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13 then I will not be present in the hearing room for the  
14 balance of the day. Mr de la Poer will be here in my  
15 place.

16 We know from what was said by Mr Cooper yesterday  
17 that Mr Atkinson proposes to ask questions of Witness J  
18 today about a name well-known to this inquiry,  
19 Abdalraouf Abdallah. It may be that Mr Weatherby also  
20 proposes to ask questions.

21 In those circumstances, it is relevant to note that  
22 a witness named Paul Mott was due to give evidence last  
23 Thursday, but in the result that Wasim possible because  
24 of the complications created by the witness issues, as  
25 I'll describe them, last week.

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1 So it's only fair, however, that we should indicate  
2 the evidence that he would have given or at least part  
3 of it and will give in due course because some of it  
4 does bear upon Abdalraouf Abdallah. Mr Atkinson should  
5 be permitted to ask his questions in the light of that  
6 evidence which would have been given, all other things  
7 being equal last week.

8 In his statement dated 3 September of last year, for  
9 which the INQ reference is INQ035625/1, Mr Mott explains  
10 that he is the head of the Joint Extremism Unit. He



11 adds that the joint extremism unit is a joint HMPPS  
12 Home Office unit established in April 2017 to be the  
13 strategic centre for all counter-terrorism work in  
14 prisons.

15 In a lengthy statement, he explains the  
16 categorisation of prisoners. At paragraph 43 he states:

17 "Adult male prisoners may be held in one of four  
18 security categories. Category A prisoners whose escape  
19 would be highly dangerous to the public, the police or  
20 the security of the state and for whom the aim must be  
21 to make escape impossible. Category B prisoners for  
22 whom the very highest conditions of security are not  
23 necessary but for whom escape must be made very  
24 difficult. Category C prisoners who cannot be trusted  
25 in open conditions but who do not have the resources and

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1 will to make a determined escape attempt. Category D  
2 prisoners who present a low risk can reasonably be  
3 trusted in open conditions and for whom open conditions  
4 are appropriate."

5 In a passage starting at paragraph 52 of his witness  
6 statement, Mr Mott deals with the categorisation of  
7 Abdalraouf Abdallah and I'll read out the relevant  
8 paragraphs:

9 "The process for categorising and managing offenders  
10 including those charged, convicted of terrorism offences  
11 is outlined above. Those processes were followed  
12 in relation to the categorisation of Mr Abdallah  
13 throughout his time in custody. Following his remand  
14 into prison custody on 3 December 2014, Mr Abdallah was  
15 held in HMP Belmarsh, a high security prison.  
16 Mr Abdallah was charged with engaging in conduct in  
17 preparation for terrorist acts and inviting another to  
18 provide money or property for use in acts of terrorism.

19 Because Mr Abdallah was held on remand under  
20 terrorism legislation, he was automatically logged as  
21 a provisional category A prisoner on arrival at the  
22 prison. This is standard practice. Shortly after this,  
23 Mr Abdallah was formally assessed for categorisation and  
24 on 5 December 2014 was assessed to not meet the  
25 threshold for category A status.

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1 However, it was decided that Mr Abdallah would  
2 remain at HMP Belmarsh because the prison could better  
3 manage his specific medical requirements."

4 Mr Abdallah was bailed by the court and released  
5 from HMP Belmarsh on 29 July 2015. He returned to  
6 custody at Belmarsh on 15 July 2016 following his

7 conviction and sentencing of 5 years 6 months  
8 imprisonment where he was categorised as a category B  
9 prisoner.

10 Mr Abdallah's offence, his lack of previous  
11 convictions and his custodial record were considered as  
12 part of the categorisation process. It was assessed  
13 that there were no circumstances such as security  
14 information, information suggesting a significant  
15 control problem or information indicating an involvement  
16 in ongoing serious criminality that indicated  
17 Mr Abdallah should be placed in a higher security  
18 category than category B.

19 Mr Abdallah was therefore recommended as suitable  
20 for location in any category B prison. He was  
21 transferred to HMP Altcourse on 6 December 2016.  
22 Mr Abdallah's security category has been subject to  
23 regular review since July 2014. Prior to the attack,  
24 Mr Abdallah's categorisation was last reviewed on  
25 18 December 2016. Throughout this time he remained



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1 a category B prisoner. Following the arena attack,  
2 Mr Abdallah was reconsidered for category A status in  
3 light of his reported links to the attacker.

4 Having considered the reason for the reconsideration

5 together with information received from the police, it  
6 was assessed that category A status was not required.  
7 Mr Abdallah remains a category B prisoner.

8 In the statement, Mr Mott goes on to deal with  
9 visits that were made by various persons to  
10 Abdalraouf Abdallah during his period, both on remand  
11 and as a serving prisoner. He deals in particular with  
12 visits made to Abdalraouf Abdallah by Salman Abedi. He  
13 does so in the following terms:

14 "The first recorded visit by Salman Abedi to  
15 Mr Abdallah occurred on 26 February 2015 whilst  
16 Mr Abdallah was located at HMP Belmarsh on remand. That  
17 visit was attended by another individual,  
18 Mr Ahmed Taghdi."

19 Mr Taghdi told us about that on Thursday last week,  
20 of course.

21 The statement goes on to indicate:

22 "A visit was booked between Mr Abdallah and  
23 Salman Abedi on 17 January 2017. One other individual  
24 was booked to attend this visit, Mr Elyas Elmehdi. This  
25 visit did not go ahead and is recorded as



1 non-attendance. Salman Abedi visited Mr Abdallah on  
2 18 January 2017. The visit was also attended by

3 Mr Elyas Elmehdi and Mr Ayoub Sadigh.

4 The final visit booked between Mr Abdallah and  
5 Salman Abedi was due to take place on 6 March 2017 at  
6 HMP Altcourse. On this occasion, Salman Abedi was due  
7 to be accompanied by Mr Alzoubare Mohammed and Mr Hamza  
8 Azzouz. The statement indicates that records show that  
9 Mr Mohammed and Mr Azzouz did attend that visit, however  
10 Salman Abedi did not attend the prison on this date and  
11 the visit is recorded as non-attendance."

12 Sir, as you may recall, when the senior  
13 investigating officer, Mr Simon Barraclough, gave  
14 evidence in early December of last year, he gave  
15 evidence very much along those lines about visits by  
16 Abedi and others to Abdalraouf Abdallah. So we hope  
17 it's helpful that we read out those parts of the  
18 evidence that ought to have been given last week so  
19 there is context for any questions asked today about  
20 Abdalraouf Abdallah. But I believe that I have now said  
21 all that it's proper to say about that topic.

22 SIR JOHN SAUNDERS: Thank you. Clearly it's appropriate to  
23 have that evidence before us at this time because  
24 it would have been given but for the fact that the  
25 timetable has got unavoidably slightly behind. And



1           although it hasn't been tested I don't think anyone is  
2           likely to have any reason to suggest that the basic  
3           facts are not correct.

4   MR GREANEY: We entirely agree, sir. Having said and done  
5           that, could we invite Mr Atkinson to come forward.

6   SIR JOHN SAUNDERS: And can I just say one thing so people  
7           are not perhaps potentially confused by the ISC report.  
8           It itself is inconsistent when it deals with  
9           categorisations of particular prisoners. So it doesn't  
10          say the same thing all the way through. As long as  
11          everyone understands that. Mr Atkinson, you can come to  
12          the prime position.

13   MR GREANEY: All I can say is Abdalraouf Abdallah's position  
14          is now clear in relation to his categorisation.

15   SIR JOHN SAUNDERS: Thank you very much.

16   MR GREANEY: Before Mr Atkinson makes a start, may I be  
17          excused, please?

18   SIR JOHN SAUNDERS: Of course, thank you very much.

19                                   WITNESS J (continued)

20                                   Questions from MR ATKINSON

21   MR ATKINSON: Good morning. I ask further questions on  
22          behalf of the bereaved families. We were reminded by  
23          Mr Greaney yesterday of the observations of  
24          Lord Anderson in his independent assessment of your  
25          review process that in the case of Manchester, they,



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1 meaning you, could have succeeded, had the cards fallen  
2 differently.

3 You will understand, I am sure, how intensely  
4 difficult that is for the families to accept, that  
5 a differently shuffled pack could have spared them years  
6 of pain and suffering. So your help, please, as to ways  
7 in which those cards fell and how a different shuffle  
8 could have saved lives.

9 Starting, if I may, with the source of that quote of  
10 Lord Anderson and reviews, you have set out for us in  
11 your statement and your evidence yesterday a series of  
12 reviews that took place after the attack in May 2017.  
13 Would you agree that the majority of those were internal  
14 reviews by the service and equally by CTP?

15 A. So the post-attack reviews that we conducted were  
16 initially largely internal, alongside CTP, and then when  
17 we broadened to the operational improvement review, that  
18 was something that was done in conjunction with a wide  
19 range of other partners. And of course both were  
20 independently assessed by Lord Anderson.

21 Q. Why was it that Lord Anderson, whose role until very  
22 shortly before that, had been as the independent  
23 assessor of terrorist legislation and someone whose both  
24 credentials and reliability and trust were beyond  
25 question, why couldn't he just have carried out a review



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- 1 from the outset?
- 2 A. I think that was a judgement that was made by the Home  
3 Secretary to appoint him to the role.
- 4 Q. Because as he observed himself, there is a difference  
5 between looking in at a process of others reviewing as  
6 opposed to you doing the review yourself. It's rather  
7 why we are here. Why not from the outset get an  
8 independent assessment of how you had done rather than  
9 doing it in-house?
- 10 A. He did do an independent assessment of the post-attack  
11 and he independently assessed our operational  
12 improvement review. He had access to all the material  
13 that he asked to see, he had multiple conversations and  
14 interactions with the teams and was allowed to go  
15 wherever he wished to go in order to ensure that he was  
16 able to provide that independent assessment.
- 17 Q. But doing that against the background of what you and  
18 CTP had already done to review what had happened rather  
19 than him being presented with the raw data and making  
20 his own assessment from the beginning, wouldn't that  
21 have been better?
- 22 A. He had access to any material he wanted to see,  
23 including raw data if he needed to see it. It wasn't



24 a review that was written, completed and then presented  
25 for him to read, it was a process where he was engaged

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1 in some of the most significant conversations  
2 in relation to what we were learning and were looking at  
3 in relation to the lead-up to the attacks.

4 Q. He described the operational improvement review as one  
5 of the most detailed examinations ever conducted of the  
6 UK counter-terrorism machine. Why did it take the  
7 deaths of 22 people to make you carry out that kind of  
8 detailed review of so vital a service to the public?

9 A. I think it was obviously a significant and devastating  
10 year and it was absolutely proper that we and CT police  
11 (^) conducted that thorough review in conjunction with  
12 others. That's not to say that those reviews were the  
13 first time that we were looking at ourselves and asking  
14 hard questions of how we could do better. The reviews  
15 built on the previous years in terms what we were  
16 learning about the terrorist threat and our response to  
17 it and built on many years of a model we were still  
18 evolving between us and CT police.

19 Q. Does it follow from that that there had been earlier  
20 internal reviews in relation to the various areas that  
21 were, for example, identified in the operational

22 improvement review as areas where things could be done  
23 better?  
24 A. Yes. I don't think it was -- I think as you have  
25 rightly indicated, I think it was the 2017 reviews that

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1 were the most comprehensive and detailed reviews that  
2 we have ever conducted together. Previous reviews would  
3 have been focused on other attacks that were conducted  
4 that we were unable to stop. But also on lessons  
5 learned in the day-to-day business of how we do our work  
6 and what we could improve.  
7 Q. Because the impression that may have been gained from  
8 what we heard yesterday was that the service has learned  
9 lessons in a reactive way when things have gone  
10 catastrophically wrong rather than proactively reviewing  
11 your processes on a day-by-day basis and spotting the  
12 errors before they kill people.  
13 A. So if that's the impression that was given then  
14 I wouldn't say that that was a correct summary of how we  
15 operate as a organisation. Everybody in our  
16 organisation is driven to stop attacks and is driven to  
17 improve and learn from our work in the past to ensure  
18 that we are as successful as we can be in the future.  
19 Q. For example, the identification the need to improve the

20 use of travel notification tools. At least some of  
21 those travel notification tools in operation since the  
22 Terrorism Act of 2000. Why was it that those  
23 limitations had not been spotted and addressed before  
24 2017?

25 A. That was clearly an area when we looked in 2017 that,

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1 looking back over the period in the lead-up to the  
2 attack, we recognised the processes weren't as clear and  
3 consistent for investigators as they could be. Yes,  
4 I would say that that was an area where we were still  
5 continually improving but recognising that 2017 was  
6 a moment where we needed to change our processes.

7 Q. Going back to my question, why hadn't that been  
8 identified before?

9 A. I think it took us to -- in the months leading up to the  
10 attack when we reviewed this and established that the  
11 better course of action would have been to put  
12 Salman Abedi on ports action. We recognised post-2017  
13 that that was something that was specific to that case,  
14 but was also a broader challenge. I would also point  
15 out, Mr Atkinson, that at the time when that judgement  
16 was made to not put him on ports action, we've concluded  
17 that it was the better course of action but it's not

18 necessarily something that the individual investigator  
19 in terms of their judgement was making a poor judgement  
20 at the time.

21 Q. We'll come back to that judgement a little later. But  
22 staying with --

23 SIR JOHN SAUNDERS: Sorry. The situation where someone just  
24 doesn't think of doing a port stop and, there can be  
25 a situation where someone says we're not making a port

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1 stop and thinking about it. Which is the situation  
2 here? The investigator made a positive decision not to  
3 or was it something which was overlooked?

4 A. That's something which I need to be able to describe  
5 with the full intelligence picture.

6 SIR JOHN SAUNDERS: Okay.

7 MR ATKINSON: In terms of the identified need to ensure  
8 better handling of intelligence relating to closed SOIs,  
9 again why was that not something that had progress been  
10 made on before 2017?

11 A. I think there had been many changes and improvements to  
12 how we manage closed SOIs a long time before 2017. As  
13 I've said yesterday in evidence, this is a really  
14 challenging evidence for us and for the police in terms  
15 of trying to identify the risk of an individual who is

16 closed --

17 SIR JOHN SAUNDERS: Do you think you have solved it now?

18 A. No, I don't think we have. I think there are still  
19 challenges in respect of this growing part of closed  
20 SOIs. I think it's something we will need to continue  
21 to work on, but it always has to be seen in the context  
22 of having to make hard decisions about who we  
23 investigate and who we don't.

24 SIR JOHN SAUNDERS: Just before we go on, can I make an  
25 observation because I think it's only fair. As the ISC

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1 said in their report, they are the people who  
2 investigate things like what happened in May 2017 on  
3 behalf of the public and they expect to be the only  
4 people who do, as they state in their report. That is  
5 why they tried to put as much as they could in the  
6 public domain, but they felt inhibited in the same way  
7 as we are going to be because of national security. But  
8 there is, I think it should be made clear, as well as an  
9 internal inquiry, an outside body that does it.

10 MR ATKINSON: That body, following the death of fusilier Lee  
11 Rigby, undertook a review which identified a need for  
12 the service to better handle intelligence relating to  
13 SOIs. So you've got on what you told us, your own

14 internal identification of that problem, Parliament  
15 telling you of that problem and still in 2017 you have  
16 that problem.

17 SIR JOHN SAUNDERS: Are we talking about closed or all SOIs  
18 on the question?

19 MR ATKINSON: Both, I think.

20 Would you agree in terms of what the Lee Rigby  
21 review identified?

22 A. I think there was a focus on closed SOIs in the ISC  
23 recommendations particularly. I accept completely,  
24 Mr Atkinson, that this is something that is  
25 a significant challenge for us, and in the wake of 2013

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1 we made changes before 2017 to how we were managing that  
2 closed group of SOIs and introduced new systems,  
3 including the emerging and residual threats team that  
4 prompted alongside the change in the threat from Syria,  
5 the introduction of Clematis and Daffodil.

6 So I hope you can see from that that before 2017  
7 where we spotted indications that our processes could be  
8 improved, we were making them. I would accept your  
9 earlier point, though, that 2017 was a very full review  
10 of a wide range of all of our processes across CTP and  
11 MI5.

12 Q. Is the position, Witness J, that it can only be through  
13 occasions when things go wrong that improvements can be  
14 identified or is there a real need for the service to  
15 proactively and constantly review all its processes  
16 rather than waiting for them to be tested in such an  
17 extreme way?

18 A. I think there is of course in any system importance in  
19 doing both. In the reviews we did after 2017, we  
20 incorporated what we were learning from attacks we had  
21 disrupted as well learning from attacks that had  
22 happened. So we were seeking at that point to do  
23 learning across how we worked. I would also say as an  
24 organisation we are seeking to learn all of the time and  
25 it's not the case that we have setpiece moments every

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1 few years and cause us to pause and reflect.

2 Q. Finally on this first topic of reviews, a matter that  
3 does concern the families. You have very helpfully  
4 identified a series of things that have been identified  
5 by these reviews as things that can be done better. And  
6 it must follow from that that the improvements  
7 identified will make things better for the future.  
8 Would you agree?

9 A. Yes, I would.

10 Q. If these new measures have made things better than they  
11 were then, how can the service have confidence that if  
12 those things had been in place then they wouldn't have  
13 made things better then?

14 A. We've looked at this very carefully and of course the  
15 reviews looked at all of the material in relation to  
16 what we knew and what we now know. I think we can be  
17 confident that had some of those improvements that we've  
18 now made been in place in advance of 2017, then it would  
19 have enabled us to have potentially identified more  
20 opportunities. But I think it's a matter of speculation  
21 as to whether or not any of those, as we said yesterday,  
22 would have enabled us to lead to a set of different  
23 decisions that would have given us intelligence to  
24 identify the plot.

25 SIR JOHN SAUNDERS: One of the things, for example, it

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1 identified is Clematis should be speeded up.

2 A. Yes.

3 SIR JOHN SAUNDERS: Had that happened an investigation may,  
4 of course we can't say, may have been started into  
5 Salman Abedi, that may have led to all sorts of things.  
6 Of course, no one can say -- this is my present view  
7 anyway -- it would have stopped this happening, and as



8 the director-general has said, some people are bound to  
9 get through whatever you do. But on the face of it just  
10 speeding up Clematis might have caused a different  
11 result? A port stop might have caused a different  
12 result?

13 A. Yes, I completely accept that.

14 SIR JOHN SAUNDERS: Okay, thank you.

15 MR ATKINSON: So does it not follow logically that if the  
16 measures that were identified afterwards had been put in  
17 place beforehand, you would have had a better deal of  
18 cards by May of 2017 and that they might therefore have  
19 fallen differently?

20 A. Those were Lord Anderson's words and I won't try to  
21 interpret the meaning of those. That would be for him.  
22 From my judgement of this, looking very carefully over  
23 the period that we were aware of Salman Abedi's  
24 activities, had we had different processes in place it  
25 might have enabled us to make different decisions. But



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1 as I say, I think it's speculation as to where that may  
2 have led. I would point out that if it's helpful,  
3 he was someone who was one of a pot of closed SOIs, so  
4 the intelligence picture we had on him was very limited.  
5 We weren't investigating him, he was in terms of

6 priority -- and rightly so in my view having seen the  
7 intelligence -- lower than those investigations that  
8 were priority investigations for the organisation.

9 And in the context of that period of the rising  
10 threat from 2014 onwards, we as an organisation clearly  
11 were focusing on those cases where there was clear  
12 threat of terrorism.

13 SIR JOHN SAUNDERS: Can I assure you, Mr Atkinson, and  
14 others, that that is an aspect of the evidence which  
15 will be looked at with great care in closed as Witness J  
16 will be aware as well. Also, I have enormous respect  
17 for Lord Anderson and for the work he did. Actually,  
18 his phrase of the cards falling differently is not one  
19 that I particularly would use and will not adopt in my  
20 report when it comes to it. I'll try and find what  
21 I might consider for me, anyway, to be a more apposite  
22 phrase.

23 MR ATKINSON: I think the families would welcome that, sir.  
24 Could I stay with the topic you have just raised,  
25 Witness J, which is prioritisation, which is another of



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1 those words, like interoperability, that I can't say.  
2 The reality is that the service does have to prioritise  
3 its investigations and that is in part because any

4 organisation has finite resources and also because of  
5 the abilities that those resources provide it with.

6 Would you agree?

7 A. Yes.

8 Q. This was a time from 2014 onwards where those resources  
9 were being stretched?

10 A. Yes.

11 Q. What the then director-general described as beyond his  
12 experience in terms of the demands because of the threat  
13 from terrorism.

14 A. Yes.

15 Q. And attacks elsewhere in the world getting ever nearer  
16 to these shores. Does that have the consequence that  
17 the service had to focus on those that seemed nearest to  
18 being an attack threat and to take their eye off the  
19 ball of others who didn't fulfil that description?

20 A. I wouldn't put it in those terms in terms of taking the  
21 eye off the ball. We have structures in place that  
22 enable us to prioritise to seek to ensure that we are  
23 devoting our resources to threats that pose the most  
24 danger.

25 Q. One of the areas of improvement identified by the



2 of reviewing of material. Would that, if implemented  
3 earlier, have helped a wider researching across the  
4 piece of intelligence coming in to identify not only  
5 those who were on your priority list but also others?

6 A. Yes, I think so. I think if we had much stronger  
7 automation across the organisation going back years,  
8 then it would certainly have helped.

9 Q. Equally, one assumes with the service, as with any  
10 organisation, that it is not just a matter of getting  
11 more bodies into the building to be doing the jobs,  
12 it is also in those people having the experience to do  
13 those jobs properly.

14 A. Yes.

15 Q. And so presumably, there must be, as with any  
16 organisation which needs to expand to meet more demand,  
17 a gap between being able to start people through the  
18 process and then having the necessary skills and  
19 experience to really do the job properly?

20 A. Yes. I would say that as an organisation, we've been  
21 growing in size for a number of years, certainly in the  
22 years leading up to 2017, so we were recruiting  
23 significant numbers and therefore needing to make sure  
24 that they were trained and equipped to do the jobs that  
25 we were asking them to do.

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- 1 Q. I absolutely appreciate this may not be a question that  
2 you can answer in open, but is the reality that there  
3 were people involved at various of the stages or any of  
4 the stages that you've identified where intelligence  
5 came in and was assessed who were themselves  
6 inexperienced in the assessment of intelligence?
- 7 A. I've looked at that very closely, Mr Atkinson. I don't  
8 judge that any of the individuals involved in those  
9 judgements in this case were lacking in experience. In  
10 fact, this was a group of individuals who had  
11 considerable experience.
- 12 Q. In particular, in relation to the two items of  
13 intelligence that came in in the months before the  
14 attack, were those assessed by people with the necessary  
15 experience or may that have been an area that more  
16 experienced people could have done better in?
- 17 A. I would say that they were assessed by people with  
18 sufficient experience, considerable experience in my  
19 view.
- 20 Q. If there is any learning in relation to experience  
21 levels, can you assure us that that will be drawn to the  
22 chair's attention in closed to an extent that may not be  
23 possible in open?
- 24 A. Yes, of course. But for the avoidance of doubt I don't  
25 think there is anything in this case that would lead me



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1 to conclude that experience levels in respect of  
2 decision-making and assessment or any part of this case  
3 was a factor in determining the matters that we're  
4 talking about.

5 Q. In his evidence to the London Bridge inquest, your  
6 colleague Witness L was asked about the circumstances in  
7 which a live investigation of relevance to that inquest  
8 was suspended. I don't need to go into the details of  
9 that investigation, that's not the point of these  
10 questions. But he was asked about the circumstances in  
11 which investigations were suspended and he said this,  
12 that it was mostly in circumstances where the pressure  
13 on the overall resourcing picture requires us to suspend  
14 them. And went on to say that it would be where another  
15 investigation or series of investigations were of such  
16 priority that they were drawing significant resources  
17 away from other investigations.

18 And that was the situation that confronted the  
19 service from 2014 onwards and certainly by 2017, would  
20 you agree?

21 A. Yes, I would, and it is part of our system that from  
22 time to time we suspend investigations in order that  
23 we can focus our effort on the highest priority  
24 investigations and allocate enough attention to them

25 accordingly.

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1 Q. Did that make it more difficult to consider re-opening  
2 closed SOIs because you had too many active ones to  
3 prioritise as it was?

4 A. I think the decision to re-open an SOI is based on the  
5 intelligence picture we have on that closed SOI at the  
6 time. If there is an assessment that the intelligence  
7 indicates a threat of terrorism or a threat to national  
8 security then we would consider opening. If we were  
9 then in a position where resources were stretched and  
10 we were having to focus our finite resources and  
11 capabilities on highest priority or higher priority  
12 investigations, we would consider suspending that lead  
13 or investigation.

14 Q. You will recall that the ISCP report identified as an  
15 area of concern that leads were not followed, taken up  
16 and followed up, where there was not a risk to life  
17 identified as connected to that lead. Is that for that  
18 reason, that you have to focus on the leads that are  
19 pointing towards an attack rather than the leads that  
20 may not?

21 A. Forgive me, Mr Atkinson, could you just repeat the  
22 earlier part of that question? Just to be clear.

23 Q. The suggestion from the ISCP was that there was a delay  
24 in following up leads that did not appear to be  
25 associated with a risk to life in relation to

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1 intelligence coming into the service. Is that because  
2 you were having to prioritise the one over the other?

3 A. I can say in respect, first of all, of this case, the  
4 reviews conducted didn't identify moments during the  
5 period where he was closed, where intelligence was  
6 received on Salman Abedi was assessed and there was some  
7 implication or some consequence as a result of  
8 resourcing or prioritisation elsewhere that changed the  
9 nature of our assessment or in any way the timing of  
10 that.

11 SIR JOHN SAUNDERS: Mr Atkinson, I just want to understand  
12 the relevance of this line of questioning. I'm not  
13 asking you to explain, I just want to know. London  
14 Bridge was actually considering, amongst other things,  
15 the suspension of an inquiry into the person who  
16 committed that offence or one of the.

17 A. Yes, suspension of investigation in relation to one of  
18 the individuals.

19 SIR JOHN SAUNDERS: Is it relevant at all to Salman Abedi?  
20 Is it talking about the same thing as a closed SOI?



21 A. He was opened as an SOI and closed as an SOI and  
22 remained closed. He was never the subject of a priority  
23 investigation. When we talk about suspensions, we are  
24 primarily talking about suspending priority  
25 investigations where our intrusive resources are being

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1 used.  
2 SIR JOHN SAUNDERS: So that had happened on London Bridge,  
3 had it?  
4 A. One of the individuals had been -- the investigation  
5 into him had been suspended with consequences around  
6 what we then did in relation to him as an individual and  
7 the resources we committed. In the case of Salman Abedi  
8 there was never --  
9 SIR JOHN SAUNDERS: I understand.  
10 A. A suspension.  
11 SIR JOHN SAUNDERS: Thank you.  
12 MR ATKINSON: The thrust behind my question was whether the  
13 service was inhibited in taking up the fragments,  
14 I think you described them as, of information that were  
15 coming in in relation to Salman Abedi over time and not  
16 putting those fragments together into a mosaic. I'm  
17 going to stop that metaphor there. Putting those  
18 fragments together to understand what they might mean

19 because they were having to focus elsewhere.  
20 A. Not in my judgement and I don't think in the judgement  
21 of the reviews. I think I would say that the  
22 organisation was under pressure at the time, so I think  
23 it was certainly the case that individual investigators  
24 and teams would have been under pressure to ensure that  
25 they were getting to the intelligence that related to

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1 terrorist threat, which meant, I think, as a result --  
2 and it's one of the improvements we have made since 2017  
3 that that larger pot of closed SOIs would necessarily  
4 not receive the level of attention that since 2017 we  
5 now give it. But I would continue to put that in the  
6 context of this case and Salman Abedi when the  
7 intelligence came in, it was looked at, and I don't  
8 consider that resources in relation to other  
9 investigations or prioritisation affected our  
10 decision-making in relation to the assessment of each of  
11 those pieces of intelligence when they came in.

12 Q. Of course we accept and recognise that the service is  
13 not carrying out these investigations, considering these  
14 matters, on its own. It is doing so alongside CTP. But  
15 you will well recognise that the independent reviews by  
16 the ISCP both following Lee Rigby's murder and these 22

17 murders identified that both the service and CTP were  
18 still not working as well together as they should have  
19 been. Do you looking at the picture now consider that  
20 there was the risk of things going down the gap between  
21 the two in terms of intelligence from one or the other  
22 that, if they had been woven together, would have made  
23 a more meaningful picture?

24 A. You're of course referring to the reviews and our  
25 continuous learning around this identified that whilst

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1 this is an incredibly strong partnership and an  
2 incredibly strong model in my view and in the reviews'  
3 views, there's still areas where we need to keep  
4 improving and learning. And it is not a perfect model  
5 and probably never will be of sharing intelligence at  
6 every single point and ensuring that each party has full  
7 visibility such that they need it and the earliest  
8 possible engage in relation to our investigations.

