

OPUS2

Manchester Arena Inquiry

Day 168

October 27, 2021

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Wednesday, 27 October 2021

1
2 (9.30 am)
3 (Delay in proceedings)
4 (9.41 am)
5 DCS DOMINIC SCALLY (affirmed)
6 Questions from MR DE LA POER
7 MR DE LA POER: We will just begin, please, by you giving us
8 your full name.
9 A. Dominic John Scally.
10 Q. Is it right that you are a detective
11 chief superintendent within the Greater Manchester
12 Police?
13 A. That's correct.
14 Q. I understand that before I begin my questions, there is
15 something that you want to say.
16 A. Yes, thank you. Earlier in this inquiry, Assistant
17 Commissioner Neil Basu, on behalf of the whole
18 CT Policing network, expressed his deepest sympathies
19 and respects to the families of those who died and all
20 who were affected by this event.
21 On behalf of my colleagues within the North-west
22 Counter-terrorism Policing Unit, I wanted to both echo
23 and reaffirm those thoughts. We work hard every day to
24 protect our communities from terrorism and I know that
25 it is a source of great regret that we failed to prevent

1

1 this attack.
2 Q. Thank you. Before I begin my questions, there's
3 something that I need to make clear, as Mr Greaney did.
4 As everyone who is following these proceedings knows,
5 in addition to your evidence today, you will be giving
6 evidence during the closed hearings in the coming
7 3 weeks. It's important that you and everyone listening
8 understands that the approach I will be taking to my
9 questions is influenced by that fact and in this way
10 I'll be taking the same approach to that taken by
11 Mr Greaney in relation to Witness J.
12 The effect of this is that there will be occasions
13 today when I don't press you on your answers or
14 otherwise challenge when in other circumstances it would
15 have been appropriate for me to do so. Obviously, in me
16 taking this approach, that applies as no limit on the
17 approach taken by those representing other core
18 participants. But all listening can be reassured that
19 when in closed, all members of the counsel to the
20 inquiry team will resume the approach to questioning
21 which has been evident to all until this week.
22 That said, detective chief superintendent, I'm
23 beginning at your paragraph 6 of your witness statement
24 and we will just take a whistle-stop tour through your
25 career in order to introduce who you are.

2

1 Is it right that you joined Greater Manchester
2 Police in 1992?
3 A. Yes.
4 Q. That by 2006 and from that point on, did you work almost
5 exclusively in investigative departments as a senior
6 detective?
7 A. That's correct.
8 Q. In 2012, were you promoted to the rank of temporary
9 detective superintendent?
10 A. Yes.
11 Q. And did you also hold the position of senior
12 investigating officer within the major incident team?
13 A. I did.
14 Q. In December 2012, did you become the head of
15 investigations for the North-west Counter-terrorism
16 Unit?
17 A. Yes.
18 Q. In early 2017, did you take on the position of head of
19 intelligence?
20 A. Yes, I did.
21 Q. And were you in that position at the time of the attack?
22 A. Yes.
23 Q. Shortly after the attack, July 2017, were you promoted
24 to the position of regional coordinator for the
25 North-west Counter-terrorism Unit?

3

1 A. I was, yes.
2 Q. Around that time, were you promoted to the rank of
3 temporary detective chief superintendent?
4 A. Yes.
5 Q. Completing the review of your career history, in June of
6 2019 were you promoted to the substantive rank of
7 detective chief superintendent?
8 A. Yes.
9 Q. And that is the rank you hold today?
10 A. It is.
11 Q. We need to just clear up some language to help everybody
12 understand the acronyms that we are going to speak
13 about. Is it right that until April 2018, the unit that
14 you work for was known as the North-west
15 Counter-terrorism Unit?
16 A. That's correct.
17 Q. We'll see it in documents as the NWCTU?
18 A. Yes.
19 Q. But in April 2018, did it become Counter-Terrorism
20 Policing North West?
21 A. That's correct.
22 Q. And so far as your title was concerned, until the name
23 change, was the person most senior within that
24 organisation known as the regional coordinator?
25 A. Yes.

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1 Q. So in July 2017, you effectively became the head of
 2 North-west Counter-terrorism Unit as it was known then?
 3 A. Yes.
 4 Q. But upon the unit changing its name to Counter-Terrorism
 5 Policing North West, was your role retitled as head?
 6 A. Yes.
 7 Q. Which police forces make up the north-west group,
 8 please?
 9 A. It's the five regional forces: Greater Manchester,
 10 Cumbria, Lancashire, Merseyside and Cheshire.
 11 Q. So we just need to understand where this unit sits
 12 within the national picture. You are a Greater
 13 Manchester police officer?
 14 A. I am, yes.
 15 Q. Does that mean that they pay your salary?
 16 A. They do, yes.
 17 Q. But your role of head of Counter-Terrorism Policing
 18 North West, as it is now, involves you being answerable
 19 to five chief constables; is that correct?
 20 A. That's correct.
 21 Q. In addition, do you hold a role with national
 22 responsibility?
 23 A. I do, yes.
 24 Q. What is that, please?
 25 A. I'm what's called a capability lead for intelligence and

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1 I'm responsible within the National Counter-terrorism
 2 Network for the intelligence function.
 3 Q. So in that role, are you answerable to the senior
 4 national coordinator --
 5 A. Yes.
 6 Q. -- of counter-terrorism?
 7 A. Yes.
 8 Q. And that person, as we know, on the night of the attack,
 9 was a person you've already referred to already, as
 10 he was then, Deputy Assistant Commissioner Basu?
 11 A. That's correct.
 12 Q. We're just going to understand a little more about the
 13 arrangements for Counter-terrorism Policing. Is it
 14 right that Counter-terrorism Policing has, within the
 15 government's counter-terrorism strategy of CONTEST,
 16 a substantial role to play under the Pursue arm of
 17 CONTEST?
 18 A. Yes, we do.
 19 Q. Does it also have a substantial role to play under
 20 the Prevent strand?
 21 A. Yes.
 22 Q. In your statement, you speak about two different types
 23 of regional units: counter-terrorism intelligence units
 24 and counter-terrorism units. In a couple of sentences,
 25 please explain to us the difference between those two.

6

1 A. Counter-terrorism units were sited in the larger
 2 metropolitan areas, West Midlands, West Yorkshire, here
 3 and elsewhere, and they have extra capabilities that
 4 they can apply in that region in the Pursue space,
 5 particularly around investigations, surveillance and
 6 covert operations. Together with the CTIUs, we all have
 7 a function to collect and gather intelligence and
 8 support our partners to deliver Prevent. So they just
 9 have some extra capabilities.
 10 Q. Essentially, if you're dealing with a large metropolitan
 11 area, it's going to be a counter-terrorism unit that has
 12 responsibility for that; if we're dealing with more
 13 suburban or rural areas it's likely they will fall under
 14 a CTIU?
 15 A. That's correct.
 16 Q. In your statement, you speak about Special Branch.
 17 Can you tell us again in a couple of sentences what the
 18 Special Branch is?
 19 A. Yes. Historically, in the north-west, we would have had
 20 Special Branch units which were funded locally, whereas
 21 we in CTUs were funded nationally through a grant.
 22 Within the north-west now we have collaborated, so
 23 we have a legal collaboration, and we are a single unit.
 24 That is still part funded locally, part funded
 25 nationally, but that position may change, we think,

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1 within the next year.
 2 Q. Is it right that in the period up to and including 2017,
 3 there was no legal collaboration agreement between
 4 regional counter-terrorism units and the Special Branch?
 5 A. That's correct. We co-operated and had memorandums of
 6 understanding, but there was no legal underpinning to
 7 that.
 8 Q. People might find that a surprising state of affairs.
 9 Let's just clear it up in terms of whether or not that
 10 lack of a formal legal collaboration agreement made any
 11 difference to the events of May 2017.
 12 A. No, not at all.
 13 Q. We heard from your colleague in Greater Manchester
 14 Police, Detective Chief Constable Pilling, in relation
 15 to the effect on Greater Manchester Police of the
 16 austerity cost cuts. He displayed graphically through
 17 a table how that affected boots on the ground. He also
 18 told us, in terms of GMP, there was an effect on
 19 planning and there was an effect on firearms planning,
 20 and you'll be aware, I know, of that evidence.
 21 You were working for a regional unit. Was that unit
 22 affected by austerity funding cuts?
 23 A. No. We are separately funded, directly by a grant
 24 that's given to the network and then distributed to the
 25 region. So although we are subject to spending reviews

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1 and efficiency reviews, they are in a different cycle to
 2 what I would call mainstream policing.
 3 Q. So let's just deal with this issue head on at this
 4 stage: in your view, was funding or resourcing
 5 a significant factor in the way that Salman Abedi was
 6 dealt with?
 7 A. No.
 8 Q. So insofar as the chairman concludes that thing could
 9 have been done better, you would not say that was
 10 because the Counter-terrorism North West was underfunded
 11 or under-resourced?
 12 A. No. I think I'd reflect Witness J's approach.
 13 Certainly when I arrived in 2013, I think there was some
 14 capacity there. That was certainly then soaked up
 15 heavily by the Syria response, but as far as I am
 16 concerned, that wasn't -- didn't impact on our ability
 17 to manage these issues.
 18 SIR JOHN SAUNDERS: I think you watched Witness J's
 19 evidence?
 20 A. Yes.
 21 SIR JOHN SAUNDERS: So I was perhaps saying to him, and see
 22 if you agree, that resources tend to follow demand.
 23 A. Yes.
 24 SIR JOHN SAUNDERS: So the increased demand caused by Syria
 25 may have led to a need for greater resources. Did that

1 happen? It's very difficult to predict demand,
 2 I suspect, in the terrorism world.
 3 A. As I say, when I arrived, having come from a homicide,
 4 major crime unit, there was some capacity in my view,
 5 certainly within the investigations function and others,
 6 and that was good because it allowed people to train and
 7 plan. That capacity was soaked up, certainly by the
 8 Syria crisis, and I put some figures in terms of the
 9 increase in demand. After 2017 there was further
 10 investment that did come in, in response to that, but
 11 I would say in 2016/2017, we were working hard and
 12 working at capacity.
 13 SIR JOHN SAUNDERS: Right, thank you.
 14 MR DE LA POER: I think what you indicated by way of
 15 numbers, and here I'm looking at your statement at
 16 paragraph 41, you say:
 17 "There was a general increase in volume of
 18 investigations year-on-year between 2015 and 2018."
 19 And you go on to indicate that there were 100% more
 20 investigations opened in 2016 and in 2018.
 21 A. Yes, so 100% more in 2017 than there had been the
 22 previous year. By 2018 that was 121% of what we'd had.
 23 SIR JOHN SAUNDERS: 100% doubled?
 24 A. Yes. In terms of the number we opened. Clearly, after
 25 we closed them and with what our current workload is,

1 but yes.
 2 MR DE LA POER: In terms of the nature of the terrorism
 3 threat that you were dealing with, the so-called
 4 Islamic State went from 32% in 2014 to 48% in 2017?
 5 A. Yes.
 6 Q. You mentioned that when you joined, there was capacity
 7 for people to plan and train, and you used the phrase
 8 that that was soaked up by, effectively, events
 9 post-2014. Did that mean that, in terms of developing
 10 better practices, officers training to a higher
 11 standard, that that was the price of more time being
 12 spent on investigations?
 13 A. No, I don't think that activity stopped. But you know,
 14 there was a very strong programme of professional
 15 development, lots of contingency plans that we have and
 16 additional training. So I don't think it stopped. Our
 17 capacity expanded, we spent a lot of money as we needed
 18 to on overtime and such to suck it up, but I don't think
 19 it impacted on our ability to respond.
 20 Q. That's all I want to ask you by way of introduction to
 21 you and the unit that you work for.
 22 My questioning of you is going to take three parts.
 23 Firstly, you and I are going to look at the structures,
 24 policies and procedures that were in place, particularly
 25 by reference to MI5 and Prevent, without being specific

1 to the Manchester Arena attack, so we'll be speaking
 2 generally.
 3 In part 2 of my questions, we will return to each of
 4 those areas that we look at and apply what you've
 5 described as "the model" to how Salman Abedi and others
 6 were dealt with.
 7 In part 3, which I anticipate will be a relatively
 8 brief part, we will look at reports, reviews and changes
 9 and the degree to which you can help us with that.
 10 So let's get on with part 1, looking at the picture
 11 generally. I'm here at paragraph 39 of your statement.
 12 We start at the national level and the national threat
 13 level. This is set by JTAC, as is very well known;
 14 is that right?
 15 A. That's correct.
 16 Q. Who are JTAC, please?
 17 A. JTAC are a body with representatives from across
 18 government, accountable to the director-general of MI5,
 19 with a responsibility of for assessing and providing
 20 advice around the threat.
 21 Q. We've heard the threat level mentioned very many times,
 22 but let's just review it once more. You can take this
 23 from me, I've taken it from the MI5 website. Is it
 24 right that if we take a snapshot in time of
 25 1 January 2010, which will be the start of the

