.

6   Q.  I will come on to that aspect of it in a moment.  You  
7       see, this is a firearms authority which Mr White said he  
8       would not grant unless there was a clear structure in  
9       place which involves identifying people and making sure  
10      they know they are the Silver overnight.  Now, were you  
11      aware that that's important for Mr White, the officer  
12      who grants the authority?

13  A.  I would be aware that the officer, you know, granting  
14      the authority would expect that a Silver would be  
15      deployed with the team, and as I say, I was tasked to  
16      identify Silvers for potential deployment --

17  Q.  It's a little more than that.  Because you don't want to  
18      say: we have a whole load here so that's fine and we  
19      will go off for the night.  You need to be sure when you  
20      leave, when you leave, that someone has been identified,  
21      because you don't know at this stage what's going to  
22      happen overnight, anything could happen at any stage;  
23      you need to know who it is who realises they are the  
24      Silver on standby, and they have been briefed in the  
25      same way that you have about the background.

- 1           Now, that's what should happen, isn't it?
- 2   A. I wouldn't say that's necessary, sir, no. There were  
3       officers who were fully briefed as to what had happened  
4       during that day, Mr Macbrayne, Mr Mellody, who could  
5       have performed that role of Silver if required.
- 6   Q. Well, of course, anyone could, but it's important that  
7       they know that that is the role that they are going to  
8       undertake before it happens?
- 9   A. But at that stage, sir, there was no deployment for the  
10      Silvers at that stage.
- 11   Q. No, you see, that's why this contingency is being set  
12      up, for deployment. It's getting everybody ready. You  
13      get a team ready, kitted up, and you get a Silver ready  
14      to go with them. Now, who was the Silver, at least this  
15      part of it, who you had identified for deployment, who  
16      understood when you left: I am the Silver for the  
17      standby team.
- 18   A. When I actually left duty at 2 o'clock in the morning,  
19      there were officers there who I felt could perform the  
20      role of Silver, who knew what the situation was  
21      overnight should they be required to deploy, with  
22      Silvers warned to come in the following morning for  
23      potential deployment as well.
- 24   Q. We will deal with the following morning. Now would you  
25      kindly answer the question: who was the Silver who had

- 1           been identified before you left at 2 o'clock in the  
2           morning, who had been identified as the standby Silver  
3           for the standby team?
- 4   A.   There was no one individual identified but there were  
5           officers there who could undertake that role.
- 6   Q.   You say you weren't told about the briefing bit of this,  
7           in other words the firearms authority suggesting that  
8           you should identify and brief a Silver Commander; you  
9           don't know about that bit?
- 10   A.   Certainly not to brief a Silver Commander.
- 11   Q.   No. Was that the first time you have been told about  
12           that aspect of this?
- 13   A.   My understanding was that my tasking was from  
14           Mr Boutcher to identify Silvers for potential deployment  
15           the following morning.
- 16   Q.   I appreciate, it would help if you wouldn't mind just  
17           answering the question, otherwise we will be here much  
18           longer. Is today the first time that you have been made  
19           aware that you had to brief anyone over night standby  
20           duty?
- 21   A.   Yes, that's correct, sir.
- 22   Q.   I want you to look and you have looked, but I want to go  
23           to it again, because it appears in the policy document  
24           which the jury also have at tab 41, that at 2.30 when  
25           you had already gone or thereabouts, there was

1 discussion about -- sorry, I keep saying 2.30, it's  
2 12.30. Then there is a later entry, 2.35. It's the  
3 fifth page. Could we have that up on screen, please.

4 Now, this was written by Andrew and he's told us  
5 that in fact what he wrote and what he meant was that  
6 you in fact were the overnight, in other words night  
7 duty, standby Silver. Is that right?

8 A. No, I was not the night duty Silver, sir.

9 Q. Because I would have to ask, obviously, if you were, you  
10 wouldn't or would you have gone off for some sleep at  
11 2 o'clock if you had that role?

12 A. No, I wouldn't, sir.

13 Q. Then I will ask this question: if you hadn't briefed  
14 anybody and there were just a group of people who could  
15 be it, and you weren't it yourself, who was the standby  
16 Silver overnight in case something happened?

17 A. It was the officers, Mr Mellody or Mr Macbrayne, who  
18 were on duty, who could have deployed should they be  
19 required.

20 Q. Anybody could have. Who was the night duty standby  
21 Silver?

22 A. There was not one named individual.

23 Q. No. It's important, isn't it, as we heard from  
24 Mr McDowall himself and also from Andrew, that if  
25 a strategy is going to be set, a firearms strategy is

- 1 going to be set by the Gold Commander, who is it that  
2 makes sure it's implemented?
- 3 A. Whoever is briefed and undertakes the --
- 4 Q. No, sorry, which one down from Gold has to ensure that  
5 it's implemented?
- 6 A. The Silver.
- 7 Q. Silver, right. At 4.55, who was the Silver implementing  
8 Gold's strategy?
- 9 A. Well, I wasn't there at that time, so --
- 10 Q. I appreciate. When you came back at 6 o'clock, did you  
11 find out pretty quickly who was the Silver in charge of  
12 implementing strategy?
- 13 A. Yes, I did, yes.
- 14 Q. Who was it?
- 15 A. It was Mr Merrick Rose.
- 16 Q. Rose, he didn't come on until much later?
- 17 A. He was there at 5.30, sir.
- 18 Q. Yes, I appreciate. Who was there at 4.55 to implement  
19 Gold's strategy?
- 20 A. You would have to ask Gold and the officers that were  
21 there at that time.
- 22 Q. So far no-one has been able to help, and you can't; is  
23 that right?
- 24 A. I was not there, sir, no.
- 25 MR MANSFIELD: Sir, would that be a convenient moment?

1 SIR MICHAEL WRIGHT: Yes. Before we do, I just want to be  
2 sure that you and the witness are talking about the same  
3 thing.

4 MR MANSFIELD: Yes.

5 SIR MICHAEL WRIGHT: If I have understood this right, the  
6 officer who would have implemented Gold's strategy would  
7 be the Silver in charge of the -- Silver in the control  
8 room.

9 MR MANSFIELD: Sir, I thought that until I asked Andrew, and  
10 he said it would be the Silver who was on standby to go  
11 with the team.

12 SIR MICHAEL WRIGHT: To go on the ground.

13 MR MANSFIELD: Yes, because it's firearms.

14 SIR MICHAEL WRIGHT: Right.

15 MR MANSFIELD: But in fact up to that point, I had put to  
16 him that I, from all the documents, had surmised that it  
17 was --

18 SIR MICHAEL WRIGHT: I think you may get help from other  
19 witnesses about that.

20 MR MANSFIELD: Yes.

21 SIR MICHAEL WRIGHT: When it was your recollection that it  
22 was Mr Rose who was the Silver, at any rate when you  
23 came back at 6 o'clock, did you appreciate that he was  
24 apparently the Silver for the Portnall Road  
25 surveillance?



1 A. He was consequently deployed to Portnall Road, yes. My  
2 understanding, he was.

3 SIR MICHAEL WRIGHT: Were you aware that there was another  
4 Silver?

5 A. There was another Silver identified some time later,  
6 yes.

7 SIR MICHAEL WRIGHT: Who was that?

8 A. That was Mr Greg Purser.

9 SIR MICHAEL WRIGHT: For Scotia Road?

10 A. It so happened that he actually did go out and undertake  
11 the Silver role at Scotia Road.

12 SIR MICHAEL WRIGHT: Pace Mr Mansfield and his answer from  
13 Andrew, were you aware of there being a Silver, really  
14 deployed in the control room as such to implement  
15 Mr McDowall's Gold strategy?

16 A. Not at that time of the morning.

17 SIR MICHAEL WRIGHT: You weren't aware of it? Very well.

18 MR MANSFIELD: Sir, could I ask kindly for the notebook, the  
19 red book to come?

20 SIR MICHAEL WRIGHT: Yes. Rather than taking up time while  
21 you go and get it, could you arrange for it to be  
22 brought over?

23 A. Yes, sir.

24 SIR MICHAEL WRIGHT: You are free to do that during the  
25 lunch adjournment. Thank you. 2 o'clock, ladies and

1 gentlemen.

2 (1.00 pm)

3 (The short adjournment)

4 (2.00 pm)

5 (In the presence of the jury)

6 Housekeeping

7 SIR MICHAEL WRIGHT: Ladies and gentlemen, I have been  
8 considering, and I am a bit concerned about the progress  
9 we are making. The real difficulty is, although it may  
10 relieve you, this is not, this can't be an open-ended  
11 hearing. We have these rooms for a limited period of  
12 time. It may be that the slow progress we are presently  
13 making is because at the moment we are dealing very  
14 largely with very senior officers, it may not, and it  
15 may be we shall make better progress at a later stage.  
16 But I am worried about how we are getting on at the  
17 moment.

18 It means, I am afraid, that I am going to break  
19 a promise that I made to you at the outset of this  
20 hearing. I think certainly we are going to need this  
21 Friday, it's highly likely, I think, we are going to  
22 need next Friday, and so I am actually going to turn  
23 things around. I had thought about sitting earlier but  
24 I don't suppose you would be very keen on that, or  
25 sitting later. Frankly, five and a half hours is enough

1           for anybody concentrating on what you have to listen to,  
2           and in any case, there is a security problem at the Oval  
3           because we all have to be out by about 6 anyway.

4           So, what I am afraid I am going to do is to say to  
5           you this: that I think at any rate until further notice,  
6           you should assume that we are going to have to use our  
7           Fridays in order to keep up with the timetable. Should  
8           the happy day dawn when it looks as though we are  
9           beginning to catch up on the programme, then I promise  
10          I'll do my best to give them back to you. For the time  
11          being, it's going to be Fridays.

12          Mr Mansfield, you might care to pick this one up,  
13          this question, it's a question from the jury:

14          "Can we clarify the time of the meeting Andrew  
15          declared he was not at?"

16   MR MANSFIELD: Yes, 5.15.

17   SIR MICHAEL WRIGHT: Yes, that's what I thought, as counsel,  
18          that's you, I think, today continue to refer to the  
19          meeting logged as showing Andrew being there.

20   MR MANSFIELD: That's the later time.

21   SIR MICHAEL WRIGHT: That's what I thought. Witnesses have  
22          been asked, and I think somebody has picked this point  
23          up, if they recall Andrew attending as the times appear  
24          to be different.

25          Can you help to clear that one up?

1 MR MANSFIELD: Yes, I don't think this officer can deal with  
2 it, but I think if I may, and I'll be corrected, it was  
3 Mr McDowall's own note which had a 5.15 entry, and he  
4 was saying he thought it was Andrew and one other. He  
5 was tasked about that, and modified it, he could be  
6 mistaken and perhaps it was another officer, called  
7 Rush, and perhaps another one, because he has advisers  
8 in the plural.

9 Then his loggist, that is the last witness,  
10 Mr Forteath, made a list which I think is now interposed  
11 in the document 38. It's interposed in there. The list  
12 in there was made by, and perhaps the jury might just  
13 like to look it up so we have it in one place. If you  
14 look in that divider, where Forteath's notes are, his  
15 list of the 7 o'clock meeting is there, hopefully.

16 So it's two separate situations. A reference by  
17 McDowall in his notes to meeting the tac advisers but in  
18 his notes they are not named, and the Forteath list  
19 about the 7 o'clock meeting where they are both listed.

20 So I hope that clears it up in as far as one can.

21 SIR MICHAEL WRIGHT: I have two more. The first one relates  
22 to what sight of photos the surveillance and firearms  
23 units had, and I think I would like to put that back  
24 until we get witnesses from those units, but you may see  
25 it. The second one, I think I will again ask for your

1 help, Mr Mansfield: apart from the red notebooks, are  
2 objective minutes of meetings taken when key decisions  
3 are taken for corporate records. It's a good point,  
4 isn't it?

5 MR MANSFIELD: I think the short answer is no, but there are  
6 logs kept.

7 SIR MICHAEL WRIGHT: That's the answer.

8 MR MANSFIELD: So there is, for example, I think, can I just  
9 exemplify I it by referring back to Andrew, there was  
10 an operational policy log which he entered up and then  
11 Esposito when he comes along, he enters it up from  
12 6 o'clock onwards. There is a running decision log  
13 which we will hear about, I think, from Mr McDowall, who  
14 is the witness -- sorry, Mr Boutcher, who is coming  
15 tomorrow.

16 So there is that kind of document but in the other  
17 sense of what the jury said, I think there is not  
18 an overall red book note.

19 SIR MICHAEL WRIGHT: It's not like a company meeting where  
20 the company secretary sits and keeps notes. There are  
21 logs as Mr Mansfield said, the firearms officers were  
22 keeping logs particularly directed to the firearms  
23 involvement; and senior officers, their loggists, were  
24 keeping logs as to the matters which their senior  
25 officers were dealing with. It's an interesting point

1           which we may have to think about at a later stage.

2           There is a question about what photographs the  
3           surveillance and firearms units saw, but as I say,  
4           I think I would prefer it, I'll let you see this one, to  
5           wait until we get the actual officers along.