9 In respect of Salman Abedi, I don't think from what  
10 the reviews have said and from what I have looked at  
11 that there were moments where MI5 and CT police join up  
12 and partnership led to consequences that had  
13 a significant impact. But I would completely accept  
14 that there were areas where we could have done better.

15 SIR JOHN SAUNDERS: This is an area which I am interested in  
16 because it seems curious to me that the ISC has had to  
17 keep on saying this about CTP and the security service  
18 not apparently coordinating together. What's the  
19 problem? It may be that the security service -- you  
20 obviously work in a very secret space and you need to do  
21 that. Do you think because of that, there is a general  
22 reluctance to share things with partners because you are  
23 so concerned about things getting out which will affect  
24 the way you operate and the more people who know  
25 anything, the worse it gets?

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1 A. Our engagement with the police is in respect of our  
2 secret material incredibly close. The police, as I have  
3 described in my evidence, are part of a partnership that  
4 looks at investigations together and sees the  
5 intelligence together. That's certainly the case with  
6 priority investigations and with significant  
7 intelligence that relates to terrorist threat. But  
8 I think the ISC and others have pointed out that there  
9 are areas which still need to be improved in relation to  
10 processes, the IT we both use, the estates we are both  
11 in, and in seeking to build a counter-terrorism  
12 operations centre over the next couple of years, we're

13 seeking to get even closer.

14 But I think this will just be an ongoing challenge.

15 I do believe, having worked in this organisation for  
16 nearly 30 years, and having looked at other systems  
17 around the world, there isn't a better model. I'm not  
18 saying that that --

19 SIR JOHN SAUNDERS: I'm quite concerned that we tend to say  
20 that about our systems generally without perhaps knowing  
21 what everybody else does. But obviously you do have  
22 a knowledge of what everybody else does as well. But it  
23 has taken a long time to resolve and you're saying there  
24 are still things needing resolving. Is there a  
25 underlying problem of a reluctance to share?

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1 A. I don't believe there is. As an organisation we  
2 absolutely get the value of sharing our intelligence and  
3 even when we get very sensitive intelligence sharing it  
4 with those who need to see it. Since 2017, but also  
5 before then, we are committed to sharing our  
6 intelligence well beyond the police to other parts of  
7 government and to the private sector so we can maximise  
8 the radar we have to detect activities that are  
9 terrorist in nature.

10 SIR JOHN SAUNDERS: (inaudible) there may be a reluctance to

11 do that. May be a security based reluctance, I know  
12 not. Do you think there is that reluctance?  
13 A. I think there are some statutory obligations on us. As  
14 you know, sir, we have to be careful about. I think we  
15 do our best to ensure that we are sharing the  
16 intelligence that we can within the limits of those  
17 restrictions to those who need to see it. From our  
18 perspective, collecting intelligence on someone is going  
19 to be much less useful if we can't then give it to the  
20 people who need to do something with it. I think that's  
21 a key core part of how we must work. And working with  
22 the Prison Service and with police and other parts of  
23 government of course is a part of that.  
24 SIR JOHN SAUNDERS: Thank you.  
25 MR ATKINSON: Because staying with that independent scrutiny

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1 from Parliament, the ISCP had identified following 7/7  
2 that more needed to be done to improve the way the  
3 security service and Special Branch came together in  
4 combined and coherent ways to tackle home-grown threat  
5 following the murder of Lee Rigby. They identified  
6 there was insufficient coordination with police  
7 investigations and they must improve (inaudible) and  
8 following these 22 murders they identified that there

9 were still problems around the sharing of MI5  
10 information with CTP and the involvement of CTP and MI5  
11 decisions. Would you accept that better sharing then  
12 could only have helped a joined-up approach to tackling  
13 these wide range of challenges that both MI5 and CTP are  
14 seeking to protect us from?

15 A. Yes, I would completely accept that making progress on  
16 intelligence sharing and better sharing would be  
17 important, would make a difference. I would also say  
18 that over the last 15 years, since 7/7, we have been as  
19 two organisations absolutely committed to making sure  
20 that we give each other visibility, making sure that  
21 we are sharing with each other at the earliest  
22 opportunity with senior investigating officers from the  
23 police and MI5 managers, working together to ensure that  
24 intelligence and investigations are a combined effort  
25 and ensuring that we train together, ensuring that our

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1 processes, as far as possible, are consistent, ensuring  
2 that we close SOIs together and reinforcing that.

3 There is a myriad of changes we have made over the  
4 years. I would accept that working still on more  
5 intelligence sharing and closer working is a necessary  
6 part of the next few years and would have made

7 a difference had we introduced some of those processes  
8 earlier.

9 SIR JOHN SAUNDERS: Just to interrupt you, Mr Atkinson, you  
10 tell me, please, we know that the ISC report deals with  
11 three different attacks, it wanted to deal with four.  
12 It certainly makes the general remark about sharing  
13 information between them. Does it say specifically  
14 in relation to the Manchester attack or not? It would  
15 be helpful for me to know.

16 MR ATKINSON: My recollection is that it does.

17 SIR JOHN SAUNDERS: We'll check it. Thank you.

18 MR ATKINSON: Just two areas in relation to that. First,  
19 from you to them, how much sharing was there of the  
20 thought process around the closing of Salman Abedi as  
21 an SOI between you and CTP?

22 A. That closure process in 2014 was conducted with a police  
23 officer and a MI5 investigator together. So the closure  
24 was done in partnership, effectively.

25 Q. Going back just for a moment to Witness L and



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1 London Bridge, he indicated in that context that  
2 involvement of CTP in relation to the closure of  
3 investigations or the suspending of investigations was  
4 not done in a systematic way. Has that since changed?



5 A. Yes, it has.

6 Q. Going the other way and just taking a couple of  
7 examples, you underlined that the power under schedule 7  
8 of the Terrorism Act to carry out a port stop is  
9 a police power. Would they as a matter of course share  
10 any product from such a stop with you?

11 A. It would depend on the nature of the product, depend on  
12 whether or not the product contained information that  
13 they thought would be relevant to our purpose.

14 Q. If it for example provided evidence of extremism, would  
15 that be the kind of thing that they would share with  
16 you?

17 A. Again it would depend on the nature of the material.  
18 I think there would be judgements to be made by the  
19 police and it would be a matter for them as to whether  
20 or not material relating to extremism was shared with  
21 us.

22 Q. In a different context, if they seized material from  
23 someone who had been arrested for terrorism related  
24 offending, would they share the product of searches and  
25 interrogations of material with you in that context or



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1 would that again depend?  
2 A. It would depend.

3 Q. So by way of example, Abdalraouf Abdallah's phone, which  
4 was seized from him on his arrest in November 2014. Was  
5 the product of that shared with the service?

6 A. I'm afraid I can't describe that in open.

7 Q. Can I move on then, given the time, to a series --

8 SIR JOHN SAUNDERS: I'm sorry, it's my fault for  
9 interrupting all the time.

10 MR ATKINSON: Not at all.

11 Can I move on to a series of topics beginning with

12 P. The first of those, precursors. We heard from  
13 Mr Hipgrave about this, only limited help I need from  
14 you, Witness J, in relation to this. Does the service  
15 have a role in the difficult task of monitoring the  
16 purchase of precursor chemicals?

17 A. Yes, we do. As you pointed out, this is something  
18 that is led by the Home Office, but we do have a role to  
19 play in terms of ensuring that anything that's relevant  
20 to our purpose we are able to access as per the  
21 guidelines that have been set out over the past few  
22 years and which were described by Mr Hipgrave.

23 Q. Looking from the other side of the equation, if  
24 intelligence comes to you in relation to the purchase of  
25 precursor chemicals is that something that is shared

1 with others who have a responsibility under the  
2 legislation to deal with the purchase of precursor  
3 chemical?

4 A. If it came to us first before anyone else, if that's  
5 what you're asking just to be clear, that we had  
6 intelligence on someone who was enquiring about or  
7 buying a chemical precursor, we would share it with  
8 others who needed to see it if there was a basis on  
9 which to do so.

10 Q. Presumably, there would be a basis on which to do so if  
11 it was thought that it would be a good idea to stop it?

12 A. It very much depends on the purchase. So if an  
13 individual who we are investigating is acquiring or  
14 interested in purchasing a chemical precursor, then we  
15 may then share that with the police or with other  
16 agencies depending on the nature of that purchase,  
17 depending on the context around that intelligence. But  
18 it wouldn't -- I just want to be clear, it wouldn't  
19 necessarily be the case that any of our subjects of  
20 interest, if they were enquiring about or accessing  
21 chemical precursors we would then automatically share  
22 with others.

23 Q. Would that follow all the more for closed subjects of  
24 interest?

25 A. I think with closed subjects of interest, it would be



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1 very unlikely that we would identify first before other  
2 people that they were acquiring or seeking to acquire  
3 chemical precursors because by definition we are not  
4 investigating them.

5 Q. Do you think there's an argument for the service having  
6 an eye for not only those who are subjects of interest  
7 but people who have been subjects of interest as being  
8 people who need more of a look at if they come across  
9 your desk as having made enquiries about or sought to  
10 buy precursor chemicals?

11 A. Yes, and forgive me, but there are some processes here  
12 that I could describe and in detail in closed if  
13 appropriate. I really would like to answer the  
14 question, but in doing so I will be giving a code to  
15 individuals who may seek to avoid our detection methods  
16 by describing them. So there are processes --

17 Q. I'm not asking you to do that now, I am asking you to do  
18 that to the chair in due course.

19 A. Yes.

20 Q. And also for us to understand in this context, some of  
21 the chemicals that are on the list, and I am certainly  
22 not going to identify them now, but some of them on the  
23 list of precursors of course have perfectly legitimate  
24 purposes, that's why they are there. They also have  
25 other purposes that can be connected with crime other

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1 than terrorism. And presumably if they come into either  
2 of those categories, the criminal or the terrorist, they  
3 are purchases that need to be investigated by somebody  
4 because the police should be stopping crime and the  
5 service has a role in helping them do that, would you  
6 agree?

7 A. Yes, I would absolutely agree. If we had intelligence  
8 indicating that a subject of interest was acquiring  
9 chemical precursors for terrorist or criminal use, and  
10 we had seen that clearly, then we would investigate it  
11 or share it with the police if it was a criminal matter.

12 Q. Equally, following that logic through, and then I shall  
13 move on, because I appreciate the sensitivities here, if  
14 something may be one or the other, if it may be criminal  
15 or it may be more specifically terrorist, information  
16 ought in that context to be passed on to the people who  
17 need to investigate it? It may be different people  
18 depending on the assessment, but if looking at the  
19 context it's clearly one or the other, it shouldn't just  
20 be sat on?

21 A. Yes, I think that's fair. We have statutory obligations  
22 to share intelligence that relates to criminality of  
23 a serious nature. If it was a chemical precursor

24 purchased by an individual who we were investigating  
25 that indicated some form of criminal use, I just want to

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1 be clear it wouldn't necessarily meet the threshold for  
2 sharing with the police if it didn't constitute  
3 something that would be considered to be serious  
4 criminality.

5 Q. Can I move on to my next P, which is Prevent. We heard  
6 again from Mr Hipgrave in relation to this and we  
7 understand that one of the objectives of Prevent is to  
8 challenge extremist ideologies and to disrupt their  
9 propagation. In that context, the regional risk  
10 assessment by JTAC back in 2010 had identified a risk of  
11 the propagation of extremist ideology in Manchester  
12 within the Libyan community. That, therefore, one of  
13 the things that Prevent is designed to address and  
14 therefore those within that community and at risk of  
15 such radicalisation, the kind of people that Prevent  
16 ought to know about? Do you agree with all of that so  
17 far?

18 A. Yes.

19 Q. Would you agree that the service has a role in helping  
20 that process to work?

21 A. Yes.

22 Q. Would it have helped for JTAC to have revisited its  
23 assessment in that regard more recently than 2010?  
24 A. I think as I described yesterday, I believe that was the  
25 only assessment that was conducted of that nature in

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1 2010, similar to other assessments that were made by  
2 JTAC at the time into other cities and towns in the UK.  
3 From 2014 onwards, they were in my view rightly focused  
4 on the national threat picture, particularly in relation  
5 to Syria, and particularly in relation to the fact that  
6 we were seeing people travelling from across the UK and  
7 coming back to a wide range of places in the UK from  
8 Syria, which was what we were considering to be the  
9 greatest threat.

10 So in a perfect world I would like to see a JTAC  
11 assessment of Manchester much more regularly than that,  
12 but I can completely understand why it wasn't done and  
13 I can also understand why other assessment products that  
14 were available at the time were giving us insights into  
15 how we should investigate and who we should investigate  
16 across the UK.

17 Q. Two things following from that. If you can understand  
18 JTAC not doing it because of its need to focus on the  
19 national picture, who should have been carrying out that

20 kind of assessment for Manchester and the risks of  
21 extremism in Manchester in their stead?

22 A. MI5, I would say, and the police were -- primarily MI5  
23 to understand the threat picture in relation to  
24 individuals and networks who may pose a risk of  
25 terrorism.

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1 Q. And was that happening in relation to the Libyan  
2 community in Manchester in the years when Salman Abedi  
3 was a part of that community?

4 A. Our focus is on investigating individuals who may pose  
5 a threat. It's not on looking at communities. We would  
6 as an organisation ensure that we were focusing our  
7 resources on the intelligence picture that related to  
8 those individuals who posed that threat.

9 Q. And in terms of informing the Prevent process and the  
10 bodies within that process, local authorities and so on,  
11 that need to have a role in that, how were they to get  
12 the help from the kind of JTAC level of assessment of  
13 these are the problems, these are the risks in relation  
14 to your community that you need to know about? Does the  
15 service not have a role in informing that assessment by  
16 them?

17 A. Yes, and I think it's for us, but it's also for CT



18 police to be ensuring that the intelligence picture, as  
19 we see it, is shared more broadly than just MI5 and CT  
20 police so that others who are operating not just in the  
21 Pursue area where MI5 is primarily but also in the  
22 Prevent area that you describe.

23 Q. The second objective of Prevent as described by  
24 Mr Hipgrave was to support vulnerable people from being  
25 drawn into terrorism. And in that regard, there is the

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1 duty under section 26 of the Counter-terrorism and  
2 Security Act of 2015 for a range of organisations to  
3 have due regard to the need to prevent people from being  
4 drawn into terrorism. Answering a question asked by the  
5 chair yesterday, schedule 6 of that Act identifies that  
6 list of bodies; it includes local authorities, schools,  
7 universities, NHS, BTP, police forces, the Mayor of  
8 London, the civil nuclear Police Authority, but not MI5.

9 Equally, section 27 of the Act, which allows for the  
10 Secretary of State to add bodies to the schedule 6 list,  
11 exempts from that process MI5, MI6, GCHQ, and for  
12 reasons that others will no doubt understand, the  
13 General Synod of the Church of England.

14 Would you agree that MI5 really ought to be under  
15 a duty to have due regard to the need to prevent people

16 from being drawn into terrorism?

17 A. I'm afraid I don't know the specifics that you refer to  
18 in terms of schedule 6. What I can say is that as an  
19 organisation, whilst we are focused on Pursue, quite  
20 properly in terms of that being our core purpose, we see  
21 it as a purpose of the organisation to engage with  
22 Prevent to support the other lead actors in Prevent and  
23 where we consider it based on the intelligence picture  
24 proportionate for us to refer somebody to Prevent, then  
25 that is a responsibility that investigators in MI5 have.

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1 SIR JOHN SAUNDERS: So we know about someone who's closed as  
2 an SOI, it seems to me on the face of what we've heard  
3 so far that one of the considerations when CT police and  
4 MI5 sit down together should be: okay, we're closing him  
5 not as an immediate threat, but he is at risk of  
6 radicalisation, should we be considering referral? Does  
7 that happen?

8 A. It does now, yes.

9 SIR JOHN SAUNDERS: Did it happen at the time, 2014?

10 A. At the time that we closed him, when we look back it  
11 doesn't appear that we -- I can't find a record that we  
12 considered a referral at that time.

13 SIR JOHN SAUNDERS: So you can't say definitely, but it

14 doesn't look like it happened?

15 A. I can see no basis for concluding that a consideration  
16 of a referral happened at that point.

17 SIR JOHN SAUNDERS: Do you agree it should have happened?

18 A. It wasn't the policy at the time. It is now.

19 SIR JOHN SAUNDERS: Okay. But everyone knew about Prevent  
20 and you did say that people certainly had a discretion  
21 to do it. No one was preventing them doing it and CT  
22 police were involved as well. Should it have happened?

23 A. I think that would have been an improvement, yes.

24 SIR JOHN SAUNDERS: Right. This is a general question and  
25 I think we need reassurance for the public about this.

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1 Was it at the time or is it now the reason for  
2 non-referrals taking place or perhaps not being  
3 considered was a lack of belief by MI5 in the Prevent  
4 process? You wouldn't be alone, so as we're finding  
5 in the inquiry now, and I'm not going into whether it is  
6 a good thing or not, but was there that lack of belief,  
7 do you think, within MI5?

8 A. No, I don't believe so. The organisation -- and I have  
9 seen instances of this in my career where we have  
10 referred individuals with the police to Prevent and  
11 there have been successful outcomes. It is a valuable

12 tool. I would say that our investigators would be  
13 considering very carefully whether or not the person  
14 they were looking at was likely to engage and some parts  
15 of Prevent require somebody to voluntarily engage. And  
16 of course, in our investigations we might quite often  
17 conclude, not always, that the individual who we are  
18 considering referring is unlikely to engage. So there  
19 will be some caution around that.

20 SIR JOHN SAUNDERS: But is that for you to decide?

21 I thought it was a reference and then the people to whom  
22 it's referred would be the people to look at whether the  
23 person would engage before deciding whether to sign them  
24 up on it.

25 A. If we are closed an SOI and asked to consider

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1 a referral, there is that initial referral of  
2 consideration at that point.

3 SIR JOHN SAUNDERS: Right. (inaudible) drafting the  
4 legislation. First of all do you have any idea why MI5,  
5 and no doubt someone else can answer this if necessary,  
6 and I would like an answer to it, why MI5 were not  
7 included in the list in the first place and the police  
8 were and even more importantly why they can't be added?

9 A. I don't think it's an open/closed issue.

10 SIR JOHN SAUNDERS: I'm sure it wasn't, it was whether you  
11 knew the answer.

12 A. I don't know the answer to the question about schedule 6  
13 and schedule 27 that Mr Atkinson posed. And I don't  
14 want to speculate on why we are not there. But  
15 I wouldn't want in any way to suggest that we didn't see  
16 Prevent as an important tool because we do.

17 SIR JOHN SAUNDERS: I understand that. Would it be an  
18 improvement, and again this is subject to argument, no  
19 doubt there were good reasons why you weren't in the  
20 first place, if it was part of MI5's responsibility as  
21 well to consider it?

22 A. I don't know whether this is territory that  
23 William Shawcross is going to get into in his review.

24 SIR JOHN SAUNDERS: I certainly don't want to cut across  
25 that. No doubt someone can answer those questions in



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1 due course. I flag them up for people.

2 MR ATKINSON: Was there a hesitancy by the service in  
3 referring people to Prevent because it would thereby  
4 identify that the service had been looking at them?

5 A. Yes, sometimes.

6 Q. I suppose there are ways of getting round that by  
7 getting the police to do it rather than someone from the

8 service phoning up direct. Is that a real hesitation,  
9 do you think?

10 A. So obviously we would never get direct involvement  
11 in that process, it would always be done through others.  
12 There would rightly be hesitation on our part if we were  
13 investigating somebody or we had concerns about whether  
14 or not we wished to continue to conceal the fact that  
15 that person had been investigated, should they conclude  
16 from a Prevent referral that the authorities were aware  
17 of their activities. So I think that would be quite  
18 unusual but it would sometimes be the case, yes.

19 Q. Do we understand that at the time that Salman Abedi was  
20 closed as an SOI, it was not policy for the service to  
21 refer to Prevent?

22 A. Yes, I described it as a common practice rather than  
23 firm policy for there to be a referral at that point.

24 Q. In terms of how common, are you able to give us any idea  
25 in relation to the 20,000 closed SOIs, how many of them



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1 as a percentage approximately were referred to Prevent  
2 by the service?

3 A. Considered for or were referred?

4 Q. Considered for, first, and referred second. If you  
5 can't immediately now -- if that's something that can

6           either be provided to us or to the chair in closed,  
7           I think that would be of assistance.?  
8    A.   It might be possible for us to establish how many of  
9           those individuals who were closed were referred to  
10          Prevent through us or through the police.  It might be  
11          harder for us to determine how many of them were  
12          considered for referral given that at the time there  
13          wasn't a policy in place that dictated that an  
14          investigator should make that consideration.  But  
15          I can --  
16    SIR JOHN SAUNDERS:  Let's see what we can do.  No doubt  
17          people can look at it.  Thank you very much.  
18    MR ATKINSON:  In the course of your evidence yesterday, I'm  
19          sure it was just a slip, you described it as  
20          a reasonable decision at the time not to refer  
21          Salman Abedi to Prevent.  In fact there wasn't  
22          a decision at all, was there?  
23    SIR JOHN SAUNDERS:  Well, you found no evidence of it.  
24    MR ATKINSON:  You found no evidence that there was  
25          a decision, reasonable or otherwise.



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1    A.   Yes.  I found no evidence to indicate that a referral  
2          was considered.  
3    Q.   You went on to say that there was little basis to refer

4 him. And just to understand that, the Channel guidance  
5 that we looked at with Mr Hipgrave identified a risk  
6 of -- a series of risks that might identify someone as  
7 being someone who ought to be referred, ought to be  
8 considered, by the process, such as them being subjected  
9 to peer pressure, subject of family pressure, influence  
10 from others, involvement in crime or anti-social  
11 behaviour.

12 So far as Salman Abedi was concerned, at the time  
13 that you were making this decision --

14 SIR JOHN SAUNDERS: Or not.

15 MR ATKINSON: -- or not, and in terms of whether there was  
16 a basis to consider referring him at that point,  
17 certainly the service was aware and the CTP were aware  
18 that he had an involvement in crime and anti-social  
19 behaviour because that had come up in the context of  
20 that trace report back in 2010, hadn't it, and him  
21 setting off fireworks and things like that? So that box  
22 ticked.

23 So far as family pressure is concerned, his father  
24 Ramadan Abedi had been port stopped in 2011 and there  
25 was material, you may not be able to confirm, that might





2 would on the face of it tick a box, wouldn't it, if that  
3 was the position?

4 A. Yes, if we'd known that, yes.

5 Q. And if such material had been generated by a port stop,  
6 that's the kind of thing that you would have known?

7 A. Yes, if it was available to us.

8 Q. Then in 2013, in terms of the company Mr Abedi was  
9 keeping, he appeared to be in frequent contact with  
10 SOI A. And so at least to consider referring him,  
11 influence from others, influence from family,  
12 involvement in crime and anti-social behaviour, would  
13 you not agree that those were all reasons why he ought  
14 to have been thought about in the context of Prevent?

15 A. The question we talked about around considering him for  
16 referral, I think we've covered in terms of our  
17 conclusions about that. When I looked at the  
18 intelligence, and bearing in mind that not all of the  
19 intelligence we now know and that you're pointing to was  
20 available to us at the time, I see very little basis for  
21 us referring him at that point.

22 Q. In November of 2014, I'll be corrected by Mr Eadie if  
23 I've got this wrong, the Lee Rigby report from the ISCP  
24 came out, which identified the better use of referrals  
25 to Prevent as something that the service could learn

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- 1 from. Did that lead to a re-review of its closed SOIs  
2 and whether there was a need for more of them to have  
3 been referred to Prevent?
- 4 A. No, I don't think it did.
- 5 Q. Do you think it should have done?
- 6 A. Yes, potentially. I think this is an area that we've  
7 recognised that we needed stronger processes around and  
8 we want to continue to play our part in ensuring that  
9 we are supporting those who are leading on Prevent.
- 10 Q. Because if Salman Abedi had been rereviewed in such  
11 a process in the course of 2015, by then Mr Abdallah's  
12 phone had been seized from him at the end of 2014,  
13 revealing contacts between him and Salman Abedi in  
14 which, among other topics of interest, the question of  
15 martyrdom had come up. Mr Abedi had been in contact  
16 with SOI B, SOI C and his brother Ismail had been  
17 stopped with extremist material on his phone. If there  
18 had been such a review, do you think there would have  
19 been at least consideration of referring Salman Abedi by  
20 the end of 2015 to Prevent?
- 21 A. I said yes potentially I think because, you know, if  
22 we were to look at our closed SOIs and consider whether  
23 or not any of them should be referred after the point of  
24 closure, one or two years after they've been closed,  
25 I think as an organisation I think we would be swamped



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- 1 with work that would prevent us from doing other things.
- 2 I'm not saying that this isn't an important area, but
- 3 a closed SOI is somebody we are not investigating, we
- 4 may be receiving intelligence on them, that's not
- 5 certain, we may not be. For investigators to look at
- 6 that intelligence picture on every single closed SOI and
- 7 to make considerations of Prevent referrals at each
- 8 point I think would be, in my view, a disproportionate
- 9 use of their time given that they are rightly focused on
- 10 a set of priority investigations where we are seeking to
- 11 conduct our core purpose of Pursue.
- 12 Q. Can I follow that through and see how that works?
- 13 You have identified for us that in the course of 2015
- 14 information came to the service as to a potential
- 15 connection between Salman Abedi on the one hand and two
- 16 subjects of interest, B and C. So one presumes, and if
- 17 this is not the case I would invite you to tell us, that
- 18 when that information came in, someone at the service
- 19 looked again at Salman Abedi.
- 20 A. Yes.
- 21 Q. So if they are looking at him again, presumably they
- 22 were not just looking -- and again if this is not the
- 23 case you must tell us -- looking at this new piece of
- 24 intelligence that had come in on its own?

25 A. Sorry, the intelligence that was coming in would have



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1 been looked at in the context of other intelligence we  
2 had on Salman Abedi.

3 Q. They would have looked at, for example he has this  
4 connection that we've just had drawn to our attention  
5 with SOI B, what do we know about him? Well, we know  
6 about his background in criminality, we know about his  
7 father, we know about his brother, we know about SOI A,  
8 we know about his contacts with Abdallah and the  
9 extremist material going between the two of them. So in  
10 terms of someone being swamped, wouldn't they actually  
11 just have been doing their job, Witness J?

12 A. I think it's far more than that, Mr Atkinson. You're  
13 talking here, I think, about a path that we now know  
14 some about, not all about, in terms of the period from  
15 when we first investigated Salman Abedi through to  
16 closing him through 2015 and 2016 and his interactions.  
17 Considering a referral to Prevent for every single one  
18 of our closed SOIs is not something that we do now, it's  
19 not a recommendation that we made post-2017 that we as  
20 an organisation with CTP should be looking at all of our  
21 closed SOIs when intelligence comes in to consider at  
22 those moments a referral to Prevent. We do it at the

23 point of closure. We have stronger processes now at the  
24 point of closure that ensure that we do consider that  
25 referral. But that is the moment and in my view it is

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1 the best moment for the organisation alongside CTP to  
2 consider a referral.

3 Q. Realistically, if you're looking at someone again  
4 because something has come in that is new, should you  
5 not also be in the series of questions going through  
6 your mind at that point -- one is does this change our  
7 assessment of them? Should we re-open them as an SOI?  
8 Should we now refer them to Prevent? Isn't that just  
9 one of the questions that should just happen at that  
10 point?

11 A. I would expect an investigator to be looking very  
12 carefully at the intelligence as it comes in and to  
13 consider whether there's any action that needs to be  
14 taken. I'm just making perhaps the slightly narrow  
15 point that as a system, considering a referral to  
16 Prevent in a formal policy sense on every closed SOI  
17 whenever we receive new intelligence on them is not  
18 something that we have introduced.

19 Q. Next P, it's a short one, prisons.

20 SIR JOHN SAUNDERS: How many are you claiming for your extra

21 time (how much.  
22 MR ATKINSON: I was allotted an hour and a half. I'm very  
23 happy a break at any point anyone would like one.  
24 SIR JOHN SAUNDERS: I think it might be a good idea to take  
25 a break now for quarter of an hour and then that gives

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1 you 20 minutes left.  
2 MR ATKINSON: Yes, and I will finish in that.  
3 SIR JOHN SAUNDERS: Thank you. Things that can't be  
4 reported?  
5 SIR JAMES EADIE: We're fine.  
6 SIR JOHN SAUNDERS: No problem, okay, thank you.  
7 (11.12 am)  
8 (A short break)  
9 (11.35 am)  
10 MR ATKINSON: Briefly in relation to prisons, Mr Greaney has  
11 very helpfully recounted for us what Mr Mott says  
12 in relation to Mr Abdallah and categorisation. Would  
13 you agree that it isn't actually really about  
14 categorisation at all?  
15 SIR JOHN SAUNDERS: I'm not sure I follow that question.  
16 MR ATKINSON: You're quite right, sir.  
17 In terms of the risk and the role of the service.  
18 A. Yes, I think as Mr Mott's explained, categorisation

19 doesn't refer to --

20 SIR JOHN SAUNDERS: It's to do with the risk of escape.

21 That's why the categorisation is put.

22 A. It's unlikely that the two wouldn't necessarily align  
23 in the way that you're describing, yes.

24 MR ATKINSON: Because that looks at the risk of escape and  
25 the harm that someone could do if they were able to

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1 escape.