1 chronology we come to look at, the threat level was
 2 severe?
 3 A. Yes.
 4 Q. On 11 July 2011, it dropped to substantial?
 5 A. Yes.
 6 Q. And that on 29 August 2014, it went back to severe?
 7 A. Severe.
 8 Q. If we root that date in a geopolitical context, was the
 9 caliphate declared by ISIL on 29 June 2014?
 10 A. Yes, it was.
 11 Q. So 2 months after that declaration, the threat level
 12 went up to severe and it stayed at severe until
 13 23 May 2017?
 14 A. That's correct.
 15 Q. So with the exception of the period between July 2011
 16 and August 2014, the prism through which we'll view all
 17 of these events will be under a severe threat level?
 18 A. Yes.
 19 Q. And is that assessment by JTAC something which informs
 20 the approach and thinking of Counter-terrorism Policing?
 21 A. Yes, it does. It serves a number of purposes. But
 22 clearly, to us, we see the work coming through, so it is
 23 clear to us what the threat is by the work that we see.
 24 That work in turn informs the threat assessment.
 25 SIR JOHN SAUNDERS: It may be different. Presumably JTAC is

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1 doing a national level, but it may be different in
 2 different regions which you would be aware of for your
 3 own region?
 4 A. JTAC wouldn't produce regional differences, but clearly
 5 we know the workload that is coming through our region.
 6 SIR JOHN SAUNDERS: So you could have, I'm not saying you
 7 did, a different threat level where you're working to
 8 within the general context of JTAC?
 9 A. We will have different themes, so I know of national
 10 priorities we set in Counter-terrorism Policing that
 11 were really a low priority to us because we didn't have
 12 a particular group, for instance, in our area. We may
 13 come on to assessments and how else we would look at the
 14 threat picture locally.
 15 SIR JOHN SAUNDERS: I'm sure. Okay, thank you.
 16 MR DE LA POER: Certainly when we get to part 2, we're going
 17 to look at what is an important moment in time, which is
 18 the JTAC regional threat assessment of 2010. But just
 19 at the moment we're looking at matters generally and
 20 thank you for assisting us with JTAC and the national
 21 threat level.
 22 Let's move on, please, to work — you begin
 23 a substantial section of your statement at paragraph 43
 24 on the investigative partnership between MI5 and the
 25 police. I will just start with this general question,

14

1 please. In just a few sentences, how would you describe
 2 the quality of the relationship between MI5 and the
 3 police during the period 2010 to 2017? I know that is
 4 a very wide question and it may be that it changed over
 5 time and you can indicate that. But just as a general
 6 proposition, what was the quality of that relationship
 7 like over the course of that period?
 8 A. Well, my understanding before my time and during my
 9 time, certainly, my experience has been the relationship
 10 is excellent. There would be rarely a day goes by where
 11 I do not have contact, and most of my team will have
 12 contact, with our partners. That relationship has
 13 developed and improved: we share more, we're involved in
 14 more. I've only seen it increase in a positive way
 15 during that period.
 16 SIR JOHN SAUNDERS: Is that two-way, when you're saying you
 17 began to share more, or is it MI5 are sharing more with
 18 us?
 19 A. It goes both ways. Our job is to assist —
 20 SIR JOHN SAUNDERS: I know it can go both ways. I am just
 21 wondering whether in practice that is what you are
 22 talking about, when you are talking about the increase
 23 in sharing.
 24 A. There would be particular instances of sharing, but our
 25 involvement, particularly my role, national

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1 intelligence, them bringing us in to show what they can
 2 do, to involve us in change, to involve us in
 3 decision-making. Certainly at CT Head we have a joint
 4 meeting with our counterparts and that's a very
 5 important meeting for us.
 6 I'm talking about sharing in terms of the
 7 relationship, their willingness for us to be involved in
 8 things that maybe a decade ago we wouldn't have been.
 9 I have certainly seen that change through my time in
 10 a very positive way.
 11 SIR JOHN SAUNDERS: I'm not saying it's not positive, I'm
 12 just trying to find out which way you're saying it's
 13 going or whether it's mutually you're giving them more
 14 than you used to and you used to keep things from them
 15 and now you don't, or whether we're talking about MI5
 16 giving you more and not keeping things from you which
 17 they might have done in the past.
 18 A. I think it's probably the latter. We have made some
 19 changes nationally, which we may come on to, which have
 20 allowed us to work with them and give them more
 21 confidence to share more with us and the understanding
 22 that we can look after it and protect it. And that's —
 23 as we have become a national network over time, we have
 24 been able to have arrangements with them where perhaps
 25 information that was shared individually can now be

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1 shared much more widely and available to everybody.
 2 SIR JOHN SAUNDERS: So you know we've asked about the ISC
 3 reports and I'm sure we're going to come to that too,
 4 but the ISC has perhaps been less complimentary about
 5 how well it is working than the two parties may have
 6 said to ISC. And indeed when they were enquiring into
 7 this disaster, they said it could work better. So are
 8 you talking about now up to 2017, are we talking about
 9 after 2017 it's improved?
 10 A. I would say in my experience from 2013 onwards it has
 11 improved throughout that period and it has changed and
 12 I don't think that was necessarily prompted by any
 13 particular event. I think there's been a continual
 14 development of us as a network within CT Policing.
 15 We're not a single organisation, and our relationship
 16 with them...
 17 SIR JOHN SAUNDERS: Okay. Assuming that at some stage the
 18 sharing was inadequate or wasn't as good as it could be,
 19 what's the reason for there not being this mutual
 20 sharing?
 21 A. I'm not sure I'd characterise it as being not as good as
 22 it should have been. There were some mechanics — so
 23 for instance —
 24 SIR JOHN SAUNDERS: Well, the ISC certainly assessed it as
 25 not being as good as it could be in some of its reports,

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1 didn't it?
 2 A. Yes, it did and I don't know the particular
 3 circumstances they are referring to that sit behind
 4 that. But an example would be when I joined, we had
 5 43 different versions of the same computer system that
 6 were not connected and so MI5 would have to send
 7 individually to the north-west, the north-east... We're
 8 now on a single computer system and we have arrangements
 9 with them that they can share a document with me and
 10 that becomes available to all of Counter-terrorism
 11 Policing. So there are some mechanics that sit behind
 12 us becoming a single network that have opened up the
 13 ability to share in a much more efficient and effective
 14 way.
 15 SIR JOHN SAUNDERS: Okay. Have you ever identified in your
 16 work a reluctance by MI5 to share relevant material with
 17 you?
 18 A. There isn't necessarily a reluctance. There are times
 19 when we will go to them and say: can you give us more on
 20 this? In my experience that's often where we can see
 21 a tactical option that we may want to take if they could
 22 give us a bit more. So that's potentially them not
 23 being aware what we could do as policing in particular
 24 circumstances and my experience is whenever we've been
 25 able to go back and say, could we have a form of words

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1 we could use and give to other people, we've always
 2 managed to find a way around that in my experience.
 3 SIR JOHN SAUNDERS: So it's really working the mechanics out
 4 which had been the problem?
 5 A. Yes, some of the mechanics — well, not necessarily
 6 a problem. They are developing situations. You want to
 7 try and improve, we all want to try and improve.
 8 SIR JOHN SAUNDERS: If there is not complete sharing of
 9 relevant information, then that's a problem, isn't it?
 10 A. Yes.
 11 SIR JOHN SAUNDERS: So certainly in the past, there appears
 12 to have been a problem. But you're satisfied that
 13 that's been completely dealt with, is being dealt with,
 14 will soon be completely dealt with?
 15 A. There are a couple of areas where I think we still need
 16 to do some more work, I'd have to touch on those in
 17 closed, but in terms of that relationship, if they send
 18 us material and we feel we need more, I see that work on
 19 a daily basis, and there are full and frank
 20 conversations, if need be, about that.
 21 SIR JOHN SAUNDERS: Mr de la Poer has made it clear that
 22 he is not going to be pressing as part of his questions;
 23 I'm afraid the same doesn't necessarily apply to me.
 24 I will of course take regard to what mustn't be said in
 25 public. If you can't answer a question for that reason,

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1 as you have just done, please feel free to do that.
 2 MR DE LA POER: I think I can go this far: you have given,
 3 detective chief superintendent, an example of where you
 4 get something which allows you to make an informed
 5 decision about whether you need to know more?
 6 A. Yes.
 7 Q. Have there been significant occasions where you haven't
 8 been given anything and you have learned after the event
 9 that you should have been given that information?
 10 A. I don't think I can think of significant ones. I'm not
 11 saying that doesn't happen. Clearly, there will be
 12 occasions when we don't know what hasn't been shared
 13 with us and we don't know the reasons and there are
 14 often very good reasons. But certainly, as I say, when
 15 we're in a position where we ask for more or indicate
 16 that if we had more we could do something with it, we've
 17 always been able it work those through.
 18 SIR JOHN SAUNDERS: I'm probably taking this much further
 19 than you want to at this stage, so forgive me, but just
 20 one final question: one solution would actually be to
 21 merge your two organisations. I know you're overt and
 22 they're covert, but there's no particular reason why
 23 overt and covert shouldn't be joined in one
 24 organisation. Would that solve the problem if there is
 25 still any problem at all which needs to be dealt with?

20

1 A. I think we would always see there's real benefits in us
 2 being different and that does create an interface.
 3 I understand what you're saying about the issues on
 4 that, but we are two very different organisations under
 5 two different statutory regimes. I think my view would
 6 be that there are benefits in it being that way, that we
 7 bring different things to the problems we face and they
 8 complement and support each other.
 9 There are models around the world where it's
 10 a single organisation but less so than two separate
 11 ones. And they clearly have other responsibilities that
 12 are over and above what we will always deal with as
 13 police and vice versa.
 14 SIR JOHN SAUNDERS: I may need to look at that further, but
 15 it may be that something in writing may help me with
 16 that. You can set out for me what the benefits are from
 17 you being separate organisations. You don't need to do
 18 that now, you can do it in writing at a later stage if
 19 that's all right.
 20 A. Okay.
 21 MR DE LA POER: What I would like to do now is move through
 22 the relationship between MI5 and the police from
 23 a policing perspective and I do so absolutely aware that
 24 Witness J has already dealt with this from the MI5
 25 perspective.

21

1 Do we start from this position, that MI5 has the
 2 lead role?
 3 A. It's the lead, yes, in terms of national security
 4 intelligence.
 5 Q. But there will be occasions when the first place that
 6 the national infrastructure receives information is
 7 Counter-terrorism Policing; is that right?
 8 A. That's correct.
 9 Q. In the event that that information is received by
 10 Counter-terrorism Policing, does it go to what is known
 11 as the Intelligence Management Unit?
 12 A. Yes.
 13 Q. You give at your paragraph 44 a statistic just to help
 14 people understand the scale of what is being dealt with:
 15 dip sample in June 2016 identified that there were 2,700
 16 items of information and intelligence received by the
 17 Manchester Intelligence Management Unit; is that
 18 correct?
 19 A. Yes.
 20 Q. Upon being received, is that information dealt with in
 21 accordance with the national standards for intelligence
 22 management?
 23 A. It is.
 24 Q. Is the starting point to assess the information or
 25 intelligence that you have?