6           Don't let me forget it, Mr Mansfield.

7   MR HOUGH:   Just before my learned friend continues, there is  
8           one other meeting note recording Andrew as present, and  
9           that's the 6.20 meeting.  But my learned friend Mr Perry  
10          drew from the last witness that Andrew and others joined  
11          that meeting although it started at 6.20 so --

12   SIR MICHAEL WRIGHT:  I think that's the complete analysis of  
13          Andrew's presence at the meeting.  Yes.

14   MR MANSFIELD:  Sir, the red notebook relating to this  
15          witness has not arrived.

16   MR HORWELL:  I'll let you know the moment it does.

17   MR MANSFIELD:  I don't intend to interrupt, but if there is  
18          anything in the book when I see it that I feel should be  
19          asked of this witness, perhaps I could be allowed to  
20          return to it, but I don't intend to interrupt it for the  
21          moment.

22                    Questions from MR MANSFIELD (continued)

23   MR MANSFIELD:  Officer, can I just move on in time?  You  
24          have come back to New Scotland Yard having had a rest,  
25          and so forth, and you have already gone through some of

1 the -- I just want to pick up some points.

2 Strategy. First of all, when did you learn that  
3 a strategy had been set down?

4 A. When I was at the 7 o'clock meeting.

5 Q. At the 7 o'clock meeting, so who mentioned it at the  
6 7 o'clock meeting?

7 A. I believe Mr McDowall when he gave an update and then  
8 discussed what his strategy was.

9 Q. When that was mentioned in your recollection at the  
10 7 o'clock meeting, and I'll come to the terms of it,  
11 because you have set it out in your statement and you  
12 can follow it by all means from there if you wish. Did  
13 anyone at the meeting at 7 o'clock that the jury have  
14 just looked at, because they have a list of attendees,  
15 or the loggist kept a list of who was there, did anyone  
16 say: ah, well, we have got a standby team right here in  
17 New Scotland Yard, and given that Mr McDowall, according  
18 to the loggist's notes, was indicating a certain  
19 urgency, we could get, and we should have got, that team  
20 deployed before.

21 A. No, not that I recall, sir.

22 Q. All right. So that, what you recall, therefore, in the  
23 statement is the terms of the strategy. You have made  
24 it very clear on more than one occasion what the terms  
25 were so I don't go through that again. Were you also

1 led to believe that that strategy of stopping everyone  
2 coming from the address at a safe distance and so forth,  
3 was combined with a need for a reconnaissance? Was that  
4 ever brought up?

5 A. I don't recall that, sir.

6 Q. All right, and I appreciate it's some time ago. You  
7 certainly don't have it in your statement.

8 Now, that strategy, controlling the premises and  
9 following all persons from the addresses until it was  
10 safe, you say was written up by Mr Johnston,  
11 Superintendent Johnston, on a board?

12 A. Within the operations room, Mr Johnston, I believe,  
13 wrote up the strategy on the board, yes.

14 Q. Right, so everybody could see it. While you were in the  
15 operations room, was that ever amended?

16 A. Whilst I was in the operations room, as I recall,  
17 Cressida Dick informed officers within the ops room that  
18 the instructions were that those that were not possible  
19 suspects were to be followed from the premises in order  
20 to take the intelligence opportunity, and that those  
21 believed to be the suspects would be again followed  
22 covertly and then if necessary with an armed  
23 intervention.

24 Q. Yes, sorry, I have not made myself clear because that's  
25 obviously the original strategy, that everybody from the



1 address or addresses at that point were to be stopped,  
2 and that armed intervention should be used for suspects;  
3 that's putting it shortly?

4 A. Yes, sir.

5 Q. Was that policy, following non-suspects until a safe  
6 distance, and CO19 arresting suspects, was that ever on  
7 the white board changed?

8 A. My understanding was that when we went into the --  
9 SIR MICHAEL WRIGHT: Forgive me, the specific question: was  
10 what was written on the white board changed.

11 MR MANSFIELD: Yes.

12 A. Not that I recall, sir.

13 Q. Not that you recall, right, so that remains. I'll  
14 explain why I am coming to that.

15 So having learnt at about 7 o'clock that the -- what  
16 the strategy was, first of all, did you then discover  
17 two things, one, that there was a team of surveillance  
18 officers already down at Scotia Road?

19 A. Yes, sir.

20 Q. You did. Now, I am not expecting you to remember the  
21 colour and all the rest of it, but it was the red team  
22 that were down there. Did you happen to discover that  
23 sort of detail or not?

24 A. Not the colour of the team, but I was aware there was  
25 a team.

- 1 Q. You were aware there was a team. The second thing: did  
2 you also discover that it had been there by 7 o'clock  
3 for at least an hour; did you discover that, they had  
4 already been in place for at least an hour?
- 5 A. I believe so, yes.
- 6 Q. Did you also discover that during that time, 6 to 7,  
7 there wasn't any armed back-up down there to make  
8 an arrest should anybody leave who is a suspect? Did  
9 you know that?
- 10 A. My understanding was that they were in the process of  
11 being briefed and were in the vicinity, the firearms  
12 teams.
- 13 Q. Well, wait a minute. It's very difficult in retrospect  
14 and you may be overlaying it with what you have  
15 discovered since. Did you know at 7 o'clock on the 22nd  
16 in the morning that actually there had not been any  
17 firearms team already briefed and down in the vicinity  
18 ready to arrest?
- 19 A. Yeah, no, I was aware there was a surveillance team only  
20 there, and that at 7 am the Silvers were still at  
21 Scotland Yard.
- 22 SIR MICHAEL WRIGHT: We know that the surveillance team that  
23 was actually deployed for the Scotia Road exercise  
24 didn't even come on duty until 7 o'clock that morning.  
25 Did you know that?

- 1 A. I believe the surveillance team were there, sir.
- 2 SIR MICHAEL WRIGHT: I beg your pardon, I meant firearms  
3 team, I am sorry.
- 4 A. No, my understanding when I got to Scotland Yard was  
5 that was in the process of being undertaken.
- 6 MR MANSFIELD: I understand that, I am not going to quibble  
7 about whether it's beginning or halfway through. That  
8 has not happened yet. So you know those two things.  
9 Please appreciate I am not suggesting it's your  
10 responsibility; I am just trying to get what the level  
11 of understanding was in the operations room and with  
12 you, because there is something you did almost  
13 straightaway, and I am not going to pin a time, but some  
14 time after 7 o'clock, you spoke with DS Dingemans.
- 15 A. Yes, sir.
- 16 Q. This is quite important because you ask him to do  
17 something. We can look in your statement again because  
18 it's the middle of that page; the jury don't have it but  
19 I am not asking that they do for these purposes. Did  
20 you or did anyone make a record of essentially  
21 a decision taken by you?
- 22 A. The decision to deploy DS Dingemans to that area was as  
23 a direct result of me being told to do that by  
24 Mr Boutcher.
- 25 Q. All right, well, I understand that sequence. Boutcher

1 asks you to deploy the team, so I leave records for the  
2 moment until the red book comes, and is this right: what  
3 you asked him to do was to provide S013 -- that's the  
4 anti-terrorist squad as it was then -- support to the  
5 surveillance who were already down there in order to  
6 gather intelligence from people who were not suspects;  
7 is that right?

8 A. Yeah, I believed he was going to have a dual role down  
9 there.

10 Q. Well, if you just look at what you have written, your  
11 recollection in 2006, can I just read the paragraph:

12 "I spoke with DS Dingemans from S013, and deployed  
13 his team to support activity at Scotia Road; his team  
14 were deployed to conduct intelligence gatherings on  
15 subjects leaving the premises who were not believed to  
16 be the subjects [meaning suspects, I believe] by  
17 discreetly stopping them away from the premises.  
18 I informed him that 'SILVER' [then you have used the  
19 codename] was the Silver on the operation."

20 So there it's a very clear deployment of S013  
21 officers on an intelligence-gathering operation, isn't  
22 it?

23 A. Yes, sir.

24 Q. Right. Did you say effectively words to this effect to  
25 DS Dingemans, and so it's clear where I am getting it

1 from, this is what he says you said: this is the  
2 situation, you need to go there now. Was that the  
3 impression you were trying to give to him?

4 A. Yeah, I was certainly giving the impression that he  
5 needed to get his equipment and make his way down there,  
6 yes.

7 Q. Did you brief DS Dingemans?

8 A. I did, yes.

9 Q. You did, so actually as far as he's concerned, he could  
10 just get on with that, couldn't he? Just go. He  
11 doesn't have to wait for anybody. He has a briefing  
12 from you. You are saying get on down there now, get  
13 kitted up or whatever you need to be somebody who's  
14 stopping and gaining intelligence, so presumably you are  
15 going to need notepads, you're going to need a few other  
16 things, maybe, but you are unarmed and all the rest of  
17 it, so get down there.

18 There was nothing to stop him gathering his team  
19 together at 7.15 and getting down there by at the latest  
20 8.15, was there?

21 A. When I actually spoke to him I obviously then told him  
22 who the Silver was for the operation and to touch base  
23 with the Silver as well and speak to him.

24 Q. Of course, but the Silver for Scotia Road was  
25 Greg Purser. He was already at Scotland Yard because he

1 is at the 7 o'clock meeting. He is on the list the jury  
2 have. So it would not have taken too long for him to  
3 say: I have been ordered -- or whatever you say within  
4 the Yard -- I have been asked to go down, tasked to go  
5 down to Scotia Road by Mr Boutcher through his deputy,  
6 Angela Scott, and I am off, I know what I have to do;  
7 nothing to stop that?

8 A. I would have to check the specific time, but that was  
9 the understanding that DS Dingemans would make his way  
10 down there.

11 Q. Yes, I understand. I do not have a specific time.  
12 Dingemans says it was some time after 7. You say,  
13 I think you agree it is some time after 7, so I will not  
14 put a precise time.

15 Now, once you have, as it were, passed on that  
16 communication to Dingemans, did you understand what sort  
17 of team he would gather together, or was that just  
18 a matter for him? Is it going to be one car and three  
19 people or two cars, or ...?

20 A. Yeah, I understood that it would be one vehicle.

21 Q. And how many people in the team?

22 A. I would have thought there would be four in total.

23 Q. Four, right.

24 A. Or who was available at that time to go with him.

25 Q. Three to four, one vehicle. It's quite important, if

- 1           you have done the deployment, who is responsible for  
2           monitoring how they are doing? In other words, how far  
3           they have got and whether they have got there?
- 4    A.   That information that they had been deployed was then  
5           given to the operations room, and then their consequent  
6           deployments were controlled by Cressida Dick within the  
7           operations room.
- 8    Q.   Doesn't quite answer the question. You have given them  
9           a deployment which they could have got on with. Who is  
10          making sure that they do it? Is it you or is it  
11          somebody in the operations room?
- 12   A.   Their actions are all going to be controlled through the  
13          operations room.
- 14   Q.   Yes; who in the operations room, is it Cressida Dick?
- 15   A.   In order for them to deploy at any time, they would need  
16          to contact the operations room and be directed to do so  
17          by Cressida Dick, yes.
- 18   Q.   I'll come straight to the later point: at 9.30-odd when  
19          Jean Charles de Menezes leaves the building which  
20          contains number 21, did anybody in the operations room  
21          have a clue as to where DS Dingemans doing the  
22          intelligence-gathering job was?
- 23   A.   I can only talk from my point of view, and I don't know  
24          personally where his actual location was. He had been  
25          in contact with the Silver that was deployed who would

- 1           be aware of his position.
- 2    Q.   You didn't know exactly where he was.  I want to ask you
- 3           a general question: was there, can you remember, on the
- 4           wall of the operations room any kind of map on which
- 5           people's movements were being plotted so you could tell
- 6           at a glance which members of the surveillance team were
- 7           where, that's the red team; which members of the grey
- 8           support team were where; where Mr Dingemans' team was,
- 9           and how far CO19 had got; was there any map like that?
- 10   A.   Not in the terms you are describing, sir, no.
- 11   Q.   In any terms?
- 12   A.   Well, as far as records were being kept in the ops room,
- 13           of obviously where the surveillance deployments were and
- 14           the updates going onto the records there.
- 15   Q.   Yes, but if you walked into the room or you were wanting
- 16           to keep an overview, there wasn't any overview map
- 17           available on the screen where people could look at
- 18           a glance and say that's where they have got to?
- 19   A.   We didn't have that facility within there to actually go
- 20           on, just look at a screen and actually see where
- 21           officers were.  We had to obviously have that
- 22           information relayed to us verbally so we --
- 23   Q.   And keep it in your head?
- 24   A.   Or it would be written down in the ops room.
- 25   Q.   Okay.  But the facility could have been afforded, in



- 1 other words you could have got it up, somebody could  
2 have done it?
- 3 A. I don't believe we had the facility where you would  
4 actually be able to map where every individuals were  
5 that morning on a simple screen or simple as that.
- 6 Q. No, I mean a screen up on the wall, you can write up  
7 what the strategy is, and I suggest you can project  
8 a map of the area and so on very quickly. We have heard  
9 from Mr Andrew, unless he is wrong, that this was  
10 possible there?
- 11 A. I wasn't aware that we had that facility to do that, so  
12 we could be sure where everybody was at one particular  
13 time.
- 14 Q. All right, I leave it for the moment. I am moving on  
15 a little bit, because you have got a time in your  
16 statement and obviously something revolves around this.  
17 Because at about 8.30 you have in your statement that  
18 you go to the operations room, and the strategy that you  
19 have already heard at the 7 o'clock meeting is repeated  
20 to you, isn't it?
- 21 A. Yes, it is.
- 22 Q. It's the same strategy?
- 23 A. Where possible, yes, to control persons leaving the  
24 premises.
- 25 Q. Right, pause. Did anyone then say, particularly

1 Mr Boutcher, who is talking to you: well, it's stopping  
2 anybody who's leaving, but in fact, so you know the  
3 position -- I could ask in this way: did you know that  
4 a number of people had left the block by around 8.30 in  
5 the morning.