2 A. Yes.

3 Q. The risk that we are concerned with in relation to  
4 Mr Abdallah is the harm that he could do without leaving  
5 the establishment at all in terms of radicalisation of  
6 others.

7 A. Yes. In respect of somebody who's been convicted of  
8 a terrorist offence and in fact somebody who may not  
9 have been, but who is in prison, then MI5 working  
10 together with the Prison Service and the police would be  
11 seeking to investigate those, even if they were in  
12 prison, who may pose some threat.

13 Q. And in that regard, does the service now and did it then  
14 pass intelligence to the Prison Service about people  
15 within its establishment that needed action taken?

16 A. Yes. Where we had intelligence indicating that somebody

17 posed a threat who was also a prisoner, then we had  
18 arrangements in place such that we were sharing material  
19 with the Prison Service through CT police.

20 Q. Again, this may be something you are better able to  
21 answer in closed than open. Are you able to help us as  
22 to whether such identification took place in relation to  
23 Mr Abdallah?

24 A. I can't talk in open about what we did or did not do in  
25 respect of Abdalraouf Abdallah.

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1 Q. But is that something you will be able to assist the  
2 chair with in closed?

3 A. Yes, of course.

4 SIR JOHN SAUNDERS: Can we all remember Mr Abdallah is due  
5 to be coming to give evidence, he's indicated he will  
6 cooperate with the inquiry, but he is concerned that the  
7 inquiry may have preconceptions about things and may be  
8 really coming here in order to chastise him in public or  
9 in some way reach a conclusion that he's done things  
10 without hearing his evidence.

11 MR ATKINSON: Sir, because it does no harm to repeat it, the  
12 families -- if there are misconceptions that can be  
13 corrected -- would welcome that.

14 SIR JOHN SAUNDERS: I do understand that. I don't want to



15 do anything that puts him off coming if I possibly can.

16 MR ATKINSON: Nor do we.

17 Port stops. The power of the police to stop,  
18 detain, search someone leaving or arriving the country  
19 for an examination to determine whether they appear to  
20 be a person who is or has been concerned in the  
21 commission, preparation or instigation of an act of  
22 terrorism. Do we understand that the service can  
23 identify persons or groups of persons that they would  
24 like stopped on their way in or out?

25 A. Yes.

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1 Q. You have identified in a number of areas that you have  
2 dealt with in your evidence that the concern, 2014 and  
3 going forward towards 2017, in relation to Syria and  
4 those going to Syria and those going from Syria back  
5 here, and were those a group of people that would be  
6 stopped either at your instigation or otherwise on the  
7 way in or out of the country?

8 A. If we had intelligence to indicate that they were  
9 travelling to Syria or travelling back from Syria that  
10 showed they posed some form of threat to national  
11 security, then the use of a port stop requested of the  
12 police would be something I would have expected the

13 investigators to consider, yes.

14 Q. Presumably, in terms of the information you had, that  
15 could be of two sorts, information that you knew about  
16 them as to their position here in terms of those topics  
17 we've already dealt with, the family mindset, those that  
18 that person is associated with here and there,  
19 extremism, and so on, but also any information you had  
20 about their reasons for travel or what they had done  
21 while they were there?

22 A. Yes.

23 Q. And Syria of concern, to state the obvious, firstly  
24 because of the so-called Islamic State connection and  
25 also the risk that those going to a war zone such as

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1 that would learn combat techniques and the like that  
2 could then be deployed here?

3 A. Yes. And if I may offer by way of context, the  
4 travellers who were going to Syria, not all of them were  
5 engaging in terrorism, but a significant proportion were  
6 engaged in terrorism and joining up with Islamic State  
7 in Syria. Some of those stayed in Syria to fight and  
8 engage in terrorism there. Some of them were in contact  
9 with people back in the UK who they inspired to conduct  
10 attacks or seek to. Some of them came back and were

11 then involved in activities that posed a threat while  
12 they were home. So it was a significant challenge for  
13 us and a significant threat.

14 Q. Just as travel to and then travel back from Syria and  
15 Iraq at that time would be a factor that might lead to  
16 someone being stopped, a reason why they might be of  
17 interest in that regard, travel at that time to Libya  
18 equally involved travel potentially to a war zone, did  
19 it not?

20 A. Yes, there was a civil war, so yes, from 2014 onwards,  
21 yes, a war zone.

22 Q. So a location in which people could pick up combat  
23 techniques which they could then deploy when they got  
24 back here?

25 A. Yes, in theory.

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1 Q. So again, you would look at what was known about that  
2 person already, their family, their criminality, their  
3 contact with extremism, and then factor into that where  
4 they had been in Libya, would you not?

5 A. Yes. I'd put Syria and Libya in different categories.  
6 If we had specific intelligence relating to an  
7 individual travelling to Libya to, for example, join up  
8 with Islamic State, then I would expect that a ports

9 action would be seriously considered and if appropriate  
10 requested. But if somebody was travelling to Libya and  
11 there were a range of reasons why they might be,  
12 including to join up with family or for other purposes,  
13 then it wouldn't necessarily follow that we would be  
14 seeking to request a port stop of the police. As  
15 opposed to Syria, where the set of legitimate purposes  
16 for those 850 individuals travelling to Syria at that  
17 time would have been much more limited. We were not  
18 seeing people by and large travelling to Syria at that  
19 time to join up with family. The majority of the people  
20 we were seeing travelling at that time who we were  
21 concerned about were joining up with Islamic State.

22 SIR JOHN SAUNDERS: We've always said that we would build on  
23 the reports which already exist. You are no doubt aware  
24 that MI5 in questioning to the committee, the ISC,  
25 accepted that Salman Abedi should have been placed under

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1 a ports action.

2 A. Yes.

3 SIR JOHN SAUNDERS: So there's no question that that is an  
4 error which occurred and MI5 accept it's an error?

5 A. I think it's an area where I think a judgement is that  
6 it should have happened. It was a better course of

7 action.

8 SIR JOHN SAUNDERS: That was the judgement of the ISC, quite  
9 clearly it should have happened. So unless you want to  
10 say they got it wrong and MI5 no longer accept that,  
11 perhaps we can go from that basis?

12 MR ATKINSON: I wanted to develop it slightly further, sir.

13 SIR JOHN SAUNDERS: That's fine.

14 MR ATKINSON: Relying on what the ISCP said, paragraph 192,  
15 193 of their report -- if you would like to look at it,  
16 Witness J, it's page 74 of their report. I don't know  
17 the divider numbers.

18 SIR JOHN SAUNDERS: On the INQ number it's 185 and for me  
19 it's divider 1 if you have the same file as I have.

20 MR ATKINSON: If you're looking at INQ022846 it's page --

21 SIR JOHN SAUNDERS: I think he's got it.

22 MR ATKINSON: What the ISCP said was that during  
23 Salman Abedi's time under active investigation  
24 from March 2014 to July 2014, and as a closed SOI  
25 from July 2014 onwards, MI5 and CTP received information



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1 informing them of his frequent travel to Libya.  
2 However, he was not at any point subject to any form of  
3 travel monitoring or travel disruption.  
4 SIR JOHN SAUNDERS: Sorry, let me -- there are bits left out

5 of that. So there are asterisks to indicate that things  
6 have been -- it might seem a bit thin otherwise, what  
7 they were talking about.

8 MR ATKINSON: "the committee found this highly surprising  
9 and questioned MI5, who explained that he was put on  
10 closed SOI ..."

11 And then they go on to deal with the last  
12 trip, April 2017, coming back in May, and in that  
13 context would you agree the concession was in relation  
14 to that last trip and whether there should have been  
15 a port stop then?

16 A. Yes.

17 Q. Looking at the approach of the committee, it was, was it  
18 not, highly surprising that he had not been stopped at  
19 any point coming to and from Libya, given what else was  
20 known about him?

21 A. On the basis of the information we had on him at the  
22 time, then I think not putting him on ports action apart  
23 from the period that you described, I think not putting  
24 him on was a reasonable judgement.

25 SIR JOHN SAUNDERS: Okay. In order to really examine this



1 properly, and obviously it's something I will do, we  
2 need to know what date of travel we are talking about

3 and we need to know what was actually known by MI5  
4 at the particular time to see whether we're in the same  
5 situation as was indicated in May 2017.

6 MR ATKINSON: Yes. Sir, I anticipate that is a topic better  
7 dealt with in closed in due course than now.

8 SIR JOHN SAUNDERS: You flag it up, absolutely.

9 MR ATKINSON: Turning finally, so far as I'm concerned,  
10 before Mr Suter puts a thing round my neck and pulls me  
11 away, can I deal with that last stop, the April/May,  
12 when it is accepted he should have been on a watch list  
13 and should have been stopped. To understand the  
14 assessment of the service that that would have made no  
15 difference because of the timeline that there were a few  
16 days left, clearly if he'd been stopped on his way to  
17 Libya you would have had longer?

18 A. Yes.

19 Q. But stopped on his way back, he could have been asked  
20 questions about where he'd been and where he was going.  
21 Any devices he had with him could have been  
22 interrogated.

23 A. Yes.

24 Q. And anything on them could have been identified if that  
25 had received a priority to be examined in time?



1 A. Yes, if it had received a priority.

2 Q. So for example, recipes in relation to explosives,  
3 images of his target, discussions with people about his  
4 plans. Isn't the other aspect of that from his point of  
5 view, though, that he might have thought -- indeed most  
6 people may have thought -- that if the phone had been  
7 taken from him and interrogated, that someone would have  
8 looked at it right away?

9 A. He may conclude that, yes.

10 Q. And therefore he might have thought that you knew what  
11 he was going to do and that might have stopped him doing  
12 that, Witness J?

13 A. Yes. And all of that is potentially possible of course.  
14 I would add from the police investigation and what we  
15 now know, of course it's still not clear what he  
16 travelled through the port with, so there is a question  
17 that we can't answer about what device he may or may not  
18 have been carrying.

19 SIR JOHN SAUNDERS: There are lots of questions which cannot  
20 be answered and it is essentially speculation as to  
21 whether it can be stopped. But perhaps you could help  
22 me. It seems to be a very important question. The  
23 panel of experts from MI5 came to the conclusion, which  
24 was repeated to the ISC and indeed Lord Anderson was  
25 told it as well, that in their considered view, even if





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1 that had happened and all those things had happened, it  
2 would have made no difference. Now, do you support that  
3 bearing in mind the amount of speculation there has to  
4 be in what would be shown on a port stop? Can one  
5 actually come to a considered opinion that it could not  
6 have happened? It's been pointed out to you by  
7 Mr Atkinson, he may have been put off. If someone  
8 thinks they are going to be stopped by MI5, they might  
9 think I'm not going to do it because I won't get away  
10 with what I want to do. Do you support the panel of  
11 experts that you can actually give a view whether it  
12 would have stopped it?

13 A. I think as we were covering yesterday, of course there's  
14 a high degree of inherent speculation in this and none  
15 of us --

16 SIR JOHN SAUNDERS: I accept that entirely.

17 A. But what the team of experts was asked to do and did do  
18 was to apply their professional judgement based on their  
19 knowledge of how port stops work and how subjects of  
20 interest operate and the specific knowledge in relation  
21 to Salman Abedi that we knew before attack and  
22 post-attack and apply that judgement in order that they  
23 could come to the conclusion that a successful  
24 pre-emption of an attack would have been unlikely.

25 So I support that judgement because I've seen the



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- 1 material and drawing on that material of course is  
2 difficult to do, but a lot of it is about the timeline  
3 and the fact that he would not have been treated as  
4 a priority at that point when he arrived at port.
- 5 SIR JOHN SAUNDERS: Okay, I understand the difficulties  
6 getting teams together in order to carry out the sort of  
7 observations necessary. But you can operate quickly,  
8 can't you, in dire emergency? If you get information  
9 that someone is going to do something really awful,  
10 you're not saying that MI5 takes four days or more to  
11 get together and do something about it, are you?
- 12 A. Of course.
- 13 SIR JOHN SAUNDERS: No. So it depends, doesn't it, what was  
14 on the phone?
- 15 A. If he was carrying one that contained material.
- 16 SIR JOHN SAUNDERS: Yes. It's quite unlikely he wasn't in  
17 view of his use of mobile phones perhaps. But anyway,  
18 he may have been, he may not have been, who knows.
- 19 A. I think it was relevant to the judgement of the team who  
20 were looking at this that immediately after arriving or  
21 shortly after arriving, he went to a shop and bought  
22 a SIM card.
- 23 SIR JOHN SAUNDERS: Absolutely.

24 A. So there was an element there that you could assess to  
25 be operational security going through the port.

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1 SIR JOHN SAUNDERS: Okay. But terrorists tend to pick up  
2 new SIM cards quite a lot of the time, don't they?  
3 Anyway, there is also what Mr Atkinson about people  
4 being put off: MI5 are on to me, I really can't do it  
5 now. How do you say that's inherently unlikely?

6 A. Again, drawing on the material and on what we know --

7 SIR JOHN SAUNDERS: What material?

8 A. What we know about his planning of the attack, that this  
9 planning was well underway by the time he went to Libya.  
10 So some of it was fairly well advanced in terms of what  
11 he was doing. That would also be a factor to consider  
12 in terms of whether or not he was going to be deterred  
13 from a port stop. But I completely accept that a port  
14 stop of him would have been possible to have caused him  
15 to react in a different way.

16 SIR JOHN SAUNDERS: Can I say, I accept they may be right.

17 But it just seems to me on the information that it's  
18 quite a big leap to reach that conclusion and we're not  
19 going to hear from these experts, I'm never going to  
20 hear from these experts, so you're the only person who  
21 can persuade us that actually that view is right. I'm

22           sorry to be difficult. I am not meaning to be.  
23   A. In closed, I'm confident I would be talk about all of  
24           this, represent my view and add my own judgement to it.  
25   SIR JOHN SAUNDERS: Okay. As you've gathered from what

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1           I have said, I will be looking at that conclusion and  
2           whether it can be justified. It's perhaps interesting  
3           that it was not necessarily supported by Lord Anderson  
4           who remained entirely neutral on the point, as did the  
5           ISC. They noted the experts' report but they didn't  
6           actually say they agreed with it.  
7           Okay, sorry, I have taken that over.  
8   MR ATKINSON: Not at all.  
9           Just this, finally then, Witness J. In terms of  
10          what Salman Abedi did after the port stop in terms of  
11          buying a SIM or anything like that, that doesn't begin  
12          to help as to whether he should have been stopped before  
13          that, does it, because no one knew he was going to buy  
14          a SIM at the point he walked through the airport or  
15          whatever it was?  
16   A. No, this was us drawing conclusions after the attack  
17          based on what we knew with the fuller picture that was  
18          acquired from the incident investigation.  
19   Q. But in terms of assessing whether it would have made

20 a difference, that was an assessment based on the  
21 service's assessment of how long it would have taken  
22 them, given his priority level, to have investigated him  
23 rather than whether it remained a difference to him?  
24 A. In part it was how long it would have taken, in part  
25 it would have been considering what other investigations

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1 we were running at the time and how we would have  
2 prioritised.

3 MR ATKINSON: Thank you, sir.

4 SIR JOHN SAUNDERS: Thank you very much.

5 MR DE LA POER: Sir, next, as he approaches, please,  
6 Mr Weatherby Queen's Counsel.

7 Questions from MR WEATHERBY

8 MR WEATHERBY: Witness J, my name is Pete Weatherby and  
9 I represent another group of the bereaved families.

10 I just want to pick up where Mr Atkinson left off, if  
11 I may, about that last point. You have made the point  
12 that Salman Abedi went through a bought a SIM card.

13 What we know is that he leaves the country on  
14 15 April with his family, his parents and brother and  
15 other siblings. As I understand it, on a one-way  
16 ticket. We then know he comes back on his own on  
17 18 May. Again on a one-way ticket, as I understand it.

18 He comes back, and we can see it on an image, with  
19 essentially hand luggage only. I think it's a knapsack  
20 or a backpack with the string over his shoulder.

21 Of course, if he'd been subject to a stop and  
22 search, it is speculative about whether anything would  
23 have been found, I fully understand that, but the onward  
24 point that has been made already, and I want to take  
25 further, is what he does when he comes through the

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1 airport unhindered is that he immediately goes and buys  
2 the SIM card, he then goes and gets on a bus and he  
3 goes, I'm not sure the exact distance, a mile, a mile  
4 and a half I think, to Wythenshawe Bus Station, where he  
5 gets off the bus and gets into a taxi.

6 Would you agree with me that there is a very strong  
7 inference that that is an anti-surveillance measure?

8 A. I don't know what the police judgement of that  
9 post-attack is, I think there are indications there of  
10 behaviour that, yes, I would see as being potentially  
11 anti-surveillance.

12 Q. Yes. What most people would do at Manchester  
13 International Airport is they'd walk out of the arrivals  
14 department and either order or get in a taxi from one of  
15 the ranks if they were going to get a taxi. Yes?

16 Salman Abedi doesn't do that, Salman Abedi gets the bus  
17 away from the airport and then he gets a taxi. So I put  
18 it to you again that the only sense of that is that  
19 that's an anti-surveillance measure.?

20 SIR JOHN SAUNDERS: Did you say the only inference?

21 MR WEATHERBY: I did say that. Perhaps I shouldn't have.

22 SIR JOHN SAUNDERS: It may be putting the question a bit  
23 high.

24 MR WEATHERBY: It may, okay. It's an overwhelming inference  
25 that that was an anti-surveillance measure, isn't it?

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1 A. You could clearly draw that inference, yes.  
2 Q. Then he gets in the taxi and as we know he goes straight  
3 to Devell House. Okay? So if there hadn't been a port  
4 stop but you were sufficiently interested to observe who  
5 he was meeting at the airport, which is something you  
6 might reasonably have done, you'd have seen him buy the  
7 SIM card, get on a bus and then seen him hop into  
8 a taxi. All rather strange and then he'd have taken you  
9 to the bomb. So ports action might have stopped him  
10 doing what he was going to do and I'll come back to it  
11 in a minute. Or it could conceivably have led to  
12 something in his property or something he said or indeed  
13 being followed to the bomb. Yes?

14 A. Conceivably, yes.

15 Q. Yes. Now, putting that together in terms of deterring  
16 him from his plot, the point is that he was going out of  
17 his way with this, what I'm characterising an  
18 anti-surveillance measure and buying the new SIM card,  
19 going out of his way to avoid being detected in his  
20 mind?

21 A. Yes.

22 Q. And then of course, after he goes to Devell House, he  
23 then rents a flat away from his family home and  
24 apparently away from his associates, yes?

25 A. Yes.

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1 Q. So again, he's trying to stay off grid?

2 A. Yes.

3 Q. So with that as his mindset, coming back into the  
4 country, if in fact he had been stopped by the police,  
5 putting that together, there is a significant chance  
6 it would have stopped him carrying out his plot, isn't  
7 there?

8 A. Yes. Mr Weatherby, I think, just to offer some context  
9 on this, for us or for the police in combination to have  
10 followed that trail from the port to where he then  
11 rented the flat would have required us to be running



12 a very high priority investigation into him at that  
13 time. It would have required, given the sequence that  
14 you just described there, almost certainly surveillance,  
15 which would normally be allocated towards those high  
16 priority investigations to enable us to detect that  
17 concerning behaviour.

18 Q. Yes. I fully accept that and I put that as a secondary  
19 approach. Of course I don't know what you knew and that  
20 can be explored in closed. But it's certainly possible  
21 that you would have observed slightly unusual behaviour  
22 at the airport or beyond the airport and then followed  
23 it on and, as I say, it would have led you to the bomb.

24 A. To be clear on the question about what we knew, we had  
25 fragments of what we now know to be the picture.

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1 Q. Yes.

2 A. So the post-incident investigation and all of the  
3 material that was obtained from that gives you that  
4 trail, but we had a blurred picture at that time of  
5 Salman Abedi and we did not conclude that the  
6 intelligence we had related to attack planning.

7 Q. Yes. Okay.

8 SIR JOHN SAUNDERS: Mr Weatherby, before you go on, there's  
9 a vaguely related matter which I would like to clear up

10 if I may.

11 Have you been made aware of the activities when  
12 Salman Abedi was going to do his reconnaissance trips  
13 and things like that? Have you seen that material?

14 A. Yes, I have.

15 SIR JOHN SAUNDERS: In general terms do MI5 consider that  
16 he was skilled at what he was doing and that he was  
17 carrying out anti-surveillance measures generally in the  
18 way he pursued this?

19 A. I think we considered he was showing a fair degree of  
20 operational security, yes.

21 MR WEATHERBY: Just before I move on, the real point I'm  
22 making here is there was a possibility of action being  
23 taken which would have discovered the plot, but more  
24 importantly, the point that Mr Atkinson made is that  
25 here there was a real opportunity, had he been stopped,

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1 to deter him and the evidence for that is the fact that  
2 he was so interested in staying off grid, would you  
3 agree with that?

4 A. I think it's speculation as to, as we have said, whether  
5 or not a port stop would have deterred him or not.  
6 Clearly, it's possible that it would have had some  
7 impact on his behaviour.

8 Q. Okay. I'm slightly baulking at the word speculation  
9 with you, Witness J. There is evidence that he was  
10 interested in you not knowing what he was up to.

11 A. But that doesn't take us to the point where a port stop  
12 would have deterred him or changed his behaviour  
13 necessarily.

14 Q. Okay. I have made my point.

15 In respect of a question the chair asked you earlier  
16 about whether a port stop was actually considered,  
17 considered and rejected, or not considered at all, you  
18 said you needed the full intelligence picture and  
19 thereby didn't answer the question. I fully understand  
20 what you say, that the intelligence picture shouldn't go  
21 into the public domain and therefore whether the  
22 decision taken was right or wrong. I fully understand  
23 that. But why is the intelligence picture relevant to  
24 whether the decision was considered and rejected or not  
25 considered?



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1 A. I do want to be helpful, I'm not trying to avoid the  
2 question about whether or not we considered or there was  
3 a judgement around it. But it is directly relevant to  
4 the intelligence picture we had at the time in terms of  
5 the decisions that were made and the judgements that

6 were made based on that.

7 Q. The merits of a decision, but whether the decision was  
8 considered at all, how does that affect national  
9 security?

10 A. I don't think it's something that is easy to describe in  
11 open. I think there is some intelligence received on  
12 two separate occasions in the months leading up to the  
13 attack and then judgements were made on the basis of  
14 that intelligence. We concluded that a better course of  
15 action would have been to put him on port stop. The  
16 decision-making process around those pieces of  
17 intelligence are better described in closed.

18 Q. Okay. I understand about the merits of the decisions,  
19 but I don't understand why you can't answer the  
20 question.

21 SIR JOHN SAUNDERS: Mr Weatherby, sometimes the merits of  
22 a decision relate back to things which are affected by  
23 national security. What I can assure you about is  
24 we will obviously look into this and if I decide this  
25 can be gisted or broken out, then we will do it. Sorry



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1 for the frustration caused to you, but you have made the  
2 point.

3 MR WEATHERBY: Thank you.

4           Can I just go back over some of the points that were  
5           raised in the last day and a half before I come on to  
6           the more substantive matters I want to ask you about.

7           Yesterday, you were keen to agree a statement with  
8           Mr Greaney about what MI5 believed to be the position.  
9           I just want to check, first of all, whether I've  
10          understood that correctly. So am I right that you were  
11          asserting that MI5 believed that only Salman Abedi and  
12          Hashem Abedi were knowingly involved in the arena  
13          bombing plot?

14        A. Yes. That's an assessment made on the intelligence  
15          picture we have currently and, as Mr Greaney said, is  
16          without prejudice to ongoing police investigations.

17        Q. That's where I'm headed next. We've heard evidence from  
18          the police investigation, as you know, and no doubt  
19          you've carefully looked at that, and Mr Barraclough, the  
20          SIO, gave evidence in December that the police have  
21          a number of outstanding suspects. Can you help the  
22          families understand how that can be if your assessment  
23          is that only Salman and Hashem Abedi were knowingly  
24          involved in the plot?

25        A. It's an assessment on the basis of the intelligence we



2 Q. I see.

3 A. And on all of the material that has been acquired by the  
4 police.

5 SIR JOHN SAUNDERS: Mr Weatherby, I was interested in this  
6 too.

7 So in relation to some people who have bought  
8 precursors, the question is, and the question of whether  
9 there would be a prosecutable case against them, is: did  
10 they know when they assisted in the purchase for what it  
11 was going to be used. Are you including those people in  
12 your assessment or is that a matter for the police to  
13 investigate and decide whether there is a case to put  
14 before a jury that they knew why they were buying it?

15 A. I think obviously that is for the police to take forward  
16 and, as you said, they have a number of suspects still  
17 and individuals they still want to question further.  
18 What we have concluded doesn't in any way or shouldn't  
19 in any way prejudice those ongoing investigations, which  
20 may provide evidence that leads to some form of further  
21 action. In providing that to Mr Greaney, as an  
22 organisation, I was seeking to try and describe as far  
23 as we can the current picture as we see it.

24 MR WEATHERBY: Okay. Would you agree that it doesn't sit  
25 consistently with the police view?

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- 1 A. No, I wouldn't agree with that.
- 2 Q. You wouldn't agree with that. I don't want to be  
3 difficult here, but it's right, isn't it, that the more  
4 people that were involved in this plot, the more  
5 effectively MI5 has to explain how it wasn't discovered?  
6 That must follow, mustn't it?
- 7 A. Could you --
- 8 Q. The wider number of -- if there's an outrage with a lone  
9 terrorist with not much sophisticated pre-planning, then  
10 it's much easier to justify how that person has been  
11 missed. But the more complex or involved a plot is and  
12 the more people involved in it, then the more questions  
13 are going to be thrown at you by people like me and the  
14 families about why it wasn't detected, yes?
- 15 A. Just to be clear, are you suggesting that the statement  
16 we made to Mr Greaney has been done for tactical  
17 purposes?
- 18 Q. I'm exploring that, and if that's how it's perceived  
19 then I'm very happy for you to answer it on that basis?
- 20 SIR JOHN SAUNDERS: I don't think it can have any other  
21 implication behind it, can it, Mr Weatherby? Answer it  
22 on the basis you want to.
- 23 A. We've made a statement in order to be helpful to the  
24 inquiry, to provide our best assessment of the extent of  
25 Salman and Hashem Abedi's involvement in this attack,



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1 and our assessment of the fact that in our view, based  
2 on the current intelligence, there were no others who  
3 were knowingly involved. We are doing that on the basis  
4 of an honest description of the intelligence picture  
5 we have and of the material we have in our possession  
6 post-attack. There is no other purpose for us doing  
7 that.

8 MR WEATHERBY: Okay. Briefly, I want to deal with the  
9 matters relating to [REDACTED], simply because  
10 they were raised yesterday, but in this context. I will  
11 give a reference, so anybody that wants to check what  
12 I'm going to put to you is right. [REDACTED]

[REDACTED]

[REDACTED]

This is a page where Mr Barraclough was  
15 answering questions about some of the procurers, okay?  
16 And particular interest was taken in two of them, they  
17 were both named, but I don't think it's necessary to  
18 name the other one gratuitously again at the moment.  
19 One was [REDACTED] and one was another man.

20 The other man, the summary of the position that  
21 Mr Barraclough agreed, was that there were searches for  
22 sulphuric acid on his device which were then deleted.  
23 He was then involved in the purchase of another chemical  
24 involved in the bomb. So there's connection there to



25 two. Now, to complete the picture, so I'm being

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1 completely fair here, he then went on to tell the police  
2 that Hashem Abedi had used his phone regarding the  
3 sulphuric acid. That was his account, okay? So he may  
4 have a defence to this.

5 But he was connected to two different chemicals  
6 involved in the bomb making, which is obviously a lot  
7 more suspicious than being connected to one of them,  
8 isn't it?

9 A. Yes.

10 Q. He's then found with mindset material on his phone,  
11 which is celebrating the Twin Towers attack, so you have  
12 that as well. We're not here -- the inquiry is not  
13 considering, of course, the criminal charges or  
14 non-criminal charges taken, but on that basis it would  
15 be rash to assert that that person positively wasn't  
16 involved in the plot knowingly, wouldn't it?

17 A. Yes, and I don't think I have done that. As I said,  
18 this is an assessment based on the intelligence we have  
19 currently and the police will need to take forward their  
20 enquiries as we've described.