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1 A. It is, yes.
 2 Q. And at that point, are decisions made about which
 3 direction to move in?
 4 A. They are, yes.
 5 Q. So it may be that that intelligence or information needs
 6 to be enhanced?
 7 A. Yes.
 8 Q. In other words you need to know more. It may be that it
 9 needs to be passed to partners outside of
 10 Counter-terrorism Policing?
 11 A. Yes.
 12 Q. And there will obviously come a point where some
 13 information or intelligence will need to be passed to
 14 MI5?
 15 A. That's correct.
 16 Q. In the event that that intelligence or information
 17 received by Counter-terrorism Policing doesn't relate to
 18 an existing investigation, so there isn't a file to
 19 attach it to if you like, is it assessed using what is
 20 known as the intelligence handling model?
 21 A. It is, yes.
 22 Q. Is that concerned with identifying and assessing leads?
 23 A. It's the mechanism by which we would create a lead, so
 24 we will receive the intelligence, develop it to a point
 25 where we can have an exchange with MI5, and decide

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1 through the intelligence handling model what we do with
 2 that.
 3 Q. Is the decision as to whether or not it becomes termed
 4 a lead a decision for MI5, a decision for
 5 Counter-terrorism Policing or a joint decision?
 6 A. It's a joint decision. Ultimately, as the lead agency,
 7 they will create the lead but it's a joint process where
 8 we meet and discuss that.
 9 Q. You speak at your paragraph 47 about a principle of
 10 assessment, and I hope I get this right, is it known as
 11 RCAP?
 12 A. Yes.
 13 Q. That is an acronym which stands for risk, credibility,
 14 actionability and proportionality?
 15 A. It is.
 16 Q. Is that the touchstone for assessing this intelligence?
 17 A. It is within IHM. Within the national standards we do
 18 add some additional things such as safeguarding, so from
 19 a police perspective each piece of intelligence will be
 20 looked at from an RCAP, but also evidential
 21 opportunities and safeguarding. There is a slightly
 22 wider list that we use in policing.
 23 Q. So at that interface that you're talking about, ie
 24 policing and MI5, those are the four principles but the
 25 policing will have a wider range of things to bear in

24

1 mind?
 2 A. Yes.
 3 Q. The agreement about the creation of a lead, does that
 4 take place at what is known as the gatekeeper exchange?
 5 A. It does, yes.
 6 Q. Obviously, that's a rather grand title. What is it in
 7 practical terms?
 8 A. In practical terms it's a joint meeting, so at the time
 9 this was written it was perhaps a little bit more
 10 formal, but our joint — we now have joint assessment
 11 teams who will speak daily and be in contact daily and
 12 they will bring — so we will bring new intelligence,
 13 they will bring new intelligence, and we will do what's
 14 in the statement here, agree, "We think this meets the
 15 threshold now to become a lead", and discuss the risk
 16 and credibility of it. If it does, we agree what
 17 initial actions each organisation will take away to do.
 18 Q. Witness J spoke about investigations. It's an important
 19 term of art that means something in this area. How does
 20 a lead become an investigation?
 21 A. A lead would become an investigation if the level and
 22 threat and risk took it to that threshold. So I think
 23 people have been talking about a pyramid with the grid
 24 and the P1 and P2.
 25 Q. Yes.

25

1 A. If you come down that pyramid, so below P4, so below
 2 priority investigations, are leads and below that would
 3 be our initial intelligence receipt.
 4 Q. Let's have a look at that pyramid. It's presented
 5 in the ISC report, {INQ022846/132}.
 6 This is taken from the ISC report?
 7 A. Yes.
 8 Q. I think our tech is working. Yes, it appears to be.
 9 This is just a visual representation of what you've
 10 described, the triangle, and we don't need to review
 11 what P1, P2, P3, P4 is as we heard that from Witness J.
 12 It is, I'm sure you'll agree, the priority level of
 13 investigation?
 14 A. Yes.
 15 Q. And leads you describe as being effectively beneath that
 16 triangle?
 17 A. Yes.
 18 Q. So if you continued that triangle down, you would have
 19 what are leads, in other words the lowest risk of
 20 matters which are formally on your radar?
 21 A. It is, yes.
 22 Q. We also know that within investigations, the individuals
 23 who fall within that investigation are termed subjects
 24 of interest; is that correct?
 25 A. That's correct, yes.

26

1 Q. And there is a priority classification system for them.
 2 If we can go to page 174 {INQ022846/174} —
 3 SIR JOHN SAUNDERS: Before you do, I assume this is a very
 4 meaningful diagram in the way it's constructed and it
 5 starts off with the grey area, the MI5 intelligence
 6 investigation, being the larger, and the blue area being
 7 the less, and then gradually the police, as it were,
 8 seem to take a much greater part in it. Is that an
 9 accurate reflection of what happens or is it (inaudible)
 10 liberty?
 11 A. Yes. It's an accurate reflection of the level of
 12 responsibility, I suppose, so it's that lead agency for
 13 MI5 at the start of that process. Clearly, we'll both
 14 have our own actions to go and do to contribute to it.
 15 But our job is to assist them, they are the lead agency,
 16 and then it illustrates that crossover point,
 17 particularly where we go to executive action, where the
 18 roles will move and the police will take the lead in
 19 terms of using our powers.
 20 So I don't think it illustrates the division of
 21 labour necessarily, but it illustrates where lead
 22 primacy sits.
 23 SIR JOHN SAUNDERS: Thank you.
 24 MR DE LA POER: So we'll come back to some of the terms
 25 you have mentioned in just a moment, but page 174

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1 {INQ022846/184}, just to have a look at again a visual
 2 representation of this idea of subjects of interest. If
 3 we can crop into the top, please.
 4 Again, this is taken from the ISC report. You agree
 5 that that is one way of representing what we're talking
 6 about?
 7 A. Yes.
 8 Q. We can see, and we'll deal with it now because it's the
 9 title beneath the page, that there may come a point
 10 in relation to individuals within an investigation who
 11 have been designated a subject of interest, that they
 12 are closed; is that right?
 13 A. That's right, yes.
 14 Q. At that stage, as we heard from Witness J, can you
 15 confirm that there is an assessment carried out about
 16 the risk that that individual poses at the point of
 17 closure?
 18 A. Yes, the risk of them re-engaging.
 19 Q. There are three levels of risk, high, medium and low?
 20 A. Yes.
 21 Q. If we just continue to work through you describing this
 22 model of operation, we know that if an investigation is
 23 given a P, that MI5 is taking the lead. You have
 24 mentioned the term joint operational team. Is that
 25 a group that is formed to discuss and manage the way in

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1 which the investigation will be run?
 2 A. Yes, it is, for priority operations, yes.
 3 Q. What you say at paragraph 57 is:
 4 "Where there are investigations of the highest risk
 5 and where executive action [we'll talk about that in
 6 a moment] is required ..."
 7 Then something called the executive liaison group is
 8 formed?
 9 A. Yes.
 10 Q. And executive action means, is this right, action on
 11 behalf of the executive of the state as represented by
 12 the police?
 13 A. It's the use of our powers, yes, to support that.
 14 Q. And those options include, and we're not going to
 15 rehearse all of them, but for example your powers of
 16 arrest?
 17 A. Yes.
 18 Q. Your powers of surveillance?
 19 A. Yes.
 20 Q. And I'm sure a whole host of other ones that we won't go
 21 into in this forum, but as you say, your lawful powers.
 22 Is the object at this stage to disrupt whatever
 23 terrorist activity has been identified?
 24 A. Yes, to disrupt and potentially prosecute.
 25 SIR JOHN SAUNDERS: So in reality, in most occasions, is the

1 executive action group formed at a stage where you are
 2 at least considering arrest?
 3 A. Executive liaison groups are not always formed. They
 4 are formed for the higher risk investigations towards
 5 the top of the pyramid where you have the dilemma of the
 6 clear priority of managing public safety versus the
 7 ability to gather evidence and be able to get to
 8 a charge point. So ELGs are not always called when we
 9 do executive action. If it's a fairly straightforward
 10 offence, we will go and do that ourselves. An ELG is
 11 chaired by the senior national coordinator in high
 12 risk --
 13 SIR JOHN SAUNDERS: When to arrest is often a critical
 14 decision?
 15 A. It is.
 16 SIR JOHN SAUNDERS: Okay, thank you.
 17 MR DE LA POER: So that's the model; is that right?
 18 A. Yes.
 19 Q. I'm sure there's a lot of detail around it which I don't
 20 need to take you to, but that is the structural
 21 direction of travel which in some cases will result in
 22 every one of these stages and, as you say, ultimately
 23 end up with an arrest, prosecution and conviction?
 24 A. Yes.
 25 Q. So far as where Salman Abedi fits into this model is

1 concerned, we know that no investigation was opened up
 2 in relation to him as the primary subject of interest ;
 3 is that right?
 4 A. That's correct.
 5 Q. So no investigation with him at the centre of that
 6 diagram, so no joint operating team, no executive
 7 liaison group so far as him as the target of an
 8 investigation is concerned. When it comes to him being
 9 drawn into or identified as a subject of interest
 10 in relation to the investigation where he was a Tier 3,
 11 presumably there was a joint operating team for that
 12 investigation?
 13 A. There would have been, yes.
 14 Q. And would he have been discussed at that joint operating
 15 team?
 16 A. Yes, the joint operating team meetings will discuss the
 17 intelligence picture, the actions that have been
 18 allocated, the tasks that the group want to do and those
 19 are allocated and agreed by both parties. So I can't
 20 say what the discussion would have been, whether he
 21 would have come up in that discussion, but that is the
 22 place formally where those happen, and outside of that
 23 there's a regular exchange of information and
 24 intelligence between both organisations.
 25 Q. None of my questions should be taken by anybody

1 listening as suggesting that it's only when people meet
 2 together as a joint operating team that discussion is
 3 ongoing, but those are the formal --
 4 A. The formal --
 5 Q. -- structures in place. Is it the joint operating team
 6 that makes a decision about whether an SOI is closed?
 7 A. Yes, it could be discussed there or it could be a team
 8 leader within MI5 wanting to speak to the SIO. They
 9 will make that decision and then there is a joint
 10 assessment, as you say, and closure process.
 11 Q. I have trespassed into part 2 there. Let's come back
 12 now to a new topic, again looking at it in overview,
 13 Prevent.
 14 If what we've just been looking at could be said to
 15 come under Pursue, this is the second of the CONTEST
 16 strands, isn't it?
 17 A. It is, yes.
 18 Q. Is safeguarding the key principle so far as the police
 19 are concerned?
 20 A. Yes. I would view it as safeguarding in a CT setting.
 21 Q. We've heard a deal from Mr Hipgrave, which I will just
 22 repeat to you in summary. He told us that Prevent was
 23 first identified as a strand of CONTEST in 2003, that
 24 a strategy was published following the 7/7 attack in
 25 2005. In his words it was recast in 2011 and Manchester

1 became a priority area in 2012, and that the Prevent
 2 duty came into force on 1 July 2015. Does that all
 3 accord with your understanding of the broad chronology?
 4 A. Yes.
 5 Q. So far as the Prevent duty is concerned, schedule 6 of
 6 the Act which brought it into force identifies that
 7 a chief officer of police for a police area in England
 8 and Wales is subject to the Prevent duty?
 9 A. Yes.
 10 Q. CTP North West, or as it was at the time, North—west
 11 Counter—terrorism Unit, wasn't under a single chief
 12 officer, is that right, effectively reporting to five?
 13 A. Yes, each force would be —
 14 Q. Just so that we're clear about it, do you agree that all
 15 of the police officers operating within that unit were
 16 subject to the Prevent duty post 1 July 2015?
 17 A. Yes.
 18 Q. The police can refer people to Prevent; is that correct?
 19 A. We can, yes.
 20 Q. That's one of the ways in which the police can play
 21 their part within this strand of the strategy?
 22 A. Yes.
 23 Q. But do they also have a function within Prevent, in
 24 other words once a Prevent referral is made?
 25 A. Yes, there is a process that follows, yes.