6 A. I was aware of that.

7 Q. You were?

8 A. Mr Boutcher did inform me that several persons had  
9 already left the premises.

10 Q. So the jury and you can be reminded, these are the  
11 approximate times of people leaving: 7.43, 7.51, 8.12,  
12 8.21, 8.22, 8.35, so it's five minutes later. The next  
13 one after that is Jean Charles de Menezes at 9.34.

14 So he knew that a number of people had already left,  
15 some of them -- I think three -- were women. Did you  
16 know that?

17 A. I didn't know the gender of the individuals leaving.

18 Q. Did Mr Boutcher explain to you why none of the ones that  
19 had already left had been stopped?

20 A. No, sir, he didn't.

21 Q. Did you ask?

22 A. I believed that if those individuals had left, they were  
23 not the suspects because clearly if they had have been,  
24 then the information about those individuals would have  
25 been put over the radio and we could have consequently

- 1           responded.
- 2    Q.   That's one half of the strategy.  As we heard from
- 3           Mr McDowall, the main objective besides arresting
- 4           suspect is gathering intelligence from those who might
- 5           know the suspects.  That was the other half and that's
- 6           why you deployed DS Dingemans: to go down and be ready
- 7           to deal with non-suspects.  So did you not say to him:
- 8           wait a minute, I have deployed Dingemans, why hasn't he
- 9           been stopping people, particularly as they are not
- 10          suspects; do you remember anything being discussed along
- 11          these lines?
- 12   A.   No, other than I was aware that individuals had left
- 13          but, as far as I was concerned, DS Dingemans, once I had
- 14          deployed him was to the vicinity and would be instructed
- 15          from the ops room to do those stops.
- 16   Q.   Who was going to instruct him from the ops room, because
- 17          it's miles away from the location, which non-suspects to
- 18          stop?
- 19   A.   Well, my understanding is as the persons came out of the
- 20          communal door, the surveillance team would give
- 21          a description of those individuals and then a decision
- 22          would be made from the ops room from, I believed
- 23          Cressida Dick, as to whether that person was going to be
- 24          stopped.
- 25   Q.   Or had the strategy changed, that actually it was only

1 suspects?

2 A. As I understood it, if there was the opportunity to stop  
3 those that were not suspects away from the premises not  
4 to alert others, then we would take that opportunity.

5 SIR MICHAEL WRIGHT: You may not know the answer to this,  
6 and we will have to ask Dingemans, but as far as you  
7 know, did Sergeant Dingemans and his little team stop  
8 any of the six?

9 A. No, sir, as far as I know, they didn't.

10 SIR MICHAEL WRIGHT: He did not?

11 A. I don't believe he did, sir, no.

12 MR MANSFIELD: One of the reasons he didn't, one of them,  
13 was he wasn't down there in time because he, like the  
14 firearms team, didn't get to the venue -- by which  
15 I mean the vicinity of Scotia Road -- until it was too  
16 late, so he wasn't in a position to stop any of the ones  
17 that came out before. But you didn't know that, did  
18 you?

19 A. No, sir.

20 Q. Because you didn't know where he was?

21 A. Myself personally, I didn't know his exact location, no.

22 Q. Now, did you hear any discussion in the ops room, if  
23 it's Cressida Dick who's got to deal with this, stopping  
24 non-suspects, was there any discussion in the ops room  
25 that you overheard about all these people leaving

- 1           because they are all in quick succession, well, some of  
2           them are, in quick succession, 8.12, 21, 22, 35. Any  
3           discussion by Cressida Dick: oh, there is all these  
4           people coming out, we'd better not stop them, we'd  
5           better make sure Dingemans doesn't stop any of these; or  
6           we are going to suggest no stopping of any of these.  
7           Any discussion like this?
- 8    A.   I didn't hear any specific discussion as that, but we  
9           were going on what the surveillance team were obviously  
10          giving us information on and they were not saying that  
11          any of these individuals looked like the suspects.
- 12   Q.   Of course they didn't have to for the purposes of  
13          intelligence gathering. All they had to say was woman  
14          out and in fact as one officer said, one of the officers  
15          in the team with Mr Dingemans said actually stopping  
16          women might be actually a better approach, because they  
17          almost certainly aren't the suspects from the day before  
18          and they might be closely connected. That was a whole  
19          line of thinking; do you appreciate that?
- 20   A.   Yes, sir.
- 21   Q.   All right. I am going to ask you specifically about  
22          this: was there any discussion, because you are right  
23          next to Pat, aren't you, standing in the room.
- 24   A.   Yes.
- 25   Q.   I don't suggest you will hear everything. Was it noisy

- 1 in the room?
- 2 A. It wasn't -- there was noise in the room, I wouldn't say  
3 it was noisy.
- 4 Q. It wasn't so noisy you couldn't hear what was being  
5 said?
- 6 A. No, I could hear what was being said, sir.
- 7 Q. I want to ask you this, and it comes almost certainly,  
8 I do not have a precise time, after 8.30 because of what  
9 is being requested. So it's clear where this is coming  
10 from, this is the statement of Nick, known as  
11 Central 1973. He is a liaison officer. Did you know  
12 Nick or not? I suppose I can't really put the real name  
13 because I don't know it.
- 14 A. I don't know who you are referring to by that name, sir.
- 15 Q. I'll leave the name out of it altogether for the moment.  
16 I want to ask whether you had heard via Pat or anyone  
17 else that the team leader of red at the scene had got  
18 a number of very serious concerns about his position  
19 down there? Did you ever hear that coming up and being  
20 discussed?
- 21 A. I certainly didn't hear that, no, sir.
- 22 Q. I am going to put the concerns, because there were three  
23 main ones. His first concern was that the firearms  
24 team, to his understanding, were too far away in  
25 Nightingale Lane. Nightingale Lane, they didn't get

1           there until 8.45, so this has to be after 8.45.  
2           Secondly, that there was easy access to buses and  
3           therefore were they going to be suspended; that item.  
4           Thirdly, that the block had a communal door so what was  
5           he to do about people coming out who were not suspects,  
6           and he particularly said women and children.

7           Now, that's a summary, not the detail. That's the  
8           summary of the three concerns relayed into the  
9           operations room.

10          Now, were you aware of any of that?

11         A. One part of it I can recall was a discussion in relation  
12          to the buses.

13         Q. Right.

14         A. And whether or not there was a requirement to suspend  
15          the buses or divert the buses.

16         Q. Or divert, right.

17         A. I recall that conversation, yeah.

18         Q. Was a decision taken?

19         A. It was, yes.

20         Q. What was the decision?

21         A. I believe that I spoke to Cressida Dick in relation to  
22          that matter, and her decision was that at this stage the  
23          buses were not to be diverted.

24         Q. So could Trojan 80 have ever believed that they had  
25          been?

- 1 A. I don't know, sir. You would have to ask him.
- 2 Q. Was there any doubt about this decision by Cressida Dick  
3 on one of the concerns that they were not going to be  
4 diverted or suspended; that was a clear decision, was  
5 it?
- 6 A. As far as I was concerned, sir, Cressida Dick had said  
7 that the buses were not to be diverted.
- 8 Q. Can you give us a clue as to when she took that  
9 decision, just roughly in the timeframe here; is it  
10 after 8.30 or before, since that's one time you have  
11 there?
- 12 A. I can't recall specifically but I believe I was in the  
13 ops room more or less continually after 8.30.
- 14 Q. I want to ask you about the role of Cressida Dick  
15 because you indicated to my learned friend before lunch  
16 that your understanding was that, once she, as it were,  
17 came on after 7 o'clock and entered the ops room, she  
18 was effectively in control of everything and taking all  
19 the decisions; is that right?
- 20 A. Yes, sir.
- 21 Q. So she's taking the decisions about non-suspects as well  
22 as suspects?
- 23 A. I believe that once Cressida Dick was in the ops room,  
24 all information in relation to those suspects leaving  
25 the premises were coming through to the ops room which



1           gave her the opportunity to make the decision on a  
2           case-by-case basis.

3   Q.   Yes, so it would include non-suspects?

4   A.   Yes, sir.

5   Q.   Right, there is something a little unusual in this  
6           set-up: DSOs are not normally appointed in relation to  
7           what, at that time, each time somebody comes out, is  
8           non-Kratos, non-Kratos/Clydesdale; do you agree?

9   A.   Yes, sir.

10   Q.   That's unusual. Do you remember whether there was any  
11           attempt to explain -- I'll take it specifically. When  
12           you spoke to DS Dingemans, you knew then that there was  
13           an appointed DSO because you had had discussions the  
14           night before?

15   A.   Yes, sir.

16   Q.   Did you say to Dingemans: look, we have a DSO, which we  
17           don't normally have other than for Clydesdale, but this  
18           isn't necessarily a Clydesdale operation at all, but we  
19           put it in place because we think that's the sensible  
20           course, and you shouldn't derive anything more from it  
21           than that; was that said to Dingemans?

22   A.   I don't believe I went into that detail with  
23           Mr Dingemans, no.

24   Q.   The reason I ask you that is of course it may become  
25           very important when briefing firearms officers as to

1           what they understand Cressida Dick, the role she is  
2           performing; you see that?

3   A.   Yes, sir.

4   Q.   All right.  So when it came, and now I am going to move  
5           on, you can turn over the page, we are getting to the  
6           stage where Jean Charles leaves number 21.  He is  
7           possibly identical.  Now, at that stage, clearly  
8           a communal door, because you have mentioned it, had been  
9           identified.  Can you help us as to when the operations  
10          room, the penny finally dropped that it was a communal  
11          door and there might be difficulties about stopping  
12          everybody; do you know when that happened?

13  A.   I can only recall when I went into the ops room by 8.30  
14          that staff within the ops room knew that it was  
15          a communal door.

16  Q.   Then at 8.30, if they knew it was a communal door, the  
17          policy at that stage was still the same according to how  
18          it was relayed to you: stop everybody, detain suspects.

19  A.   My understanding of that was that suspects would be  
20          followed and then stopped by firearms team, more  
21          suitable location, and if appropriate and possible,  
22          those that were not the suspects would also be stopped.

23  Q.   Right.  Moving on, this is now post 9.30, when  
24          Jean Charles leaves, and you have noted from a communal  
25          door.  You heard that he wasn't believed to be

1           presumably the suspect, and you got that from somebody  
2           in SO19. Dingemans was then to conduct a stop. Now,  
3           what is clear from your statement is that somebody is  
4           saying, and I think you said before lunch it was  
5           Mr Boutcher who indicated he should be stopped; is that  
6           right?

7    A. Yeah, my recollection is, sir, that initially the  
8           surveillance team thought that he possibly was one of  
9           the suspects, so therefore had undertaken surveillance  
10          and were still surveilling him, which gave us the  
11          opportunity to deploy Mr Dingemans, because we still had  
12          control of the subject at that stage, to do the  
13          intelligence --

14   Q. I understand all of that. It's not your decision, but  
15          who is deciding that this is the time to stop somebody  
16          to gather intelligence?

17   A. I believe the circumstances, the fact that the  
18          surveillance team had gone behind the subject and were  
19          behind him, gave us the opportunity then as he was under  
20          control, to undertake that opportunity to gather  
21          intelligence.

22   Q. Yes, understood. My question is: who decided he should  
23          be stopped.

24   A. As far as my understanding is, it would either have been  
25          Cressida Dick, Mr Boutcher, or my instructions were from

- 1 Mr Boutcher to contact DS Dingemans.
- 2 Q. Boutcher tells you but you think he may have got it from  
3 Dick; Dick is saying "have him stopped for intelligence  
4 purposes". Once again, at this stage, from everything  
5 you have said up to now, you didn't know where  
6 Dingemans' team was at this point?
- 7 A. No, I believed that he would have been in the vicinity  
8 in order to facilitate stops as required.
- 9 Q. Well, you may have believed that, but -- and I want to  
10 put to you so it's clear, I am not saying you are  
11 responsible for his non-presence, that had DS Dingemans'  
12 intelligence gathering team been present in order to  
13 stop this individual at the time he was worth a second  
14 look, Mr de Menezes might still be alive because it  
15 would have been an unarmed team that just went up and  
16 said who are you. Do you follow the significance and  
17 the importance of Dingemans and his team? Who was  
18 tracking Dingemans, knowing exactly where he was at any  
19 one point in the operations room?
- 20 A. My understanding was that DS Dingemans was in contact  
21 with the Silver deployed for Scotia Road.
- 22 Q. Right, that's Purser?
- 23 A. Yes, and that within the ops room I can't say who  
24 specifically knew where he was actually parked at that  
25 time, but we were -- I was under the impression that he

1           was suitably positioned to effect opportunities for  
2           intelligence stops.

3    Q.   We will hear from him, but he certainly wasn't, but we  
4           will hear from him exactly where he was.  Going through  
5           that chain of communication: Silver on location, that's  
6           Purser, had a direct line in to Cressida Dick?

7    A.   Yes, sir.

8    Q.   What was that direct line in?  Was it a mobile or was it  
9           a landline or was it something else?

10   A.   As far as I recall, she was certainly, well, utilising  
11           landlines and mobiles within the ops room and  
12           information was coming across from the surveillance  
13           monitors as well and from the firearms teams.

14   Q.   Did one of the monitors that we have seen on the plan --  
15           you don't have to get it out again -- sitting in that  
16           row of desks in front of the horseshoe, was one of those  
17           -- because Pat was looking at surveillance teams  
18           particularly, do you remember that?