21 SIR JOHN SAUNDERS: Mr Weatherby, I'm just going to stop you  
22 for a minute because I don't want there to be

23 misunderstanding about this. This was one of the  
24 matters broken out as a result of me hearing the  
25 application for restriction orders and it was actually

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1 at my suggestion, because it was originally within  
2 closed, that it was considered whether it could be  
3 broken out. And as a result of my suggestion being  
4 considered, it was agreed it could be broken out. But  
5 it was not the idea of MI5. I think that's only fair  
6 that that should be made clear in view of the possible  
7 suggestion behind it.

8 But I have not interpreted that as meaning that it's  
9 being asserted that people who bought precursors are  
10 necessarily innocent or guilty of any offence.

11 MR WEATHERBY: No, with respect, that's my point, that MI5  
12 is asserting that on the current picture only Salman and  
13 Hashem Abedi were knowingly involved in the plot. And  
14 what I'm simply putting is that there is significant  
15 evidence, particularly against two individuals, which  
16 would make that a rash statement. That's the  
17 proposition that I'm pursuing here. I'm not in any way  
18 questioning the charging decisions or the police action,  
19 I'm simply drawing attention to the evidence that there  
20 is that would in my submission --

21 SIR JOHN SAUNDERS: Okay, I understand it, but if there was  
22 a background suggestion that in some way MI5 were using  
23 this in order to cover up the fact that there were more  
24 people involved which should have made it more likely  
25 they would have found it, it was not their idea

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1 initially that it should be broken out into open. In  
2 fairness to them, I think that ought to be made clear.  
3 MR WEATHERBY: Indeed. Just to deal with [REDACTED],  
4 just so everything is as clear as we can make it, some  
5 of the evidence was put to you yesterday, but I want to  
6 put it in the clearest of terms. [REDACTED] was  
7 involved in the purchase of sulphuric acid. On its own,  
8 a member of the public ordering sulphuric acid over the  
9 Internet, not connected obviously to a VAT number or  
10 a business is unusual, isn't it?  
11 A. No, I wouldn't say so.  
12 Q. Okay. Well, there was evidence, and we can come back to  
13 it and adduce it another way later, I think, but there  
14 was evidence in the Hashem Abedi trial about the  
15 ordering of sulphuric acid and whether it was done by  
16 businesses or individuals, wasn't there?  
17 A. I don't know the detail.  
18 Q. I'll deal with that another way. So on 23 February of

19 2017, there were searches made on his phone for  
20 sulphuric acid at a time when Hashem Abedi was at his  
21 address, the cell site evidence suggests Hashem Abedi  
22 was at his address; yes?

23 A. Yes.

24 Q. Then on 15 March, the cell site evidence suggests that  
[REDACTED] and Hashem Abedi were together when

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1 money was deposited [REDACTED] account relevant  
2 to the purchase, yes?

3 A. Yes.

4 Q. And later that same day, the acid was purchased from an  
5 Amazon account of [REDACTED], which was set up on his  
6 phone 10 minutes before the order was placed. Yes?

7 A. I can't -- I'm taking your word for that, Mr Weatherby.

8 Q. I'll be corrected if I'm wrong. [REDACTED]

[REDACTED] Then the cell site

10 evidence suggested that Hashem Abedi and  
[REDACTED] were together at the time the purchase  
12 was made. Then the acid was delivered to  
13 [REDACTED] home address on 21 March and then the  
14 text that we've heard about, which is in full: tomorrow  
15 in the evening I am out, come to take your oil in the  
16 morning, was sent [REDACTED] to Hashem Abedi.

17 A. Yes.

18 Q. So on the face of it, [REDACTED] is involved from  
19 the beginning to the end of that transaction. Then he  
20 refers to the delivery or the delivery item cryptically  
21 as something that it wasn't. Yes?

22 A. Yes.

23 Q. He refers to sulphuric acid as oil.

24 A. Yes.

25 Q. Mr Barraclough agreed in evidence that the reference to

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1 oil would undermine an innocent explanation, would you  
2 agree with that?

3 A. I think if that's a judgement that Mr Barraclough made  
4 then I'm not going to disagree with that.

5 Q. And that was the reason why [REDACTED] remained  
6 a suspect. But then this: he left the UK a few days  
7 later, on 10 April, on a one-way ticket to Istanbul.  
8 He was stopped on a schedule 7, which may indicate some  
9 interest [REDACTED] as he left the country; yes?

10 A. It could do, but as I have said, I can't describe  
11 whether or not we were investigating [REDACTED]  
12 at the time.

13 Q. Okay. You can do that in closed though?

14 A. I can, yes.

15 Q. So we know that he was stopped on a Terrorism Act stop  
16 and search schedule 7. Then, as you dealt with  
17 yesterday, his phone was downloaded and the acid  
18 references were subsequently noted; yes?  
19 A. That was a police stop, so yes, that's their material.  
20 Q. Okay. Was that shared with you?  
21 A. Again, as yesterday, I can't --  
22 Q. You'll deal with that in closed, okay. But together  
23 with his one way ticket out of the country he had, we  
24 heard from Mr Barraclough, camouflage clothing, a large  
25 amount of money, and three phones, with mindset material

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1 on them; yes?  
2 A. Yes, that's what the reporting I have seen -- yes.  
3 Q. Again, same point. Not for me to engage whether there's  
4 sufficient evidence against that person, but it is  
5 significant evidence, and again it's the same point, it  
6 goes to knowing involvement in the plot, doesn't it?  
7 A. So those are judgements for the police to make properly  
8 in terms of the evidence that they are collecting. As  
9 I indicated yesterday, Mr Weatherby, and without going  
10 into what we did or did not know about [REDACTED]  
11 at the time and trying to respect the open/closed lines  
12 on this, had we seen intelligence at the time that

13 somebody was travelling out of the country with the sort  
14 of material that you're describing being shared with us,  
15 I wouldn't necessarily conclude that we would be  
16 treating that as a matter that required investigation.

17 Q. No doubt that will be pursued in closed. I have made my  
18 questions about that. On a connected but different --

19 SIR JOHN SAUNDERS: Are we moving away from [REDACTED]  
20 now?

21 MR WEATHERBY: Yes.

22 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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1 MR WEATHERBY: A connected but different point. Even if  
2 it's right that only Salman and Hashem Abedi were  
3 knowingly involved, there were quite a number of others  
4 who assisted in one way or another, weren't there?

5 A. If you could explain a bit further.

6 Q. I'll go through it in summary. I'm going to suggest to  
7 you there were others involved which raised the  
8 possibility of the plot being uncovered, because the  
9 more people who are doing things, the more likelihood  
10 there is that one of them will be spotted. That's my

11 point, just so you know where I'm heading with it.

12 We have a number of people involved in the procuring  
13 of chemicals, yes?

14 A. Yes.

15 Q. We have, we heard last week, Mr Taghdi, very involved  
16 in the purchase of the car, just a couple of days before  
17 the Abedis one way left to go to Libya.

18 A. Yes.

19 Q. We have a number of individuals involved at Devell House  
20 with the car and the keeping of the car there. So there  
21 are different parts to this, which involve others  
22 assisting, knowingly or not, that's not my point, but  
23 which raises the visibility of the plot. This isn't  
24 a simple methodology of a lone wolf that we see in some  
25 of the outrages, is it?

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1 A. I think it depends, Mr Weatherby, on the extent to which  
2 those individuals were privy to the activities that  
3 Salman and Hashem Abedi were developing at that time.

4 Q. Okay.

5 A. The extent to which they were involved does matter in  
6 terms of describing whether or not visibility would have  
7 been possible for us. And bear in mind, of course, that  
8 we're talking here about the material we now have.



9 At the time, we didn't have any intelligence that we  
10 concluded related to an attack plot.

11 Q. Yes, okay. But as I say, unlike some plots, this one  
12 took place over a significant period of time, months,  
13 yes?

14 A. Yes.

15 Q. There were a significant number of transactions  
16 procuring the car, et cetera, yes?

17 A. Yes.

18 Q. And happenings, again the car, the flat. So things  
19 happening, yes?

20 A. Yes.

21 Q. So procurement of other parts of the bomb, buying the  
22 car, storing the bomb parts, renting and the use of two  
23 different flats with regard to the plot, one to  
24 manufacture the explosives and one for putting it  
25 together; yes?

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1 A. Yes.

2 Q. And therefore, this was a plot where there was stuff  
3 going on that if there had been an investigation, there  
4 were things to spot. It wasn't a lone wolf obtaining  
5 a knife or a truck or something like that. There was  
6 a series of transactions; yes?

7 A. Yes. If there had been an investigation, if  
8 Salman Abedi and Hashem Abedi had been investigated by  
9 MI5 for all of those months at a high priority, then  
10 detection of the plot, based on what we now know, would  
11 have been far more likely.

12 Q. Yes.

13 A. But I do need to make the point that at the time  
14 he wasn't under investigation, he wasn't somebody who  
15 we were committing any investigative resource to.

16 Q. I understand that.

17 A. So the extent to which we would have been aware of his  
18 activities of course would have been entirely dependent  
19 on us committing investigative resource to him and the  
20 judgements we made about whether or not to investigate  
21 him, based on what the reviews have said, were sensible.

22 Q. Yes, okay. I want to turn from those points now and  
23 I want to go to my first substantial topic, which really  
24 is under the heading of "general threat context".  
25 I want to explore with you some of that.



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1 Obviously, we have provided our Rule 10 and list of  
2 documents to you, so I'm going to go through this as  
3 quickly as I can to have efficient use of time, but  
4 obviously you'll stop me if you don't understand the

5 point I'm making.

6 A. Yes.

7 SIR JOHN SAUNDERS: Or you want to look at a document.

8 MR WEATHERBY: Quite a lot of what I'm going to put to you  
9 is the media reports.

10 A. Okay.

11 Q. But also some parliamentary reports and a journal. So  
12 I anticipate you have read those, so I may be able to go  
13 quite swiftly through. I'll refer to them and if we get  
14 into difficulty, I will put more on the screen, okay?

15 A. Of course.

16 Q. The first one I'm going to refer you to is at tab 124 of  
17 the bundle. It's a Guardian article. I don't think  
18 there's any need to put this up, but I'll explain it to  
19 you and we'll see where we go. INQ042199/1.

20 This is in an article which is -- well, let me put  
21 it to you. It's an article of some importance because  
22 it's a Guardian article which sets out that there is  
23 a very significant issue in a small part of Manchester  
24 involving young men and in fact women who went off to  
25 either fight with or support Islamic State in the period



1 before the arena outrage; yes? And the importance of

2 this article is that it was published on

3 25 February 2017, thereby it set out the significant  
4 context prior to the bombing itself. Yes? You're  
5 familiar with this?

6 A. Yes, I think I have read it and you've described it.

7 Q. I'll summarise it so we can get on with things. The  
8 north of England correspondent, three months before the  
9 bombing, wrote that there were nine people who were  
10 known to have joined terrorist organisations and been  
11 either jailed, disappeared or they'd killed themselves  
12 in the name of Islamic State, within a 1 mile radius in  
13 Moss Side, in Manchester; yes?

14 A. Yes.

15 Q. And The Guardian reported the number rises to 16 if the  
16 radius is increased to 2.5 miles. This is precisely the  
17 area where the Abedi family lived, isn't it?

18 A. I don't have the article, but I'll obviously take your  
19 word for that.

20 SIR JOHN SAUNDERS: Don't feel you have to. If you want to  
21 check something, by all means do it.

22 A. I'm satisfied if Mr Weatherby has said that.

23 MR WEATHERBY: I'm conscious you don't have a bundle, but  
24 your lawyers do. I'm happy to put it on the screen, but  
25 I want to go at something of a pace if you can.



1 A. I'm conscious of your time. If I need it, I'll ask, but  
2 I'm aware of that.

3 Q. The whole point of the article was the sheer number of  
4 young men who were joining IS from this small area. The  
5 first point is that if the journalists had noticed,  
6 presumably this was stuff that was very much on the  
7 radar scene of MI5?

8 A. Yes. So we were aware of the threat that was posed by  
9 individuals who were joining up with Islamic State from  
10 across the UK, but also in respect of Manchester. Where  
11 we saw that threat, where we had intelligence indicating  
12 that there was that threat of terrorism or joining up  
13 with Islamic State in places like Syria, then we and the  
14 police would be treating it as an investigation.

15 Q. The point here is that this concentration of extremists  
16 included facilitators and recruiters as well as people  
17 who went off and fought for IS. Yes?

18 A. Again, yes, I'll take your word for it, yes.

19 Q. The Abedi address, we know it, the postal address is  
20 Fallowfield, but in fact if you look on a map, the  
21 address is actually at the corner of Fallowfield which  
22 adjoins Moss Side, so it's absolutely in the middle of  
23 this area which The Guardian is reporting has this  
24 prevalence of extremist individuals and activity. Yes?

25 A. Yes.



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- 1 Q. The article refers to some by name, I'm not going to go  
2 through them all, it's a matter of public record. One  
3 of those named in the article is Raphael Hostey. That's  
4 somebody you are familiar with, yes?
- 5 A. Yes, I can't confirm whether or not we investigated him,  
6 but he was widely reported in the media to have died in  
7 2016.
- 8 Q. May 16, he was killed fighting for IS in Syria, yes?
- 9 A. Yes, that's what has been widely reported.
- 10 Q. And he was reported as a recruiter for Islamic State and  
11 sponsored others into Islamic State as well as fighting  
12 for them, yes?
- 13 A. Yes, I think that's what the reporting says.
- 14 Q. Yes. Also mentioned in that article are the brothers  
15 Abdalraouf Abdallah and Mohammed Abdallah; yes?
- 16 A. Yes.
- 17 Q. By that time, Abdalraouf Abdallah was serving his  
18 sentence and Mohammed Abdallah was, I think, probably on  
19 remand at that point, but he was subsequently convicted  
20 of being a member of IS; yes?
- 21 A. Yes, I'm aware of both of those convictions.
- 22 Q. Having fault in Syria. And as the chair has reminded us  
23 all, we'll be hearing from Abdalraouf Abdallah in due  
24 course. But we know, don't we, that they were -- or  
25 Abdalraouf Abdallah was a close associate of



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1 Salman Abedi?

2 A. I can't confirm that in open.

3 Q. Right. Again, both of the Abdallahs convicted of IS,  
4 specifically IS related offences. Now, moving on from  
5 that, Sky then reported in May of 2017 that they had  
6 a cache of documents, this is tab 126 to anybody that  
7 wants to fact check what I'm putting, but they had  
8 a cache of documents from IS, which showed that  
9 Raphael Hostey sponsored hundreds of terror recruits,  
10 including Stephen Gray and Raymond Matimba, who were  
11 part of the IS case that Abdalraouf Abdallah was  
12 involved in; yes?

13 A. Yes.

14 SIR JOHN SAUNDERS: Sorry, can I just confirm? I'm trying  
15 to follow this on the list of documents. 126 appears to  
16 be Salman Abedi, a Sky News article, Salman Abedi linked  
17 to key UK IS recruiter. 125 is the IS files. Is that  
18 what we're talking about?

19 MR WEATHERBY: I'm talking about 126, sir, I'm referring to  
20 the Sky report.

21 The Sky report, it actually reports  
22 counter-terrorism sources had told them that  
23 Salman Abedi was connected to Raphael Hostey and that

24 they used to hang around together. If that was true,  
25 then of course one may have radicalised the other or

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1 somebody may have radicalised both of them; yes?

2 A. Yes, if that was true.

3 Q. Yes. And I dare say that you are not able to help us  
4 with that connection, or are you?

5 A. I'm not able to help you with that connection  
6 specifically, but trying to offer something in terms of  
7 where we would have been focusing effort. If there was  
8 a key Islamic State recruiter, somebody who was  
9 facilitating somebody overseas to Syria, if there was  
10 somebody who was in Syria who was seeking to bring  
11 people out to Syria, they would all be matters that  
12 we would have been very keen to investigate. We didn't  
13 have intelligence that Salman Abedi was engaged in  
14 terrorism during that time or anything to indicate that  
15 he was engaged in terrorist activities.

16 So I can't talk in detail about individuals he may  
17 or may not have been associated with, but I can say that  
18 we are very focused on that small subset of individuals  
19 who seek to act on their beliefs, knowing that we have  
20 tens of thousands who are connected to extremism or  
21 possess those extremist beliefs.



22 Q. Yes.

23 SIR JOHN SAUNDERS: I don't know whether you gave the date  
24 of this article. It's 25 May. So three days after the  
25 attack.

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1 MR WEATHERBY: Indeed.

2 SIR JOHN SAUNDERS: And no doubt everyone was checking with  
3 their counter terrorist connections to get any  
4 information they could.

5 MR WEATHERBY: Yes. That would be right, wouldn't it?

6 SIR JOHN SAUNDERS: So 3 days after the attack.

7 A. Yes.

8 MR WEATHERBY: I put it to you in that way so we have the  
9 report which very much pre-dates the attack, so very  
10 much public knowledge and public concern about it. And  
11 then almost immediately after the attack, we have  
12 a broadcaster publishing this, what they say comes from  
13 counter-terrorism sources, and of course you can't  
14 confirm that in open. But if that is right --

15 SIR JOHN SAUNDERS: I doubt you have any idea where it came  
16 from, do you?

17 MR WEATHERBY: I put the question badly. If it's correct  
18 that counter-terrorism had knowledge of that, that would  
19 be a piece of information which would be relevant to any

20 assessment that was done on Salman Abedi; is that right?  
21 A. Would you mind just asking that again?  
22 SIR JOHN SAUNDERS: That's probably my fault for  
23 interrupting.  
24 MR WEATHERBY: I'll put my teeth back in. Obviously, I'm  
25 working from a journalist's report here.

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1 A. Yes.  
2 Q. But a broadcaster saying that they have information from  
3 counter-terrorism sources about this, okay? And I don't  
4 know and you can't say at the moment about that.  
5 A. I can say. We would be unlikely in any way to be  
6 putting into the press or media anything that we were  
7 subsequently not sharing with this inquiry. So I think  
8 it's a difficult area, though, because of course this is  
9 material that I can't possibly offer anything helpful  
10 on.  
11 Q. In open?  
12 A. In open.  
13 Q. So perhaps in closed, you may be able to assist with  
14 that. But if it is the case that the relationship  
15 between Raphael Hostey and Salman Abedi is as stated  
16 here or something similar to as stated, then  
17 obviously -- and that was known to counter-terrorism

18 sources, CTP or MI5 or both, then that would be a fact  
19 that would be very pertinent to any investigation that  
20 was underway with respect to Salman Abedi; yes?

21 A. Yes. If we had intelligence at the time that indicated  
22 that Salman Abedi was engaged with somebody who was of  
23 significance in a terrorist context and that that  
24 engagement indicated that Salman Abedi was engaged in  
25 terrorist activities alongside that person, then

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1 of course it would be significant.

2 Q. Any investigation that you were involved in, whether it  
3 was to work out whether to re-open Salman Abedi or  
4 whether it was what he was involved in, should have  
5 factors like this as evidence in that consideration?

6 A. Absolutely, yes.

7 Q. Okay. So we have this picture where you have this JTAC  
8 report from 2010 partly about the Libyan community and  
9 the radicalisation of young men in the Libyan community,  
10 and then you have an emerging picture, certainly  
11 by February 2017, and some of the people that were  
12 involved in this article are of Libyan heritage or  
13 Libyan linked, so you have a picture there, building up,  
14 don't you, a background context picture which feeds into  
15 any investigation into any of these as individuals?

16 A. Yes, we're always looking at the context and the  
17 environment in which potential subjects of interest are  
18 operating.

19 Q. Yes. So I'll move on in a second, but the point I'm  
20 making here is that this is a known problem with the  
21 context of the 2010 report, but a known problem in  
22 a very small area where the Abedis lived. So would we  
23 be right to expect that counter-terrorism police and  
24 MI5, and of course you're only here for MI5, they should  
25 be very interested in that area as a matter of context?

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1 A. The way you describe it, a known problem in that area,  
2 from our perspective in doing our work, we absolutely  
3 have to be guided by and focused on the intelligence  
4 relating to individuals. There is some benefit in  
5 context, but it would be wrong for us to investigate  
6 somebody or to seek to develop coverage of an area or in  
7 any way seek to do more than focus on the individual who  
8 may or may not pose a threat.

9 Q. Yes. That's why I keep mentioning this word "context".  
10 I'm going to come back to Ramadan Abedi in a bit, but so  
11 far as sins of the father are concerned, then that isn't  
12 something which should legitimately be in any way  
13 determinative about an investigation into a son, is it?

14 A. What isn't? Can you explain the sins of the father?  
15 Q. The connections or the previous involvements of a father  
16 are not directly relevant to an investigation into what  
17 the son might or might not be doing at a particular  
18 point?  
19 A. So if we had intelligence indicating that a family  
20 member was in some way radicalising another family  
21 member or significantly influencing their beliefs such  
22 that they are engaged in or potentially engaged in  
23 terrorism, it would be relevant. But on its own, no, it  
24 could be determinative of anything.  
25 Q. So I think where we're at is we're agreeing that these

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are matters of context.

1  
2 A. Yes.  
3 Q. So the fact that Salman Abedi's father was linked to  
4 very serious extremists, and I'm going to come on to  
5 that, I know you haven't agreed with that, but I'm going  
6 to come on to that later, but the fact that -- and I'm  
7 going to put to you that he was connected to very  
8 serious violent Islamic extremists. That fact was  
9 relevant as context to the radicalisation, the possible  
10 radicalisation, if you want me to put it that way, of  
11 Salman Abedi; yes?

12 A. So I think that's your view. I've said it's difficult  
13 for me to describe in open what we did or didn't know  
14 about Ramadan Abedi.

15 Q. I understand that.

16 SIR JOHN SAUNDERS: Forgive me, Mr Weatherby, I got a bit  
17 lost in the subclauses there.

18 MR WEATHERBY: Yes. It's actually quite a simple point I'm  
19 trying to get across. It's my fault for further  
20 subclauses.

21 Where you're looking at an individual or a group of  
22 individuals because you have some relevant information,  
23 the context is very important?

24 A. Yes.

25 Q. And part of that context is radicalisation or possible

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1 radicalisation?

2 A. Yes, I agree.

3 Q. And where we're looking at here is that if there is  
4 a link between Ramadan Abedi and these others that I've  
5 just described, that would be relevant to looking at  
6 Salman Abedi from that perspective as context?

7 A. Yes.

8 SIR JOHN SAUNDERS: So if I can understand it clearly, so  
9 I've got it, if you have a report on somebody of

10 potentially what may be terrorist activity or suspected  
11 of being involved in something, and they come from  
12 a family where there are a number of terrorists or an  
13 area where lots of terrorists live nearby, that adds  
14 some support potentially to the allegation being correct  
15 and requires more resources to be put into it perhaps?

16 A. I think we'd have to be really clear, sir, on whether or  
17 not somebody living in a particular area offers anything  
18 in terms of where we might want to go with an  
19 investigation and how seriously we treat the  
20 intelligence focused on that individual.

21 SIR JOHN SAUNDERS: That's because it's likely to involve  
22 invasion of privacy to some extent and you need to be  
23 careful about that?

24 A. Absolutely. We're in a free society and as an  
25 organisation it simply would not be appropriate for us

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1 to start to make any form of assumption or even start to  
2 think that somebody living in a particular place would  
3 lead us to different conclusions about how we would  
4 assess the intelligence. It's potentially relevant, as  
5 Mr Weatherby is describing in terms of context, but  
6 I wouldn't go any further than that.

7 MR WEATHERBY: I'm not trying to disagree with you here.

8 The point is that we've looked at this journalistic  
9 reference to this problem in this area, which  
10 undoubtedly existed, didn't it?

11 A. As they've described it, yes. I completely agree that  
12 we were dealing at the time with a number of individuals  
13 who were travelling overseas or engaging in terrorist  
14 activities. And I haven't got the material in front of  
15 me, I don't think I need it, but the conclusions they  
16 may reach I'm not sure I would get to, but certainly in  
17 terms of the concerning threat from a number of  
18 individuals in a certain area, I can see that as  
19 a conclusion that I would accept.

20 Q. Yes. So you're looking at a piece of information that  
21 comes in about an individual such as Salman Abedi, say  
22 in 2015 or 2016, so you've got him as a person who was  
23 previously a subject of interest, so he's not a clean  
24 sheet, he's somebody that you've had interest in before.  
25 Okay? A piece of information comes in and he's living



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1 in a community where the vast majority of people in that  
2 community are entirely law abiding, ordinary people, but  
3 there is this problem there. So you're obviously going  
4 to be looking at the context of any links between Abedi  
5 and the others that are known to be involved in



6 extremist activity; yes?

7 A. Yes, but primarily we would be focused on the  
8 intelligence that we were receiving and that we were  
9 receiving on other individuals. I would just add that  
10 what we would be looking for is more than somebody being  
11 in an area, being connected to other extremists or  
12 engaging with other extremists, even if they themselves  
13 possess an extremist mindset. We would be looking for  
14 a higher test than that, which would to find those  
15 smaller subsets of individuals who are seeking to act on  
16 their beliefs.

17 Q. Yes. Moving on to the Libyan context, I want to explore  
18 with you essentially whether the security services were  
19 too fixated with Syria and effectively didn't pay enough  
20 attention to the rising threat from the direction of  
21 Libya. That's where I'm headed with the next section of  
22 context.

23 There was an interesting interview with Mr Basu in  
24 a journal called The Sentinel and it may be that we need  
25 to put this up. So it's tab 93 and it's INQ042137/1.



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1 That's the front page. This is the Counter Terrorist  
2 Centre at West Point and it's a journal called  
3 the sentinel and it deals in some depth with matters

4 including terrorism and national security; is that  
5 a fair way of describing it? And it's quite  
6 a well-known journal?

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

8 Q. If we move to INQ042137/12, please. We see the  
9 interview with Mr Basu. This is February 2018, so it's  
10 some time after, so it's a reflection back and we've  
11 heard from Mr Basu, at the time he was deputy assistant  
12 commissioner and senior national coordinator for  
13 Counter-terrorism Policing. That's what the article  
14 starts with.

15 Then on the right-hand column, just two passages  
16 that I want to very briefly refer to. It's the two  
17 questions on the right-hand side, the top two questions,  
18 and Mr Basu's answers:

19 "Has the locus of the threat abroad shifted? Syria  
20 and Iraq was where the threat was ... You would be  
21 completely foolish not to worry about Libya. All of the  
22 coalition thinks that that is going to be a tremendous  
23 problem in years to come. Anywhere there is ungoverned  
24 space, anywhere there is fragile political governance is  
25 a potential source of threat."



2 A. Yes.

3 Q. Later down that same passage:

4 "For us in the UK, what happened in Manchester was  
5 a big wake-up call to the fact that there were people  
6 who had travelled back and forth to Libya."

7 Yes?

8 A. Yes.

9 Q. And the second point:

10 "The Manchester attack and its links to Libya were  
11 particularly striking given the similarities with other  
12 networks and plots seen previously in the UK, in  
13 particular historical networks linked back to terrorist  
14 groups in Pakistan."

15 And Mr Basu says:

16 "You would have to take a huge leap of faith to say  
17 Salman Abedi, the Manchester suicide bomber, was not  
18 travelling to and from Libya with some malicious intent  
19 and that it was all just about family and socialising  
20 and not about training. We've long known that training  
21 overseas can battle-harden people. It's not just being  
22 able to fire a gun; it's the psychological bar that you  
23 overcome by being brutalised in theatre."

24 And then it goes on about a taste for violence.

25 Now, I think we can take that down. Obviously, this



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1 is a bit of hindsight thinking because it's February  
2 2018 and obviously it's Mr Basu's opinion. But  
3 nevertheless, he's a person of importance here, yes? Is  
4 he there looking back and is he identifying this problem  
5 that Libya is becoming or has become like Syria in terms  
6 of this problem, the terrorist problem here?

7 SIR JOHN SAUNDERS: Do you agree with what Mr Basu says?

8 Sorry, that's what I would quite like to know first. Do  
9 you agree with it?

10 A. Yes, I do agree in significant part with it. Those are  
11 his words, but I think the thrust of what he's saying,  
12 I think, is clear and I do agree.

13 MR WEATHERBY: So I want to go on now just to take you to  
14 two Parliamentary Committee reports, just to trace back  
15 what was known publicly through evidence to  
16 parliamentary committees by people who were in the know.

17 A. Is this on the same theme, Mr Weatherby?

18 Q. Yes. Hopefully I am putting this fairly, I accept  
19 Mr Basu is discussing this after the fact so there's  
20 hindsight thinking here. I want to, with that in mind,  
21 look back at what the emerging picture in Libya was and  
22 the evidence that it was known before the attack.

23 A. Yes.

24 Q. I want to take you to tab 95, INQ042140/1. I think  
25 I can deal with this just by reading it, but if you'd



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1 rather look at it on the screen, I'm happy to do that.