1 Q. I'm here looking, just to help you, at paragraphs 70 and
 2 71 of your statement. In fact, we'll look at 69
 3 together. Looking at the police and making a referral
 4 or considering making a referral, is it right that an
 5 assessment is carried out?
 6 A. It is, yes, that's the first stage of the process.
 7 Q. Is that assessment carried out by a group that we've
 8 already referred to, the Intelligence Management Unit?
 9 A. It is, yes.
 10 Q. You identify three considerations here. You say that
 11 it's carried out by the IMU to ensure that it's firstly
 12 relevant to counter—terrorism?
 13 A. Yes.
 14 Q. Secondly, that it does not compromise an ongoing
 15 national security investigation?
 16 A. Yes.
 17 Q. And obviously we heard yesterday from Witness J about
 18 the fact that that is a factor which is borne in mind.
 19 The risk of tipping somebody off that they are the
 20 subject of an investigation by referring them to Prevent
 21 is a factor?
 22 A. It is.
 23 Q. And safeguarding is the most appropriate solution, so
 24 this is ensuring that this is the right way to deal with
 25 this individual as opposed to any other tactical option,

1 which presumably includes a range of powers including
 2 surveillance, arrest and other matters that we're not
 3 going to go into the detail of?
 4 A. Yes.
 5 Q. You say this at paragraph 70:
 6 "The process of audit adopted by CT Police to manage
 7 cases referred to Prevent is known as the Prevent case
 8 management."
 9 What do you mean by audit?
 10 A. So Prevent case management and the tools that sit behind
 11 it allow us to record cases as they move through that
 12 process. So the first part of the process you've talked
 13 about is what we've called deconfliction, and that is
 14 done by the Intelligence Management Unit because they
 15 have full sight of the intelligence and investigations
 16 ongoing, whereas Prevent staff would not.
 17 Q. Audit suggests that there is a paper trail which can be
 18 tracked. That's what some people might understand by
 19 audit. Is that what you mean here?
 20 A. It does for Prevent. Case Management Tracker is the
 21 name of the IT kit, yes.
 22 Q. Let's be very specific here: in 2011, up to 2015, so
 23 we're talking about the period before the Prevent duty,
 24 but where nonetheless there was an expectation that
 25 police and partners would engage with the Prevent

1 strategy, was there a requirement to record cases where
 2 a person was considered for Prevent but it was decided
 3 not to make a referral?
 4 A. Yes. We may be overlapping two different issues here.
 5 So there was the discussion with Witness J of, "When I'm
 6 closing an SOI, where do I record that decision?" The
 7 process we are talking about is for all referrals.
 8 Q. I'm not being specific to closed SOIs here at all, I'm
 9 talking about in general terms. You've talked about the
 10 fact that there is a tracker and a record is made and
 11 you've used the word "audit". The very start of the
 12 process is a consideration of whether someone is to be
 13 referred; do you agree?
 14 A. Yes.
 15 Q. If a decision is made to refer to someone, I have no
 16 doubt that at some point after that they will be on the
 17 Prevent tracker?
 18 A. Yes.
 19 Q. Is that right? My question is: is that first stage the
 20 subject of a record or was it between 2011 and 2015?
 21 A. I don't think it was for internal referrals. An
 22 external referral, a police officer or local authority,
 23 I think would come in on a referral form, so there was
 24 in essence a referral. If it was a referral from within
 25 CT Policing, so from within an intelligence unit, I'm

1 not sure whether there was a requirement or how that
 2 requirement would be to record that decision—making at
 3 that time.
 4 SIR JOHN SAUNDERS: I think the record we're really looking
 5 for is if you considered it and decide not to and record
 6 the reason not to.
 7 A. Yes. I don't know if there was a formal process.
 8 I don't know if there was at that time.
 9 SIR JOHN SAUNDERS: There should have been, shouldn't there?
 10 If they come to consider referral at a later stage, they
 11 would need to know it had been considered before and
 12 hadn't happened for a particular reason. It would seem
 13 basic.
 14 A. Yes, I would agree. What I'm saying is I don't know how
 15 that was --
 16 SIR JOHN SAUNDERS: Could you find out?
 17 A. We can find out, yes.
 18 MR DE LA POER: I was being specific in my questions there
 19 to the period up to 1 July 2015. Once the Prevent legal
 20 duty came in, let us remind ourselves of the language of
 21 it, which was to ensure that there was due regard to the
 22 need to prevent people from being drawn into terrorism.
 23 Do you agree that that was an opportunity to look at the
 24 policing way of managing Prevent referrals, whether yes
 25 or no, and consider how robust that system was?

1 A. Yes, that was when the Prevent case management system
 2 came in, but I fully accept the part you're interested
 3 in is the bit before it becomes a referral and how
 4 people consider it. I've explained in our standards of
 5 intelligence management -- so we're talking about
 6 intelligence officers here who may see something that
 7 they think should be referred. They have a range of
 8 considerations which we went through earlier, RCAP,
 9 safeguarding, and they should make a record of those
 10 considerations. But in terms of a formal "you must now
 11 put down your decision around Prevent referral or not",
 12 I don't think that was in place.
 13 SIR JOHN SAUNDERS: You know there was a lot of discussion
 14 about this yesterday and you're up to date with that?
 15 A. Yes.
 16 SIR JOHN SAUNDERS: So it may look to people that when
 17 somebody's becoming a closed SOI, that would be
 18 a relevant time to be looking at whether there should be
 19 referral to Prevent. When the legal duty came in, was
 20 that regarded as being backdated? For example: we've
 21 had a lot of closed SOIs in the past who are still on
 22 our books as closed SOIs, where we didn't have a legal
 23 duty to consider it. Did you then think: well, we've
 24 actually got to go back over these and have a look at
 25 them? I know Witness J said it would be an enormous

1 job, but did you think about it?
 2 A. I don't think there was a view to go back over closed
 3 SOIs and consider them all for Prevent, no.
 4 MR DE LA POER: I'm going to bring up a section of the ISC
 5 report and seek your comment on it, {INQ022846/201}.
 6 At the bottom here, there are other matters that
 7 others may wish to ask you about, but can you see at the
 8 bottom of the page at 247, this is what CTP told the
 9 committee:
 10 "We have no evidence that North—west
 11 Counter—terrorism Unit considered a Prevent referral.
 12 You would expect it to be considered, but there is no
 13 [over the page, please {INQ022846/202}] documented
 14 rationale about whether it was considered and rejected
 15 or whether it was never considered. I would have
 16 expected to have seen a consideration and a rationale
 17 about why it was not. I would expect to see
 18 a consideration and a decision made and the decision
 19 could be positive or negative."
 20 SIR JOHN SAUNDERS: Don't answer this if you don't want to,
 21 but are they quoting you?
 22 A. No.
 23 MR DE LA POER: I don't think the identity of the person is
 24 necessarily revealed.
 25 Do you associate yourself with those remarks made on

1 behalf of CTP?
 2 A. Yes, I think we would agree with that, yes. I think
 3 what we'd see is we don't know what considerations were
 4 made because there was no record of it.
 5 Q. In the context of a legal duty, so post 1 July 2015,
 6 do you agree that that is a highly unsatisfactory state
 7 of affairs?
 8 A. Yes, I think we should be able to record our
 9 decision—making in an appropriate manner. We conducted
 10 an audit on this this year, to look at whether that was
 11 happening, and I can expand if needs be, but I was
 12 reassured that people are recording, not just Prevent
 13 but their safeguarding considerations, when assessing
 14 intelligence. I can't say that was the position then.
 15 SIR JOHN SAUNDERS: It may be that no record is made because
 16 no one actually thought about it.
 17 A. Yes. I don't think we can say, can we?
 18 SIR JOHN SAUNDERS: Or it can be because you weren't
 19 recording people who you decided not to when you clearly
 20 should have been?
 21 A. Yes. I think it could be either of those.
 22 Unfortunately, we can't say.
 23 SIR JOHN SAUNDERS: Can you tell us at what time and what
 24 date you started recording those decisions either way?
 25 A. The formal change of the form, so the closure of a lead

1 or closure of an SOI, was one of the recommendations
 2 I think that came out of the reviews.
 3 SIR JOHN SAUNDERS: So the question of referring to Prevent
 4 went on that?
 5 A. Yes.
 6 SIR JOHN SAUNDERS: So it came from that form?
 7 MR DE LA POER: We'll come back to Prevent as it applies to
 8 Salman Abedi, but you've identified two scenarios, one
 9 in which it was never considered, one that it was
 10 considered and rejected, and of course if there are
 11 multiple occasions, it may be a mixed bag, in other
 12 words there may have been occasions when it was
 13 considered and there may have been occasions when it
 14 wasn't?
 15 A. Yes.
 16 Q. We just can't say now because there are no records at
 17 all.
 18 SIR JOHN SAUNDERS: I'm sorry to go on about this. Was
 19 there any consideration given by CT Police or the
 20 chief constables of: right, we've now got this Prevent
 21 duty, what do we do as a result? And a discussion like
 22 that could raise: should we be going back over SOIs who
 23 we've closed? Because it's not just a forward-going
 24 thing, it's backwards as well, isn't it, the Prevent
 25 duty? So you can look at people who are still a threat,

1 who came to your attention some time ago. Was it ever
 2 considered how far the Prevent duty took you?
 3 A. I'm not aware it was and clearly there is a national
 4 coordinator for Prevent who may have more detail about
 5 what happened at that time. But locally...
 6 SIR JOHN SAUNDERS: We have heard Witness J say it would be
 7 an enormous job for MI5 to be doing that. It would
 8 obviously be a big job for CT Police, but you do have
 9 more resources in that you've got more people, haven't
 10 you?
 11 A. Yes, we have different roles, I would say. We have an
 12 appropriate level of resources for the functions we have
 13 -- you mean to go back over the 20,000 or the 40,000 and
 14 consider each of them?
 15 SIR JOHN SAUNDERS: Well, you haven't got 20,000. That's
 16 nationally, isn't it?
 17 A. Yes. Sorry.
 18 SIR JOHN SAUNDERS: It's all right. I'm just looking at you
 19 and your resources and you don't have to use CT Police
 20 on it, do you?
 21 A. It depends what the basis -- so in making the
 22 assessment, how much access you need to the information
 23 to be able to do that. So if we're in the intelligence
 24 function, they have to be in a position to break
 25 something out that can be used by Prevent. So Prevent

1 sit on the other side of the firewall. So to make the
 2 decision about whether this person -- the statutory bar
 3 for us is we may only refer people when we have
 4 reasonable grounds to believe they are vulnerable to
 5 being drawn into terrorism. The knowledge about why
 6 that may or may not be the case can sit in the
 7 intelligence world.
 8 SIR JOHN SAUNDERS: So are you saying from a resource point
 9 of view it was actually impossible for you to do it once
 10 the legal duty came in?
 11 A. I'm not saying it would be impossible, I don't think it
 12 was considered as a reasonable option.
 13 SIR JOHN SAUNDERS: Right. Thank you.
 14 MR DE LA POER: Final question on this topic before we move
 15 on to ports. Would you agree or disagree with this as
 16 a proposition: if there is a requirement for people to
 17 formally record the fact of a decision and to give
 18 details as to why that decision was made, if only
 19 a sentence, that that is likely to lead to more robust
 20 decision-making? The act of making a person do that
 21 forces them to think about it in a way that they know
 22 will be capable of being looked at by others.
 23 A. Yes.
 24 Q. And therefore is likely to lead to a more robust way of
 25 thinking about it?

1 A. Yes, it is, and that's some work we are doing at the
 2 moment: how do we record, how much do we record within
 3 the whole safeguarding environment within CT?
 4 Q. Ports. We're at paragraph 77 of your statement. We can
 5 deal with this fairly shortly. The police have certain
 6 powers under schedule 7 of the Terrorism Act (2000);
 7 is that right?
 8 A. That's correct, yes.
 9 Q. Those powers include stopping a person at a port,
 10 detaining them, questioning them and searching them?
 11 A. That's correct.
 12 Q. And unlike other policing powers, you don't need an
 13 objective justification in order to utilise them;
 14 is that right?
 15 A. That's correct.
 16 Q. And unlike other police powers, it is in fact a criminal
 17 offence for a person to refuse to answer your questions?
 18 A. Yes.
 19 Q. So there is a coercion on people answering questions?
 20 A. Yes.
 21 Q. Is that one of the executive actions that you have
 22 available in relation to people who may be associated
 23 with an investigation being conducted by MI5?
 24 A. Yes.
 25 Q. Next, policing and prisons. We are here at your

1 paragraph 79. Could I say that we are going to hear
 2 from Paul Mott on behalf of an organisation known as
 3 JEXU or the Joint Extremism Unit, and we're not going to
 4 go over the detail of what Mr Greaney read out
 5 yesterday. I just want to seek a CTP perspective on
 6 what we are understand to be the position up to 2017.
 7 Can you agree with these: firstly, the ability --
 8 whether or not the approved visitor scheme was operated
 9 was determined by the prisoner's category?
 10 A. Yes.
 11 Q. The category was determined by the risk of escape?
 12 A. Yes.
 13 SIR JOHN SAUNDERS: And I think other factors, the risk they
 14 present if they escape?
 15 A. Yes, the immediate danger they pose.
 16 MR DE LA POER: On the outside, having escaped?
 17 A. Yes.
 18 Q. So that approved visitor scheme and whether it applied
 19 took no account of the risk that a prisoner might pose
 20 of radicalising the people who visit them?
 21 A. That's correct.
 22 Q. Do you agree, sitting here now, that that is an
 23 obviously flawed model?
 24 A. It depends what the intention of the model is and what
 25 comes with being a categorised prisoner. So if the