19   A.   Yes.

20   Q.   Was one of the other ones monitoring Dingemans'  
21           intelligence-gathering team?

22   A.   I don't believe they would have been specifically  
23           appointed to do that, no.

24   Q.   All right.  Only one more question, really, in this  
25           context of you being there: did you ever hear

1 Cressida Dick say to anyone, but as an order, stop him  
2 at all costs.

3 A. No, sir, I never heard her say that.

4 MR MANSFIELD: Thank you.

5 SIR MICHAEL WRIGHT: Can you remember what time you gave  
6 Sergeant Dingemans his instructions?

7 A. I can't recall specifically, sir.

8 SIR MICHAEL WRIGHT: Your statement doesn't disclose the  
9 time. Any idea?

10 A. I would say if I was at the 7 am meeting, sometime  
11 between 7.30 and 8.30.

12 SIR MICHAEL WRIGHT: Do you know what time he got there?

13 A. I don't, sir, no.

14 SIR MICHAEL WRIGHT: Very well.

15 MR HORWELL: Sir, I was simply going to mention the red book  
16 is here. I have isolated the relevant pages. There are  
17 four or five of them. Mr Mansfield will need to look at  
18 it and in fairness to the witness she should look at it.

19 SIR MICHAEL WRIGHT: Rather than going on with the other  
20 cross-examination, would it be sensible to take 10  
21 minutes now, Mr Mansfield, for you to look at it?

22 MR MANSFIELD: I would be obliged, yes.

23 SIR MICHAEL WRIGHT: Let us do it that way. Enforced break,  
24 ladies and gentlemen. Will ten minutes be enough?

25 MR MANSFIELD: I don't know whether it's enough for the



1           The question is whether Cressida Dick is going to be  
2           called.

3           Yes, Mr Mansfield?

4 MR MANSFIELD: Thank you very much for the opportunity. You  
5           have the book back. First of all, just to confirm,  
6           I think, pretty well what you were saying before, namely  
7           the book is not a running commentary on everything that  
8           happened over the 21st and 22nd, is it?

9           A. No, sir.

10          Q. There are two entries there close together. I think you  
11          have them in front of you. You have made -- they are  
12          sort of trigger notes -- two trigger notes. One  
13          concerns buses. Could you just read out what you have  
14          written about buses there?

15          A. I have written down "bus route" and underneath "Scotia  
16          routes" and then the word "suspended".

17          Q. I think there is a little more further down or not?

18          A. Yeah, a couple of lines further down it says "number 2  
19          bus route Stockwell Road".

20          Q. Obviously you know what it means --

21 SIR MICHAEL WRIGHT: Is it "suspended?" Or just  
22          "suspended".

23          A. I have just left a gap and then put the word  
24          "suspended".

25 MR MANSFIELD: You told us in fact the decision was that



1           they weren't to be, so is that recording just  
2           a discussion or what?

3    A.   I believe my involvement in relation to the bus routes  
4           would be as a result of someone asking me the question  
5           on the surveillance teams: have the bus routes been  
6           suspended or a conversation about bus routes; and as  
7           a consequence of that, I have then asked Cressida Dick  
8           for a decision in relation to that particular point.

9    Q.   All right.  The only other point there, I think it is  
10           sandwiched between those points, is you have got a short  
11           reference to Dingemans.  I think it reads:

12                   "DS Dingemans intel", or something?

13   A.   It does.  It says "PS Dingemans", then "intel gather".

14   SIR MICHAEL WRIGHT:  Intelligence.

15   A.   Yes, sir.

16   MR MANSFIELD:  Thank you very much indeed.

17   MR GIBBS:  Sir, may I ask some surveillance questions?

18   SIR MICHAEL WRIGHT:  Yes, Mr Gibbs.

19                   Questions from MR GIBBS

20   MR GIBBS:  Chief Inspector, I represent the red and grey  
21           surveillance teams.

22                   Can I keep it very simple?  Outside the control room  
23           we have heard about three different types of officer,  
24           the red and grey surveillance teams down at Scotia Road,  
25           and was it their job to watch the address and to follow

- 1 people if necessary?
- 2 A. It was, sir, yes.
- 3 Q. Then we have heard about Mr Dingemans and his team of  
4 three others, and was it their job to gather  
5 intelligence?
- 6 A. Yeah, their job was to seize the opportunity to gather  
7 intelligence by speaking to persons that were not the  
8 suspects from the premises.
- 9 Q. Was that people who were identified as being definitely  
10 not suspects?
- 11 A. Well, as I recall, that I was told that persons had  
12 already left the premises, so from that I would be led  
13 to believe that the surveillance teams didn't think  
14 those individuals were in fact suspects.
- 15 Q. Then there are the specialist firearms officers and  
16 their job would be to intervene in relation to people  
17 who were definitely suspects?
- 18 A. Yeah. My understanding was that if the persons leaving  
19 the premises were identified as suspects or suspect,  
20 then the armed team were there to convene an armed stop  
21 at the most appropriate point.
- 22 Q. What about this, as you understood the plan: if someone  
23 came out of the premises who was a possible or perhaps  
24 even a good possible for one of the suspected suicide  
25 bombers, what would happen?

- 1 A. My understanding is that the surveillance team would  
2 maintain control on that subject in order to see if  
3 there was an opportunity to further identify them or  
4 give further information on that subject.
- 5 Q. If the person was a possible, or a good possible, for  
6 a suspected suicide bomber, who, as you understood it,  
7 would stop that person?
- 8 A. My understanding would be that information would be  
9 relayed into the ops room and Cressida Dick would make  
10 the decision that if so required, the officers from  
11 a firearms team would stop that person by detaining them  
12 at a suitable location.
- 13 Q. So if anyone was to -- if such a person was to be  
14 stopped, then he would be stopped by the specialist  
15 firearms officers?
- 16 A. That was my understanding, yes.
- 17 Q. Who would make the decision as to whether he would be  
18 stopped?
- 19 A. That would be Cressida Dick, as the information came in  
20 from the surveillance team into the ops room.
- 21 Q. Thank you. Now, back in the control room, which was  
22 where you were at all relevant times? I am in  
23 particular concerned with the half hour after  
24 Mr de Menezes came out of the premises.
- 25 A. Yes, sir.

- 1 Q. Were you there the whole of that time?
- 2 A. I was, sir, yes.
- 3 Q. The atmosphere, you have told us, was energetic and  
4 lively?
- 5 A. Yes, sir.
- 6 Q. What does that mean?
- 7 A. This means that people were fully aware of the gravity  
8 of what had happened the day before, obviously coupled  
9 with what had happened two weeks previous and the deaths  
10 of so many people and so many injured, that everybody  
11 was concentrating on their actual role, listening and  
12 obviously, you know, hoping to conduct a proactive  
13 operation to try to identify those responsible.
- 14 Q. Did the people who were in the control room each have  
15 dedicated jobs to do?
- 16 A. I believe so, yes.
- 17 Q. I am looking at, I wonder whether you could look at it  
18 as well, the plan that we had up on screen. It's in our  
19 jury bundle at tab 20. We have heard some evidence and  
20 we will hear some more about who was on the telephone to  
21 whom, and who had radio connections with whom. Were you  
22 on the telephone to anyone during this period?
- 23 A. During this period I recall I was on my mobile phone.
- 24 Q. To whom?
- 25 A. I believe to Mr Dingemans.

- 1 Q. Anybody else?
- 2 A. As I recall, possibly Mr Purser, but that was following  
3 the shooting.
- 4 Q. So not until after the incident at the tube station?
- 5 A. I believe so, sir, yes.
- 6 Q. So otherwise, would I be right in thinking that your  
7 information is arriving at you second-hand?
- 8 A. Yeah, I am gaining the information as the surveillance  
9 monitor, the officer undertaking that role, is verbally  
10 relaying what he is actually hearing.
- 11 Q. Can we just focus on that person, who we are calling  
12 Pat. I think you have told us that he was sitting in  
13 the seat marked S1?
- 14 A. Yes, sir. I believe so.
- 15 Q. You describe that he was typing a log?
- 16 A. I believe so, yes, sir.
- 17 Q. Based upon what he was hearing on the surveillance  
18 radio?
- 19 A. Yes, sir.
- 20 Q. To which he was connected by headphones?
- 21 A. That's correct, sir, yeah.
- 22 Q. It being his job and primary responsibility to monitor  
23 what was being said on that channel?
- 24 A. Yes, sir.
- 25 Q. Where would that log -- we will, I am sure, when he

- 1 gives evidence, see exactly what he wrote, but where  
2 would what he wrote have come up on the screen? Would  
3 it have been just in front of him?
- 4 A. Yes, sir.
- 5 Q. On his desktop monitor?
- 6 A. I believe so, yes, sir.
- 7 Q. And on the screens on the wall above and beyond him?
- 8 A. I don't recall it being actually up on the screens above  
9 him.
- 10 Q. I see. It may be that we will hear from other witnesses  
11 something about that. Could I ask you just to go in the  
12 bundle, on into section 21 where we see the photographs  
13 of the room. If you look at page 33A, am I right in  
14 thinking that of that central rectangular console, it  
15 would be the seat nearest to the photographer which was  
16 the one at which Pat was seated?
- 17 A. Yes, sir, that's correct.
- 18 Q. Then if we go on to 33B, again we see that rectangular  
19 desk with the four screens on it, and it would be the  
20 left-hand one, as we look at it, at which Pat was  
21 seated?
- 22 A. That's correct, yes, sir.
- 23 Q. There are a number of screens up above facing that  
24 rectangular desk. Do you remember what was up on those  
25 screens?

1 A. No, I can't assist you with that, sir.

2 Q. If we turn to 33C, again we see the --

3 SIR MICHAEL WRIGHT: In that case, Mr Gibbs, it's my fault

4 because that's what I was talking about, Chief

5 Inspector; the monitors have their own desktop screens

6 in front of them.

7 A. Yes, sir.

8 SIR MICHAEL WRIGHT: I appreciate obviously what they type

9 on to their keyboards come up on those screens, because

10 that's the immediate computer screen for what they are

11 doing, but ahead of them and up on the wall and up high

12 are the screens on the wall.

13 A. That's right, sir.

14 SIR MICHAEL WRIGHT: I thought, and I thought you were

15 agreeing with me, that the same messages would come up

16 on the screens on the wall ahead of -- in front of them.

17 I am wrong?

18 A. I don't recall on this occasion that what Pat was typing

19 on that computer was coming up on to the screen in front

20 of him.

21 SIR MICHAEL WRIGHT: Was anything?

22 A. I can't recall what was on those screens, sir. I don't

23 recall any of the --

24 SIR MICHAEL WRIGHT: All right.

25 MR GIBBS: I confess that I too thought that it was coming

1           up on the upper screens.

2   SIR MICHAEL WRIGHT: I think we all did.

3   MR GIBBS: It may be that other witnesses will be able to

4           help us with that, sir.

5   SIR MICHAEL WRIGHT: Yes.

6   MR GIBBS: So there is Pat with his headphones and

7           a connection in real time to what it is that's being

8           said on the surveillance channel; yes?

9   A. Yes, sir.

10   Q. Also in the room is Mr Esposito, who is Trojan 80. Do

11       you remember where he was sitting?

12   A. I don't recall where he was actually seated as such.

13       I believe he was, probably to the other opposite end of

14       the surveillance monitors, in that area.

15   Q. I wonder whether he may have been sitting in seat A4?

16   A. Possibly, sir, yes.

17   Q. Around there?

18   A. Yes, sir.

19   Q. To whom was he connected, as you understood it?

20   A. My understanding was he was in contact with the firearms

21       officers deployed to the scene.

22   Q. Right. So the feed from the firearms officers is coming

23       into the control room -- it may be from others as

24       well -- but certainly through him; was that right?

25   A. He is certainly commenting within the ops room on



- 1 actions that are being taken by the firearms team, yes.
- 2 Q. And Commander Dick is standing and moving around?
- 3 A. Yeah, I believe that she was standing, again probably
- 4 around the area of S3, S2.
- 5 Q. Would Mr Boutcher have been with her?
- 6 A. He was, sir, yes.
- 7 Q. Did she have a loggist?
- 8 A. I believe Mr Cummings was present and taking notes.
- 9 Q. I am interested in where the idea came from that someone
- 10 had said that the man who turned out to be Mr de Menezes
- 11 but who was being followed, wasn't the suspect?
- 12 A. My recollection, sir, was that that came from
- 13 Mr Esposito.
- 14 Q. From Mr Esposito, so there had been a possible
- 15 identification with the suspect which came from the
- 16 surveillance team; is that right?
- 17 A. That's correct, sir.
- 18 Q. There was then a negative, a "no, it's not him" from
- 19 Mr Esposito?
- 20 A. Yes, sir.
- 21 Q. Then there was a "yes, it may be him", or perhaps even
- 22 something stronger than that, again from the
- 23 surveillance team?
- 24 A. That's correct, sir, yes.
- 25 Q. I think that that indeed was what you said in your

1 statement back in September of 2005, am I right, as to  
2 the source of the belief that it wasn't the man, of  
3 whatever period that was?