2 This is a Home Affairs Committee report dated 2014 and

3 I'm referring to page 13 and paragraph 32. I'm going to

4 read it out:

5 "The state of knowledge in 2014. North Africa.

6 There has been a sharp increase in terrorist activity

7 in the region conducted by Al-Qaeda in the Maghreb

8 (AQM). AQM has its origins in Algeria, where the

9 majority of its attacks to date have been directed.

10 However, following the Arab Spring, AQM benefited from

11 the deterioration in the security situation in the area,

12 particularly in Libya, to increase its geographical

13 reach, add to its arsenal of weapons and attract

14 recruits to its cause. We remain very concerned that

15 some analysts have described Libya have a large

16 warehouse full of weapons with the doors wide open."

17 Yes?

18 A. Yes, I'm aware of that report.

19 Q. So by 2014, that position, at least so far as Al-Qaeda

20 is concerned, is well-known?

21 A. Yes.

22 Q. And would therefore be well-known to the intelligence

23 community, including MI5. Yes?

24 SIR JOHN SAUNDERS: And would MI5 ever have had input

25 in that report, would they have given evidence to that

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1 committee? If you can't answer that, don't worry.

2 A. I wouldn't say necessarily -- I think our intelligence  
3 assessments would have been fed in, in some way, not  
4 necessarily directly, but yes.

5 SIR JOHN SAUNDERS: Thank you.

6 MR WEATHERBY: If I can pinch an extra 5 minutes before  
7 lunch.

8 SIR JOHN SAUNDERS: Yes.

9 MR WEATHERBY: I'd like to deal with the second report.

10 Going on now to 2016, I'm going to refer to tab 96 and  
11 I'll ask for this to go up, please. INQ042139/1.

12 SIR JOHN SAUNDERS: Is it 2016 or 2017? On my document it  
13 says it's the Foreign Affairs Committee report of 2017.

14 MR WEATHERBY: It's published on 6 September 2016, so you're  
15 quite right, sir, it's the third report of the session,  
16 2016/2017. But this report is actually  
17 6 September 2016, which of course is an important point.

18 So this is published 8 months before the bombing; yes?

19 A. I'm just a bit confused, Mr Weatherby. On the front  
20 page here it says third report of session 2016 to 2017.  
21 You're saying it was published before that period was  
22 concluded.

23 Q. Could we go to INQ042139/3, please. We see halfway down  
24 there, ordered by the House of Commons to be printed  
25 6 September 2016, published on 14 September 2016.

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1 A. Thank you.

2 Q. So going now to INQ042139/12, if we may. Here, the  
3 Foreign Affairs Committee is considering the general  
4 picture in Libya in 2016. I want to refer to  
5 paragraph 12. It starts with a sentence about people  
6 trafficking and then picking it up in the second  
7 sentence:

8 "In addition to other extremist militant groups,  
9 ISIL emerged in Libya in 2014, seizing control of  
10 territory around Sirte and setting up terrorist training  
11 centres. Human rights watch documented unlawful  
12 executions by ISIL in sit day of at least 49 people by  
13 methods including decapitation and shooting. The civil  
14 war between west and east has waxed and waned with  
15 sporadic outbreaks of violence since 2014.

16 In April 2016, United States President Barrack Obama  
17 described post-intervention Libya as a 'shit show'.

18 It is difficult to disagree with this pithy assessment."

19 A. Yes.

20 Q. So rather unparliamentary or unpresidential language,

21 but I think we get the point there. So at this point,  
22 it's well-known that the problem that was emerging with  
23 other extremist groups like Al-Qaeda, the threat from  
24 ISIS or ISIL in Libya is well-known by this point,  
25 including the fact that it has terrorist training camps;

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1 yes?  
2 A. Yes.  
3 Q. So the realisation that Mr Basu was, with hindsight,  
4 looking at, we can see the emerging picture here well  
5 before the bombing, can't we?  
6 A. Yes, I think the description of Al-Qaeda in 2014 and  
7 then ISIL from 2014, particularly ISIL building its  
8 presence in Libya and becoming more concerning in terms  
9 of a terrorist threat is something I recognise.  
10 Q. And at the time, you either did or should have  
11 recognised, yes?  
12 A. Yes. And we did.  
13 Q. You did. At INQ042139/16, please, and I'll paraphrase  
14 this for speed, if I may, but I want to refer to  
15 paragraph 25, 27 and then 28 and 29 over the page.  
16 The committee repeated evidence from the former  
17 British ambassador to Libya that intelligence in 2011  
18 about the rebellion had been "less than ideal", and the



19 former chief of staff, Lord Richards, confirmed that  
20 view; yes?

21 A. I'm reading the same document, so yes, I'm confirming  
22 that.

23 Q. At 27, described the involvement of what was described  
24 as the Al-Qaeda affiliated LIFG in 2011 as a grey area  
25 and he said that the Foreign Office had been assured

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1 that militant Islamist militias would not benefit from  
2 the rebellion. Wishful thinking at best.

3 28:

4 "The committee lamented this hindsight revelation,  
5 noting that Libyan connections to transnational militant  
6 extremist groups were known before 2011."

7 And noted that many Libyan fighters had participated  
8 in fighting in Iraq and Afghanistan with Al-Qaeda. Yes?

9 A. Yes.

10 Q. It was clear now in 2016 that militant Islamist militias  
11 had made a critical role, paragraph 29, in the 2011  
12 rebellion, separating themselves from the rebel army and  
13 in fact assassinating its leader; yes?

14 A. Yes.

15 Q. So it's now been recognised that in 2011, whatever the  
16 general politics or legitimacy of overthrowing

17 a dictator were, the UK had perhaps been a bit behind  
18 the curve in terms of understanding the role of Islamist  
19 militia, but it was now understood they'd played this  
20 role.

21 Finally, at page INQ042139/38, just a passage about  
22 ISIS itself. From 112:

23 "The committee noted that the instability had  
24 allowed Islamic State to get a hold in Libya and they'd  
25 seized territory with bases in Sabratha, Derna and

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1 Sirte."

2 So swathes of the country under IS control with  
3 training camps. Then over the page to paragraph 116,  
4 the Foreign Affairs Committee notes that ISIS had used  
5 its presence in Libya to train terrorists, the gunman  
6 who killed western holiday makers in June 2015 in  
7 Tunisia, he trained the ISIS base in Sabratha along with  
8 gunmen who had killed a further set of tourists at the  
9 museum in Tunis; yes?

10 A. Yes.

11 Q. And so it goes on. Can I pick this up after the lunch  
12 break? That may be a convenient point to break?

13 SIR JOHN SAUNDERS: Yes, thank you. Back in an hour,  
14 please. Is there anything that can't be reported? No?



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1 (2.10 pm)

2 MR WEATHERBY: I was dealing with the Libyan context  
3 material that I wanted to put to you, Witness J, and  
4 I have one more document I want to put to you in  
5 a little bit of detail and then I hope after that,  
6 although I'll refer to some documents, I'm not sure  
7 I will have to refer to them in any detail.

8 I suppose that's by way of excuse for spending  
9 a little time on this one. The one I'm looking to go to  
10 now is a sentinel -- tab 97. It's INQ042136/1. Again,  
11 same journal, different edition. This is  
12 from December 2017, so it's after the fact, obviously,  
13 but it contains an analysis of what are termed the  
14 external operations of Islamic State and it's  
15 INQ042136/21, please, if we could go to that.

16 What I am going to do is I'm going to go to a few  
17 passages in this quite briefly. The last point I come  
18 to is the one that is of most import. Just so you know  
19 what I'm doing, I'm going to summarise what this is  
20 about. Of course anyone involved can read the full  
21 article.

22 This is, as I say, a journal investigation into the  
23 external operations of Islamic State. It starts at  
24 page 21 with the assertion or the recognition of the

25 type of explosive that was used by Salman Abedi was the

1



DRAFT TRANSCRIPT

1 same as the explosive that was used in the Brussels  
2 attacks and it refers to his possible links to the  
3 Libyan branch of Islamic State.

4 Then it asserts that following the Berlin Christmas  
5 market attack by Anis Amari in December 2016 and  
6 I highlight this because it will have some importance  
7 later:

8 "Investigators suspect the ...(reading to the  
9 words)... receive directions or support from the  
10 Islamic State in Libya."

11 Jumping to the bottom of the first column, it gives  
12 some explanation of the IS affiliate, Katibat al-Battar  
13 al-Libi, KBL; yes?

14 A. Yes.

15 Q. And it was founded by jihadis from Libya, the group  
16 recruited a large contingent of Libyan and Tunisian  
17 fighters in the early stages of the Syrian Civil War.  
18 KBL pledged its allegiance under the new caliphate under  
19 al-Baghdadi and they were involved in the founding of  
20 the Islamic State area in Derna in Libya. And then  
21 subsequently, Islamic State captured Sirte, where it set  
22 up training camps in the vicinity and it established

23 camps near Sabratha to the west of Tripoli that serves  
24 as a major smuggling hub for refugees on the way to  
25 Europe.

DRAFT TRANSCRIPT

1 Are you able to help us with any of that, can you  
2 confirm that that's an accurate account?

3 A. I think I would look at some of that and say I recognise  
4 it. I don't think that would necessarily have been our  
5 assessment at the time of that group, I don't think  
6 we would be as firm as that about the extent to which it  
7 was engaged with Libyan Islamic State. I don't think  
8 we would have categorised at that time and we didn't  
9 Katibat al-Battar al-Libi as a terrorist group.

10 Q. Okay. You would accept, would you, that well prior to  
11 the bombing, that you knew that Islamic State had bases  
12 in Derna, Sirte and Sabratha?

13 A. Yes, we could see a growing influence in Libya of  
14 Islamic State and those specifics I can't confirm what  
15 we knew, but yes, generally that would be a fair  
16 position.

17 Q. And reading the next bit:

18 "These camps and localities have been linked to  
19 a series of terrorist attacks in Europe and North  
20 Africa, including, as this article will outline, the

21 Bardo, Sousse, Berlin and Manchester attacks."

22 So that's what the article is saying. Are you able  
23 to say anything about that?

24 A. Yes. Some of the plots had their roots in North Africa  
25 or had individuals who were engaged who had some sort of

3



DRAFT TRANSCRIPT

1 connection to North Africa. I don't think I would be  
2 able to go as far as that in making an assessment in the  
3 way that this article does.

4 Q. Okay. That's perfectly fair. Over the page, please --

5 SIR JOHN SAUNDERS: Just before we leave that page, this is  
6 not meant to be a criticism of the article or  
7 a reflection on it, it's the first time I've seen it.  
8 But we should perhaps note this is a PhD candidate who's  
9 writing this article. Is there any indication that it  
10 has been peer reviewed?

11 MR WEATHERBY: I'm afraid I don't know.

12 SIR JOHN SAUNDERS: Okay, thank you.

13 MR WEATHERBY: I think you confirmed earlier that this is  
14 a well regarded journal, the Sentinel?

15 SIR JOHN SAUNDERS: I'm not suggesting it's not for  
16 a moment.

17 A. Obviously this was the article referring to an interview  
18 with Neil Basu, so yes, I think it's a journal

19 containing that type of material. I recognise  
20 everything that he said. I think as the chair pointed  
21 out, this is a slightly different article.  
22 MR WEATHERBY: It's a completely different article and  
23 a completely different edition, but I thought we'd  
24 established, if we haven't that's fine, this is a well  
25 regarded journal. This isn't a tabloid, is it? This is

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↑

DRAFT TRANSCRIPT

1 a journal which engages in serious analysis about these  
2 matters?  
3 A. Yes, but as I said --  
4 SIR JOHN SAUNDERS: I'm not suggesting to the contrary for  
5 a moment. Please don't misunderstand me. I'm  
6 indicating what would normally be said about any  
7 academic article.  
8 MR WEATHERBY: Indeed. Thank you. Could we go over the  
9 page to 22, please. There's an analysis, I'm not going  
10 to go to it, but we can see there's an analysis about  
11 the perceived connection between Libya and French and  
12 Belgian terror. Then there's an analysis about the  
13 Libyan nexus to UK terror, as it is headed, and the  
14 observation is that Salman Abedi built up connections to  
15 Islamic State, including in Sabratha, from where the  
16 Bardo and Sousse attacks were staged. Are you able to



17 help us with that? Was it known that Salman Abedi had  
18 connections to Sabratha?

19 A. I can offer something which I hope is helpful,  
20 Mr Weatherby. From the intelligence that we had at the  
21 time, we didn't see any indication that Salman Abedi was  
22 associating, affiliating, to Islamic State, was not  
23 engaged in fighting in Libya and was not attending  
24 training camps.

25 Q. Okay, that's helpful.

5

DRAFT TRANSCRIPT

1 A. Based on the intelligence we had at the time.

2 Q. Is that that you didn't have evidence of it or you had  
3 evidence which suggested he wasn't?

4 A. Sorry, just to be clear, we had no intelligence to  
5 indicate that he was attending training camps, engaged  
6 in fighting in Libya or affiliating with Islamic State.

7 Q. Okay. Of course, there were the connections that you  
8 put in open source that were made at a contact level  
9 with Islamic State individuals, including one of whom  
10 was described as a senior Libyan IS person; yes?

11 A. You're referring to one of the --

12 Q. I think it's the evidence you gave earlier.

13 A. -- second level contacts?

14 Q. Yes.

15 A. Yes. A second level contact with an Islamic State  
16 individual, yes.

17 Q. Okay. We don't need to go over that. Then the article  
18 goes on about what Hashem Abedi is said to have  
19 indicated to the Libyan authorities about the Abedis  
20 being members of Islamic State?

21 SIR JOHN SAUNDERS: Okay, you can read it out because it's  
22 in the public domain if you like, but I'm not going to  
23 allow any questions on this. I'll hear argument about  
24 it at a later stage, but I think I have given a ruling  
25 on this already.

6

DRAFT TRANSCRIPT

1 MR WEATHERBY: I'm absolutely not going anywhere near that  
2 for a moment. I didn't understand that -- I'm not going  
3 near that.

4 SIR JOHN SAUNDERS: Thank you.

5 MR WEATHERBY: The article refers to that information having  
6 been given to the Libyan authorities and the article  
7 says that the Libyan authorities were aware of something  
8 that Hashem was involved in, in Libya, in terms of  
9 a plot in Libya. Yes?

10 A. I'm just looking in the article.

11 Q. Just at the bottom of the first column.

12 SIR JOHN SAUNDERS: I think you only need to agree that's

13 what the article says.

14 A. Yes.

15 MR WEATHERBY: I'm not going any further than that.

16 SIR JOHN SAUNDERS: Thank you.

17 MR WEATHERBY: At the top of the next column, it refers to  
18 Salman Abedi meeting with KBL members in Tripoli and  
19 Sabratha several times. Then it goes backwards in time  
20 to deal with Ramadan Abedi and it sets out that he'd  
21 left Libya, settled in Manchester, in 2011 Ramadan Abedi  
22 had taken his three sons, so Ismail, Salman and Hashem,  
23 to Tunisia, where he was working on behalf of the rebels  
24 in Libya. They relocated to Libya. And then the senior  
25 Abedi joined the Tripoli Revolutionary Brigade, which

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DRAFT TRANSCRIPT

1 we'll hear some evidence from another witness about  
2 later in the case, and Salman and Hashem appear to have  
3 received some training from the militia forces and to  
4 have fallen in with the Manchester fighters. Was that  
5 information within the knowledge of the security  
6 services, are you able to say that?

7 A. We didn't have intelligence to indicate that he was  
8 engaged in fighting, was attending training camps, was  
9 affiliating with Islamic State, nothing to indicate  
10 that.

11 Q. Thank you. That's helpful. The article goes on to deal  
12 with connections that Salman Abedi allegedly developed  
13 in Libya, including with the radical preacher called  
14 Weela(?). And then in the final paragraph of that page  
15 under the Libyan nexus to Germany terror, and this is  
16 the point that I'm coming to, which I'm going to suggest  
17 has some importance, is that the article then goes on to  
18 deal with the 2016 December Berlin truck attack and the  
19 perpetrator being Anis Amari and it sets out what the  
20 article says is the link between him and the KBL. Then  
21 the last sentence, penultimate line:

22 "In January 2017, two US Air Force B2 bombers struck  
23 two Islamic State camps south-west of Sirte after  
24 intelligence reportedly indicated the possible presence  
25 of external attack plotters there with suspected links

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DRAFT TRANSCRIPT

1 to the Berlin attack."

2 Okay?

3 A. Yes.

4 Q. I'm assuming you're not going to be able to confirm or  
5 deny the intelligence side of that.

6 A. Yes, that's right.

7 Q. But it goes on, the article, and says:

8 "Then US Defence Secretary, Ash Carter, said the

9 strikes were directed against some of ISIL's external  
10 plotters who were actively planning operations against  
11 our allies in Europe and may also have been connected  
12 with some attacks that have already occurred in Europe."

13 So that's a direct quote.

14 A. Yes.

15 Q. Taken from the defence secretary in the US, so it is not  
16 CT sources or an intelligence report or whatever. So  
17 whether or not the US defence secretary was right, it  
18 was presumably known to MI5 that the view from America  
19 was that the KBL were associated to the attacks in  
20 Europe or some of them. Is that right?

21 A. I think individuals who were in some way associated to  
22 KBL were also members of Islamic State and our focus was  
23 on primarily Islamic State as the primary driver of  
24 attacks into Western Europe.

25 Q. Yes. The evidence you have given so far, so far as



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1 I have understood it, and correct me if I'm wrong,  
2 is that your focus was almost exclusively on  
3 Islamic State from Syria and the threat that was posed  
4 from Syria. What I'm putting to you is something which  
5 appears to have been not just on the radar so far as MI5  
6 were concerned, but it appears that this is public

7 knowledge because it's a defence secretary rather than  
8 an intelligence report of a bombing by the Americans  
9 in January 2017.

10 So what I'm putting to you is that you have material  
11 here from a main ally which is rightly or wrongly  
12 drawing a connection between attacks in Europe and no  
13 doubt Tunisia as well given what we heard earlier and  
14 Islamic State in Libya, not Syria. Is that correct?

15 A. Yes. Just to be clear, Mr Weatherby, I don't think I've  
16 said we were focusing almost exclusively on Syria.  
17 Correct me if I'm wrong, but I don't think I have.  
18 I have said it was a very high priority for us about,  
19 but that doesn't mean that we weren't looking at other  
20 countries where we knew and had intelligence to indicate  
21 represented some sort of threat in terms of individuals  
22 who may travel there and may engage in attacks against  
23 the UK or UK interests. With respect to Libya, we were  
24 aware of a growing Islamic State presence there, we did  
25 investigate individuals who travelled from the UK to



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1 Syria, where we had intelligence to indicate that they  
2 were joining up with Islamic State and/or where we had  
3 intelligence to indicate that they were engaged in  
4 activities that could pose a threat to the UK.

5 Q. Yes. Just so we have that completely clear, you are  
6 saying that MI5 was engaged in the threat from Syria  
7 from IS. Was it also engaged with the threat from Libya  
8 with respect to IS?

9 A. Yes.

10 Q. At this time in 2017?

11 A. Yes, but it would not have been of the same level of the  
12 threat we were seeing from Syria and that would have  
13 been based on the intelligence we had at the time. But  
14 that didn't mean that where we saw individuals who were  
15 travelling there who we could see were going to involve  
16 themselves with Islamic State or where there was an  
17 intelligence picture suggesting that, that didn't mean  
18 that we didn't investigate them because we did. At the  
19 same time, as an organisation, we were also focused  
20 strategically on that growing presence of Islamic State  
21 in Libya because we could see the potential for that to  
22 develop into some form of threat to the UK or to UK  
23 interests.

24 Q. Yes, okay. So you'd accept the point I'm making from  
25 this article about the American bombing, that that would



1 be putting it front and central that the main UK ally  
2 was drawing a link between the KBL and European attacks

3 at that time?

4 A. I can't comment on how they were viewing terrorism at  
5 that time and how they were viewing KBL at that time.  
6 I set out how we were regarding KBL and also tried to  
7 describe the fact that it wasn't just Syria, it was also  
8 Libya, but there were other countries such as Somalia,  
9 Yemen, Nigeria and parts of South Asia.

10 Q. Are you able to tell me, in terms of the numbers that  
11 were investigated in respect of Syria and IS in the  
12 latter part of 2016 and 2017 compared to those that were  
13 under consideration in terms of Libya, what were the  
14 comparative numbers? Are you able to give me  
15 a broad-brush?

16 A. I couldn't tell you. It would be much smaller for Libya  
17 than Syria. Syria was by far the largest number.

18 Q. Were there prosecutions for Libya in the way there were  
19 for Syria?

20 A. I don't think there were as many, certainly. That would  
21 be something for the police to address. My focus would  
22 have been, as a MI5 officer, in investigating the  
23 potential threat, it didn't necessarily mean that that  
24 threat translated into attacks or prosecutions.

25 Q. I'm going to move on from that point.





1 SIR JOHN SAUNDERS: Just before you do, I'm sorry, I haven't  
2 got the full document. It's footnote 28. I wonder if  
3 there's any indication of the date of that statement by  
4 the United States defence secretary. We know he's  
5 talking about something which happened in December 2016  
6 I think you told me.

7 MR WEATHERBY: January 2017, yes. I don't have that to  
8 hand, but we'll get it for you.

9 SIR JOHN SAUNDERS: Thank you. I'm grateful.

10 MR WEATHERBY: I am going to move on now and deal with the  
11 LIFG in, I hope, fairly short order. The point I've  
12 been making about the emerging IS problem in Libya and  
13 the connection that I've been talking about since lunch  
14 with the attacks in Europe, those are matters that  
15 should have been part of the context for any decisions  
16 that were taken or any consideration of Salman Abedi, is  
17 that right?

18 A. I think in respect of anybody travelling to Libya,  
19 I would expect to see a context of what was going on in  
20 Libya at the time taken into account, which would  
21 of course have included the fact that there was a civil  
22 war but also that there was an Islamic State presence in  
23 the country.

24 Q. So when you were in closed evidence. Maybe this will be  
25 easier to look at, the decisions -- the consideration of



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1 Salman Abedi and the decisions that followed what the  
2 chair will be able to see will be that the context was  
3 taken into account, is that right?

4 A. Yes, but it won't change the view I have already set  
5 out, which is that we didn't have intelligence that  
6 he was engaged in Syria or affiliated with Islamic State  
7 or engaged in fighting with Libya or attending training  
8 camps at the time. So the context would have been  
9 helpful but it wouldn't have changed the overall  
10 picture.

11 Q. All right. I get that point. But nevertheless, the  
12 consideration of Salman Abedi and the decisions taken  
13 about him would have engaged the context of the emerging  
14 threat, at least by January 2017, as we've been through;  
15 yes?

16 A. The context being there was a civil war, there was  
17 a growing Islamic State presence, individuals were  
18 travelling for a range of reasons to Libya, many of  
19 which had nothing to do with terrorism. We would have  
20 been focused on the intelligence we had at the time to  
21 make judgements about that individual's purpose of  
22 travel.

23 Q. Okay. I have made my points on that, I'll move on.

24 Can I just deal with the LIFG. The intelligence  
25 community were engaged with the LIFG, knowledgeable about

## DRAFT TRANSCRIPT

- 1 the LIFG from the 1990s, weren't they? It's well  
2 documented in open source. There were the exposures  
3 from Shayler and (inaudible). But it's clear that the  
4 UK intelligence community was engaged with the issue of  
5 the Libyan Islamic fighting group from very early days,  
6 is that right?
- 7 A. There is some information in the public domain  
8 in relation to some of that, yes.
- 9 Q. Yes.
- 10 A. I would say I don't think it is for me necessarily to  
11 try and describe that because that information is  
12 available.
- 13 Q. No, but where I'm headed with this, I'm headed with the  
14 connections with Ramadan Abedi, just so you know where  
15 I'm heading with it. I'm trying to establish that there  
16 may be parts of world where nothing of great interest to  
17 the intelligence community has been going on for years,  
18 but that isn't Libya, is it? You had a high degree of  
19 knowledge of the LIFG from early days?
- 20 A. Yes, MI5, like others, would have investigated  
21 individuals who were connected in some way to the LIFG.
- 22 Q. And of course, quite a number of LIFG members or  
23 supporters, maybe not directly members, came to the UK

24 and the intelligence picture would include discussions  
25 and documents that came through, asylum claims or port

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DRAFT TRANSCRIPT

1 stops for people like that? Is that right?

2 A. Yes.

3 Q. It's right then, as we've heard from Dr Wilkinson, that  
4 the LIFG was banned in this country after it was  
5 sanctioned by the UN and that was banned from 2005 to  
6 2019. Yes?

7 A. Proscribed, yes.

8 Q. Proscribed. And it was described when it was  
9 de-proscribed as a brutal terrorist organisation, and  
10 that would be about right, wouldn't it?

11 A. Not my description, but --

12 Q. Not your description, no, okay. So the connection  
13 between the LIFG and Ramadan Abedi, it's fair to say  
14 that at times Ramadan Abedi has denied being a member of  
15 the LIFG. Yes?

16 SIR JOHN SAUNDERS: Which appears in the article, which  
17 we've seen.

18 A. Yes.

19 MR WEATHERBY: I'm going to refer, but I hope I'm not going  
20 to have to take you to it, to an article, another  
21 article in The Guardian, from just after the bombing.

22 Tab 147 for anybody that's following. It's written by  
23 a team, but it includes Ian Cobain, who I think you  
24 probably know, as a journalist who covered quite a lot  
25 of intelligence issues on Libya. Is that a fair

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1 description of Mr Cobain?  
2 A. I don't personally know his material.  
3 Q. Okay. It's a fairly in-depth article and it deals with  
4 the LIFG. On page 3, it mentions three  
5 men: al-Faqih(?), Abu Anas al-Libi, and Abdelbaset  
6 Azzouz(?). And it links them to the fund-raising  
7 vehicle for the LIFG in the UK, which was called the  
8 Sanbel(?) charity; yes? Do you know the Sanbel charity?  
9 A. I'm not --  
10 Q. You're not familiar with it?  
11 A. I'm not familiar with it.  
12 Q. All right. These three are linked by this article and  
13 various others with Al-Qaeda terrorism, in fact  
14 Mr al-Faqih was jailed in the UK for terrorism offences  
15 in 2007. Mr Al-Libi was indicted with the two African  
16 US embassy bombings which killed, I think, 245 people.  
17 And Mr Azzouz was sanctioned by the UN, having been sent  
18 by Osama Bin Laden's successor, al-Zawahiri, to Libya to  
19 set up an A Q fighting force in 2011. Is that something

20           you can confirm or that you know?  
21    A.   Yes, the majority of what you have just said,  
22           I understand and can confirm that in terms of who they  
23           were and the terrorism they were engaged in.  
24    Q.   And they were linked with Manchester, lived in  
25           Manchester, yes?

17

DRAFT TRANSCRIPT

1    A.   Yes.  
2    Q.   In fact, certainly two of them left Manchester in  
3           a hurry, they left on bail I think. Is that right?  
4           Al-Libi and Azzouz.  
5    A.   I rely on what you say. I'm happy with that if --  
6    Q.   Yes. They are reported as being friends of  
7           Ramadan Abedi, associates of Ramadan Abedi and they  
8           lived in the same area; yes?  
9    A.   I can't confirm the extent to which --  
10   Q.   I will take you to some references in a minute.  
11           Mr Azzouz's son, Hamza Azzouz, is in fact linked to  
12           Salman Abedi by the fact that he was due to visit  
13           Abdalraouf Abdallah on 6 March 2017., a date in fact  
14           when Salman Abedi didn't show up. But they were  
15           supposed to be there together. That was some evidence  
16           Mr Greaney read this morning.  
17   A.   Yes. I am aware of that.

18 Q. In fact, Mr Azzouz is linked to the group of young men  
19 around Devell House as well by other evidence we've  
20 heard.

21 In terms of linking these men with Ramadan Abedi,  
22 the Manchester Evening News, tab 122, in a very long and  
23 detailed article, set out a bit more about these men.  
24 Anas al-Libi, said to have come to Manchester in the  
25 mid-90s as a refugee. By 99 he had been arrested in

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DRAFT TRANSCRIPT

1 Manchester on suspicion of terrorism offences but  
2 released. By the time the police went back to arrest  
3 him he'd fled and he left behind a manual, a jihadist  
4 manual, as it was described, of 180 pages, which became  
5 known as the Manchester manual. Is that something  
6 that's within your knowledge?

7 A. It's not, but I take it on trust that that's true.

8 Q. Okay. In fact, I think something you probably will know  
9 is that Mr Al-Libi was subsequently arrested, in fact in  
10 Libya, in 2013 by the Americans. And he was indicted  
11 with the embassy bombings that I have just referred to  
12 and he in fact died in custody. The point I'm coming to  
13 is that the Manchester Evening News article refers to  
14 a Facebook post by Ramadan Abedi at the point of where  
15 he's arrested, within hours of his arrest in 2013. This

16 is what the post says:

17 "The Prophet knows [with a picture of al-Libi] how  
18 many have a picture of this lion in their Facebook  
19 profiles. The weak are forbidden to share it."