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1 intention of categorisation is to manage terrorism risk
 2 within prisons then it should fit with that.
 3 Q. I suppose what I'm really asking is that by aligning
 4 this important control to something which is in fact
 5 irrelevant to one of the things that the Prevent duty is
 6 trying to ensure does not happen creates an obvious
 7 problem; do you agree with that or do you disagree with
 8 that?
 9 A. I think the approved visitor scheme is trying to solve
 10 a very different problem. If the view is it should be
 11 set up now to manage --
 12 SIR JOHN SAUNDERS: Okay, sorry, identify for me, please,
 13 the problem which you think it's there to solve, if that
 14 can be done, and then I can understand why you think --
 15 A. It's by definition there to consider a prisoner's
 16 likelihood of escape.
 17 SIR JOHN SAUNDERS: So it's covering people who are coming
 18 to see someone in order to discuss their escape; is that
 19 what you're saying?
 20 A. I can't speak for the prison service in terms of how
 21 they do it, but --
 22 SIR JOHN SAUNDERS: I can understand it's one of the things:
 23 if you're concerned about somebody who's at real risk of
 24 escaping and what he will do and he's a cat A prisoner,
 25 then of course you might want to have controls over who

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1 visits him just in case there's someone going to be
 2 there to exacerbate an escape happening. I can
 3 understand that's a reason for it. Is it not also
 4 a reason for it, forget about terrorism for a moment,
 5 it's to stop very serious criminals actually conducting
 6 crime from inside prison, which is not unknown?
 7 A. Yes, I think categorisation is not just about visiting,
 8 is it? It's about the type of establishment they will
 9 go to and how they manage --
 10 SIR JOHN SAUNDERS: And other factors come into it,
 11 absolutely. So if you are a cat A prisoner, you have to
 12 go to a cat A prison, same with cat B. I think the
 13 point which is being made is that associating the
 14 approved visitors list, associating it simply with the
 15 category and making it -- cat A where you impose it
 16 properly doesn't really help you with preventing the
 17 risk of a terrorist --
 18 A. No, I agree entirely.
 19 SIR JOHN SAUNDERS: -- encouraging others to come to visit
 20 to be terrorists or carry out terrorist actions?
 21 A. I agree within that scheme entirely. That's why I'm
 22 saying the scheme needs to decide what it is trying to
 23 tackle and then apply the appropriate measures to --
 24 SIR JOHN SAUNDERS: Well, as a senior CT police officer and
 25 dealing with intelligence nationally, did it occur to

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1 you that there should be some sort of restriction on
 2 people who are known to be radicalisers who are in
 3 prison and may be radicalising in prison with other
 4 prisoners, that they could also be radicalising people
 5 who came to visit them?
 6 A. I think Paul Mott will talk about the impact of
 7 restricting visits. There are other ways that we can
 8 discuss in closed where we can understand what visits
 9 may take place and have information about that that
 10 I wouldn't be able to discuss here. And I think
 11 we would have to really think about the impact of
 12 saying, "These people cannot have visits", or, "These
 13 people cannot have particular visitors", and how the
 14 Prison Service would apply that and how we would provide
 15 them with information that would support that view.
 16 SIR JOHN SAUNDERS: Okay. The Parliamentary Committee
 17 suggested it should be looked at. Has it been looked at
 18 and has anything been done about it?
 19 A. I'm not aware that it has changed since then.
 20 SIR JOHN SAUNDERS: Thank you.
 21 MR DE LA POER: Well, as you say, a matter to return to in
 22 closed. Just finishing the prison topic,
 23 Counter-terrorism Policing operates a National Prisons
 24 Intelligence Coordination Centre; is that correct?
 25 A. It is, yes.

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1 Q. There are certain circumstances, I'm not going to go
 2 into the criteria at all, where, as it's termed, an
 3 intrusive tactic is available where prior notice of
 4 visits is given to CTP; is that right?
 5 A. We can do that, yes.
 6 Q. So that is a power that is available to you, but because
 7 it is a substantial invasion on the privacy of an
 8 individual, it requires justification?
 9 A. It does, yes.
 10 Q. Finally, by way of my part 1 questioning of you, I would
 11 like to just deal with the precursor material regime and
 12 here again I'm going to go against what I said at the
 13 beginning because we're going to make it specific to
 14 Manchester as well.
 15 We've heard from Mr Hipgrave about the existence of
 16 the scheme. All that I really want from you is,
 17 firstly, to confirm that under section 3C of the
 18 Poisons Act (1972), is it an offence not to report
 19 relevant transactions if there are reasonable grounds to
 20 suspect that they are for other than legitimate reasons?
 21 A. Yes.
 22 Q. And is that offence backed up with a maximum sentence of
 23 3 months' imprisonment?
 24 A. Yes.
 25 Q. If you're not sure, you can take it from me.

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1 A. I will take it from you.
 2 Q. Anyone who wants to check that, that's section 8(4).
 3 Were any suspicious transaction reports received by the
 4 police or which the police are aware of in relation to
 5 the precursor chemicals bought by or on behalf of Salman
 6 and Hashem Abedi?
 7 A. No, we didn't receive any suspicious activity reports.
 8 Q. Is it right to say that not all of those transactions
 9 would have met the criteria of a relevant transaction
 10 within the Act?
 11 A. That's my understanding, yes.
 12 Q. Has there been a decision to charge any person or
 13 organisation for failing to report a relevant
 14 transaction where there were reasonable grounds to
 15 suspect it was suspicious?
 16 A. Nobody has been charged.
 17 Q. Sir, I'm going to move on to my part 2. I think
 18 we haven't yet been going for the full hour and a half.
 19 I'm happy to make a start on this rather than taking
 20 a break now and perhaps take a break in about
 21 20 minutes.
 22 SIR JOHN SAUNDERS: That's fine. I'm going to ask you
 23 a really general question, which you may not want to or
 24 be ready to answer at the moment. I think it can relate
 25 to this case, but it's a bit emotive and it's a bit

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1 general, but just help me about this.
 2 Dealing with terrorist prisoners in particular and
 3 coping with them in prison, a real problem, and you will
 4 know perhaps, and I can ask Mr Mott if you can't help
 5 me, that other countries deal with it in different ways.
 6 But what all countries dealing with this appear to say
 7 is that what is required is complete cooperation and
 8 sharing of information with all those who have dealings
 9 with prisoners who are in prison for terrorist offences.
 10 And it may be we have a slightly different approach and
 11 don't share as much as they do in other countries about
 12 it. Would you be prepared to answer that? Is there
 13 real sharing going on?
 14 A. Yes, there is. I don't know the regime elsewhere.
 15 I know there is a report that Jonathan Hall has
 16 completed a review that I think has gone to --
 17 SIR JOHN SAUNDERS: Unfortunately it's not public.
 18 A. I clearly won't discuss it, but some of us were
 19 consulted around that and I know it does address some of
 20 the issues you may be interested in.
 21 SIR JOHN SAUNDERS: Hopefully, he will be able to let us
 22 have an advanced copy or it will be published before
 23 we have to publish our report. Okay. Obviously I don't
 24 want to tread on the ground of what other people have
 25 been doing.

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1 A. In terms of sharing, there is sharing, and certainly in
 2 closed we can go into that in a lot more detail.
 3 SIR JOHN SAUNDERS: Thank you. It's a very general question
 4 and a bit away from this, but it may be important.
 5 MR DE LA POER: So let's turn to look at Manchester
 6 specifically, Salman Abedi and some of his associates
 7 specifically.
 8 The context for Manchester or part of the context is
 9 the JTAC assessment of 2010; do you agree?
 10 A. Yes.
 11 Q. We're just going to bring up what Witness X said about
 12 this in his witness statement or her witness statement.
 13 {INQ022846/8}, please. Just crop into paragraphs 31 to
 14 34.
 15 Again, ground we've covered with Witness J, as
 16 you'll have heard. We can see at 31, it starts:
 17 "In 2010, JTAC conducted a regional assessment of
 18 Manchester, which examined the Islamist extremist and
 19 terrorist threat in the area. The report noted that
 20 there were indications of a high level of discontentment
 21 within some Muslim communities across the city, which
 22 can influence an area's susceptibility to extremism.
 23 "The JTAC report discussed how radicalisation within
 24 the Libyan community of Manchester may be influenced by
 25 elder generations' historical links to extremist groups,

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1 such as the Libyan Islamic Fighting Group. The report
2 noted how this could lead to the exposure of
3 Libya-linked individuals to extremist viewpoints during
4 young adulthood, for example through their parents and
5 their connections. In the case of Salman Abedi, it is
6 assessed to be likely that his extremist views were
7 influenced by his father, Ramadan Abedi.

8 "The JTAC report also highlighted the prominence of
9 crime and gangs in Manchester with the overall crime
10 rate being more than double that of the national average
11 at the time. In line with this, JTAC assessed that in
12 certain parts of South Manchester it was the norm for
13 young individuals to join a gang as the culture was so
14 entrenched and accessible. JTAC expressed concern over
15 the potential risk posed by the close proximity between
16 violent extremists and criminal gangs in the area."

17 And then finally:
18 "Salman Abedi was part of a group of individuals in
19 South Manchester which had links to a serious crime
20 gang."

21 And paragraph 34 speaks about the potential
22 crossover. Thank you very much indeed, Mr Lopez.

23 When you joined the Counter-terrorism Unit for the
24 North-west in 2013, were you personally aware of the
25 JTAC assessment of 3 years earlier?

1 A. No, I wasn't.
2 Q. Did you at the time, and if you wish to decline to
3 answer this question, I would entirely understand why --
4 but did you at the time have sufficient security
5 clearance to at least receive a gist of it, do you
6 think?
7 A. When I joined?
8 Q. In 2013.
9 A. Yes.
10 Q. Bearing in mind that this assessment was about your
11 patch, what explanation are you able to give as to why
12 you were not aware of that assessment of 3 years
13 earlier?
14 A. That assessment wouldn't have been a surprise to us at
15 that time. And in fact, the way JTAC would have worked,
16 having spoken to people involved, is JTAC can add
17 a national and upstream perspective, but much of the
18 material in there would have come from consultation with
19 our own analysts in counter-terrorism.
20 SIR JOHN SAUNDERS: I think you're giving the mitigation at
21 the moment without answering the question. You clearly
22 should have seen it, shouldn't you?
23 A. Well, the point I was going to make is that there's been
24 a lot of focus on a single point in 2010. We regularly
25 do assessments on our own in CT Policing about the

1 threats we have in our areas and we do them in
2 conjunction with MI5 and that process has gone
3 continually in my time. So something that was 3 years
4 old, I would suggest --

5 SIR JOHN SAUNDERS: It's one thing to say, "I don't think
6 I'd have found anything different if I'd read it", to
7 saying, "Actually, there's no need to read it". There
8 might have been something you didn't know in there,
9 mightn't there?

10 A. Yes, but our current assessments in 2013 would have been
11 more relevant. I'm not hiding -- this was an issue that
12 was known to us is what I'm saying. But we regularly do
13 assessments, we do a strategic assessment every year, we
14 refresh that every 6 months, and that describes, the
15 point you're making earlier, what is happening on my
16 patch.

17 SIR JOHN SAUNDERS: I'm not blaming you, you may not have
18 been even known about it, but do you think someone when
19 you joined should have made sure you saw it and at least
20 had the opportunity to see whether it's the same as your
21 present assessment?

22 A. I think it's one document of many, many, many JTACs that
23 we receive, and our analysts will take those JTAC
24 documents and produce our threat assessment that we work
25 from. So whether I should see an individual JTAC or

1 not, we bring the many, many, many JTAC documents
2 that --

3 SIR JOHN SAUNDERS: So is your answer: no, it was not
4 necessary for me to read it at all, so even if they'd
5 given it to me, I would have probably said that's
6 3 years out of date, no thank you?

7 A. I think I would have read it and asked what's the
8 current position.

9 MR DE LA POER: Let's look at that strategic assessment
10 that's going on. So you arrive in 2013 and did you
11 familiarise yourself with the local assessment of the
12 threat at that time?

13 A. Yes.
14 Q. In general terms, was that in accordance with the way in
15 which we have seen the JTAC report described, no doubt
16 with other information as well?

17 A. Yes, about that particular issue.

18 Q. About that particular issue?

19 A. Yes.

20 Q. So hitting the headline points, the fact that there was
21 particular disaffection amongst certain Muslim groups in
22 Manchester, that was known to you in 2013?

23 A. Yes, JTAC addressed the whole of Manchester, yes.

24 Q. And the fact that a connection with the LIFG may be
25 a relevant factor to bear in mind?

1 A. Yes, that was known to us, yes.
 2 Q. The fact that the generation below the LIFG fighters and
 3 supporters may be particularly at risk of
 4 radicalisation , that was known to you?
 5 A. Yes.
 6 Q. The fact that we are talking about young adults here, so
 7 people presumably ranging from 18 through to 25, being
 8 a particular at risk group?
 9 A. Yes.
 10 Q. Was the position, so far as you were concerned in 2013,
 11 materially identical to what we've just seen so far as
 12 Witness X says or had it developed at all in terms of
 13 the concern about that particular area as a risk of
 14 extremism?
 15 A. I think it was still a concern. I can certainly talk
 16 about some of the things we did to respond to it,
 17 I can't talk about other things we did to respond to it.
 18 It was certainly something we knew about.
 19 Q. I don't need to go into your response in this setting .
 20 I suppose it's really about your mindset at the time:
 21 what were you and your colleagues thinking might be
 22 a problem? It seems that --
 23 A. I think we recognised that issue, yes.
 24 Q. And did that continue to be the position in terms of the
 25 local policing mindset from 2013 through to 2017?