4 A. Yes, sir.

5 Q. You said, I think, that you thought the information came  
6 from SO19?

7 A. Yes, sir.

8 Q. What was happening in the intelligence cell, away to the  
9 right-hand side?

10 SIR MICHAEL WRIGHT: Could you see? Can you see into the  
11 cell?

12 A. No, sir, it's a closed door.

13 SIR MICHAEL WRIGHT: I didn't think you could.

14 MR GIBBS: Did you go in there?

15 A. Not that morning until later.

16 Q. What did you understand the role of the intelligence  
17 cell or those in it to be on this day?

18 A. I understood there were persons within that room that  
19 may be able to provide information that possibly could  
20 assist the operation.

21 Q. Of a sort some of which is too secret to speak about  
22 here?

23 A. Yes, sir.

24 Q. But if, for instance, there was information that someone  
25 who was under surveillance might be using a telephone,

- 1           then it might have been possible to put that together  
2           with information available in the intelligence cell  
3           room?
- 4   A.   That is a possibility, yes, sir.
- 5   Q.   Then there came a time when Mr Boutcher was asking  
6           whether the surveillance team could give, through Pat,  
7           who he was speaking to, a percentage level of belief as  
8           to their suspicion about the man whom they were  
9           watching?
- 10  A.   Yes, sir.
- 11  Q.   And no such percentage was forthcoming?
- 12  A.   No percentage was given, no.
- 13  Q.   I am asking you now, a long time after the event, what  
14           the precise words that Pat may have spoken in response  
15           to that question were. Can you say precisely what they  
16           were?
- 17  A.   As far as my recollection is that Pat stated that "they  
18           are saying that it's him".
- 19  Q.   We will hear others describe the same exchange between  
20           Mr Boutcher and Pat, and we will hear from Pat as well.  
21           Do you think that Pat may have said something like: they  
22           think it's him.
- 23  A.   I can only recall that I believe he said that "they are  
24           saying that it's him"
- 25  MR GIBBS: Thank you very much.

1 SIR MICHAEL WRIGHT: Mr Singh?

2 MR SINGH: No questions from me, thank you.

3 Questions from THE CORONER

4 SIR MICHAEL WRIGHT: Thank you very much. Before you do it,  
5 Mr Perry.

6 Before Commander Dick came to the control room,  
7 which I think was probably between 7.30 and 8 o'clock,  
8 who was in charge of the control room?

9 A. The person was the surveillance co-ordinator, which was  
10 Noel Baker, Detective Chief Inspector Noel Baker.

11 SIR MICHAEL WRIGHT: Was he there, was he in charge until  
12 Commander Dick arrived?

13 A. I believe so, sir, yes.

14 SIR MICHAEL WRIGHT: When Commander Dick came in, you told  
15 us that she effectively took control as the DSO?

16 A. Yes, sir.

17 SIR MICHAEL WRIGHT: Well, then, what was Commander Baker's  
18 role then?

19 A. My understanding of Commander Baker was that he was the  
20 designated senior officer for spontaneous incidents.

21 SIR MICHAEL WRIGHT: So effectively he stood back from that  
22 point of view?

23 A. My understanding is, sir, that he would not have been  
24 anywhere near the ops room as such.

25 SIR MICHAEL WRIGHT: He wouldn't have had a role after that?

1 A. No, sir.

2 SIR MICHAEL WRIGHT: What I'm not clear about is what was  
3 Superintendent Boutcher's role, first of all before  
4 Commander Dick came and secondly after?

5 A. As 7/7 actually occurred, he was given the  
6 responsibility for running a proactive operation.

7 SIR MICHAEL WRIGHT: I understood that.

8 A. And he consequently undertook that role for events of  
9 21/7 as well, and that any consequent manhunt as far as  
10 the whole proactive operation. What actually happened  
11 then was that as information was coming through the  
12 night before and we put in measures with opening the ops  
13 room and getting the firearms authorities, Mr Boutcher  
14 made the decision to meet with Andrew and the others to  
15 discuss whether or not a DSO was actually required for  
16 the ops room. As a result of that meeting, that was  
17 when it was decided that Cressida Dick would come on at  
18 7 the following morning.

19 SIR MICHAEL WRIGHT: Mr Boutcher had dealt with firearms  
20 authorities, questions about special ammunition and so  
21 forth?

22 A. Yes, sir.

23 SIR MICHAEL WRIGHT: Once Commander Dick had come in as the  
24 DSO and taken control of the ops room, what was  
25 Superintendent Boutcher's position then?

1 A. He still remained the lead for the proactive operation,  
2 but ultimately in these stages, Cressida Dick was the  
3 decision-maker as far as the deployments and what was  
4 actually occurring on the ground.

5 SIR MICHAEL WRIGHT: Was he in any sense assisting her?

6 A. He was certainly in conversation with her, yes,  
7 assisting her, yes.

8 SIR MICHAEL WRIGHT: Thank you. Mr Perry.

9 Questions from MR PERRY

10 MR PERRY: Thank you very much, sir. I am David Perry and  
11 I am representing Commander McDowall as he then was,  
12 Commander Dick, Chief Inspector Esposito and Detective  
13 Chief Inspector Purser. I hope you can hear me.

14 May I just deal with the questions that the learned  
15 Coroner has just put to you, because I think you may  
16 have confused two different people, but it may be that  
17 I am confused, so don't worry.

18 Detective Chief Inspector Noel Baker is quite  
19 a different person from Commander Baker.

20 SIR MICHAEL WRIGHT: My fault, I beg your pardon, it's  
21 Noel Baker we are talking about.

22 MR PERRY: Yes.

23 SIR MICHAEL WRIGHT: Noel Baker that the witness was talking  
24 about.

25 MR PERRY: I don't know, I will ask the witness to see what

1 the witness has to say.

2 Noel Baker, the Detective Chief Inspector, he is the  
3 surveillance co-ordinator, supervisor, in ops room 1600  
4 before Cressida Dick goes into that room and takes  
5 command of this operation?

6 A. That's correct, sir.

7 SIR MICHAEL WRIGHT: Yes.

8 MR PERRY: Commander Baker, the onduty DSO, designated  
9 senior officer, is he the one -- I have described it as  
10 a little pod on the second floor. It may be a big pod  
11 for all I know, but a little room on the second floor,  
12 which used to be part of the old Scotland Yard command  
13 centre where all the 999 calls came in. Was he there?

14 A. I don't know specifically that he was there but  
15 I understood that there was a DSO undertaking that role  
16 and I believed it to be him, yes.

17 Q. But the person that we are concerned with in relation to  
18 the operations room on the 16th floor is Noel Baker, the  
19 Detective Chief Inspector?

20 A. That's correct.

21 Q. That's clear. Just again so it's absolutely clear also,  
22 Detective Chief Inspector Scott, there is no dispute at  
23 all that Commander Dick came into this operation, that  
24 she was responsible for taking the operational  
25 decisions, and she decided what was to happen in

1 relation to particular individuals who were referred to  
2 her, in other words whether they should be stopped  
3 either for intelligence purposes or detained?

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

5 Q. Just on another point that the learned Coroner raised  
6 about Mr Boutcher's role: what you have effectively is  
7 a command structure with Commander Cressida Dick, as she  
8 then was, now Deputy Assistant Commissioner Dick, but  
9 Commander Dick as she then was as the designated senior  
10 officer.

11 Now, she has a tac adviser, Trojan 80, and the tac  
12 adviser is the person who stands by the senior officer's  
13 side giving advice, as the title indicates, giving  
14 advice as to the tactical use of firearms?

15 A. Yes, sir.

16 Q. She's also got Mr Boutcher, and it's Mr Boutcher's job  
17 also to discuss matters with Cressida Dick, and if  
18 necessary challenge her as to the appropriateness of any  
19 particular decision?

20 A. Yes, sir.

21 Q. Also there is Mr Cummings as well, isn't there? What  
22 was his role in relation to this?

23 A. I believe that he came with Cressida Dick into the ops  
24 room and was her loggist and support --

25 Q. We are going to hear, I am not suggesting for a moment



1           that you are wrong about Mr Cummings being a loggist,  
2           but we will hear that Cressida Dick had a dedicated  
3           loggist, but he didn't turn up -- the first logger was  
4           Mr Cremin, and he didn't turn up until about 9.44,  
5           something like that.

6           You say that Mr Cummings was also making notes in  
7           relation to this?

8    A.    I believe he was working in conjunction with  
9           Cressida Dick, yes.

10   Q.    What I would like to do, Detective Chief Inspector, if  
11           I may, is just taking it in chronological order, try to  
12           bring to life or fill out some of the information that  
13           you provided to us, and I hope in doing so to try to  
14           pull a few strands together.

15           You have told us that you were the oncall senior  
16           investigator for S013, the Anti-Terrorist Branch, and  
17           that on 21 July you were on duty until approximately  
18           2 am on the 22nd?

19   A.    Yes, sir.

20   Q.    You have also told us that you attended various  
21           meetings, and I am not going to go into them in detail,  
22           but I'm going to plot through until I come to the  
23           meeting I am interested in. You had been to the 5.05 pm  
24           meeting with the explosives officers, the 6.15 pm  
25           meeting with the command team, and the 10 pm meeting of

1 the command team, and then that's on the evening of the  
2 21st. Going on to the 22nd, I want to ask you about  
3 this meeting: you said you were at the meeting that took  
4 place at 1 am at which was present  
5 Detective Superintendent Boutcher, amongst others.  
6 There were also Commander Allison, Commander Carter, and  
7 Andrew.

8 The reason I want to ask you about this meeting is  
9 this: this was the meeting at which you, together with  
10 those other senior officers, nominated Cressida Dick as  
11 the designated senior officer; do I have that right?

12 A. That's correct, sir. At that meeting the decision was  
13 made that Cressida Dick would be the designated senior  
14 officer for the following morning, yes.

15 Q. I think very shortly after that meeting -- you may not  
16 have been present but I'll just ask you -- I think  
17 Commander Carter telephoned Commander Dick to warn her  
18 that she was to report to New Scotland Yard at 7 o'clock  
19 that day?

20 A. All I can say was I was made aware that that had been  
21 undertaken, yes.

22 Q. What I wanted to ask you, Detective Chief Inspector, to  
23 see if you can assist us, was really this: what  
24 qualities did Cressida Dick have that you discussed at  
25 this meeting that made her appropriate to be nominated

1 as the designated senior officer?

2 A. That was a discussion between, I believe,  
3 Commander Allison and Commander Carter. Obviously it  
4 required an officer of senior rank that was  
5 an experienced officer, and potentially undertaken this  
6 type of training.

7 Q. Did you know what sort of experience Cressida Dick had  
8 had in this type of operation?

9 A. Not specifically, sir, no.

10 Q. I won't ask you any more about that, because I'm going  
11 to go on now, because you were asked questions about the  
12 firearms authority, which we know was given at 11.50 pm  
13 on the evening of the 21st.

14 I am going to ask, please, to go to divider 40 of  
15 the little bundle of documents that we have, which  
16 contains the firearms authority. If we could go to  
17 page 31 of that document, the page numbers,  
18 Detective Chief Inspector, appear in the bottom  
19 right-hand corner, and it's also coming up on the  
20 screen, if that's of assistance to you.

21 Just to put this in context, this is the senior  
22 officers firearms authority requested by Mr Boutcher,  
23 the Detective Superintendent, and it was requested at  
24 11.50 pm.

25 You have been asked questions about page 31, and in

1 particular, just in the middle of the page, between the  
2 two punched holes, the paragraph that begins:

3 "Detective Chief Inspector Scott tasked to identify  
4 and brief Silver Commander for deployment and SFO  
5 standby team who will remain at base awaiting  
6 intelligence developments."

7 Do you recall you were asked questions about that?

8 A. Yes, sir.

9 Q. May we just go up the page two paragraphs to see the  
10 context for this? Because we see, don't we, that this  
11 was at a time when the strategy being considered was  
12 disclosure of information to the media, the release of  
13 photographs to the media?

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

15 Q. We know that that was -- a final decision was going to  
16 take place at about 4.30 am to catch the print runs for  
17 the national newspapers because they are put to bed by  
18 about 4.30 and if you want to make the editions you have  
19 to get your information to the newspapers. Then there  
20 was going to be a public announcement at 10.30 the  
21 following morning. That was what was being discussed at  
22 this time; you were aware of that?

23 A. I was aware of that, sir, yes.

24 Q. So at this time, when we are looking at this document,  
25 then, at that time, subject of course to further

- 1 intelligence developments, but at the time this is being  
2 considered, it was not then envisaged anything would  
3 happen until the media appeal had been made?
- 4 A. That's correct, sir, yes.
- 5 Q. That is why -- we can now, so I don't confuse everyone,  
6 put that away. That is why you went off duty at 2 am.  
7 Had you been required you would have stayed?
- 8 A. Absolutely, sir, yes.
- 9 Q. I do not want to trespass upon personal matters at all,  
10 but you told us you lived about an hour away from  
11 New Scotland Yard, and I do not want to go into the  
12 address or anything like that, but did you then live in  
13 Surrey?
- 14 A. Yes, sir.
- 15 Q. It took you about an hour to drive home?
- 16 A. It did, sir, yes.
- 17 Q. So you left Scotland Yard at about 2 o'clock?
- 18 A. Yes, sir.
- 19 Q. Arrived home, what, about 3?
- 20 A. About 3, sir, yes.
- 21 Q. Went to bed?
- 22 A. Went to bed, set my alarm for an hour's sleep and got  
23 back up at 4 o'clock, yeah.
- 24 Q. Got back up at 4 to drive back into the Yard?
- 25 A. Yeah, to pick up some new clothes on the understanding

1           that I potentially would be working and staying in  
2           Central London for the foreseeable future until those  
3           individuals were caught.