20 Yes?

21 A. Yes.

22 Q. So he is linking himself in a positive way to  
23 Mr Al-Libi; yes?

24 A. Yes.

25 Q. And of course this term, the lion, we know is then used

19

DRAFT TRANSCRIPT

1 to describe his son Hashem in another post; yes?

2 A. Yes.

3 Q. And in fact we know, tab 102, there is a picture of  
4 Hashem Abedi, who is holding, I don't know what kind of  
5 guns they are, it's not my subject, but two fearsome  
6 looking guns, assault rifles, I think, one in each hand,  
7 in the company of one of Anas al-Libi's sons. Yes?

8 A. Yes, I'm aware of that.

9 Q. You're aware of that. So there's obviously a close  
10 connection and a positive view by Ramadan Abedi to this  
11 Al-Qaeda/LIFG leader, Anas al-Libi, can we agree that?

12 SIR JOHN SAUNDERS: Do you mean Ramadan Abedi? Sorry, I got  
13 momentarily lost.



14 MR WEATHERBY: I did mean Ramadan. I really mean the  
15 family, but positively Ramadan posting about al-Libi.  
16 But in fact his son being in this picture with the guns  
17 would show a close family connection, wouldn't it,  
18 in the context?

19 A. Yes, based on that material that you have just  
20 described, that would be fair.

21 Q. Again, briefly, Azzouz, described by the Manchester  
22 Evening News as a bomb maker, was arrested for terror  
23 offences in 2006 but again he fled whilst on bail. And  
24 the Manchester Evening News goes on to include other  
25 Facebook references from Ramadan Abedi, including images

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DRAFT TRANSCRIPT

1 of militias, including the Jabhat al-Nusra, the Nusra  
2 Front, yes?

3 A. Yes.

4 Q. That's the Al-Qaeda associate affiliate in Syria, isn't  
5 it?

6 A. Yes.

7 Q. It's not just an image, it has a legend by it on the  
8 Facebook post:

9 "My greetings of peace to al-Nusra, may they be  
10 victorious against the infidels."

11 Yes? So again, that would give us some kind of way

12 in to Ramadan Abedi's mindset. Would that be a fair way  
13 of characterising that?

14 A. Yes, in terms of mindset, I agree.

15 Q. I've got all of that from open source material, but  
16 would you also agree that the references to Facebook  
17 would be something either the intelligence services were  
18 aware of or could be aware of if they chose to, they  
19 could have looked?

20 A. If we were investigating somebody.

21 Q. If it was relevant to you?

22 A. Then of course we seek to consider proportionate actions  
23 to access communications, but I can't go into the  
24 details of how we do that. It wouldn't be the case that  
25 if somebody wasn't investigated or there wasn't

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DRAFT TRANSCRIPT

1 intelligence indicating that somebody was potentially  
2 posing a threat, it certainly wouldn't be the case that  
3 we would be accessing communications of that sort, even  
4 if we had that capability.

5 Q. Yes. The point I'm making about the Facebook post  
6 is that they are evidence which would be easily  
7 checkable?

8 A. If we had a reason to do so.

9 Q. Yes. Now, of course that material, by way of

10 stand-alone material, means very little in terms of  
11 Salman Abedi, doesn't it? It just means his father has  
12 some rather extreme views or extreme friends who he has  
13 positive views about; yes?

14 A. Making the assumption that you had all of that  
15 information to be able to make that assessment, yes.

16 Q. I'm coming to that. But just as a stand-alone piece of  
17 information, that's all it is. But again, moving back  
18 to the JTAC 2010 report, this is information which may  
19 mean nothing if Salman Abedi is going about his  
20 business, going to college and all the rest of it, it  
21 just means he has a father with a certain mindset. But  
22 once Salman Abedi is on the radar, then this is the sort  
23 of information that then should feed into the  
24 consideration at any particular point in the story to  
25 Salman Abedi, isn't it?

22

DRAFT TRANSCRIPT

1 A. No, I don't accept that.

2 Q. Again, I just want to put this to you because I don't  
3 want to miss it, but I don't want to spend much time on  
4 it. There's another document, which is a report on the  
5 Libyan diaspora in Manchester, and it's at tab 38. It's  
6 by the National Security Research Group, which I think  
7 is a division of the Home Office, but I'll be corrected

8 if I'm wrong. Are you familiar with that?

9 A. Can you say the tab number again?

10 Q. Tab 38.

11 A. CPS material?

12 SIR JOHN SAUNDERS: I can't think that's it. Purchase of  
13 hydrogen peroxide.

14 MR WEATHERBY: I've got the wrong reference. I'll deal with  
15 that in another way, I'll come back to that.

16 What I'm suggesting, and I'm going to then move to  
17 the final section and deal with that quite quickly, for  
18 reasons I'll come to. But just to round this off,  
19 drawing threads together, where there was interest in  
20 Salman Abedi, so for example when he became a subject of  
21 interest in 2014, but also when there was other  
22 information that came in relating to him, all of this  
23 material should have been considered together as a,  
24 I don't know, a mosaic of little bits, snippets of  
25 information or context information, all being put



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1 together? That's how the process should work, isn't it?

2 A. No, I don't think it is. Just to be clear on this, we  
3 investigate individuals if we have intelligence  
4 indicating that they may be pose a threat. If we are  
5 investigating them, we take proportionate actions to

6 determine whether that threat is there. I think  
7 it would be quite a long way from where I would expect  
8 us to have gone in terms of Salman Abedi's investigation  
9 and also when he was closed for us to have been  
10 accessing information relating to others. We would have  
11 to be really clear about why we were doing that because  
12 our purpose is to ensure that we understand the threat  
13 from that person.

14 If another person is also being investigated because  
15 they pose a threat then of course we would take  
16 necessary and proportionate actions to do the same. But  
17 it doesn't follow that by investigating Salman Abedi we  
18 are seeking to acquire information on a range of other  
19 individuals just because they may be associated with  
20 them or in the same family as them.

21 Q. Okay. I fully understand the privacy issues that have  
22 been talked about and the extent of your powers and how  
23 they should be properly constrained. I fully follow  
24 that. But the relevance of the material about  
25 Ramadan Abedi, for example, or the relevance of the



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1 material about the KBL and its emerging threat in Libya,  
2 is that it may well be relevant to what Salman Abedi is  
3 going to do next. Is that not right?

4 A. It may have some relevance.

5 Q. Yes. So --

6 A. As I have said, in relation to KBL we didn't see any  
7 intelligence to indicate that he was engaged in  
8 activities in Libya that connected up to terrorist  
9 groups or to fighting or to training camps.

10 Q. Yes, and that may be because it wasn't correct, he may  
11 not have had those connections or it may be that,  
12 particularly with the situation in Libya, it was  
13 enormously difficult to find those connections. So  
14 that's why, isn't it, the context, the general context  
15 that I have taken you to, is so important when you're  
16 looking at somebody who's regularly travelling to Libya?  
17 This is not somebody who's going to a stable country  
18 where there isn't an IS problem. So it is a context to  
19 the threat that he may pose; yes?

20 A. I think if we were to apply that as a model and an  
21 approach, the numbers of people we would be  
22 investigating would be enormous and we would be putting  
23 ourselves in a position where we were engaged in  
24 investigations of people who were travelling to Libya  
25 who were in some way associated to another extremist,



2 associations that themselves are with extremists, but  
3 I think we have to be really focused. In 2014 when we  
4 opened Salman Abedi as an SOI, we were looking to see  
5 whether the contact with the individual he was  
6 associated with was concerning. We would have conducted  
7 limited investigative enquiries at that time, which  
8 certainly would not have stretched to us building the  
9 sort of picture that you are describing. I don't think  
10 that would have been proportionate and I think if we did  
11 that across the board, we would never get to the higher  
12 priority threats that intelligence clearly points us to.

13 Q. That, with respect, is a fair point made. So no problem  
14 with understanding focus. But is the problem here that  
15 taking focus too far is that you end up just seeing the  
16 individual and missing the context? Are you in danger  
17 of siloing investigations into individuals?

18 A. It's difficult to think of a system where we do anything  
19 other than that. We have to be focused on individuals  
20 because we have to focus our effort to the intelligence  
21 we see on them at the time. I think if we were to look  
22 at it another way, we would find ourselves investigating  
23 individuals where we didn't have that basis for  
24 investigating.

25 Q. Let me just put this to you and then I'll move on. The

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1 threads that I'm drawing together are that whatever  
2 information came in that had a relevance to Salman Abedi  
3 after the 2014 closure of him as an SOI, whatever came  
4 in would be looked at by the investigator and one of the  
5 things the investigator would be looking at is whether  
6 it merited re-opening him as an SOI?

7 A. Yes.

8 Q. In any of those situations it might be that the piece of  
9 information was absolutely not very interesting and  
10 therefore, whatever the context, didn't make  
11 a difference. So I entirely understand that. But in  
12 some cases, there's a cumulative build-up of information  
13 or connections which becomes concerning; yes?

14 A. There can be. In this case, when we made those  
15 judgements, or when we were looking at the intelligence  
16 when it was coming in, I don't detect from looking over  
17 that period of 15 and 16 a cumulative picture, as you  
18 describe it.

19 Q. That's going to be my final topic, which I'll deal with  
20 very quickly?

21 SIR JOHN SAUNDERS: Before you do, I'm going to deal with  
22 something if you don't mind.

23 We can also tell you the reference you were looking  
24 for was 83.

25 MR WEATHERBY: Thank you.





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1 SIR JOHN SAUNDERS: Just help me. Syria, big problem,  
2 people going to Syria, perhaps intending to fight,  
3 either fighting or changing their mind and coming back.  
4 But were you acutely aware of looking at people who went  
5 to Syria, particularly if they had some information they  
6 might have terrorist connections and then coming back  
7 from there? Were you acutely aware of them? Are they  
8 on your radar or not?

9 A. Some of them were not on our radar, some of them were  
10 live subjects of interest, some of them were closed  
11 subjects of interest.

12 SIR JOHN SAUNDERS: Okay. I'm just not making my -- I just  
13 wonder if one of the distinctions -- whether there was  
14 a distinction being made, and help me, between people  
15 who go to Libya and people who go to Syria and come back  
16 in both cases. Was a threat from Libyans returning and  
17 being terrorists over here a threat that you were as  
18 aware of as you were with the Syrians?

19 A. Sir, I don't think it was of the same order, no.  
20 We weren't detecting strong indications that  
21 Islamic State in Libya was focused on western attack  
22 plotting in the way that we did clearly see from Syria,  
23 Iraq and the surrounding region. That's where  
24 Islamic State were focusing their external operations,

25 their western attack plots from. Therefore people going

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1 to Syria, not all of them, but many of them, were  
2 seeking to join for that purpose.

3 SIR JOHN SAUNDERS: So was Salman Abedi to an extent unusual  
4 in that he went to Libya, he may or may not have fought  
5 in Libya, he may or may not have had training in Libya,  
6 but essentially his involvement in terrorism may well  
7 have been in Libya? And he's unusual because he comes  
8 back, despite his background in Libya, and commits  
9 a terrorist offence over here. Is there any other  
10 Libyan terrorist that you know of who's committed  
11 terrorist offences over here?

12 A. It's not clear to me and I don't know whether others  
13 will have a clearer view on this, particularly the  
14 police in their post-incident investigation, it's not  
15 clear to me that he did join up with Islamic State.

16 SIR JOHN SAUNDERS: Okay, but it's a possibility that  
17 he was -- I don't think we're ever going to be able to  
18 say certainly, subject to what people say. I just  
19 wonder if -- because he doesn't fit into the usual  
20 category -- that might have been something which  
21 deceived MI5 to an extent, took their eye off the ball  
22 because you never thought that a person involved in

23 Libyan terrorism fighting out there was actually going  
24 to commit an act of terrorism over here.  
25 A. I think we were focused on the intelligence that we were

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1 receiving at the time and we did have intelligence  
2 indicating some individuals joining up with  
3 Islamic State in Libya. We were aware of the threat  
4 that Islamic State posed in Libya and a growing presence  
5 there. So there were capabilities that we were able to  
6 use to detect those types of activity. But it was  
7 a very difficult place, I think, to be able to  
8 understand at that time in terms of the threat.

9 SIR JOHN SAUNDERS: Okay, thank you.

10 MR WEATHERBY: So just before I finally move on to the bit  
11 of chronology, the points that I'm suggesting to you  
12 would be important when any of these bits of information  
13 came in about Salman Abedi, certainly post- July 2014,  
14 was the emerging known prevalence of violent Islamic  
15 extremists within that small area where he lived, which  
16 we started with earlier this morning, the general threat  
17 from Libya at that point, the KBL point that I have put  
18 to you from the US bombing, a general connection of  
19 young Libyan linked men going to fight in Libya, at  
20 least in 2011, but in fact beyond that, and the links

21 between Ramadan Abedi and the LIFG and AQ extremists and  
22 his obvious mindset from the material. And I'm  
23 suggesting to you that all of those should be in the  
24 basket, if you like, when any piece of information is  
25 considered. Is that right?

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1 SIR JOHN SAUNDERS: I think that's a round-up question  
2 a bit, isn't it, of what you've been saying?  
3 MR WEATHERBY: It is, absolutely.  
4 SIR JOHN SAUNDERS: Thank you.  
5 MR WEATHERBY: Finally, a whistle-stop tour. It has been  
6 covered already, so I just want to round off on this,  
7 just to work on the mosaic or perhaps tapestry point  
8 here. There was a lot of information, it may have been  
9 snippets here and more important information there, but  
10 there was a lot of information that came to MI5 or CTP  
11 in the period starting from 2010 to the period of the  
12 bombing, wasn't there? He was on the radar through that  
13 period quite a number of times?  
14 A. A number of times, yes. We had intelligence on him  
15 during that period. A lot of information? I think I'd  
16 qualify that by saying that the information we received  
17 we didn't conclude related to him engaging in terrorism.  
18 So the information may well have been at times, as in

19 2010, a shared connection with an address. So it's  
20 important as well to think about the volume to think  
21 about the content.

22 Q. Absolutely. The sort of watershed point is the 2014  
23 opening him as an SOI, isn't it, in that that's when MI5  
24 say this might be somebody --

25 A. Yes --

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1 Q. -- who is going to engage in terrorism?

2 A. -- that's right.

3 Q. So even when once you have rightly or wrongly closed him  
4 in July 2014, anything that then comes in, apart from  
5 the matters that I've laboured of context, the starting  
6 point when any piece of information comes in is: hang on  
7 a minute, he was an SOI in the middle of 2014? That's  
8 the point, isn't it? It's not just a piece of  
9 information about an individual in Moss Side. This is  
10 a piece of information about somebody who was an SOI on  
11 the radar and it has to be looked at in that context as  
12 well?

13 A. Yes. To be clear on when we close an individual as  
14 an SOI, we are making the judgement that they have not  
15 or no longer pose a threat to national security, but  
16 it is relevant that we have in the past had them as

17 a live SOI, yes.

18 Q. Okay, but if you've closed him and decided he's at that  
19 point no threat at all or a very low threat, when  
20 something else comes in, that raises a new question  
21 which you have to look at in the context of him being  
22 an SOI and also of course the reason you closed him as  
23 an SOI?

24 A. Yes.

25 Q. So after he's opened as an SOI, in fact, and I'm going

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1 to go through a quick chronology, there's one point that  
2 I don't think has been mentioned yet, there is Facebook  
3 posting by Hashem Abedi in the middle of June of 2014,  
4 tab 109. So whilst Salman is an open SOI, his brother  
5 is Facebook messaging about an IS fighter who had been  
6 killed in, I think, Syria, Reyaad Khan in June. For  
7 reference, it's tab 109. And he's making positive  
8 comments and suggesting to another person on Facebook  
9 that they should go and join him in Syria.

10 Should that have been as a context point when he was  
11 an open SOI, should that have been of interest to you?  
12 Or is that beyond the scope of consideration when you've  
13 got an open SOI?

14 A. I can't comment on whether or not we were investigating

15 Hashem Abedi at that time. If the brother or a relative  
16 of a subject of interest was posting on Facebook  
17 something of the kind that you've just described,  
18 I wouldn't expect that to be a key part of investigator  
19 judgements about the threat that individual was posing.

20 Q. I'm not suggesting whether it should or shouldn't be  
21 a key part of it, but if you become aware of this then  
22 again it's not directly Salman but it's his brother  
23 who's posting pro-IS stuff and we have the context of  
24 Ramadan that we've been through, we have the context of  
25 a stop we'll come to in a few moments with Ismail,

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1 a port stop which has pro-IS stuff. Again, this  
2 shouldn't be siloed, should it? The information about  
3 the family is highly relevant to radicalisation and  
4 a wider mindset within the family, yes?

5 A. It entirely depends on whether or not the information is  
6 available to us at the time, and as I've said, I doubt  
7 it would be proportionate when we had opened an SOI in  
8 these circumstances that we would have been seeking to  
9 access the communications of individuals who they were  
10 related to.

11 Q. Okay. I'll move on. So that's June 2014. July 2014,  
12 he's closed as an SOI. In August 2014, both of the

13 Abedi brothers, Salman and Hashem, are picked up by the  
14 British ship, Enterprise, because of extremist militias  
15 fighting in Libya; yes?

16 A. Yes, I'm aware of the return.

17 Q. Given that Salman had been closed as an SOI within a few  
18 weeks of that evacuation from Libya, would that cause an  
19 investigator to -- well, first of all, would you be told  
20 about that, about the evacuation, would that come to  
21 you?

22 A. If it was relevant to our purposes, if there was  
23 material that related to that evacuation that should be  
24 shared with us in terms of us investigating terrorism,  
25 yes.

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1 Q. Okay. So in the context of somebody who's just been  
2 closed as an SOI and the British navy is evacuating him  
3 from an area because there's extremist militia fighting,  
4 would you agree that it would be relevant to look at  
5 what they might have been doing in Libya, debriefing  
6 them, putting questions in to CTP about any debrief that  
7 took place with them or whoever else? Would that be  
8 a reasonable expectation?

9 A. No, I don't think that would have been a proportionate  
10 use of resources. I say that, just to be clear,



11 Mr Weatherby, because my organisation would be seeking  
12 to establish whether there was any reason in terms of  
13 terrorism, in terms of potential threat, that therefore  
14 was relevant to our work that we would be seeking to  
15 understand from any debriefs that might have been  
16 obtained or any travel back from Libya to UK that may  
17 have taken place.

18 Q. Yes. But the fact that Salman had been an open SOI  
19 until a couple of weeks before, which is the reality,  
20 surely you should have been interested to know whether  
21 there was any information connecting him to the militias  
22 fighting or anything relevant coming out of his trip to  
23 Libya. Why was he there?

24 A. Once we closed him as an SOI and determined that we  
25 didn't judge that he posed a threat, then the actions

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1 that we'd be taking in respect of him would be much more  
2 limited and I think that's proportionate.

3 Q. Then moving on, and again moving on swiftly, we've got  
4 the Operation Oliban as an operation not into  
5 Salman Abedi but into I think four men and then a fifth,  
6 Abdalraouf Abdallah. And we've got this huge number of  
7 messages between Salman Abedi and Abdalraouf Abdallah  
8 in November of 2014. We're going to go to that with

9 another witness, I'm not going to take you to those  
10 messages, but they contain discussion about martyrdom,  
11 there's an Islamic State image of a dinar that was sent  
12 by Salman Abedi to Abdalraouf Abdallah and there are  
13 various other messages which we'll deal with, with  
14 another witness.

15 Given that there was obviously intense interest in  
16 these messages, the first half of the messages were used  
17 in the trial of Abdalraouf Abdallah, shouldn't that have  
18 triggered consideration of whether to re-open  
19 Salman Abedi as a subject of interest? You had closed  
20 him in July and here he was, in a very intense, close  
21 association with a man who was just about to be charged  
22 with serious terrorism offences for which he was later  
23 convicted. Shouldn't that have triggered very serious  
24 consideration of re-opening him?

25 A. I can't comment, obviously, on whether or not we were

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1 aware of that material at the time. In terms of having  
2 looked at it now and read the messages that the police  
3 have described, first of all I think there is some  
4 police evidence in respect of this that you're  
5 mentioning in terms of their assessment of this material  
6 and I've read that too.

7 Q. Yes.

8 A. Insofar as I am able to comment on that, I don't think  
9 those messages in my assessment constitute Salman Abedi  
10 engaging with Abdalraouf Abdallah for the purposes of  
11 engaging in terrorist activities.

12 Q. Okay. We'll look at that with another witness in light  
13 of my clock running out. I'll move swiftly on.

14 SIR JOHN SAUNDERS: I think it might have run out.

15 MR WEATHERBY: I don't think so. I think I have 5 minutes.

16 SIR JOHN SAUNDERS: I've been misinformed. Never mind, take  
17 5 minutes.

18 MR WEATHERBY: We then have 2014, Abdalraouf Abdallah is  
19 arrested under Oliban, and we have Salman Abedi not only  
20 visiting him in Belmarsh, but we have him being on the  
21 phone list, not just for Abdalraouf Abdallah but also  
22 for Mr Benhammedi, who at that point is facing terrorism  
23 charges relating to a sniper manual and he's another  
24 man, another Libyan man, from Manchester. So again,  
25 that contact should be flagging up caution at least with



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1 Mr Abedi and flagging up the need to have another look  
2 at him; is that right?

3 A. Again, I can't comment on the specific interactions  
4 between Salman Abedi and anyone else. In terms of what

5 we would be looking for, contact with other extremists  
6 and indeed with any convicted terrorists doesn't  
7 necessarily meet our threshold and the threshold that we  
8 need to have to then investigate an individual for  
9 terrorism, even if they are sharing an extremist  
10 mindset, even if they're engaging in activity that  
11 constitutes discussion of extremism.

12 SIR JOHN SAUNDERS: Mr Weatherby, just before you move on  
13 from that, it doesn't in any way invalidate your  
14 question, but so everybody knows, Mr Benhammedi was  
15 acquitted, is that right?

16 MR WEATHERBY: Absolutely. The point is that at that point  
17 he was an alleged terrorist on remand in Belmarsh.

18 SIR JOHN SAUNDERS: I understand that. I was just concerned  
19 about it being reported in a way that might indicate  
20 guilt.

21 MR WEATHERBY: I won't take you through the rest of it, but  
22 there's a whole series of snippets and bits of  
23 information and if he had been opened as an SOI by the  
24 time we get to January 2017, he is doing real things in  
25 terms of the plot and if he is re-opened as an SOI



1 there's a real chance, isn't there, that something is  
2 spotted, an investigation finds one of the actions or

3 transactions and what's going on, and the plot is  
4 foiled? That's how it works, isn't it?

5 A. If he was an open investigation in January 2017 then  
6 we would have been committing some level of  
7 investigative resources to understanding what threat he  
8 may have posed, yes.

9 MR WEATHERBY: Thank you.

10 SIR JOHN SAUNDERS: Thank you very much, Mr Weatherby.

11 Mr Welch, next on? Thank you very much.

12 Questions from MR WELCH

13 MR WELCH: Good afternoon, Witness J. My name is Austin  
14 Welch, I represent some of the families, and I won't be  
15 long, I will probably be about 15 minutes. The first  
16 topic is to pick up on a matter raised by Mr Weatherby,  
17 just towards the end in his chronology. It relates to  
18 2014 and the decision to open Salman Abedi as a subject  
19 of interest and then close him.

20 Just going back briefly to the chronology as set out  
21 in X's statement, page 21, paragraphs 84 onwards.

22 He was opened because he was considered to be an  
23 individual who was acting suspiciously with SOI A. That  
24 was in December and he was opened on 18 March 2014,  
25 wasn't he?

1 A. Yes. Just to be clear, he was opened not because he was  
2 the individual seen acting suspiciously but because of  
3 contact with the SOI.

4 Q. Quite. Because by the end of March, as is set out in  
5 X's statement, Salman Abedi was identified as not being  
6 that individual, wasn't he, it was somebody else?

7 A. Yes.

8 Q. But he remained open until 21 July 2014 when the  
9 decision is taken to close him. It's that decision  
10 I want to ask you a few questions about, please, if  
11 I may. He is open for about 3 months. Did MI5 know  
12 where he was in those 3 months?

13 A. We conducted limited investigative enquiries into him at  
14 that time. I think through the course of those  
15 enquiries, yes, I think we would have been establishing  
16 where he was located.

17 Q. Because there is some evidence, isn't there, that he'd  
18 gone off grid to Libya on at least one occasion, perhaps  
19 two, in that period, hadn't he?

20 A. Yes. I don't think our investigation at that time would  
21 have been comprehensive in terms of understanding  
22 exactly where he was at any one time. This was our  
23 steps to determine whether he posed a threat at that  
24 time.

25 Q. But I'm just trying to understand the decision-making.



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1 The rationale for that decision-making to close him and  
2 the evidence of that decision. Because he's been open  
3 for 3 months and effectively, it appears from X's  
4 statement and the reasons set out there, particularly at  
5 paragraph 90, that he's closed because there's no  
6 evidence of any contact with anyone. That's fair, isn't  
7 it?

8 A. A lack of engagement with individuals of interest,  
9 including SOI A, yes.

10 Q. But if he's off grid, out of the country, you're not  
11 really going to have much evidence there, are you or  
12 it's going to be very difficult to obtain that evidence  
13 as to what he is doing because he is beyond your reach  
14 potentially?

15 A. I think we had sufficient evidence to determine that he  
16 should be closed at that point.

17 Q. In that period, of course, as Mr Weatherby has said,  
18 it's only very shortly afterwards that he's picked up by  
19 the Royal Navy in August aboard HMS Enterprise, along  
20 with a number of other people being evacuated from  
21 Libya. MI5 were provided with no information as to what  
22 happened to him when he was picked up by the navy; is  
23 that right?

24 A. I can't confirm in open what we knew about that at the  
25 time.



## DRAFT TRANSCRIPT

- 1 Q. There is one piece of information that's in the open  
2 source material, which, sir, is from the Henry Jackson  
3 Society, which is a report, item 110 in your bundle.  
4 INQ042182/4.
- 5 SIR JOHN SAUNDERS: It comes from October 2018?
- 6 MR WELCH: Yes, it's afterwards.
- 7 What that suggests is that when Salman Abedi was  
8 picked up by the Royal Navy, he was himself injured and  
9 had an injury that he suffered whilst fighting with an  
10 Islamist group in eastern Libya. Was that information  
11 that you had?
- 12 A. Again, I can't comment on the information we had at the  
13 time. I haven't seen intelligence to indicate that  
14 Salman Abedi was injured in Libya and, as I have said  
15 already, Mr Welch, we had no indication that he was  
16 engaged in fighting in Libya.
- 17 Q. If that had been information that was passed on,  
18 whatever the injury, would it have been a matter of  
19 significance to MI5 in their decision of whether he  
20 should remain closed or be opened again if you have  
21 a teenager who's been evacuated from a war zone with  
22 what may be considered battlefield wounds?
- 23 A. As I said, we didn't at any stage have intelligence to



24 indicate that he was engaged in fighting in Libya.

25 Q. Okay. The next topic --

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1 SIR JOHN SAUNDERS: Could you hang on a minute? I just want  
2 to check on something.

3 (Pause).

4 Sorry. I'd forgotten where I'd read something for  
5 a moment.

6 MR WELCH: Second topic, Witness J, relates to Salman Abedi  
7 and IS. Your evidence this afternoon has been that MI5  
8 did not have any evidence or sufficient evidence that  
9 he was involved in IS; is that right?

10 A. We didn't have intelligence to indicate he was  
11 affiliated with IS, yes.

12 Q. I'm sure I know what your answer to this is going to be.  
13 Did any other intelligence services abroad have that  
14 information?

15 A. I can't comment on what other intelligence services had  
16 in relation to Salman Abedi. To be helpful, when  
17 we were considering our assessment, we were  
18 incorporating other intelligence too in determining  
19 whether or not at the time we knew that he was -- the  
20 extent to which he had any affiliation to Islamic State.

21 Q. There are two open source articles and of course

22 you have seen all of these. The first I would like to  
23 refer to is item 124, sir, which is an article from the  
24 Telegraph on 26 May. INQ042263/3.

25 I'm sorry, it's item 161. That's an article from



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1 the Telegraph and that contains a quote from Gerard  
2 Collumb, the French interior minister and I'll read it.  
3 He had spoken on French television and said that both  
4 French and British intelligence services had information  
5 that Abedi had been in Syria and Mr Collumb said:

6 "All of a sudden he travelled to Libya and became  
7 radicalised and decided to commit this attack."

8 And it was headed "Abedi has 'proven' links with  
9 Islamic State". Are you in a position to confirm the  
10 contents of what Mr Collumb said to French television or  
11 comment on it?