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1 A. It changed significantly when Syria came along.
 2 Q. In the sense that the local assessment was that this was
 3 no longer a problem, that which we see in the JTAC
 4 report?
 5 A. It was more how that problem might manifest itself. So
 6 if individuals were going to do something, what is the
 7 thing they may go and do? I think that sits in the
 8 background of our understanding of what may -- what the
 9 process may be, what sits behind it. Our concern, and
 10 I think as Witness J said, is: what are individuals
 11 doing about this, if anything? Can we see that and what
 12 threat does that pose?
 13 Q. Obviously, at the forefront of your minds, wearing your
 14 Pursue hat, you are worried about actual terrorist
 15 attack; is that right?
 16 A. Yes.
 17 Q. But you were also wearing a Prevent hat, which involved
 18 you participating in the strategy that stopped people
 19 getting to the point at which the Pursue strategy needed
 20 to kick in; do you agree?
 21 A. Yes.
 22 Q. So that assessment about who might be vulnerable to
 23 radicalisation presumably remained the same throughout
 24 the period, in other words if you were part of
 25 a particular Muslim section of the community with

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1 a relationship with LIFG, that you were a young adult,
 2 you were at risk of being drawn into extremism?
 3 A. Some individuals within that group, yes, that risk sat
 4 there.
 5 Q. So those were risk factors to weigh in the balance when
 6 considering whether a particular individual was
 7 exhibiting signs that indicated they were being drawn
 8 into extremism?
 9 A. Yes. Each case is dealt with on its own merits.
 10 Q. Of course.
 11 A. And you'll appreciate that's a very broad description.
 12 Q. Lots and lots of people, who no doubt will be
 13 outstanding citizens, may fall into one or more or even
 14 all of those categories. But when you are presented
 15 with an individual and you are making an assessment of
 16 whether or not the signs in their life indicate
 17 extremism or radicalisation, those risk factors are
 18 relevant, aren't they?
 19 A. Yes.
 20 Q. Did North-west Counter-terrorism Unit draw those factors
 21 to the attention of its local partners who were engaged
 22 in the Prevent network?
 23 A. In 2010, I think it was, or 2011 at the latest, there
 24 was a national project that kicked off called
 25 Counter-terrorism Local Profiles. That's continued to

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1 this day. That is us taking essentially all our secret
 2 intelligence, the Prevent referrals that we had, what we
 3 can find from them, and distilling them down into
 4 a product that would have been briefed to the local
 5 commander on a privileged briefing and to senior
 6 partners in local authorities. So that's the mechanism
 7 that began then from saying, "Here's all the secret
 8 stuff we do, these are the investigations we're doing",
 9 and clearly if there are prosecutions we can explain
 10 what we're seeing. And that product began, I think, in
 11 2010 or 2011, and has continued to this day.
 12 Q. So in short, you would say that the Counter-terrorism
 13 Policing Network ensured that those people who needed to
 14 know those raw facts under the Prevent strand were made
 15 aware of them?
 16 A. Yes, and we also began a spot network, so within each
 17 local policing area we had volunteers who took an
 18 interest in counter-terrorism policing. We still do
 19 that. These are normal neighbourhood front line
 20 officers who will come in for professional development
 21 and awareness training on top of their normal duties.
 22 Q. So let's start our timeline, which begins before your
 23 time in the Counter-terrorism Unit. December 2010, as
 24 Witness J told us, that was the time at which
 25 Salman Abedi, as a person, first became known to

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1 Counter—terrorism Policing and MI5; is that right?
 2 A. Yes.
 3 Q. At that stage, were steps taken to establish
 4 Salman Abedi’s background or was he simply a person
 5 associated with something else that you were concerned
 6 with?
 7 A. Sorry, can you just give me the reference in the —
 8 Q. Paragraph 100.
 9 A. That was an enquiry from MI5 to us that we responded to.
 10 Q. Yes.
 11 A. Can you repeat the question?
 12 Q. I will reframe it. What you say at paragraph 100 is
 13 that MI5 requested a trace in relation to an SOI, so not
 14 Salman Abedi?
 15 A. No.
 16 Q. This is a request by MI5 for you to search your systems
 17 to assist them with what information you held about the
 18 person that they were interested in?
 19 A. That’s correct.
 20 Q. Not Salman Abedi?
 21 A. No.
 22 Q. And in the course of that, it was identified that
 23 Salman Abedi was associated with an address associated
 24 with the SOI?
 25 A. Yes.

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1 Q. So his name crops up. At that very early stage, is he
 2 just a name or would a piece of work have been done
 3 about him? I’m not interested in the detail of it.
 4 A. I think it would just have been a simple response to the
 5 question.
 6 Q. Next, we remind ourselves that, come 2011, Prevent was
 7 recast, as Mr Hipgrave described it, and it was still
 8 not a legal duty. In 2011, are you able to confirm that
 9 there were a number of port stops in relation to
 10 Ramadan Abedi?
 11 A. Yes.
 12 Q. And that, on at least one occasion, it was noted that
 13 Salman Abedi was present with him?
 14 A. I wasn’t aware of that, but I’ll take it if that’s
 15 what’s on our record.
 16 Q. So far as Ramadan Abedi is concerned, did the police
 17 know in 2011 that in the press it was being reported
 18 that he had connections to LIFG?
 19 A. I’m not aware of that and our knowledge of Ramadan is
 20 not something I would be able to discuss here.
 21 Q. I framed my question very carefully. I was not asking
 22 about what you might have known about him. Are you able
 23 to answer whether the police were aware of what was
 24 being publicly reported?
 25 A. No, I don’t know.

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1 SIR JOHN SAUNDERS: Would your organisation be following the
 2 press to see what they say?
 3 A. It’s not our first port of call for credible
 4 information. We do do open source — certainly I can
 5 speak now, open source is an important area for us. But
 6 that is normally prompted by a request for assistance or
 7 an interest that’s been flagged to us.
 8 MR DE LA POER: I understand and respect and will respect
 9 the fact that you are not able in this environment to
 10 speak about what information was held by the police as
 11 collected and you don’t know the answer to the press, so
 12 I will move on. But I’m sure you will accept from me
 13 that there has been a deal of publicity about him, which
 14 is open source, and which indicates that at the very
 15 least he had a connection to LIFG. That’s the
 16 background, I don’t ask you to agree or disagree with
 17 that, but I’ll just make clear what the source of my
 18 question was.
 19 We are going to move forward to January 2014. By
 20 this stage, reminding ourselves of the evolution of
 21 Prevent, Manchester was a priority area; is that right?
 22 A. That’s correct.
 23 MR DE LA POER: I think, sir, it probably would be
 24 convenient for us to take a break at this point, because
 25 it may take me more than a couple of minutes to go

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1 through this.
 2 SIR JOHN SAUNDERS: A quarter of an hour?
 3 MR DE LA POER: Yes, please.
 4 SIR JOHN SAUNDERS: Thank you.
 5 (11.11 am)
 6 (A short break)
 7 (11.31 am)
 8 MR DE LA POER: Detective chief superintendent, we’re going
 9 to deal with January 2014. Can I ask you to turn up
 10 your paragraph 101, please.
 11 A. Yes.
 12 Q. A point of clarification to check that you and
 13 Witness J’s understanding is the same: you indicate that
 14 Salman Abedi was first actively investigated by MI5 in
 15 January 2014 when it was thought he might have been an
 16 unidentified individual who’d been seen acting
 17 suspiciously with SOI A. And then it’s just this
 18 sentence I want to clarify with you:
 19 "It was established that Salman Abedi was not the
 20 individual seen with SOI A and Abedi was removed from
 21 the investigation in July 2014."
 22 If we can please bring up Witness X’s statement,
 23 which is what Witness J spoke to, {INQ022846/23}. What
 24 we can see at paragraph 86 is he begins to outline the
 25 approach that MI5 took. What he says four lines from

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1 the bottom:
 2 "The justification for the decision to open a record
 3 for Salman was that he was a frequent contact of SOI A,
 4 including contact just prior to SOI A acting
 5 suspiciously and that MI5 were therefore seeking to
 6 ascertain the nature of their relationship and whether
 7 Salman posed a threat to the UK's national security."
 8 It goes on to say that there was this issue about
 9 whether he was an unidentified individual and then at
 10 89:
 11 "Later in March 2014, a different person was
 12 identified as the individual acting suspiciously with
 13 SOI A. Although Salman was now known not to be the
 14 individual acting suspiciously with SOI A in
 15 December 2013, he remained open as an SOI because he was
 16 otherwise associated with SOI A. On 21 July 2014 a
 17 decision was made to close him."
 18 So, I am sure it as just the way you summarised
 19 matters, and it may turn on a comma and the word "and",
 20 but according to Witness X he wasn't made an SOI because
 21 he was the unidentified person, so this wasn't a case of
 22 pure mistaken identity, it was his contact with SOI A
 23 that justified that. There was concurrently an issue
 24 with him being whether he was an unidentified person.
 25 Even when that was resolved and he wasn't, he remained

1 an SOI. So not a pure case of mistaken identity, but
 2 that may be one reading, and I'm not being critical at
 3 all, and it may just be how you read that comma and the
 4 "and" as to whether they are connected or not. But do
 5 you agree that what we see in Witness X's statement is
 6 the correct position?
 7 A. Yes, I think the frequent contact is the rationale they
 8 give.
 9 Q. Yes. Thank you very much indeed, Mr Lopez. We can take
 10 that down.
 11 As we know, he was closed on 21 July 2014 with
 12 a residual risk of low being ascribed to him.
 13 A. Yes.
 14 Q. Do you agree that that was the first opportunity to
 15 consider a Prevent referral?
 16 A. Yes, at that closure point.
 17 Q. And we've covered the ground already about whether there
 18 are any records about whether that was or wasn't
 19 considered and you can't say one way or the other
 20 whether it was or it wasn't. What you may be able to
 21 help with is, as we know, it was a Prevent priority
 22 area, Manchester, at the time?
 23 A. Yes.
 24 Q. That although it wasn't a legal duty, nonetheless would
 25 you agree it was something that ought to have been

1 considered?
 2 A. Yes.
 3 Q. And that what was known about Salman Abedi at that time
 4 was that he was 19 years old, so he was in that young
 5 adult age spoken about by JTAC, and as you say,
 6 recognised on the year-on-year assessments. You can't
 7 confirm, and I respect the fact that you can't confirm,
 8 whether or not it was known by Greater Manchester Police
 9 that he was the son of somebody associated with LIFG, so
 10 we'll pass over that. And he had had a level of contact
 11 with somebody who was an SOI of sufficient level and
 12 timing that justified him being an SOI himself for
 13 6 months. So all of that was known at the point of
 14 closure, do you agree --
 15 A. Yes.
 16 Q. -- setting aside Ramadan, which you are not confirming
 17 or denying?
 18 And at that stage, you, the police, do you agree,
 19 couldn't have known whether he would or wouldn't consent
 20 to involvement in a Prevent programme?
 21 A. No, we wouldn't have known.
 22 Q. So you couldn't pre-emptively have said, "It's not
 23 appropriate to refer him because he'd never agree to
 24 it", you just didn't know one way or the other?
 25 A. No.