4   Q.   How many clothes did you pick up?

5   A.   Several weeks' worth.

6   Q.   So you are due back, you told us, when you were  
7           answering questions asked by Mr Hough who appears on  
8           behalf of the Coroner, you were saying that you were due  
9           back on duty at 7 am?

10  A.   Yes, sir.

11  Q.   You were quite precise, people may have noticed, to say  
12           that you were due back at 7, because I think the  
13           position is, as we have now discovered, you in fact came  
14           on at 6 am?

15  A.   Yes, sir. My understanding was that we were to come in,  
16           myself and Mr Boutcher and, as Cressida Dick was warned  
17           for 7 am, to come back into New Scotland Yard for 7.  
18           However, once I had set my alarm, got up and got  
19           dressed, I started making my way into Scotland Yard, and  
20           it appeared that I was there just after 6 am, yes.

21  Q.   I want to ask you about something that happened during  
22           the course of your journey from your home in Surrey to  
23           Scotland Yard, and I will ask to look at some documents  
24           on the screen which I hope will be available. We have  
25           some copies for you, sir, and for the ladies and

1 gentlemen of the jury.

2 May I just ask for those to be handed out? (Handed)

3 Detective Chief Inspector, I had better give you one  
4 as well. I am very sorry, that's my fault.

5 SIR MICHAEL WRIGHT: Do you want it on the screen?

6 MR PERRY: If it could come up on the screen as well so we  
7 can follow. Just in case you prefer to have a hard  
8 copy. (Handed)

9 What I would like to do first of all, please, is  
10 look at the document which -- they are each message  
11 forms but the one I want to look at first of all is the  
12 one which is first in time, which is a message from  
13 DCI Mellody on 22 July 2005 at 04.55. Do you have that  
14 one in front of you?

15 A. Yes, sir.

16 Q. Just to put the other message in context.

17 May I first of all just ask you: these message forms  
18 that we are looking at at the moment, is there a system  
19 at New Scotland Yard where there is a system for  
20 recording messages on a message pad and copies of the  
21 messages are kept in hard copy form at  
22 New Scotland Yard?

23 A. That is correct, yes, sir.

24 Q. Would these message forms actually be in the operations  
25 room or ...?

- 1 A. These forms weren't kept in the operations room on the  
2 16th floor, but the operational support room on the 15th  
3 floor.
- 4 Q. Right, thank you. If we just go through this, this is  
5 Detective Chief Inspector Mellody, and you have already  
6 explained the role that  
7 Detective Chief Inspector Mellody had but just to  
8 refresh our memories, tell us again?
- 9 A. He remained throughout the night working at  
10 Scotland Yard and dealing with the intelligence and  
11 developing that in materialised(sic) that came through  
12 the night.
- 13 Q. We see the time of this, 04.55, and the officer who  
14 appears to be receiving the message is  
15 an Inspector Hall. Do you know Inspector Hall?
- 16 A. Not personally, sir, no.
- 17 Q. Do you know --
- 18 A. I know he, at that time, I believe, worked within SO13,  
19 and as one of the provisions that Mr Boutcher and I had  
20 undertaken prior to us leaving, we ensured that there  
21 was night duty cover in this ops support room should any  
22 action be required and that was the role Inspector Hall  
23 was taking.
- 24 Q. You have gone home?
- 25 A. Yes, sir.



- 1 Q. But Detective Superintendent Boutcher is staying in  
2 a hotel, I think, just a few minutes from  
3 New Scotland Yard?
- 4 A. That's right, sir.
- 5 Q. So if needs be, he can be at New Scotland Yard within  
6 a few minutes?
- 7 A. Yes, sir.
- 8 Q. Then if we go down to the information which is in the  
9 body of the message, I'll do my best to try to translate  
10 the "DI/IFCAT". Is that, Detective Inspector, Inspector  
11 Firearms Command Accreditation Training?
- 12 A. Yes, sir, it is.
- 13 Q. In simple language, does it just mean someone who is  
14 qualified with a particular firearms authority?
- 15 A. Yeah, absolutely, sir. It's a term that's used by  
16 officers basically just to say, IFCAT trained, you know  
17 they have had the relevant course and can conduct the  
18 role of a Silver.
- 19 Q. IFCAT trained, they can do courses and this is an IFCAT  
20 trained Detective Inspector:
- 21 "Required to Silver firearms op as soon as possible,  
22 given options, requested DI Rose warned. 0457: DI Rose  
23 informed."
- 24 So within two minutes of Mr Mellody sending the  
25 message to Mr Hall, does it look as though Mr Rose has

- 1           been informed?
- 2    A.   It does, sir, yes.
- 3    Q.   Again doing our best to try to translate, "to MIR", does  
4           that mean to the major incident room?
- 5    A.   Yes, sir.
- 6    Q.   So MIR means major incident room there?
- 7    A.   Yeah.
- 8    Q.   So Detective Inspector Rose, it appears before  
9           5 o'clock, is being directed to the major incident room.  
10           Did you know that DI Rose was IFCAT, if I have that  
11           right?
- 12   A.   One of the duties I undertook on -- after tasking by  
13           Mr Boutcher, was to go to the ops room prior to leaving  
14           to have a list drawn up of all those officers that were  
15           IFCAT trained and could conduct the Silver role. So my  
16           understanding from that is that the ops support team  
17           would have had a list of those officers and Mr Rose's  
18           name would have been on that list.
- 19   Q.   Yes. Now, that shows what was going on then, but I now  
20           want to turn to the second message form, please, if  
21           I may, which is one that shows you,  
22           Detective Chief Inspector Angie Scott, again 22 July,  
23           and this is at 05.28, so 5.28 am, and what we have  
24           blanked out on this, just so there is no mystery about  
25           it, is just your telephone number.

- 1 A. Okay, sir.
- 2 Q. But the officer receiving or sending, can you just tell  
3 us who that was in the little box there?
- 4 A. I can't quite make out the name but I believe that would  
5 be an officer sitting within the ops support room as  
6 well.
- 7 Q. Just so we understand, did you call in at about this  
8 time wanting to be updated on any developments that  
9 there had been while you had been away from  
10 New Scotland Yard?
- 11 A. Yes, sir, I was, as I said, beginning to make my way  
12 back to New Scotland Yard, believing that I would be  
13 attending meetings at 7 am and en route I received  
14 a telephone call. And as a result of receiving that  
15 telephone call, I then rang into the ops support room.
- 16 Q. The telephone call that you actually received en route  
17 --
- 18 A. Yes, sir.
- 19 Q. -- that was from?
- 20 A. That was from Andrew.
- 21 Q. Then you call in and we see the information here:  
22 "Please can caller be updated on S012 [that's  
23 surveillance] and S019 [that's firearms] deployment  
24 towards subject. Also can caller be advised of SMT  
25 mobile numbers."

- 1           Is that senior management team?
- 2    A.  It is, yes, sir.
- 3    Q.  So of senior management team mobile numbers, in  
4       particular those staying at -- there is a reference to  
5       where I think is the location of the hotel?
- 6    A.  That's correct, yes, sir.
- 7    Q.  Then 05.35, we see:  
8       "DCI Scott updated.  Has spoken to DCI Mellody.  
9       Will contact senior management team when at  
10      New Scotland Yard".
- 11   A.  That's correct, yes, sir.
- 12   Q.  Would it be fair to summarise it in this way: these two  
13      messages show that, by 5 o'clock, Mr Rose has been told  
14      to come in to act as a Silver.
- 15   A.  Yes, sir.
- 16   Q.  And that, so there is no misunderstanding about it,  
17      would be Silver on the ground at a particular location?
- 18   A.  That is correct, sir, yes.
- 19   Q.  Then at 5.35, you have been updated as to the  
20      developments by DCI Mellody, and you are going to  
21      contact the senior management when you get back to  
22      New Scotland Yard?
- 23   A.  That's correct, sir.
- 24   Q.  Then you told us that you got back at about 6 am.  We  
25      have finished with those now, and I'll get a convenient

- 1 place to put them in a moment. You were then at  
2 New Scotland Yard and you went to the meeting with  
3 Mr McDowall that has been described as the 7 o'clock  
4 meeting but it really began at 6.50 am, in the  
5 conference room?
- 6 A. I did, sir, yes.
- 7 Q. Sometime after 8 o'clock, you went into room 1600, the  
8 operations room, and so we don't lose sight of it, you  
9 have been asked many questions about Scotia Road but it  
10 was also the operations room dealing with Portnall Road  
11 as well?
- 12 A. It was, sir, yes.
- 13 Q. So Commander Dick is in charge of the command in that  
14 room, or from that room; she is in charge of the  
15 operation both at Scotia and at Portnall?
- 16 A. That's correct, yes, sir.
- 17 Q. She is in communication with the Silvers on the ground,  
18 Mr Rose we have just seen, at Portnall, and Mr Purser at  
19 Scotia?
- 20 A. That's correct, yes, sir.
- 21 Q. When I say at Portnall and Scotia, I mean in the  
22 vicinity of Portnall and Scotia, because it depends  
23 where they are and to which location they have deployed.
- 24 A. Yes, sir.
- 25 Q. I just want to ask you about room 1600, because you have

1 already been asked some questions this afternoon by  
2 Mr Gibbs about what you meant by lively and energetic,  
3 was the way you described the room, and everybody  
4 concentrating.

5 So far as this room is concerned, had you been in  
6 the operations room 1600 on earlier occasions when  
7 operations had been run from there?

8 A. I had, sir, yes.

9 Q. Had there been anything like this operation before?

10 A. Not of this scale, sir, no.

11 Q. Just so everyone knows, this room, operation 1600, was  
12 really a surveillance monitoring room from which  
13 long-term surveillance operations were usually conducted  
14 with two or three officers in the room carrying out  
15 lifestyle surveillance of targeted suspected serious  
16 criminals?

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

18 Q. So what you would usually have in this sort of room  
19 would be two or three officers investigating a criminal,  
20 a suspected criminal's lifestyle, trying to build up  
21 a profile of that person's lifestyle based on long-term  
22 surveillance and intelligence?

23 A. Yes, that was generally what the room was used for, yes.

24 Q. But this was completely different, wasn't it?

25 A. Yes, it was, sir.

- 1 Q. Would it be fair to say this: that in your experience,  
2 this operation was unparalleled so far as the  
3 Metropolitan Police was concerned?
- 4 A. I would say so, yes, sir.
- 5 Q. One thing we ought to be conscious of is that there were  
6 many more people in the room than would ordinarily be  
7 present?
- 8 A. Yes, sir.
- 9 Q. So for some of the surveillance officers who might have  
10 been present on earlier occasions when they had been  
11 carrying out these long-term operations, surveillance  
12 into criminal lifestyles, it might have seemed a bit  
13 noisier than they were used to?
- 14 A. I would say that would be correct, sir, yes.
- 15 Q. But it wasn't inappropriately noisy, was it?
- 16 A. I didn't think so, no, sir.
- 17 Q. And everybody was concentrating?
- 18 A. Absolutely, yes, sir.
- 19 Q. I just want to ask you about Cressida Dick; so there is  
20 no mystery about it, she is hoped to be here next week  
21 to be giving evidence, subject to the timetable. I just  
22 want to ask you about her. So far as you could observe,  
23 and you were in the room throughout, from 8.30 until the  
24 time of the incident at Stockwell tube station, she  
25 spoke clearly and calmly, would you say?

- 1 A. I would say, yes, sir.
- 2 Q. She left no-one in any doubt as to what she wanted?
- 3 A. I would agree with that, sir.
- 4 Q. In other words, she was clearly in command?
- 5 A. Yes, sir.
- 6 Q. She made it clear that whether anyone was to be stopped  
7 was to be a decision for her?
- 8 A. Yes, sir.
- 9 Q. But the people to be stopped, if they were to be  
10 stopped, were the actual suspects?
- 11 A. Yes, sir.
- 12 Q. But if there was a stop, it was to be controlled from  
13 the control room by her. She would be giving orders.  
14 Or individuals from the actual premises, in other words  
15 the actual flat, not the communal block at Scotia Road  
16 but from the actual flat or the actual flat at Portnall?
- 17 A. Yes, sir.
- 18 Q. Then there is a third category: others not linked to the  
19 suspects or the addresses but who might provide  
20 intelligence.
- 21 A. Yes, sir.
- 22 Q. But that, of course, would depend upon an exercise of  
23 judgment, and she would have to be consulted?
- 24 A. Yes, sir.
- 25 Q. Now, I just want to ask you -- thank you for that. I am



1 going to move to ask you a few questions, please, about  
2 communications so we have that clear.

3 So we can again try to see where we are, the  
4 communications in room 1600, you have told us about the  
5 Cougar radios feeding information to the surveillance  
6 monitors, so that's one form of communication. The  
7 reason why there are Cougar radios is because they are  
8 encrypted radios which are secure and people can't  
9 listen in. So criminals can't listen in and hear what's  
10 going on?

11 A. That's correct, sir.

12 Q. There is the Cougar radios. There are telephones,  
13 landlines?

14 A. Yes, sir.

15 Q. There are also mobile telephones?

16 A. Yes, sir.

17 Q. So far as Cressida Dick is concerned, she had the use of  
18 landlines and mobile telephones?

19 A. Yes, sir.

20 Q. She was in communication with the Silvers on the ground,  
21 and the way it works is that she is in communication  
22 with the Silvers; the tac adviser, Trojan 80, the  
23 tactical adviser Trojan 80 in the communications room is  
24 in communication with the tac advisers on the ground,  
25 both at Portnall Road and Scotia; and the surveillance

1 monitors are in contact with the surveillance teams on  
2 the ground, both Portnall Road and Scotia?