12 A. Yes, I can try. We did, as I said in my statement --  
13 there were a couple of periods of travel where we were  
14 interested or concerned that Salman Abedi might be  
15 travelling to Syria and on assessment of that  
16 intelligence, we concluded that he wasn't. I think it's  
17 our judgement that he didn't go to Syria over these  
18 years and also that we have no intelligence to indicate  
19 that he joined up with or was affiliated to

20 Islamic State.

21 Q. So he was wrong when he said that to French television,  
22 was he?

23 A. I'm not going to comment on what another government  
24 official has said.

25 Q. Very well. Another open source article from the

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1 New York Times on 3 June.

2 SIR JOHN SAUNDERS: There seems to be quite a lot of comment  
3 between French and English governments at the moment,  
4 but you don't want to join in anyway.

5 MR WELCH: INQ042266/1, which is a New York Times article of  
6 3 June 2017. Halfway down that page, there was a quote  
7 from a retired European intelligence chief who upon  
8 condition of anonymity said that there were contacts  
9 between Mr Abedi and KBL when he went to Libya,  
10 especially in Tripoli and Sabratha. He kept up contact  
11 with the group after returning to Manchester. And when  
12 he was in Britain, the contacts would sometimes happen  
13 by phone, if the contents of the call were sensitive he  
14 used phones that were disposable. They were sent from  
15 Libya by his contact to a friend living in Germany or  
16 Belgium. And in the same article, in the New York  
17 Times, it says that Mr Abedi's contacts with KBL, not

18 the details of methods used to communicate or specific  
19 locations, were confirmed by a senior United States  
20 intelligence official.

21 Two sources there quoted in the New York Times, one  
22 European, one a senior United States intelligence  
23 official. Are you able to assist with those two  
24 comments in relation to his links to KBL?

25 A. I can try. If you can take me to the number again or

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1 give me the date of the article.

2 Q. 3 June 2017. INQ042266/1.

3 A. Thank you. I don't think that description accords with  
4 the intelligence picture we had before the attack of  
5 Salman Abedi's links to any group. Post-attack, I think  
6 we and others built up more of an assessment about the  
7 extent to which Salman Abedi may have joined up with  
8 other groups in Libya, may have attended training camps  
9 and I know the police have commented on that too. But  
10 before the attack, that wasn't the picture that we had.

11 Q. The information from those two sources, relatively soon  
12 afterwards, I don't ask you to actually comment on this  
13 in open session because I realise you're clearly not  
14 able to. I'll put it now. Was there a free flow of  
15 information between the United States and British and

16 French intelligence services about KBL and also about  
17 the activities of young men travelling from Manchester  
18 to Libya who may be involved in IS?

19 A. I can't comment on the nature of our relationships with  
20 the Americans or the French or anybody else in respect  
21 of terrorism.

22 Q. Thank you.

23 A. Other than in very general terms, but I think you're  
24 asking a more specific question than that?

25 Q. Is it something you would be able to comment to in

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1 closed session?

2 A. Absolutely, if required.

3 Q. Thank you. The final topic I would like to ask you  
4 about, quite a discrete matter that has not been touched  
5 upon yet, it relates to an app, an information sharing  
6 app called Zello. Are you aware of this?

7 A. I'm aware of the reporting of this, yes.

8 Q. Just so we can go through the various documents,  
9 if we start, please, at INQ042207/1, which is item 132.  
10 That's actually a press release from the Department of  
11 Justice in America, dated December 11, 2019. That's  
12 headed "Dallas man sentenced to 30 years on terrorism  
13 charges".

14 I'm just going to read a few sections:

15 "A 42 year-old Dallas, Texas, man has been sentenced  
16 to 30 years in federal prison following a conviction for  
17 multiple terrorism charges. Following a three and a  
18 half day trial, Said Azzam Mohamad Rahim, a 42 year-old  
19 United States citizen, was convicted in May of one count  
20 of conspiracy to provide material to support to  
21 a designated foreign terrorist organisation."

22 Moving down, it's noted that he was arrested  
23 on March 5, 2017 at Dallas Fort Worth Airport.

24 The next document, just for completeness, in order  
25 to fill in what precisely happened, is INQ042208/1,

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1 which is item 133, sir, in your bundle. That's actually  
2 from Mr Rahim's appeal. It's simply by way of  
3 background at page 2:

4 "In spring 2016, the FBI became aware of the  
5 Internet-based application, Zello, amid suspicions that  
6 some of its users were utilising the app as a means of  
7 supporting ISIS."

8 Turning over to page 3, dealing with Mr Rahim:

9 "He was a US citizen, served on multiple committees  
10 of the channel and frequently conversed about  
11 delineating responsibilities and 'spreading the

12 message'."

13 Further down:

14 "With an in-depth understanding of ISIS, Rahim  
15 focused his Zello activities on two  
16 objectives: recruiting fighters to travel to the  
17 Caliphate to join ISIS there, and inciting and  
18 counselling followers to commit terrorist attacks in  
19 ISIS's name in other countries."

20 I take it you're aware of the case in America?

21 A. Yes.

22 Q. If we then move back in time, as it were, there was an  
23 article published in The Times on August 14, 2017, so  
24 well before the trial and well before his appeal, but  
25 after he had been arrested. And that's INQ042230/1,

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1 sir. That says this:

2 "The Manchester Arena bombing was authorised in an  
3 online chat between a plotter, an Islamic State  
4 operative in Syria, a jihadist recruiter in Dallas and a  
5 Moroccan-born Islamist living in Turin, it was claimed  
6 yesterday. The online conversation took place on  
7 28 August last year ..."

8 That was 2016:

9 "... using the Zello secure messaging app ... one of

10 the five people taking part in the chat asked, 'Sheikh,  
11 I live in Manchester in Great Britain. I live among  
12 non-Muslims. I have found work with them. Am I allowed  
13 to kill them? Is it permitted to kill them with  
14 a bomb?' The Sheikh, who is thought to have been living  
15 in Syria, replied with a phrase from the Koran: fight  
16 the pagans all together. The man from Dallas was  
17 identified as Mr Rahim [back in 2017] who was born in  
18 America to Jordanian parents. He allegedly said, 'To  
19 the boy from Manchester, I say okay, kill them.'"

20 You'll understand how that has caused consternation  
21 among some. Are you in a position to be able to comment  
22 on that message, whether it existed and whether it  
23 involved Salman Abedi?

24 A. Yes. I believe that Mr Barraclough has offered  
25 a statement on this particular point in response to



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1 questions that are similar to yours to try and set out  
2 the position in relation to that. So I would leave that  
3 probably for the police. I can't comment specifically  
4 on the intelligence we may or may not have received  
5 prior to the attack. I can say, if it's helpful, that  
6 if we'd received intelligence of that nature in the  
7 exchange that you're describing, I'm not confirming



8 specifically, but I can say if that type of intelligence  
9 had been received by MI5, we would have been working  
10 very hard to understand who had engaged in that message  
11 because it would have been concerning to us.

12 Q. Because the date is quite specific, as set out in the  
13 article, it refers to Manchester, and stripping away  
14 hindsight of course, it's the kind of message which even  
15 when one read it in the context of what was going on  
16 here, would and I should suggest set alarm bells going  
17 shouldn't it?

18 A. If it existed, yes, but I'm not able to say. Again,  
19 Mr Barraclough has set out in a statement which I think  
20 will help with this question exactly the provenance of  
21 this and the extent to which it is true.

22 SIR JOHN SAUNDERS: It may relate, and it seems similar to  
23 what I think Dr Wilkinson is, I hope, going to help us  
24 with when he comes back, the covenant of security and  
25 the statements of Sheikh al-Adnani. It's in rather



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1 similar terms to what he was meant to say, I think.

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

3 MR WELCH: Such messages and the use of such an app  
4 obviously don't relate to directing or planning. One  
5 can see that from what was said in the US court filings,

6 but it's encouragement, isn't it, on these secure apps  
7 and again given that the FBI were involved I don't  
8 expect you to answer this in open, but will you be able  
9 to assist the chair going forwards as to what's happened  
10 and the interaction between the security services in the  
11 UK and the United States in particular in relation to  
12 information sharing on such matters given that this has  
13 been concerns raised in previous inquests and inquiries  
14 before, hasn't it?

15 A. We will give the fullest possible insight into what we  
16 knew and that would include anything that any foreign  
17 liaison service shared with us before or after the  
18 attack.

19 Q. Thank you very much, Witness J.

20 SIR JOHN SAUNDERS: Thank you.

21 Is it now time for a break? We'll have a quarter of  
22 an hour break.

23 MR COOPER: Sir, before you rise, you remember --

24 SIR JOHN SAUNDERS: I hadn't forgotten. As soon as this  
25 witness has finished his evidence, if that's all right,



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1 because it does lead into closed. That seems to be an  
2 appropriate time.

3 MR COOPER: Thank you.

4 (3.39 pm)

5 (A short break)

6 (4.00 pm)

7 Questions from SIR JAMES EADIE

8 SIR JAMES EADIE: Witness J, I want to start, if I may, with  
9 some relatively general questions in response to some of  
10 the questions you were asked over the last couple of  
11 days. They relate to how things actually work in  
12 real time and given the nature of the work that your  
13 organisation does. The first question is this: can you  
14 give the inquiry any impression about this, how often in  
15 your 30 years of experience is either the intelligence  
16 picture or the intentions of an individual, those on  
17 your radar, clear?

18 A. It's quite rare.

19 Q. Why is that?

20 A. Because we are dealing with an intelligence picture, so  
21 this is not a set of facts about an individual, this is  
22 intelligence that may have varying degrees of  
23 credibility and varying degrees of provenance.

24 Q. Does that apply to individual pieces of intelligence,  
25 which you are analysing?



1 A. Yes, and overall in terms of the picture.

2 Q. Is the fact that you're trying to look forward into an  
3 uncertain future anything to do with that lack of  
4 clarity?

5 A. Yes. We are trying to determine whether somebody is  
6 going to act on their extremism in the case of our  
7 terrorism work, so an intelligence picture might give  
8 you an indication of what they may do, but it is only  
9 that, it can never be that you have that full picture  
10 about what somebody is about to do or may be about to  
11 do.

12 Q. And just in general terms, is the position different  
13 when you are looking back after the investigations that  
14 follow the commission of an atrocity such as this one  
15 and if so why?

16 A. Yes, of course. In looking back, as we did in the  
17 post-attack review, we had available to us all of the  
18 information that we could collect from post-incident  
19 investigations and in further investigations of what had  
20 happened. At the time, before the attack, we had a very  
21 partial impression of Salman Abedi's activities.

22 Q. So the commission of this sort of atrocity will, is this  
23 right, demand an intensity of scrutiny and a collection  
24 of material, intelligence and otherwise, which would  
25 simply not be possible in real time?

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1 A. Yes, that's right.

2 Q. Is it significant that you will also, when you are  
3 conducting that sort of exercise, see everything through  
4 the prism of the attack?

5 A. Yes, that's right.

6 Q. And what does that, in terms of its impact, do to your  
7 ability to see the chain of causation more or less  
8 clearly when you're looking back in that way, from an  
9 atrocity backwards? Are the links in the chain clearer  
10 as a result?

11 A. Yes, much clearer. You have a much clearer impression  
12 of the path that somebody was on and you start to be  
13 able to draw assessments about when they started to  
14 engage more actively in matters that relate to terrorism  
15 or in terms of attack planning.

16 SIR JOHN SAUNDERS: And I suppose in addition, you throw  
17 huge resources at it once it's happened because you're  
18 looking to see whether there are follow-up attacks and  
19 how many people are involved. So I think I can take it,  
20 it's different (^).

21 A. In the immediate aftermath of this attack, we were  
22 concerned about there being other attackers (^).

23 SIR JAMES EADIE: I want to go back to real time, if I may.  
24 With all of the features that you identified in your  
25 earlier answers to me, to what extent does what you and



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1 your colleagues are trying to do at MI5 involve  
2 judgements?

3 A. Judgements all of the time on intelligence, on risk, on  
4 whether or not to investigate. It's something that is  
5 across MI5 all of the time in all roles.

6 Q. Can I just work through some of the key areas with you  
7 to see what, if any, comment you have on the key areas  
8 of judgement that might be in play? Feel free to  
9 comment on any of these if you wish. The significance  
10 of individual pieces of intelligence, does that involve  
11 an exercise of judgement, weighing their significance?

12 A. Yes, it does.

13 Q. The significance of multiple pieces of intelligence  
14 making up what's been referred to as the mosaic or  
15 tapestry in relation to any individual, does that  
16 involve judgement?

17 A. Yes.

18 Q. Trying to assess the future action or intentions of an  
19 individual?

20 A. Yes.

21 Q. Who is really a threat?

22 A. Yes.

23 Q. And perhaps, is this critical or not, what the level of  
24 threat they pose is?

25 A. Yes, that is right.



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- 1 Q. I want to place all of that in its proper broader  
2 context because some questions were asked about whether  
3 or not MI5 was under-resourced and I want to get some  
4 clarity on your answers in relation to that. One could  
5 presumably, is this right, have a security service of  
6 theoretically any scale or size with more or less  
7 intrusive powers into people's privacy and into their  
8 homes and communications? Is that right as a matter of  
9 theory?
- 10 A. Yes, in theory that's right.
- 11 Q. But presumably, is this right, that would pose some  
12 pretty serious looking democratic choices?
- 13 A. Yes.
- 14 Q. Which you can't comment on because you're not running  
15 the country?
- 16 A. No. But that's true, it would require those types of  
17 choices.
- 18 Q. And the result of that has been a set of political and  
19 legislative judgements which confine both the resources  
20 and the powers of MI5; is that right?
- 21 A. That's right, yes.
- 22 SIR JOHN SAUNDERS: I'm going to interrupt you, Sir James,

23 just like everyone else, if you don't mind.

24 Is that relevant in this case? (^) the restrictions  
25 of your powers and having more people to do it,

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1 applicable to Salman Abedi, is it really relevant?

2 A. In relation, for example, just to give one example, the  
3 set of closed SOIs, if we had a different regime for how  
4 we operate and the laws around us, and if we had  
5 a different level of resources, then in theory who would  
6 be seeking to continue to investigate all those people  
7 who may want to pose a threat.

8 SIR JOHN SAUNDERS: As to closing, we know that there are  
9 controls on your powers in relation to opening SOIs,  
10 perhaps in terms of getting the intrusive powers. What  
11 are the controls, if at all, on you actually having to  
12 close at a certain stage if you are able to tell us in  
13 broad terms? I think it's actually in all the  
14 legislation, so we would know. What do you have to do?  
15 Once you have got it, you get permission to do something  
16 intrusive, does it carry on forever until you get rid of  
17 it or there are controls on that too?

18 A. In relation to intrusive powers, there are clear  
19 controls around that, so yes.

20 SIR JAMES EADIE: Centrally based around the concepts of



21 necessity and proportionality?

22 A. Yes.

23 Q. To go back to the chairman's first question, which is,  
24 "Does this really make a difference in this case?", is  
25 it right that there may be a general answer and a

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1 specific answer to that? The general answer may be that  
2 as a result of those political and legislative choices  
3 MI5 will at the very least have finite resources so  
4 you'll always have to make judgements where to direct  
5 your firepower?

6 A. Yes.

7 Q. That's a general point. I think Mr Atkinson picked up  
8 the more specific point, which is whether or not that  
9 fact means in any particular individual case or takes  
10 one anywhere in relation to the individual case  
11 in relation to resources, so I think in answer, but  
12 perhaps you can clarify, to Mr Atkinson, you said, well,  
13 in relation to Salman Abedi's case and having looked  
14 back at the material, there was no individual decision  
15 in his individual case that you could detect in which  
16 resources had been the critical feature for doing  
17 something or not doing something.

18 A. That's right.

19 Q. Have I accurately summarised the answer to give to him,  
20 which is the specific aspect of that?

21 A. Yes, that's right.

22 Q. So you have finite resources, putting it into the  
23 broader canvass. Secondly, perhaps, you have the scale  
24 and nature of the threat at any particular time or the  
25 threats in plural. Is that right?

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1 A. That's right, yes.

2 Q. And you get some indication of that from the categories  
3 that I think you went through, just to get the numbers  
4 clear, 600 or so at the relevant time live  
5 investigations?

6 A. 500.

7 Q. 500. And those are, just to be clear about this, the  
8 top of the threat tree, right at the top of the scale of  
9 threat, those 600?

10 A. Yes, they are the priority investigations.

11 Q. The most serious causes for concern?

12 A. Yes, they are obviously -- in the grades, the top level  
13 of those P1 and P2 grades are the most serious, and the  
14 others are still priority investigations.

15 Q. And those descriptions of P1 and 2 indicate, many of  
16 these will themselves be characterised by the existence

17 of intelligence, indicating the possibility or the fact  
18 of attack planning?

19 A. Certainly in respect of P1 and P2 H, yes.

20 Q. And even in relation to that 600, those live  
21 investigations, are there still judgments to be made  
22 about the level of resource which you can and should  
23 direct at any one of those 600 cases? So there may be  
24 gradations of seriousness within them, is that right?

25 A. Yes, that's absolutely right.

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1 SIR JOHN SAUNDERS: Clearly, I understand about the  
2 prioritisation as estimated by MI5 at the time.  
3 Actually, looking back, Salman Abedi should have been  
4 at the top of the tree?

5 A. Based on?

6 SIR JOHN SAUNDERS: Based on what happened. I agree,  
7 looking back, but of course you need to pick up the  
8 right things to prioritise. And for whatever reason,  
9 and I'm not saying I'm putting blame on MI5, but the  
10 proper priority was not given to this attack.

11 A. Yes. I think that would be the case with every  
12 successful attack.

13 SIR JOHN SAUNDERS: Absolutely.

14 SIR JAMES EADIE: Is that by definition true whenever,

15 despite your best endeavours, an attack gets through?

16 A. Yes. If we are looking back then of course as an  
17 organisation we would have wanted to have stopped the  
18 attack and we would have wanted to have thrown  
19 everything at it to prevent it.

20 Q. Again, back to real time if I may, entirely accepting  
21 the chairman's point about the hindsight, but going back  
22 to real time, we've done the 600. Just to give  
23 everybody the flavour --

24 SIR JOHN SAUNDERS: I thought it went down to 500 in the  
25 answer.

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1 SIR JAMES EADIE: Yes, it did.

2 3,000 active SOIs?

3 A. That's right.

4 Q. Just describe what they are.

5 A. They are individuals who are part of those generally  
6 speaking priority investigations, possibly part of lead  
7 investigations, but they are the individuals who we are  
8 investigating as part of those investigations.

9 Q. And they get some resource but it's less intensive,  
10 is that too simple a way of looking at it?

11 A. If they are in P1 and P2 H investigations they are more  
12 likely to get a high level of intrusive resource,

13 depending on prioritisation.

14 Q. And then in relation to the biggest numbers that you  
15 were mentioning, the closed SOIs, which I'm going to  
16 come back to, the numbers were, what, 20,000 to 40,000?  
17 Quite a big range. That's over what period?

18 A. 20,000 at the time, somewhere over 40,000 now.

19 Q. Do they remain individuals of interest and concern  
20 despite being closed?

21 A. They are no longer investigated. But we have some  
22 processes in place to spot potential reengagement by  
23 those individuals because we are aware that some closed  
24 SOIs, even though they are no longer considered to pose  
25 a threat, could re-engage.

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1 Q. And I think in answer to someone, you said earlier that  
2 MI5 does have the ability to access a past intelligence  
3 record in relation to any individual, including,  
4 presumably, an SOI who has been closed; is that right?

5 A. That's right, yes.

6 Q. So is the process involving the closed SOIs a process in  
7 effect of reaction to new intelligence as it comes in,  
8 set alongside the existing intelligence that you might  
9 have in relation to any individual?

10 A. Yes, broadly. As I described, we also have processes

11 that we have been developing that enable us to run that  
12 set of closed SOIs across data in addition to reacting  
13 to intelligence that might come in.

14 Q. Yes, I see. So if a new piece of intelligence comes in,  
15 you have the ability, depending on what state your  
16 automated systems are in, to interrogate across the  
17 entire range of people we've been talking about, or you  
18 may do?

19 A. Yes. The data wash is looking across all of them. We  
20 might get specific intelligence on individuals.

21 Q. Yes.

22 SIR JOHN SAUNDERS: Are we talking about then or now?

23 I understand this is an area that's changed.

24 A. Both. So then we were running the initial stages of  
25 Clematis and Daffodil, but we were also for any closed



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1 SOI receiving intelligence, if it came in, for example,  
2 in the course of another investigation and connecting it  
3 to that closed SOI.

4 SIR JAMES EADIE: And presumably, like the rest of the world  
5 in the last 5 years, automated systems have become more  
6 significant rather than less?

7 A. Yes. I think we've developed in terms of automating our  
8 systems so that we can ensure that investigators see the

9 material they need to see.

10 Q. So we've identified those three categories, or reminded  
11 ourselves of them. It occurs to me, say whether they  
12 are right or wrong, they are in truth simply ways of  
13 assisting MI5 to work out how intensive a resource  
14 effort is needed in relation to any particular  
15 individual at any particular time. There's no magic in  
16 the categorisation, it's a mechanism for determining how  
17 much resource goes into trying to investigate particular  
18 people?

19 A. It is primarily that. It is also to enable us to  
20 understand the shape of the threat and to be able to  
21 draw conclusions and assessments about how that might be  
22 changing.

23 Q. And presumably, as such, you must always have some way  
24 of working that out, do you agree with that?

25 A. Yes.

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1 Q. And there may be and no doubt have been over the period  
2 ways of refining, improving, altering those systems?

3 A. Yes.

4 Q. But none of that depends upon the magic of the  
5 categorisation, it's just an exercise in determining how  
6 much resource to devote to individual people at any

7 particular time?

8 A. That is right.

9 Q. And you don't, as I understand it, but you must correct  
10 me if I'm wrong -- that does not through the  
11 categorisation of people in this way, subjects of  
12 interest in this way, shut out a recognition by MI5 that  
13 a person who was an SOI but has been closed might be  
14 very interesting from your perspective, might continue  
15 to pose something of a risk but there has to be a way of  
16 enabling you to devote the investigative resource and  
17 then react to new intelligence as it comes in; is that  
18 fair?

19 A. That's fair, yes.

20 Q. For that purpose, therefore, when we talk about  
21 prioritisation, which at least one of the counsel felt  
22 unable to pronounce, what we are actually talking about  
23 is decisions as to where to put the intensive effort  
24 that MI5 has?

25 A. That's right.



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1 Q. Can we go specifically to closed SOIs, on which lots of  
2 questions --

3 SIR JOHN SAUNDERS: Just before you go on, I do understand  
4 the systems and how we are trying to do that. But at



5 the end of the day, as may be the case here, we are  
6 depending on the correctness of individual decisions  
7 made by individual officers because it requires a human  
8 assessment, does it, or can it all be done on a data  
9 washing basis?

10 A. Decisions relating to whether or not somebody should be  
11 investigated, whether or not intelligence needs to be  
12 taken further, almost always require a human to make  
13 a judgement.

14 SIR JOHN SAUNDERS: I think as we've isolated here, we're  
15 talking very much about whether Salman Abedi should have  
16 been made a subject of interest again at an earlier  
17 stage than the attack taking place. And essentially,  
18 that's a human decision?

19 A. Yes. Despite how far we can get on automation, there  
20 will always be that moment where a human needs to make  
21 a judgement in relation to something like that. There  
22 will be as much as we can do in terms of data and  
23 automation, but there will come a point still in our  
24 current and future systems where that needs to happen.

25 SIR JOHN SAUNDERS: I'm very bad at data, but is it possible



1 to develop a system which may flag up signs to people,  
2 investigators, to look at, so they put the information

3 into a computer and red flags can appear?

4 A. Yes. Clematis and Daffodil are examples of that. And  
5 we have other systems in place that enable us to flag up  
6 to the investigator the data that might be useful to  
7 them in making a judgement about an individual case. So  
8 yes, that's a key part of our automation.

9 SIR JOHN SAUNDERS: But at the time decisions were being  
10 made in this case, either that was not available or it  
11 certainly wasn't being used. So the information was not  
12 being put into a computer to see if any flags came up.  
13 Maybe the system wasn't available. When the decisions  
14 were made as to whether to make Salman Abedi an SOI  
15 again, post-him becoming closed, no one was assisted by  
16 a computer model or anything like that?

17 A. Yes, the investigator would have had access to a range  
18 of systems to make that judgement.

19 SIR JOHN SAUNDERS: And they were used? If you can't answer  
20 that, then --

21 A. They were used.

22 SIR JOHN SAUNDERS: Thank you.

23 SIR JAMES EADIE: Can I just take a step back? I will come  
24 to Clematis and Daffodil in a second and look at closed  
25 SOIs as a group. Is that group of particular interest



1 when compared to someone who's never been across your  
2 radar precisely because at one point in time they were  
3 subjects of interest? Is there anything of significance  
4 to that or not really?

5 A. It would be taken into account that we had previously  
6 investigated somebody, in fact our current systems and  
7 developments since 2017 have sought to put new  
8 intelligence on closed SOIs alongside new unsolicited  
9 intelligence so we are able to make clear judgements  
10 about that in a separated team that was having the  
11 benefit of all of that intelligence coming in.

12 Q. And if they had been an SOI prior to closure, and then  
13 a decision is taken to close them, that is presumably  
14 because someone has made a judgement, with or without  
15 the assistance of a computer, they've made the  
16 assessment that there is either little or not as much or  
17 nothing to see here, and so a decision has been taken to  
18 close?

19 A. That's right.

20 Q. But as we discussed earlier, that doesn't necessarily  
21 lead you to the conclusion that a new piece of  
22 intelligence that might come in in relation to them  
23 should not be viewed against the full mosaic of what had  
24 been available to you beforehand?

25 A. That's right.



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- 1 Q. And there are presumably many different ways in which  
2 you can design a set of systems surrounding the decision  
3 to close and then the decision potentially to re-open on  
4 the back of new intel coming in?
- 5 A. There are, yes.
- 6 Q. Was it that process that you described as challenging?
- 7 A. The process of making those judgements, I think as  
8 others have described, I think these are tough  
9 judgements based on very often an unclear intelligence  
10 picture.
- 11 Q. Was that challenge the principal motivating factor  
12 behind the design and introduction of the Clematis and  
13 Daffodil systems?
- 14 A. It was part of it, to ensure that we are giving to  
15 investigators material that may be useful to them in  
16 making those judgements.
- 17 Q. And that system, just give me the date on which those  
18 systems came in. Am I right in thinking it was  
19 post-Rigby ISC in 2015?
- 20 A. Yes. 2014 was the first time we started to use that.
- 21 SIR JOHN SAUNDERS: It's obviously very useful and  
22 I understand its use. Had it been thought of and would  
23 it have been possible to actually have a system like  
24 that operating before, did it really need Rigby to get  
25 you to do it?



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- 1 A. It was prompted, I think in part, by the developing  
2 problem we were seeing with Syria and the numbers of  
3 people, including significant numbers of closed SOIs,  
4 who were travelling to Syria, as well as of course  
5 influenced by the events of 2013. We did have systems  
6 in place before which I think the Lee Rigby report  
7 in the ISC report refers to by three different names.
- 8 SIR JOHN SAUNDERS: I'm afraid I haven't looked at that in  
9 detail, but I will do.
- 10 A. They didn't do the exact job of Clematis and Daffodil,  
11 but before Clematis and Daffodil we were seeking to spot  
12 engagement (^).
- 13 SIR JAMES EADIE: Is this an example of the thing being  
14 a bit more complicated than just a reaction to an  
15 atrocity or reaction to a murder? MI5, I think your  
16 evidence was, but please confirm or disagree, MI5 is in  
17 a permanent state of trying to improve by reference to  
18 a whole range of things, but unsurprisingly atrocities  
19 of this kind trigger very intensive review of all of  
20 that?
- 21 A. Yes, I think that would be fair.
- 22 SIR JOHN SAUNDERS: It's perfectly clear from the reviews,  
23 the one thing that was really highlighted, and

24 Lord Anderson talks about it quite a bit, is the greater  
25 use of data. I just wonder whether you needed the

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1 atrocities in 2017 to realise what could be done with  
2 using more data.

3 A. Before 2017, we had been looking at how we might do more  
4 with data. We established a data analysis branch in MI5  
5 for the first time in 2015, which sought to put real  
6 focus on this area, both in terms of the data and the  
7 analysis of it as a means of seeking to step up in MI5  
8 in that area. In 2017 we recognised we needed to do  
9 more in the wake of these attacks.

10 SIR JAMES EADIE: We obviously can't get into the details of  
11 how MI5's data systems work in an open session, but  
12 I imagine that MI5's business is data in a broad sense.  
13 Is this right, that what has developed over the years  
14 in the manner that we discussed a minute ago is the  
15 ability to analyse data by automated means?

16 A. Yes. That's right.

17 Q. Going back to Clematis and Daffodil, there was reference  
18 to priority indicators and the triggering of priority  
19 indicators. Is that the, if I can call it the  
20 electronic tripwire that you identified to the chairman  
21 in your answer to him a minute ago?