1 Q. And do you agree, and if you can't answer this, then
 2 again I will respect that, but at that stage there was
 3 no real risk that he would be tipped off, given the
 4 circumstances in which he'd become associated, that
 5 would mean that a referral was inappropriate?
 6 A. We would have had to think how we put that referral in
 7 and what was on it.
 8 Q. Yes.
 9 A. There has to be a description and I would have to think
 10 about how we would break that out.
 11 Q. So there would have been a challenge there to overcome?
 12 A. Yes.
 13 SIR JOHN SAUNDERS: But not an uncommon challenge presumably
 14 and certainly not insuperable?
 15 A. Not insuperable. I'm just saying --
 16 SIR JOHN SAUNDERS: Okay.
 17 A. -- we would have to give some thought to somebody who is
 18 in a covert investigation or linked to a covert
 19 investigation and we need a referral to go out to
 20 (inaudible) services and other people. It's not
 21 insurmountable and we do do it. I'm just reflecting on
 22 it ...
 23 MR DE LA POER: And I appreciate you sitting there,
 24 detective chief superintendent, you can't directly sit
 25 in the seat of the person who ought to have been making

1 that referral to work out the mechanics of how that
 2 would be done in practice. But on the face of it --
 3 A. Yes.
 4 Q. -- there is no information that you have and you're able
 5 to tell us that says that would have been an absolute
 6 no--no on those facts?
 7 A. No, not at the point of closure. It does depend whether
 8 that investigation was ongoing, so we went back to that
 9 original deconfliction test: does this referral in any
 10 way impact? But let's take it as it is, I think, and
 11 consider the decision. So if the investigation is still
 12 ongoing then it is a real consideration in terms of
 13 where has this referral come from.
 14 Q. Of course --
 15 SIR JOHN SAUNDERS: So are you able to say, putting yourself
 16 back in that position, should it have been made?
 17 A. The referral?
 18 SIR JOHN SAUNDERS: Yes.
 19 A. I don't think so on the circumstances.
 20 SIR JOHN SAUNDERS: You don't think it should have been
 21 made?
 22 A. No.
 23 SIR JOHN SAUNDERS: A 19--year--old coming from an area where
 24 he was coming from, some might call it probably an
 25 over--the--top description, a hotbed of terrorism, but

1 a potential for terrorism, coming from that area, aged
 2 19, in regular contact with someone who was a terrorist.
 3 You wouldn't think there was a sort of danger of
 4 radicalisation which he should go on to the government
 5 programme designed to prevent it?
 6 A. Not on those circumstances.
 7 SIR JOHN SAUNDERS: You're entitled to your view, but that
 8 is your view?
 9 A. Yes.
 10 SIR JOHN SAUNDERS: And that's the view Counter--terrorism
 11 Police would take generally?
 12 A. I think in that set of circumstances we're looking for
 13 the vulnerability of what is it we're going to engage
 14 with. That profile, taking it outside Manchester, and
 15 Witness J discussed it yesterday in terms of the high
 16 numbers of people who will come across our desks --
 17 I mean, here we haven't actually got --
 18 SIR JOHN SAUNDERS: Isn't that for the Prevent programme to
 19 decide rather than you? Aren't they the people who'd
 20 actually assess suitability? You're not there to say,
 21 "Yeah, he's the right person". This is someone where
 22 you will be looking for a risk of radicalisation.
 23 That's the criteria, isn't it, for referring? Is there
 24 a risk that he was being radicalised?
 25 A. The test is do we have a genuine belief they are

1 vulnerable of being drawn into terrorism.
 2 SIR JOHN SAUNDERS: That's much better than the way I put
 3 it.
 4 A. That's what it says in the Act and that's our bar.
 5 I can't see that on those circumstances. Those
 6 circumstances are quite common -- well, very common in
 7 Manchester and across the country.
 8 SIR JOHN SAUNDERS: Okay, thank you.
 9 MR DE LA POER: Let's just move through. So that's a moment
 10 in time, that's your view at that moment. If one thing
 11 drops out of the questions of the last 5 minutes, sir,
 12 and your answers, you have pointed to the challenges
 13 that there will be and the importance of protecting an
 14 existing -- isn't that complexity a further reason why
 15 this decision--making needs to be documented to show that
 16 somebody has actually thought about it, worked out how
 17 it could happen and at which hurdle it falls?
 18 A. Yes, I would agree.
 19 Q. Because otherwise there's a risk that someone just says,
 20 "It's not the most obvious case I have seen, it's all
 21 going to be very complicated for one of those reasons,
 22 no". I'm not suggesting that did happen, but that is
 23 a risk of human behaviour that they are not forced to
 24 actually set it out and what you are speaking about is
 25 a challenging environment where clear reasoning needs to

1 be applied?
 2 A. It is, and the guidance says there is no defined
 3 threshold. It is a complex area and each individual
 4 circumstances will be different. So I would agree that
 5 we should be able to go back and look at that and
 6 understand at any point in time what our thinking was.
 7 SIR JOHN SAUNDERS: The ISC report clearly disagrees with
 8 what you're saying. I don't know whether they
 9 identified that particular moment.
 10 A. They do.
 11 MR DE LA POER: That is the one moment, as far as I have
 12 been able to discern, that they disagree. We'll have
 13 a look at that.
 14 A. I think they say it should have been considered but
 15 I don't know if they (overspeaking).
 16 Q. They do say the referral should have happened --
 17 A. They offer a view of whether it should have --
 18 Q. What they do say, as we'll come to, is that it was
 19 disappointing, I hope I have remembered that word
 20 correctly, that none of the Abedi family was referred,
 21 so they speak more generally. We'll come to that.
 22 Let's move through our timeline. We can deal
 23 briefly with this. Paragraph 115. Just after
 24 Salman Abedi is closed, he is evacuated from Libya on
 25 HMS Enterprise; is that correct?

1 A. Yes.
 2 Q. So that is chronologically hot on the heels of the
 3 decision to close him?
 4 A. Yes.
 5 Q. I think all that you're able to tell us is that your
 6 understanding is both Salman and Hashem Abedi were
 7 evacuated?
 8 A. Yes.
 9 Q. That's August 2014. Another data point, although how
 10 significant perhaps on its own at that time doesn't tell
 11 you an awful lot, but then we come to November 2014 and
 12 Operation Oliban. And the inquiry legal team's
 13 expectation is that in the early New Year, your
 14 colleagues, former Detective Inspector Frank Morris and
 15 Detective Sergeant Costello, who were the SIO and OIC of
 16 that investigation, will assist us. But as effectively
 17 their boss at the time, I'd like to see what you can
 18 help us with in terms of overview.
 19 I have chosen 28 November as my date because it was
 20 on that date that a particular handset, given the
 21 designation ICW/13, was seized; is that correct?
 22 A. That's correct.
 23 Q. And obviously that is the back-end of the year and it
 24 takes time to download and analyse substantial devices
 25 and so is it fair to say that it's over the course of

1 early 2015 that that is really being dug into by police
 2 officers?
 3 A. Yes.
 4 Q. That handset was attributed to a man called
 5 Abdalraouf Abdallah?
 6 A. Yes.
 7 Q. I would like to pause and say one or two things about
 8 this. The inquiry is going to hear from him when we
 9 return from the closed hearings. I'm sure you'll agree
 10 that it is not for the police to make findings of fact,
 11 rather you are following reasonable lines of enquiry and
 12 you are considering things from the perspective of
 13 suspicion; is that correct?
 14 A. Yes.
 15 Q. So in other words, when we talk about the police's
 16 perspective, you are not saying that a certain matter
 17 must mean only one thing, rather that you suspect it
 18 means a certain thing; is that correct?
 19 A. Yes.
 20 Q. It's important I say all of that so your evidence is not
 21 to be misunderstood by Mr Abdallah or his lawyers.
 22 We are simply going to look at what certain messages
 23 might mean so far as the police are concerned and it
 24 will be for Mr Abdallah to come and explain what he
 25 intended by their meaning. We are just looking at this

1 from the point of view of the police, reasonable lines
 2 of enquiry and suspicion. Okay? I am sure you
 3 understand all of that and I hope that the language we
 4 use can reflect that.
 5 One of the people that Abdalraouf Abdallah, on the
 6 face of it, was in contact with was identified within
 7 the contacts of that phone as Salman; is that correct?
 8 A. Yes.
 9 Q. Salman, according to the phone, engaged in a number of
 10 conversations with the user of the handset, who was
 11 suspected to be Abdalraouf Abdallah?
 12 A. Yes.
 13 Q. For example, and I'm not going to exhaustively look at
 14 this, Salman, as recorded by the phone, sent what is
 15 described by Detective Sergeant Costello as a jihadi
 16 nasheed, speaking about: "soldiers of sacrifice advancing
 17 forward and crushing the stronghold of their enemy".
 18 I'm quoting there, but I'm sure that will stick in your
 19 memory.
 20 A. Yes.
 21 Q. And the date of that message was 12 November 2014 and
 22 we've heard about jihad from Dr Wilkinson. I'm sure
 23 that you will be able to say that when being used
 24 in that context, you are talking about violent jihad?
 25 A. Yes.

1 Q. As is apparent from the content of the text.
 2 On that same day, can you confirm that two messages
 3 were received by the handset, one with the words
 4 "Salman Abedi" and one with the word "AbEdi" with
 5 a capital E in the middle?
 6 A. I don't have that in front of me but I do know those
 7 messages.
 8 Q. Would it help if you saw that or do you want to take
 9 that from me? I am really very happy to bring it up.
 10 A. I do know within the contents of one of the messages
 11 "Salman" and "Salman Abedi" were used.
 12 Q. Those messages were from the number which the phone
 13 ascribed to Salman in the context to the recipient?
 14 A. I need to check about the contact, whether Salman was
 15 listed in there.
 16 Q. Let's see. There is always a possibility, and I readily
 17 acknowledge this, that I have misunderstood this. Let's
 18 look at it to make sure I'm exactly right.
 19 {INQ033826/21}.
 20 At the top, talking about 12 November 2014, this is
 21 Mr Costello's report:
 22 "The final messages today from Salman [that's the
 23 contact Salman to Abdalraouf Abdallah]. They consist of
 24 English text, Salman Abedi and Abedi. These do not
 25 appear to be sent in response to any request and are not

1 acknowledged by Abdalraouf.”
 2 That’s where I have taken the basis of my question
 3 from. If you’re able, from your position of greater
 4 knowledge, to assist us with what’s meant by that,
 5 please feel free to do so.
 6 A. I don’t know how the attribution of Salman has come —
 7 this is a summary report, isn’t it?
 8 Q. Yes.
 9 A. And I don’t... I don’t know if they were a contact.
 10 I have no problem with it, it’s an unknown Salman, and
 11 then within the text of the message there is
 12 “Salman Abedi”.
 13 Q. Yes. Well, if you want to have a look at where
 14 Mr Costello says that the contacts for that telephone
 15 number record Salman, and that’s I think why he speaks
 16 in the report, as I interpret it, as Salman rather than
 17 saying Salman Abedi because of course, as we will come
 18 to, Operation Oliban did not identify that Salman as
 19 being Salman Abedi until 2018. That’s where I’ve taken
 20 it from.
 21 A. That’s fine. I think in the next paragraph it confirms
 22 conversation between and gives the number.
 23 Q. And “Salman” in quotation marks.
 24 A. That’s fine.
 25 Q. It’s important that you’re satisfied that I’m right

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1 bearing in mind the significance of these questions. So
 2 thank you very much indeed. You can take that down.
 3 So we’ve established those facts about what the
 4 phone had on it and you know because you will have seen
 5 Mr Costello’s statement that he will be able to talk
 6 about whether he appreciated that at the time. I am not
 7 looking at his subjective knowledge; I’m just looking at
 8 what Greater Manchester Police and Counter—Terrorism
 9 Policing North West had in their possession.
 10 I have covered this already in our previous
 11 exchange, but is it right that Operation Oliban did not
 12 attribute that Salman to Salman Abedi until 2018?
 13 A. Yes.
 14 Q. If we go back to what the messages contain, is it right
 15 that an interpretation of other messages, they were just
 16 on the screen, this summary, was that
 17 Abdalraouf Abdallah was promoting the idea of martyrdom,
 18 talking about maidens of paradise?
 19 A. Yes.
 20 Q. That is an interpretation, I stress.
 21 A. Yes.
 22 Q. A matter for him to explain what he meant by that, but
 23 certainly you would say, I’m sure, that it was
 24 reasonable for the police to suspect that that might be
 25 the intention behind the words?