3 A. Yes, sir.

4 Q. You had mentioned that the operation that was being  
5 conducted was, contrary to what had originally been  
6 envisaged, a covert operation; it was undercover,  
7 secret. May I just ask you this: how important was it  
8 to keep this operation covert.

9 A. I would say it was vital, sir.

10 Q. Why was it vital?

11 A. Obviously we were trying to locate and identify those  
12 that had been responsible or involved in, you know, four  
13 attempted bombings the previous day. We didn't want to  
14 alert any other persons about our activities, and if --  
15 by going overt in the area or disturbing the area in any  
16 way or identifying persons, we may potentially lose  
17 intelligence or information in relation to those  
18 individuals.

19 SIR MICHAEL WRIGHT: Mr Perry, I merely remind you that we  
20 did all this with Mr McDowall two days ago.

21 MR PERRY: Sir, yes, there is a reason for it, sir, because  
22 I'm going to go on to the buses decision in a moment,  
23 and I'm going to deal with that.

24 May I just deal with that now, as the point has been  
25 made about this, because you have been asked about the

1 decision about the buses, and I would like to go up on  
2 the screen an extract from Cressida Dick's decision log  
3 which is document 419, and I'm going to ask for page 94  
4 to be on the screen. I will not provide a hard copy of  
5 this at the moment because we will have one, I imagine,  
6 in due course.

7 Remember you were asked questions, and in your red  
8 book there is a reference to the buses being suspended.  
9 Page 94, I hope that's all right. Here we are.

10 Now, I just want to see where we are. Just to  
11 explain this, so everyone can see, first of all, this is  
12 decision 32. What we are going to see in due course is  
13 a series of decisions taken by Cressida Dick, and she  
14 compiled a log, and this is an entry out of order, and  
15 the decision in the top box is "not to divert buses  
16 around any of the premises", so this is not only Scotia  
17 but also Portnall. Then reason, this is the reason for  
18 the decision:

19 "This is something I considered earlier on. It was  
20 suggested as an option by DCI Angie Scott. The issue  
21 was raised as the premises at Scotia Road were  
22 identified early on to be near a bus stop. I had been  
23 unable to ascertain how far away but clearly it is  
24 likely that a person coming out of the premises might  
25 walk directly to the bus stop, making it more difficult

1 for surveillance, and in particular intervention at  
2 an early stage. But to stop the buses and divert them  
3 will draw attention to the area and potentially alert  
4 suspect. I decided then and again after the police  
5 shooting at Stockwell where the man came from premises  
6 and got on the bus that will not do so because of risks.  
7 To be kept under review."

8 So there is no misunderstanding about this, if we  
9 drop down to the bottom of the page, we see that  
10 Cressida Dick has said the decision was made at 11.10 am  
11 on the 22nd and we have written at 8 pm on the 23rd,  
12 because we will hear that this was compiled over  
13 a period of time, so she is compiling her decision log.

14 I just want to ask you, to see whether we can just  
15 deal with this, please. In the reason, it says:

16 "This is something I considered earlier on."

17 So this is before 11.10 am.

18 "It was suggested as an option by DCI Angie Scott."

19 Can you recall that, Detective Chief Inspector, that  
20 you went to Cressida Dick to say: have you thought  
21 about, or words to this effect, have you thought about  
22 suspending or diverting the buses around the premises?

23 A. Yes, sir, I believe as I said earlier there was  
24 a discussion, I believe potentially from the  
25 surveillance officers in relation to the issue of

1 possibly diverting the buses, and as a result of that,  
2 I recall going over to Cressida Dick within the  
3 operations room and actually asking her that question.

4 Q. Does that explain the entry in your red book, I am  
5 afraid I do not have it in front of me, but it's "buses  
6 suspended"?

7 A. I believe so, I believe that was as a result of me  
8 asking her that question: should the buses be suspended.

9 Q. Can you recall that there was then a discussion between  
10 Cressida Dick and Mr Boutcher and also Trojan 80 about  
11 whether it would be prudent as a tactic to divert or  
12 stop the buses?

13 A. I can't recall the specifics of the conversation but  
14 I was aware a conversation did take place.

15 Q. Cressida Dick, and she takes full responsibility as the  
16 senior officer, decided not to divert or stop the buses?

17 A. That was her decision, sir, yes.

18 Q. It remained the decision throughout this operation?

19 A. It did, sir, yes.

20 Q. At no stage were any bus stops suspended or buses  
21 diverted?

22 A. No, sir.

23 Q. Now, one of the reasons or the reason that this decision  
24 was taken, as we can see, was that if you stopped the  
25 buses in an area, or start suspending bus stops, there

1           are risks associated with that, aren't there?

2   A. Absolutely, sir. As we have said that we were trying to  
3       run a covert operation, and by potentially trying to  
4       divert the buses, it would bring attention to the area.

5   Q. Whether or not to stop the buses or to divert them, in  
6       the end was solely a matter for the senior officer?

7   A. It was her decision, sir, yes.

8   Q. Someone has to take responsibility and she did?

9   A. Yes, sir.

10   Q. That was a matter for her professional judgment as the  
11       senior officer?

12   A. I asked the question, sir, and as a senior officer she  
13       made that decision, yes, sir.

14   Q. Thank you. That's all I wanted to ask about buses, just  
15       to deal with that, because it explains that entry in the  
16       red book.

17           I now just want to ask you, I hope very briefly, on  
18       the sequence of events which you have told us about. In  
19       reducing it to its most simple, there is a man out of  
20       Scotia Road; there is a possible identification by the  
21       surveillance team. Then the man is not believed to be  
22       the suspect, and you say that you think that came from  
23       Trojan 80. Then you have got DS Dingemans going to --  
24       tasked to stop because the man was still under  
25       surveillance control. Then you have got surveillance

1 information that the subject was now believed to be the  
2 suspect, and Mr Dingemans is pulled back, and then you  
3 have Pat, the surveillance monitor saying that: they  
4 were saying it's him?

5 A. Yes.

6 Q. Now, two points in relation to this. First of all, this  
7 was all happening very, very quickly as this operation  
8 developed?

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

10 Q. Secondly, when Pat the surveillance monitor said: they  
11 were saying it's him; he, of course, was connected to  
12 the surveillance teams, and if he did say that, "they"  
13 is obviously a reference to surveillance?

14 A. Yes, sir.

15 Q. You have told us how it then developed, and you thought  
16 that Cressida Dick had said that they were to detain the  
17 subject prior to entering the tube. May I just ask you  
18 about that? I am going to suggest that Cressida Dick in  
19 fact used the word "stop", but I am going to ask you  
20 what "stop" means. So there are two things I'm putting  
21 to you.

22 First of all, you have said she used the word  
23 "detain", but I am saying she actually used the word  
24 "stop" and it's up to you to decide what you say in  
25 relation to that.

1           Then the next point is what does "stop" mean in this  
2           context.

3   A. My understanding was that the firearms officers would  
4           conduct an armed intervention of the individual by  
5           stopping him, containing him, and preventing him from  
6           entering into the tube station.

7   SIR MICHAEL WRIGHT: That's the second question.

8   MR PERRY: Yes.

9           Let me try and do it in this way, because I know  
10          it's not always easy, trying to give evidence in  
11          a public place, but let me just try and do it in this  
12          way: in this context, is the word "stop" when used by  
13          Cressida Dick in this context really a word that means  
14          "detain"? If she says stop someone, is she conveying  
15          that that person should be detained?

16   A. Yes, I believe so, yes.

17   Q. May we just get something clear: at no stage, lest there  
18          be any misunderstanding, did she ever say that the man  
19          was -- should receive a critical shot to the head?

20   A. No, sir, she never said that.

21   Q. You would certainly remember that or be aware of it,  
22          wouldn't you?

23   A. I would, sir, yes.

24   Q. At no stage, as far as you can recall, did she say that  
25          he must be stopped at all costs?



- 1 A. No, sir, she didn't say that.
- 2 Q. When she was giving these orders, you have told us  
3 earlier about how she was clear and calm in the way she  
4 gave her instructions. When she was giving these  
5 instructions, did she change in any way or was she calm  
6 and clear in her directives?
- 7 A. Through all my observations of Cressida Dick, she  
8 remained calm and clearly communicated what actions she  
9 wanted taken.
- 10 Q. I just want to ask you one final matter, and it's really  
11 so we can get something clear in our heads. You have  
12 mentioned -- I hope I have this right -- CLIO?
- 13 A. Yes, sir.
- 14 Q. CLIO the log?
- 15 A. Yes, sir.
- 16 Q. CLIO the log, that's the computer log, and does it stand  
17 for covert logging and intelligence operations?
- 18 A. Yes, sir.
- 19 Q. So when we hear CLIO, we should think of covert logging  
20 and intelligence operations, and that's the computer log  
21 on to which information is put so that police officers  
22 can go into the log to see what information is available  
23 to the investigating team?
- 24 A. That's correct, sir, yes.
- 25 Q. That's quite different from the surveillance monitors?

- 1 A. Absolutely, sir, yes.
- 2 Q. So when we hear about CLIO, that's a separate log, and  
3 the surveillance monitors, what they are typing into  
4 their screens is what they are hearing from the  
5 surveillance groups, but CLIO, the Covert Logging and  
6 Intelligence Operations log, that is all the  
7 intelligence operation and all the information that goes  
8 on to in effect a central database?
- 9 A. That's correct, sir.
- 10 Q. That's normally used in kidnappings or other crime in  
11 action situations where you are dealing in real time  
12 with an unfolding crime situation at which lives might  
13 be put at risk?
- 14 A. That's correct, yes, sir.
- 15 Q. As in those situations, the kidnapping and other crimes  
16 in action situations, this was a fast-moving incident  
17 that called for the exercise of professional judgments?
- 18 A. It did, sir, yes.
- 19 MR PERRY: Thank you very much, Detective Chief Inspector,  
20 I am very grateful.
- 21 SIR MICHAEL WRIGHT: Just one thing: Commander Dick was  
22 identified to be the DSO --
- 23 A. Yes, sir.
- 24 SIR MICHAEL WRIGHT: -- that morning at about 1 o'clock in  
25 the morning.

1 A. Yes, sir.

2 SIR MICHAEL WRIGHT: 1.30, I think, thereabouts, and she was  
3 actually called up by one of the commanders, I can't  
4 remember which one now, and told to be in the Yard by  
5 7 o'clock the following morning?

6 A. Yes, sir.

7 SIR MICHAEL WRIGHT: If anything had developed, if a suspect  
8 had come out of Scotia Road is the best example, but if  
9 anything significant had developed requiring the use of  
10 a DSO, who would have fulfilled that function before  
11 7 o'clock?

12 A. There was a night duty DSO that could have undertaken  
13 that role who was performing for spontaneous incidents.

14 SIR MICHAEL WRIGHT: Was that one of the Bakers?

15 A. I believe so, yes.

16 SIR MICHAEL WRIGHT: The other Baker, Commander Baker.

17 MR MANSFIELD: Sir, I think his name is Andrew.

18 A. Andrew.

19 SIR MICHAEL WRIGHT: That's helpful, thank you very much.

20 Thank you. Mr Horwell.

21 Questions from MR HORWELL

22 MR HORWELL: I have a few questions only.

23 My name is Richard Horwell on behalf of  
24 the Commissioner. You have been asked many questions  
25 over the hours in the witness box as to the night duty

- 1           standby Silver?
- 2    A.   Yes, sir.
- 3    Q.   Senior firearms officers do, of course, work at night,
- 4           but normally on pre-planned operations?
- 5    A.   That's correct, sir, yes.
- 6    Q.   There is not normally a night duty team of senior
- 7           firearms officers at New Scotland Yard on duty?
- 8    A.   No, sir.
- 9    Q.   On this particular night, there was a team of SFOs,
- 10           senior firearms officers, at New Scotland Yard?
- 11   SIR MICHAEL WRIGHT:  Specialist, that stands for, doesn't
- 12           it?
- 13   MR HORWELL:  Yes, specialist firearms officers at
- 14           New Scotland Yard, the orange team that we have heard so
- 15           much about.
- 16           They were on duty that night because of the
- 17           exceptional circumstances?
- 18   A.   Yes, sir.
- 19   Q.   There was no plan to use them?
- 20   A.   No, sir.
- 21   Q.   They were on duty in case they were needed?
- 22   A.   Absolutely, sir, yes.
- 23   Q.   If the orange team had been called out during the course
- 24           of that night, there would have been a Silver to lead
- 25           them?