22 A. Yes.

23 Q. Does that mean, if you get that sort of triggering of  
24 a priority indicator, saying, "Look at this again", and  
25 you develop various systems for determining what they



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1 should be, if it is triggered does that mean that the  
2 individual should be investigated again or does it mean  
3 you should merely consider that?

4 A. It's a trigger, and I do want to just go back to your  
5 earlier question to make sure that I'm clear in terms of  
6 what the chair was asking. On that specific question,  
7 it highlights to a team that one of those triggers has  
8 been hit and then there is a further process by which we  
9 determine whether or not that person needs to be  
10 considered in a triage process for opening up a lead,  
11 and then possibly then an investigation.

12 Q. So that is a set of judgements that will be made, doing  
13 the thing that we talked about earlier, which is to  
14 produce the new piece of intel and set it alongside the  
15 mosaic that you had before in relation to the individual  
16 and then you make a judgement about whether there should  
17 even be an investigation or a re-opening of an  
18 investigation in relation to that individual? Is that  
19 how it works?

20 A. That's right, yes.

21 SIR JOHN SAUNDERS: I'm not saying it should have been done,  
22 has it been done retrospectively? So as it were, you  
23 took it through the process, forgot about the bomb going  
24 off and said we've triggered Clematis, what would have  
25 been the result if we'd looked at it then? Or has that

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1 not been done?

2 A. I don't think we did that in that way in the post-attack  
3 review. I've looked at that. Again, it's a speculative  
4 process. My judgement on that, based on the indicator  
5 hit and subsequent contact, leads me to conclude that no  
6 sort of different -- where we concluded we could have  
7 conducted some form of ports action.

8 SIR JAMES EADIE: Can I take it back a step before coming to  
9 Salman Abedi's case in more detail? In relation to the  
10 generalities, we've dealt with the first judgement,  
11 which is whether or not an investigation should be  
12 re-opened. Is there a second judgement, which is even  
13 if the decision is to investigate, how much resource,  
14 what level of intensity should that investigation  
15 attract? Is that judgement based on -- well, first of  
16 all, is that the second judgement?

17 A. That's right, yes.



18 Q. And if that is the second judgement, presumably that is  
19 made, is it, based on the full mosaic, including the new  
20 intelligence, which tripped the priority indicator, plus  
21 what you had before on the file?

22 A. That's right, yes.

23 Q. Part of that judgement, is this right, would involve  
24 a question about the urgency with which a review should  
25 be undertaken, if there has been a trip, and obviously

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1 what level of resource to commit to it if resource is to  
2 be committed to it, but is there a judgement around how  
3 urgent the Clematis or Daffodil review process should  
4 be?

5 A. When we move into the Daffodil process to determine  
6 whether or not the intelligence that we have at the time  
7 requires further investigation or further development,  
8 yes, of course it would depend on the information we  
9 had. If we had at that point concerning intelligence,  
10 for example indicating that the individual was engaged  
11 in terrorism, then that would determine the response in  
12 terms of how fast we moved.

13 Q. So it all depends on the nature of the new intelligence,  
14 coupled with the old intelligence, coupled with the  
15 intensity of the threats you're facing?

16 A. That's right.

17 Q. Is that why you didn't accept the proposition I think  
18 Mr Weatherby might have put to you, the points he made  
19 about the number of pieces of open source material,  
20 including Ramadan and so on? Was that the basis of your  
21 not accepting the points that he was putting to you  
22 about that?

23 A. Yes, I think that's fair. I just want to be clear  
24 about --

25 Q. I think the point he was putting to you was it might all

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1 be to do with privacy. But was it to do with the  
2 effective use of resources and the targeting of your  
3 resource capabilities?

4 A. Yes. Yes, it would be absolutely determined by the  
5 information we had at the time and the extent to which  
6 we then sought to gather intelligence more broadly  
7 around that individual would be determined by the nature  
8 of the intelligence we had and if it was significant  
9 intelligence pointing to a threat then we might have  
10 open to us a range of options to deploy more intrusive  
11 resources. But very rarely would it extend to the sort  
12 of level of coverage that was being described or  
13 suggested before.

14 SIR JOHN SAUNDERS: I need to understand this a bit more.  
15 Are you saying that when Clematis triggered the response  
16 and then at some stage it was given a date, which was  
17 after 22 May when it had been considered, are you saying  
18 that some person considered the information which had  
19 triggered it, considered all the other relevant  
20 information and decided that in terms of the urgency, it  
21 was not urgent for you to initiate the further process  
22 after the triggering? That's very inelegantly put, I'm  
23 sorry. Do you understand what I'm getting at? Did  
24 someone actually look at it all after the triggering and  
25 say, okay, we don't need to consider this very urgently?

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1 A. I think the process on 3 March and 1 May, the first two  
2 stages, were set. There weren't individual processes or  
3 subsets of processes. So the point about what to do  
4 next and with what urgency would have been at the third  
5 stage when we are determining with what priority would  
6 we proceed with any lead or investigation.

7 SIR JOHN SAUNDERS: When did that happen?

8 A. That was the process that would have been due to have  
9 happened on 31 May.

10 SIR JOHN SAUNDERS: So after the event, yes. Okay.

11 SIR JAMES EADIE: Can I test that a little bit? Is that

12 a question which is dependent upon the nature of new  
13 intelligence? Suppose you have an absolutely cast iron  
14 indicator that someone was planning an atrocity, so  
15 straightforward, really serious, really hard-edged  
16 attack planning. Is the position that you'd be stuck  
17 with 3 March and 1 May, whatever the first two dates  
18 are?

19 A. I would be surprised if Clematis and Daffodil would be  
20 the first place that we would hear about that, and if it  
21 was, then I would expect at the first stage for us to be  
22 flagging that very quickly for an investigator to take  
23 forward.

24 Q. In relation to Salman Abedi, what you were dealing with  
25 at that stage in March was a possible re-engagement with

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1 terrorist activity was the indicator at the time?

2 A. That's right, that's what the indicators were designed  
3 to spot and it was an indicator rather than intelligence  
4 that specifically pointed to that.

5 Q. And given the nature of that new intelligence, as it  
6 were, that indicator trip, was that something which  
7 perhaps looking back on it you would expect should have  
8 triggered a more immediate reaction?

9 A. No.

10 Q. Can I move to a slightly different topic, which is the  
11 question of Prevent and re-reviewing for Prevent  
12 purposes in the possibility of re-reviewing for Prevent  
13 purposes in 2015. I think it was put to you that that  
14 needed to be re-done in 2015, there were plenty of  
15 indicators to require you to do that. Can I ask you  
16 this question: first of all, would that process, if  
17 applied to Salman Abedi and what you knew about  
18 Salman Abedi in 2015, would that same logic in effect  
19 have required you to re-review all the 20,000-odd closed  
20 subjects of interest? Was there anything to distinguish  
21 his case from that perspective with the other ones?

22 A. No, not specifically.

23 Q. How much work, I think it was Mr Atkinson who put these  
24 points to you, would it be to gather even the  
25 intelligence that Mr Atkinson was referring you to and



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1 saying you should have dragged together for that  
2 purpose? Even in Mr Abedi's case.

3 A. It would have required us to, if we had seen  
4 intelligence in this process, as described prompted the  
5 triggering of some type of Prevent consideration --  
6 would have required us to spend a significant amount of  
7 time building that intelligence picture from a range of

8 sources to get to the level that was described in terms  
9 of the sort of picture we had.

10 SIR JOHN SAUNDERS: Let's look at that for a moment because  
11 I'm concerned about the non-reference to Prevent as  
12 you'll have noticed. The 2015 date I think was taken  
13 because of the legislation coming in in 2015 or at least  
14 MI5 thinking they should be looking at these matters.  
15 Why did it have to be done by MI5? So you have 20,000  
16 people, I do understand the size of the difficulty and  
17 you said you'd really be nothing doing else. Actually,  
18 the duty is on the police, with whom you work, clearly,  
19 they do have more resources, I'm sure they're not  
20 limitless, but they do have more resources. Did you  
21 consider saying, these do need to be considered for  
22 Prevent, here you are, individual police forces, CT  
23 police, these are in your area, you deal with it?

24 A. The police would have had a picture of Salman Abedi  
25 at the time and would have been aware of intelligence



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1 relating to him and would also have been able to draw on  
2 material that they had in their possession. It is,  
3 of course, a matter for them or any other public body  
4 with the Prevent duty to consider referring. We have  
5 some clear responsibilities too around this, I think,

6           which is we do need to -- our investigators are trained  
7           to understand what Prevent offers and are able to make  
8           those judgements. But I accept that there's also  
9           an important role for the police.

10   SIR JOHN SAUNDERS: 2015, you realised that actually you  
11           should be looking before you close an SOI at whether  
12           a Prevent reference is suitable. So partly your  
13           responsibility at the time, for whatever reason it  
14           wasn't MI5's policy at the time, then it becomes MI5  
15           policy. You can't really say, can you, it's down to the  
16           police now, without actually informing them, we should  
17           have all been doing this together?

18   A. Yes, absolutely. It's something that we should be  
19           considering together, particularly when we are closing  
20           an SOI. But that is and still is the primary moment for  
21           us to consider a Prevent referral and to be clear, sir,  
22           it wasn't a policy in 2015 or 2016 in MI5, it is now, to  
23           consider a Prevent referral on closure and we do do it  
24           jointly and we do completely recognise that we have  
25           clear responsibilities around it.



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1   SIR JOHN SAUNDERS: You may not be able to tell me. Is  
2           there any good reason why it wasn't part of your policy  
3           in 2015 and 2016?

4 A. I think it's something we recognise that we needed  
5 clearer policy around. I can't say to you why it wasn't  
6 in place at that time.

7 SIR JOHN SAUNDERS: Let me make it clear, I am not  
8 suggesting for a moment necessarily it would happen that  
9 Salman Abedi would have been deradicalised. I just  
10 don't know. All I'm suggesting is that it's an option  
11 which perhaps, looking back, should have been more  
12 seriously considered.

13 SIR JAMES EADIE: I want to address, if I may, because this  
14 is the thrust of the questioning that you were asked by  
15 Mr Atkinson, the technique of the questioning was to  
16 take a whole bunch of intelligence and/or information  
17 that was only available post the actual closure in 2014,  
18 adding it to in 2015, on the basis that those pieces of  
19 information had been discovered in the hindsight review  
20 that followed the bombing, then put them to you and say,  
21 re-review. And so the questions that I was asking were  
22 designed to flush out the degree of work that would have  
23 been associated and how realistic it was that you would  
24 have actually had access to all of those piece he is of  
25 intel to put alongside a decision as to whether or not





2 A. Yes. To have got the sort of picture that was described  
3 and that is built from our understanding after the  
4 attack would have required MI5 to have committed  
5 significant resources, some of which would have needed  
6 to be intrusive in order to obtain that picture.

7 Q. Can I move --

8 SIR JOHN SAUNDERS: We will look obviously, because  
9 Mr Atkinson won't necessarily know, at what information  
10 you did have in 2015. But he will understand the need  
11 to retrain himself how to ask questions, I have no  
12 doubt.

13 SIR JAMES EADIE: Can I turn to cumulative picture? And  
14 again, to some extent, is this right, one has to strip  
15 away the benefit of hindsight with this if you're trying  
16 to do a cumulative picture at the time?

17 A. Yes.

18 Q. And association with various individuals was put to you,  
19 particularly by Mr Cooper. Presumably, it is of  
20 interest, is it, that a person who is or has been  
21 a subject of interest has been or is associating with  
22 extremists?

23 A. It can be of interest.

24 Q. You were at the time, were you, can you confidently say  
25 this, well aware of those concerns, but regarded them as

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- 1 relative? Is that a fair description?
- 2 A. Yes, that's fair.
- 3 Q. The level of interest depends, does it, on a series of
- 4 factors, how intense your interest would be depends upon
- 5 who they are associating with?
- 6 A. Yes.
- 7 Q. What the content of that association is to the extent
- 8 that you know?
- 9 A. Yes.
- 10 Q. What that other person might have been doing or has
- 11 done?
- 12 A. Yes.
- 13 Q. And also on the nature of the association itself?
- 14 A. That's right.
- 15 Q. How many, just to come to second level contacts for
- 16 a moment, which was part of this cumulative picture that
- 17 was being put to you -- perhaps you'd better just tell
- 18 us what a second level contact is. Define a second
- 19 level contact for us.
- 20 A. A second level contact is a contact of a contact. So if
- 21 we have a subject of interest, we may, through our
- 22 capabilities or other capabilities, seek to understand
- 23 not just who they are in contact with directly but who
- 24 the people they are in contact with directly are also in
- 25 contact with.



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- 1 Q. How many of those, if you were to investigate,  
2 associations which might or might not have extremism  
3 attached to them in various forms and assume you were  
4 dealing with second level contacts and you were looking  
5 to investigate those in relation to any individual,  
6 is that a big number, a small number?
- 7 A. Well, obviously it'll be case by case, but generally  
8 speaking that will be a large number.
- 9 SIR JOHN SAUNDERS: It will be case by case because it's the  
10 circumstances of the second level contact that can  
11 matter and be quite instructive to MI5 if they need to  
12 look into it?
- 13 A. Yes. It can be a useful way to identify somebody if the  
14 person in the middle, for example, is unknown or if  
15 there's some sort of connection that is in some way  
16 obfuscated, but generally speaking in broad terms if an  
17 individual is in contact with in their daily lives 100  
18 people, then the second level contacts of those 100  
19 of course will then multiply.
- 20 SIR JOHN SAUNDERS: I well understand that and the nature  
21 of -- I'm trying to say that you just don't operate on  
22 a sort of basic level like that, you're looking at  
23 where, when, in what circumstances, the second level  
24 contact may -- decide the importance of it.

25 A. Yes. We seek to be, in our investigations, we seek to

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1 understand these types of potential connections in order  
2 that we might be able to identify a threat that isn't  
3 obvious through a direct contact.

4 SIR JAMES EADIE: Presumably in relation to second level  
5 contacts there may need to be a pretty serious  
6 commitment of resource in order to enable you properly  
7 to understand these basic relative questions about how  
8 important that contact might or might not be?

9 A. Yes, that's right.

10 Q. You were asked various questions about the community in  
11 which Salman Abedi lived and you were very clear, is  
12 this right, that you don't investigate communities?  
13 Individuals are your focus, is that right?

14 A. Yes.

15 Q. You were then asked a series of questions about travel  
16 to Libya as distinct from Syria. And you drew  
17 a distinction between travel to Libya and travel to  
18 Syria. Can you just explain very briefly again why  
19 it is that you saw a difference between travel to Libya  
20 on the one hand and travel to Syria on the other?

21 A. From 2014, when Islamic State started to establish  
22 itself in Syria, and we started to see individuals

23 travelling out to Syria from the UK and then coming back  
24 later, not all of those were engaged in terrorism but  
25 a significant proportion were. And in many cases, there

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1 was no legitimate purpose for them to be going to Syria.

2 In contrast to Libya, where, whilst there was  
3 Islamic State present from 2014 and there was a growing  
4 presence there, very often individuals travelling to  
5 Libya from the UK would be travelling there for purposes  
6 other than terrorism. I think the proportions were just  
7 quite different.

8 Q. So does that mean that you were unaware of or  
9 unconcerned about potential threats posed by people who  
10 travelled to Libya?

11 A. No. Where we had intelligence indicating that somebody  
12 was travelling there for a terrorist purpose or  
13 in relation to any type of threat to the UK, then as an  
14 organisation we would have been looking at that  
15 intelligence and opening an investigation where  
16 appropriate.

17 SIR JOHN SAUNDERS: You may well not be able to answer this.  
18 Was your coverage of what was going on in Syria greater  
19 than your coverage of what was going on in Libya?  
20 Please don't answer that if it's something that I should

21 be asking you in closed and not in open, which it may  
22 well be.  
23 A. Sir, I think you can take from how serious the threat  
24 was in relation to Syria that we would have been very  
25 focused on that region. Quite properly, of course, as

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1 the UK national security agency, we would be focused  
2 (inaudible) partners for overseas matters.  
3 SIR JAMES EADIE: So the differences, if I can summarise,  
4 and tell me if this is accurate, the differences between  
5 Libya and Syria from your perspective in terms of  
6 assessing the threats that might be posed by individuals  
7 travelling to each of those places was one of degree  
8 rather than kind?  
9 A. Yes.  
10 Q. In relation to the cumulative picture, perhaps one final  
11 question, which is to ask whether there is  
12 a distinction, and if so how important it is, between  
13 a picture which demonstrates that an individual is  
14 involved in extremism, which can take lots of forms, no  
15 doubt, and intelligence that comes in to you that  
16 indicates that an individual is or may be involved in  
17 attack planning. How important is that distinction?  
18 A. It's very important. Based on our work, we know there

19 are many, many people who are engaged in extremism or  
20 have an extremist mindset and then there is a subset of  
21 that group of individuals who seek to mobilise and  
22 engage in some form of terrorist activity or in an  
23 attack.

24 Q. When you say many, many people, we've looked at numbers  
25 that go from 500 to 3,000 to the 20,000 to 40,000 group.

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1 Is the number of people who come across your radar who  
2 might be involved in extremism to a greater or lesser  
3 extent, but just that, not attack planning, a bigger  
4 number than 20,000 or 40,000?

5 A. I'd say it's tens of thousands, yes.

6 Q. Is that distinction between mere involvement in  
7 extremism, if one can call it that, and attack planning,  
8 have I got this right from your answers, is that the  
9 prime indicator for the direction of your, that's MI5's  
10 resources, investigatory resources?

11 A. I think it would be one of the prime indicators,  
12 certainly. If we see indications that somebody is  
13 mobilising towards an attack then that would be  
14 a primary indicator, just as indicators of other forms  
15 of terrorist activity that may not be at the threshold  
16 of attack planning but it's still more than just

17 possessing extremist beliefs and moving towards.  
18 Q. Ports action. Just so we are clear, particularly in  
19 light of some of the reporting that appears to have  
20 happened overnight, a port stop is not a stop,  
21 am I right? In other words it doesn't exclude an  
22 individual from the United Kingdom?  
23 A. No, we've been talking primarily about schedule 7 of  
24 TACT and that's obviously a police power that isn't  
25 characterised necessarily as a stop.

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1 Q. It doesn't operate to exclude the individual from the  
2 United Kingdom, it's a questioning mechanism?  
3 A. Yes.  
4 SIR JOHN SAUNDERS: People can be detained for up to  
5 6 hours.  
6 A. Yes.  
7 SIR JOHN SAUNDERS: And there are powers for taking things  
8 off them.  
9 A. Yes.  
10 SIR JOHN SAUNDERS: It may mean you miss your flight if  
11 you're going out of country.  
12 A. Yes, and there are other powers that can be used in  
13 terms of preventing someone's entry to the  
14 United Kingdom or other powers.



15 SIR JAMES EADIE: We perhaps don't need to get into the  
16 intricacies of the legalities of all of that.

17 Coming to Salman Abedi, if I may, has MI5 formed any  
18 view or assessment about the level of security awareness  
19 which Salman Abedi was demonstrating in the run-up to  
20 the attack? In other words, in that period in May?

21 SIR JOHN SAUNDERS: Since his return or before he goes out?

22 SIR JAMES EADIE: Either one.

23 A. I think from what we now know, and from the analysis  
24 from the post-incident investigation, we can see  
25 behaviours that are consistent with him having a fair

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1 degree of security awareness.

2 Q. If we focus very particularly on the moment he gets off  
3 the plane, we know, is this right, that he buys the  
4 SIM card?

5 A. Yes.

6 Q. After he's gone through arrivals?

7 A. Yes.

8 Q. We know that members of his family had in fact been port  
9 stopped themselves?

10 A. Yes. I think that's something which I haven't spent any  
11 time responding to, just because of the challenges of  
12 confirming or denying that.

13 Q. I understand that.

14 A. But I'm aware of the reports from others.

15 Q. So any view or assessment that MI5 might have formed on  
16 how likely it is in those circumstances that he would  
17 have come through the port knowing, as we now know that  
18 he was planning to bomb, that he would have come through  
19 the port with incriminating material on him, any  
20 assessment about that at that stage?

21 A. Based on our understanding of the behaviours he was  
22 showing after he arrived, and to some extent in the  
23 lead-up to him departing for Libya, on what we know now,  
24 then yes, forming an assessment about whether or not he  
25 would be carrying incriminating material, we'd draw on

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1 that and it would inform our assessment or whether or  
2 not there would be anything to be gained from --

3 SIR JOHN SAUNDERS: This goes to the expert panel  
4 assessment, doesn't it?

5 SIR JAMES EADIE: It does.

6 SIR JOHN SAUNDERS: Are you saying that they actually took  
7 that into account or it's something you're taking into  
8 account when you say you agree with it, the assessment?  
9 Did they actually positively consider the likelihood of  
10 there being any incriminating evidence with Salman Abedi

11 when he came through the port?

12 A. I believe they did, sir, and I certainly have.

13 I haven't got all of the notes of those meetings, but --

14 SIR JOHN SAUNDERS: A slightly risky assessment to have made  
15 if you're making it beforehand?

16 A. Yes. They had a comprehensive understanding at the time  
17 that they conducted the review of what was available  
18 in the post-incident investigation, so they would have  
19 been aware of that material.

20 SIR JOHN SAUNDERS: Just for an example, he had not  
21 constructed the bomb completely by then, probably. So  
22 he needed some instructions on how to complete the bomb  
23 construction. If he needed that, he may well have  
24 brought it in on a phone? Was that considered by the  
25 panel?

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1 A. Again I don't know the specifics of exactly what they  
2 considered, but they did have available to them the  
3 material that was coming from the post-incident  
4 investigation in order to make those judgements.

5 SIR JOHN SAUNDERS: Thank you.

6 SIR JAMES EADIE: That was a period of 4 days between his  
7 arrival back in the country and the bombing?

8 A. That is right.

9 Q. Would a subject of a port stop know that MI5 were  
10 interested in them and/or would they know that MI5 had  
11 asked for the port stop?  
12 A. They wouldn't know that specifically, no.  
13 Q. Was there in the assessment of MI5, and this goes to the  
14 subject of questioning from Mr Weatherby about following  
15 people jumping into taxis, going from a bus into a taxi  
16 and so on -- was there any realistic basis in your  
17 assessment on surveillance on return?  
18 A. I think that would have required intelligence to be  
19 received, which would have trumped other very high  
20 priority investigations to warrant that type of  
21 response.  
22 SIR JOHN SAUNDERS: That will be looked at very carefully in  
23 closed.  
24 SIR JAMES EADIE: Can I finish with reviews. I think it's  
25 right that you accepted Mr Atkinson's general point that

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1 there is in MI5 a need to learn, both proactively and  
2 reactively, do you understand what I mean by that?  
3 A. I do, yes.  
4 Q. Do you accept that?  
5 A. I do, yes.  
6 Q. Just to focus on the "proactively" bit, we know they try

7 to learn reactively after a ghastly event of this kind.  
8 Do MI5 do so, is there a process of continual attempt to  
9 learn lessons?  
10 A. Yes, there is.  
11 Q. Including, for example, lessons that you might learn  
12 from foiled plots, plots which you have successfully  
13 prevented from coming to fruition?  
14 A. Yes.  
15 Q. And from other matters generally, is that right?  
16 A. That's right, yes.  
17 Q. Perhaps if I can finish by asking you this open-ended  
18 question. What is your personal attitude as a person  
19 about to go into the job that you're about to go into,  
20 what is your personal attitude to the learning of  
21 lessons in both of those ways?  
22 A. That we are driven as an organisation and I am  
23 personally as part of my organisation to identify where  
24 we might improve, where we might get better, from our  
25 work and that that's something that we, all of us in



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1 MI5, do every day.  
2 Q. That probably answers my final question. To the extent  
3 that you can comment, is that attitude to learning  
4 lessons that you personally have one which is, as it

5 were, culturally shared within your organisation?

6 A. Yes, it is.

7 SIR JAMES EADIE: Thank you. I have nothing else.

8 SIR JOHN SAUNDERS: You'll understand, Witness J, that the  
9 concerns of the families are not simply whether lessons  
10 have been learned, there's also the question why they  
11 weren't learned before, which is why some of the  
12 questions have gone the way they have. Thank you very  
13 much.

14 First of all, I want to thank Witness J for the  
15 evidence you have given. Everyone will appreciate you  
16 had nothing to do with this particular case at all. It  
17 has involved a huge amount of hard work on your behalf,  
18 looking through material and assessing it, so thank you  
19 very much for all that hard work and the answers  
20 you have given me.

21 Can I thank all the advocates for keeping to well to  
22 the timetable. I'm aware I probably irritated all of  
23 you by asking questions, but I assume I'm permitted to  
24 do that because at the end of the day I am the  
25 fact-finder.



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1 Is there anything that can't be reported?

2 SIR JAMES EADIE: No.

3 SIR JOHN SAUNDERS: Thank you.

4 Mr Cooper, I will give you the last word.

5 MR COOPER: I'm grateful, sir. As you and your team know,  
6 I was given a short statement from those we represent  
7 and I have shown my learned friends for the other  
8 families. I'm afraid I haven't had an opportunity to  
9 show it to Mr Welch.

10 Our families say this:

11 "From the limited information we have been able to  
12 see, hear and read, it seems clear to us, the families  
13 of those who were killed on the night of 22 May 2017,  
14 that there has been significant failing by MI5 that  
15 needs to be addressed. We are not able to be part of  
16 the closed session, but we urge you on behalf of those  
17 that were murdered on that night to fully cooperate with  
18 the inquiry in those closed sessions, to be humble,  
19 accountable and fully open with the inquiry legal team.  
20 Do not fail us again."

21 SIR JOHN SAUNDERS: Thank you, Mr Cooper. Having said I'll  
22 give you the last word, I'm going to say something  
23 myself. Clearly, I am the person eventually in my  
24 report who will decide whether there were failings, what  
25 should have been done, what will be done, and I will do



1 that to the best of my ability.

2 For those who criticise -- and they are entitled to  
3 have their own views -- the fact of a closed hearing,  
4 they should bear in mind that if there were not a closed  
5 hearing, that would be the end of it as far as their  
6 knowledge of what went on with MI5 because the others  
7 could not be revealed for national security purposes.  
8 So the result of having this process is that the  
9 questions that you want asked will be asked and I'm  
10 going to ask all the advocates, please, one from each  
11 team, obviously, if there are particular areas which you  
12 want us to look at, then in a concise way, as I am sure  
13 you will, please tell us.

14 If I can highlight, Mr Weatherby, there was a huge  
15 amount of information in what we heard today and  
16 it would help me enormously if you could isolate down  
17 the points that you want investigating and we'll make  
18 sure they are.

19 MR WEATHERBY: I will happily do that.

20 SIR JOHN SAUNDERS: Thank you.

21 MR COOPER: If it reassures you, sir, I have had  
22 conversations with the majority of my learned friends  
23 today, precisely suggesting that we put together  
24 a document with themes and questions that we would  
25 encourage be covered in closed session.





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1 SIR JOHN SAUNDERS: Thank you. We've obviously listened  
2 carefully to the questions you have asked and the themes  
3 you've gone through, but it would help us to have that  
4 in writing as well.

5 MR COOPER: I'm sure the families would see that as a way of  
6 participating, at least in some way.

7 SIR JOHN SAUNDERS: Absolutely.

8 MR COOPER: Thank you.

9 SIR JOHN SAUNDERS: I know it's not what they want, but it's  
10 what we can do.

11 SIR JAMES EADIE: Sir, I don't want to say much in response  
12 to the comments and the views expressed by the families;  
13 of course, we respect their views. We acknowledge that  
14 the very purpose of this inquiry is to investigate fully  
15 and fairly whether there were indeed failings, judged by  
16 whatever standard is appropriate. But I can give at  
17 least three points, if I may, of reassurance.

18 First of all, as Mr Greaney made entirely clear in  
19 opening, there has been to date the fullest and most  
20 complete cooperation by MI5 and we will continue to do  
21 so. That's the first point.

22 The second point is that it has also been indicated  
23 by Witness J repeatedly in his open evidence that he  
24 will answer any question that the inquiry or others see  
25 fit to put to him in the closed session. So let there



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1 be no doubt but that that process will be a rigorous  
2 one.

3 And finally, we do say that the urging of full  
4 cooperation, whilst we quite understand it, from the  
5 families is unnecessary in circumstances in which the  
6 agencies, as Witness J has explained, again repeatedly  
7 in his open evidence, are as determined as everyone else  
8 to learn the lessons that can be and should be learned  
9 from this incident so they can better perform their  
10 principal, perhaps sole, function, which is to try as  
11 effectively as possible to protect the public.

12 SIR JOHN SAUNDERS: Thank you very much.

13 (5.02 pm)

14 (The inquiry adjourned until 9.30 am on  
15 Wednesday, 27 October 2021)

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