- 1 A. There would, sir, yes.
- 2 Q. During the course of that night, there were Silvers on  
3 duty that could have acted as Silver firearms for the  
4 orange team?
- 5 A. There was, sir, yes.
- 6 Q. You have mentioned some names, Mellody?
- 7 A. Yes, sir.
- 8 Q. Macbrayne?
- 9 A. Yes, sir.
- 10 Q. Alan?
- 11 A. Yes, sir.
- 12 Q. Any others that we can add to that list or not?
- 13 A. Not that I know of to hand, but certainly they were  
14 three that were there present throughout the night that  
15 could have been used.
- 16 Q. Throughout the course of that night, there were three  
17 Silvers who were in fact working on this investigation?
- 18 A. Yes, sir, they were.
- 19 Q. So if orange had to be called out, not only would there  
20 have been three Silvers available to lead them, orange  
21 at New Scotland Yard, the Silvers at New Scotland Yard,  
22 but they wouldn't have come to this operation as  
23 outsiders; they were part of the investigation. They  
24 would have had to have been briefed as to what the  
25 firearms operation would have been, but they would not

- 1           have needed to have been briefed about the investigation  
2           as such?
- 3    A.   That's correct, sir, yes.
- 4    Q.   There did not have to be a night duty Silver firearms,  
5           did there?
- 6    A.   No, sir.
- 7    Q.   It's a term that various people have used, but the  
8           answer to this issue is that there didn't have to be  
9           one, and as far as you were concerned, one was not  
10          appointed?
- 11   A.   That's correct, sir.
- 12   Q.   There was no operation planned, and therefore there was  
13          no briefing required?
- 14   A.   That's correct, sir, yes.
- 15   Q.   What is important, do you agree, is that there was  
16          a Silver -- and you have told us in fact there were  
17          three -- ready and able to go whenever orange were  
18          required?
- 19   A.   That's correct, sir, yes.
- 20   Q.   Therefore, Detective Chief Inspector Scott, were there  
21          resources in place that night to have a firearms  
22          intervention if required?
- 23   A.   There was, sir, yes.
- 24   Q.   We have also discovered through documentation that the  
25          McDowall strategy we have heard was set at 04.55?

1 A. Yes, sir.

2 Q. And at 04.57, two minutes later, Rose was informed that  
3 his attendance was required to act as a Silver firearms?

4 A. Yes, sir.

5 Q. And that was obviously for the morning shift?

6 A. Yes.

7 SIR MICHAEL WRIGHT: Pause a minute, Mr Horwell. There is  
8 a request for a comfort break. I don't know how much  
9 more you have.

10 MR HORWELL: Minutes.

11 SIR MICHAEL WRIGHT: Immediate or can it wait minutes? No,  
12 all right, we had better have it now.

13 MR HORWELL: I am sorry, of course.

14 (4.08 pm)

15 (A short break)

16 (4.16 pm)

17 (In the presence of the jury)

18 MR HORWELL: The point of all of this, having heard from you  
19 now that the orange team was supported not by one but by  
20 three Silvers if necessary, the fact that two minutes  
21 after the strategy was set, Rose was informed that his  
22 attendance was required, there had been a number of  
23 suggestions that no thought was being applied, there  
24 were no structures in place, and that no preparations  
25 were being made.

1           What do you say about those suggestions?

2   A.  Sir, no, I would say that is not the case, sir.  When  
3       Mr Boutcher and I left at 2 o'clock in the morning, we  
4       had identified staff and they were briefed and  
5       undertaking specific roles.  There were staff in the  
6       actual ops room on the 16th floor working the night  
7       duty, Mr Baker and Alan.  There was a firearms team you  
8       see on standby, there was ops support staff working, and  
9       there were staff who could deploy in the role of Silver  
10      actually at Scotland Yard if so required.

11  Q.  Thank you.  The jury will not be aware that, over the  
12      next few weeks, they will hear a number of different  
13      opinions as to the environment in the operations room,  
14      whether it was noisy, too noisy and so on.

15           Whatever view that was formed of the operations room  
16      that morning, would you agree that it would depend very  
17      much on your previous experience?

18  A.  I would say, yes.

19  Q.  Had you, by this time, been involved in a number of real  
20      time police investigations?

21  A.  Yes, sir, I had.

22  Q.  In your view, from your experience, were police officers  
23      in that room able to do their job properly on that  
24      morning?

25  A.  Yes, they were, sir.



- 1 Q. Did they do so?
- 2 A. Yes, sir. To the best of our abilities, they did.
- 3 Q. Hindsight can enter the views of anyone when looking  
4 back to an incident three years ago, and there may be  
5 thoughts and suggestions as to why police officers  
6 weren't placed at the bus stop to stop this man getting  
7 on the bus, why there weren't police officers waiting at  
8 Stockwell. Thoughts like that can enter the mind of  
9 anyone reviewing these facts.
- 10 It's a simple and obvious point, but I ask it of you  
11 nonetheless: during the course of your interest in this  
12 man, and his differing status as possibly the bomber,  
13 not the bomber, possibly the bomber, whatever the words  
14 that were being used; during the course of your interest  
15 in him, you had absolutely no idea whatsoever where he  
16 was going to go?
- 17 A. That's correct, sir.
- 18 Q. The thought or notion that you could have planned ahead  
19 is nonsense --
- 20 A. It is, sir.
- 21 Q. -- is it not?
- 22 A. The man simply came out of the premises. We had no  
23 knowledge to know where he was in fact going to go at  
24 all, no.
- 25 Q. We know he turned left. He could have turned right?

1 A. Absolutely, sir.

2 Q. And gone somewhere completely different?

3 A. Yes, sir.

4 MR HORWELL: Thank you.

5 SIR MICHAEL WRIGHT: Mr King?

6 Questions from MR KING

7 MR KING: Briefly, sir, I will make a rare appearance, if

8 I may.

9 DCI Scott, I am Simon King and I ask questions on  
10 behalf of the Independent Police Complaints Commission.

11 I will ask a couple of questions if I may about the  
12 two message forms which have been distributed today.

13 A. Yes, sir.

14 Q. The reason I do so is because they are not documents, so  
15 far as we have been able to tell, that the IPCC have  
16 ever seen before.

17 Can I ask you, please, about the document which  
18 bears your name? I think the jury have copies of these.  
19 This is the one where in the from/to box it says "DCI  
20 Angie Scott"?

21 A. Yes, sir.

22 Q. You have that in front of you, do you?

23 A. Yes.

24 Q. Thank you. I think we understood from your answers  
25 earlier that this is a record of a telephone call that

- 1           you made into New Scotland Yard?
- 2    A.   That's correct, sir.
- 3    Q.   In response to a call which you had received just before
- 4           making this call?
- 5    A.   Yes, sir.
- 6    Q.   I think you said that call came from officer Andrew?
- 7    A.   That's correct, yes.
- 8    Q.   So it's timed at 5.28, early in the morning on 22 July,
- 9           and it begins, it's been recorded here:
- 10                "Please can caller..."
- 11                That's you, presumably?
- 12   A.   Yes, sir.
- 13   Q.   "... be updated on S012 and S019 deployment towards
- 14           subject."
- 15                What was the subject?  What was meant by that?
- 16   A.   You would have to ask the officer who actually wrote
- 17           that because it's his actual writing.  My recollection
- 18           is that having had the telephone call from Andrew,
- 19           I made contact with the ops support room to ask what the
- 20           current status was in relation to the developments
- 21           overnight.
- 22   Q.   Well, what developments overnight had you been made
- 23           aware of by Andrew?
- 24   A.   Andrew asked me whether or not I was going to be the
- 25           Silver on the operation.

- 1 Q. So should we understand that when Andrew telephoned you,  
2 he was aware or believed that there was to be  
3 an operation of some sort?
- 4 A. Yes, sir.
- 5 Q. He was making his own enquiries towards finding  
6 a Silver, was he?
- 7 A. I believe so. That was the question he asked me.
- 8 Q. His interest was on behalf of the firearms officers in  
9 the sense that he was the night duty tactical adviser,  
10 wasn't he?
- 11 A. He was night duty tactical adviser, yes.
- 12 Q. When, as you tell us, he asked you whether you were  
13 going to be the Silver, did it seem to you that he was  
14 anticipating an imminent deployment of a firearms team?
- 15 A. He simply asked me that question, and to which I replied  
16 I could be at Scotland Yard within approximately half  
17 an hour, 40 minutes, and then I consequently made this  
18 telephone call to find out what was happening. I spoke  
19 to Mr Mellody, who then contacted me back and informed  
20 me that things were under control and that a Silver had  
21 actually been informed and was en route if not already  
22 at Scotland Yard by 5.35.
- 23 Q. I will come to that in just a moment if I may. But can  
24 I ask you again the question I asked a few minutes ago  
25 in light of what you have already told us now about what

1 Andrew said to you.

2 Where the writer has written "S012 and S019  
3 deployment towards subject", what do you understand that  
4 to refer to? What's meant by the "subject" here?

5 A. The subject, I don't know. You would have to use --  
6 it's their terminology. My understanding would be  
7 "S012" would be the reference to the surveillance team,  
8 and "S019" to the firearms team.

9 Q. Yes, but of course when you went off duty at about  
10 2 o'clock, there had not yet been any discovery even of  
11 the documents which subsequently led to the  
12 identification of an address and a suspect?

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

14 Q. So presumably the subject that's referred to here is you  
15 asking: can I be told what's happening in regard to S012  
16 and S019 with regard to Mr Osman; or perhaps you didn't  
17 know the name then?

18 A. No, as I say, sir, I hadn't been updated at all. The  
19 first phone call I got was from Andrew asking if I was  
20 to be the Silver, so the whole point of the call was to  
21 find out what the developments were overnight and to  
22 find out if there was going to be a deployment.

23 Q. I see. Can we then go on to the second part of the  
24 message, 05.35:

25 "DCI Scott updated, has spoken to DCI Mellody."

1           It goes on. First of all, this doesn't appear to be  
2           a record of the fact that you had a conversation with  
3           DCI Mellody. It appears to be you calling into  
4           New Scotland Yard again?

5   A. No, sir.

6   Q. How does that work, then?

7   A. It's a message -- it is initiated obviously because I am  
8           asking that someone contact me to update me in relation  
9           to those potential deployments, and the result to that,  
10           somebody has written on the end that I have had the  
11           update because Mr Mellody has been in contact with me,  
12           approximately 5.35.

13   SIR MICHAEL WRIGHT: It's a record that you have been called  
14           back?

15   A. Yes, sir.

16   MR KING: What update did you get? What did Mr Mellody tell  
17           you about the deployment of S012 and S019 at 5.30 in the  
18           morning?

19   A. As I can recall, at that stage he didn't give me  
20           a briefing. He certainly -- he warned me that there had  
21           been some developments overnight which was in control  
22           and that Merrick Rose was identified for the Silver.  
23           Obviously there were things going on at Scotland Yard at  
24           that point. I didn't ask for any further details.  
25           I said I would be at Scotland Yard by 6 and I could get

- 1 further information when I arrived there.
- 2 Q. Should we understand that he did not in fact tell you  
3 that SO12 had been deployed or were being deployed at  
4 that time?
- 5 A. I don't recall the specifics of knowing what the  
6 situation was or the development until I actually  
7 arrived at Scotland Yard.
- 8 Q. Similarly with SO19, do I understand you to say that you  
9 were not given any particular information at that time  
10 by him?
- 11 A. Not specific information, no, sir.
- 12 Q. Was that an inquiry that you followed up when you  
13 arrived at New Scotland Yard?
- 14 A. Yes, sir.
- 15 Q. Updating on SO12 and SO19 deployment towards subject?
- 16 A. No, sir, I arrived at Scotland Yard, as I have said,  
17 approximately 6 am and then went to find Mr Mellody to  
18 find out what the situation was.
- 19 Q. When you spoke to him in greater detail, then, did he  
20 tell you at around 6 o'clock whether or not SO12 had  
21 been deployed?
- 22 A. Yeah, I believe the main briefing I had was  
23 approximately 6.50 when I went to Commander McDowall's  
24 briefing, but I believe that I knew that the  
25 surveillance team were deployed or in the process of

1 being deployed.

2 Q. I see. Would it be right then that you first learnt  
3 anything substantive about firearms deployment at that  
4 6.50 meeting as well?

5 A. That's when I, yeah, heard the full update, sir, yes.

6 MR KING: Thank you very much.

7 SIR MICHAEL WRIGHT: Thank you.

8 Further questions from MR HOUGH

9 MR HOUGH: One very brief matter and it's just because the  
10 representative of Andrew is not in court today.

11 You gave evidence to Mr Mansfield, Chief Inspector,  
12 that you received a call from Andrew at 5.20, and you  
13 have just spoken about that to Mr King.

14 A. Yes, sir.

15 Q. It's at the very least extremely likely that Andrew will  
16 disagree with that, because he says he wasn't aware of  
17 the strategy going covert, if I can use that shortened  
18 form, until 6.40 or thereabouts. Could it have been  
19 anybody else who called you, or are you sure that it was  
20 Andrew?

21 A. I am sure it was Andrew and I believe there is phone  
22 data that will support that.

23 SIR MICHAEL WRIGHT: There is what, sorry?

24 A. Phone records that will support that.

25 MR HOUGH: That can certainly be looked into. Thank you





1 SIR MICHAEL WRIGHT: Thank you. He is likely to take all  
2 day, I imagine?

3 MR HILLIARD: He will take all day.

4 SIR MICHAEL WRIGHT: Friday is on.

5 MR PERRY: Sir?

6 SIR MICHAEL WRIGHT: Yes, Mr Perry. Oh, you want these  
7 documents put somewhere.

8 MR PERRY: I think the most convenient place is now  
9 divider 43. That's the next divider, so it will be the  
10 two message forms in divider 43, please.

11 SIR MICHAEL WRIGHT: I suppose you will tell us one day what  
12 conclusions you ask us to draw from it.

13 MR PERRY: It's to show what was taking place immediately  
14 after Mr McDowall set the strategy, sir.

15 SIR MICHAEL WRIGHT: I thought it might be. All right.

16 MR PERRY: And Mr Horwell effectively put the points just  
17 a moment ago.

18 SIR MICHAEL WRIGHT: Yes. 10 o'clock tomorrow.

19 (4.35 pm)

20 (The court adjourned until 10.00 am on  
21 Wednesday, 1 October 2008)

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