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1 A. Yes.
 2 Q. And indeed, is it right that you, that is to say the
 3 police prosecuting Abdalraouf Abdallah, relied upon
 4 those messages as part of the trial that he faced for
 5 terrorism offences?
 6 A. Yes.
 7 Q. And that you did so in order to demonstrate to the jury
 8 his mindset?
 9 A. That’s correct.
 10 Q. So the argument presented to the jury was: look at those
 11 messages, ladies and gentlemen, you can conclude that
 12 this man is an Islamic extremist who is promoting the
 13 idea of martyrdom —
 14 A. Yes.
 15 Q. — in a nutshell?
 16 A. Yes.
 17 Q. I’m sure it was much more impressively presented at the
 18 trial, but that is the thrust of what the police and
 19 prosecution were saying to the jury?
 20 A. Yes.
 21 SIR JOHN SAUNDERS: Let’s make absolutely clear: in most of
 22 these sort of terrorist trials, there is a huge amount
 23 of mindset material which is put before a jury. I don’t
 24 if it was in this particular trial and one can never
 25 tell which bits were accepted by the jury as being

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1 indicative of mindset and which weren’t.
 2 MR DE LA POER: Absolutely and it’s important to stress,
 3 isn’t it, for anybody who perhaps hadn’t realised this,
 4 that the jury were not in fact being asked to adjudicate
 5 by means of a verdict on that mindset material or any
 6 other mindset material?
 7 A. No.
 8 Q. That’s not the charge that’s being faced and so in
 9 a guilty or not guilty verdict, as the chairman says,
 10 one cannot interpret what the jury accepted about the
 11 prosecution case or rejected outside their verdict?
 12 SIR JOHN SAUNDERS: Don’t feel obliged to agree or not
 13 agree. I think he is really stating facts through you,
 14 but I don’t think anyone would seriously disagree with
 15 that.
 16 MR DE LA POER: Let’s just have a look at what was in the
 17 possession of the police. Do you agree that, within the
 18 Operation Oliban material, there was sufficient
 19 information to identify that the Salman participating in
 20 those conversations was Salman Abedi?
 21 A. I think we would have established that. It’s
 22 a Salman Abedi, if we have put that in our records.
 23 Q. So the steps on the way are to say: I wonder who this
 24 Salman can be, he apparently has sent a text message
 25 which says Salman Abedi, let’s start from there? And

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1 from there you would have established that you had
 2 a record of Salman Abedi, the Salman Abedi that we are
 3 concerned with, who lives in the same area as
 4 Abdalraouf Abdallah, comes from the same community and
 5 heritage, and therefore he was at the very least
 6 a highly probable person to attribute that to?
 7 A. Yes, I would agree.
 8 Q. All from the four corners of the Operation Oliban
 9 material --
 10 A. Yes.
 11 Q. -- just looking at what you held on that phone?
 12 A. Yes.
 13 SIR JOHN SAUNDERS: Is this material you would have shared
 14 with MI5?
 15 A. Yes, we do normally share downloads.
 16 SIR JOHN SAUNDERS: Thank you.
 17 MR DE LA POER: I would just like to have a look, and again
 18 your colleague, former DI Frank Morris deals with this
 19 and he'll give his own evidence on it, but for you to
 20 help us with this. In any investigation such as this,
 21 the SIO, the senior investigation officer, sets
 22 objectives, don't they? But there are also a subset of
 23 objectives set in relation to what analysing
 24 a particular device is looking to yield; do you agree?
 25 A. Yes.

1 Q. So that's to help the analyst: this is what we want you
 2 to look at. So let's just bring up what the analyst was
 3 asked to look at and you can just help us with what some
 4 of this language means. {INQ042104/2}. If you crop
 5 into the aims and objectives, this is a document the
 6 analyst will receive; is that right?
 7 A. Yes.
 8 Q. Signed off by the SIO and the officer in the case, as we
 9 saw at the top:
 10 "Identify contact details of each subject in this
 11 enquiry."
 12 Salman Abedi was not a subject in this enquiry;
 13 is that right?
 14 A. That is right.
 15 Q. So that wouldn't -- but this second one, you'll have to
 16 help we in:
 17 "Seek to attribute relevant communications data to
 18 specific individuals."
 19 A. I think that's about attribution. So we may have lots
 20 of communication data where we don't have a name to it,
 21 we don't have a subscribed handset that's registered.
 22 So part of the analyst's job is to use the
 23 communications data we recover to attribute. This phone
 24 we assessed to be belonging to this person.
 25 Q. So bearing in mind we are not talking about subjects but

1 we're looking to attribute communication data to
 2 specific individuals, would that then include the
 3 attribution of whatever number is being used there to
 4 communicate with Abdalraouf Abdallah to a specific
 5 individual?
 6 A. Only if it was relevant. So it's relevant
 7 communications. It depends on the SIO's approach: they
 8 have their subjects, they are seeking to attribute
 9 relevant communications to specific individuals, so
 10 it would be where they are of interest.
 11 Q. So obviously, this SIO was directing people to look at
 12 who might be being sent to Syria?
 13 A. Yes.
 14 Q. That was one of the objectives?
 15 A. Yes.
 16 Q. So clearly not, but in one sense at least can you see
 17 how people might think a conversation relied upon at
 18 trial to demonstrate mindset is within the investigation
 19 a relevant conversation or communication? And would
 20 such a person be wrong from the policing perspective to
 21 analyse it in that way?
 22 A. I think it's relevant because we've used it and it's
 23 part of our case and I think that's -- so it is relevant
 24 communications. If I was doing that piece of work and
 25 I put it into our case, I'd probably want to know who

1 was at either side of the communication. That's my
 2 view.
 3 Q. Notwithstanding that that's your view, and obviously the
 4 analyst isn't here to speak for themselves but we will
 5 hear from the OIC and the SIO, thank you very much
 6 indeed, you're able to confirm that that Salman was not
 7 connected as the Salman Abedi by Operation Oliban until
 8 DS Costello spoke to an analyst, as he says, in 2018?
 9 A. Yes, I think from reading DS Costello's work, data was
 10 put into our system but not specifically attached to the
 11 record. So I think he is right in saying if you
 12 searched for that number you'd find that number, but if
 13 you looked at an individual's record, it wouldn't -- we
 14 would call it an association or a link that's connected.
 15 SIR JOHN SAUNDERS: Before you go on, I'm being really
 16 pedantic now, I am just concerned about one of the words
 17 you used. You were talking about the objectives are to
 18 see who was being sent to Syria. I think the case was
 19 encouraging people to travel. I'm being really
 20 pedantic. I just know how sometimes words can be taken
 21 out of context.
 22 A. Yes.
 23 MR DE LA POER: I'm not sure and we would have to check
 24 whether in fact one of the objectives included that,
 25 albeit that was just one of the objectives. Perhaps,

1 sir, if I could accept that as being right for the time
 2 being and we will hear from DI Morris about it.
 3 A. I think the word " facilitation " is the one
 4 (overspeaking) completely different.
 5 Q. Yes. So whilst this phone is being held by the police,
 6 and clearly Operation Oliban is a Pursue, if we are
 7 going to frame it in terms of the government's
 8 overarching strategy, police investigation driving
 9 towards, as it ultimately ended up, to be a criminal
 10 prosecution conviction with people receiving substantial
 11 prison terms.
 12 But whilst Greater Manchester Police's and the
 13 North-west Terrorism Network are holding this --
 14 Counter-terrorism Network, I should say -- holding this
 15 phone, we are crossing the threshold into the Prevent
 16 duty becoming law, aren't we?
 17 A. Yes.
 18 Q. Because that's the period to July 2015. So were
 19 investigators who, clearly have SIO objectives to work
 20 to, also expected to be looking at the material they're
 21 handling with that second hat as it became legal duty
 22 in July of 2015?
 23 A. Yes. I don't think it was being framed specifically
 24 around that duty. Safeguarding has always been a part
 25 of our investigations and I would expect that to be

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1 considered by the investigating officers .
 2 Q. Again, it is for Mr Abdallah to tell us what his
 3 intention was and for the chairman to weigh that. But
 4 an interpretation is that Abdalraouf Abdallah or the
 5 user of that handset is seeking to radicalise Salman?
 6 A. Yes, I understand that's an interpretation of it .
 7 Q. Within that interpretation, implicitly is that
 8 Abdalraouf Abdallah, or whoever is using that handset,
 9 believes that that individual is vulnerable or
 10 susceptible to radicalisation because they wouldn't be
 11 wasting their time trying to speak to somebody who had
 12 no interest in it whatsoever; would you agree?
 13 A. If that's their intention, yes.
 14 Q. But it's certainly a possibility, isn't it --
 15 A. Yes.
 16 Q. -- that the user of that handset has thought: this
 17 person is going to be interested in this sort of
 18 material and it might have an effect on them?
 19 A. Yes.
 20 Q. So just from a safeguarding perspective, what do you say
 21 about whether or not there was an obligation on the
 22 police officers who were handling that material to look
 23 at that material and consider whether or not it was
 24 important to identify exactly who that person is in
 25 order to consider whether or not a Prevent referral

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1 should be made?
 2 A. Yes, and I know DI Morris and DI Costello go through
 3 their considerations on that, so I will not rehearse
 4 that on their behalf. There are other examples within
 5 that investigation of where they clearly do see
 6 safeguarding risks and take action about it. We come
 7 back to the point: is there a record of consideration?
 8 I don't believe there is in this case. I know
 9 DS Costello explains his rationale and thinking. So
 10 I would expect case officers, SIOs and others, if they
 11 saw something they regarded to be a safeguarding risk,
 12 to manage and deal with that risk.
 13 Q. He'll speak for himself, but the upshot of what
 14 DS Costello says is that for various reasons within the
 15 data, he ultimately concluded that that individual
 16 wasn't vulnerable. That's the thrust of it, wasn't it?
 17 A. His understanding of the messages and his reading of it.
 18 Q. Yes. Looking at the four corners of the messages, he
 19 thought: this individual isn't displaying overt signs of
 20 being swept along with this -- he'll speak for himself
 21 (overspeaking) in a headline form?
 22 A. Yes.
 23 Q. Obviously, a step which could be taken, which would
 24 backstop that assessment, is to say: why don't we find
 25 out who this person actually is so we can view these

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1 messages in the context of their life? Because an
 2 interpretation is that the user of that handset thinks
 3 they might like to hear this terrible extremist
 4 material; do you see?
 5 A. Yes.
 6 Q. It does appear, doesn't it, that that backstop of
 7 saying, let's just check whether our interpretation of
 8 these messages is correct, wasn't used; is that fair?
 9 A. Yes.
 10 Q. Do you think it should have been?
 11 A. My preference -- what I think should have happened with
 12 that material, and DI Morris refers to it, very common
 13 in investigation, a murder, whatever it is, is that you
 14 get peripheral intelligence, so material that does not
 15 support or is not needed or required for the purpose of
 16 your objectives. And what we would expect and hope for
 17 in those circumstances is that intelligence, and that's
 18 how I'm viewing at this stage, could then be lifted out
 19 of the investigation and go to where out intelligence
 20 goes, to our Intelligence Management Unit.
 21 So I'm not disagreeing where it may end up, but
 22 I think there's a stage before that that I would have
 23 preferred to have seen.
 24 Q. And do you see -- presumably there would be records if
 25 it had been lifted out and given to the Intelligence

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1 Management Unit?
 2 A. Yes, it wasn't lifted out, and the reason I say that's
 3 my preference is that puts it back to the start of the
 4 process, the intelligence handling model, with those who
 5 have the widest view, and it would be considered from
 6 that point onwards. I can't hypothesise, and it
 7 wouldn't be appropriate in this setting, to go into what
 8 that picture looked like, but my point is I think it
 9 should have gone back to the start of the process. So
 10 that process in IHM -- and I am making this as a general
 11 comment, not a comment about this case -- as we
 12 described earlier, an assessment of risk, RCAP,
 13 safeguarding: should this be a lead, should this be an
 14 investigation? And if the answer to that is no, then
 15 you come to: okay, what else should we do with this,
 16 either safeguarding or Prevent?
 17 SIR JOHN SAUNDERS: I just have two things to say. I'm
 18 going to give you the opportunity I gave to Witness J to
 19 consider this. We're identifying various stages where
 20 there might have been a referral of Salman Abedi to
 21 Prevent. A possible reason for the fact that it did not
 22 happen, to the disappointment of the ISC, is that
 23 actually the Counter-terrorism Police have little faith
 24 in it as something as being an effective tool.
 25 A. No, I completely disagree.

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1 SIR JOHN SAUNDERS: I'm giving you the opportunity to say so
 2 because that might be a possible inference people would
 3 draw.
 4 A. Yes. I view it as safeguarding and as a core part of
 5 what we do. It's in a CT setting.
 6 SIR JOHN SAUNDERS: I'm giving you the opportunity.
 7 A. I'll take the opportunity to say that's certainly not
 8 something I believe and certainly not --
 9 SIR JOHN SAUNDERS: The other thing, which is a more general
 10 thing, which we may need to come back to, but I think
 11 it's going to become a recurring theme, one of the
 12 things that in particular Lord Anderson deals with is
 13 better use of data.
 14 A. Yes.
 15 SIR JOHN SAUNDERS: And that involves -- at the moment your
 16 Intelligence Management Unit, how they do it, the
 17 intelligence goes to them, they have a look at it and
 18 see whether that triggers something. We're all fallible
 19 and actually it's the sort of things that computers may
 20 be better at than individuals are. Were you then making
 21 use of data washing, whatever the appropriate term is,
 22 to see whether, in the same way as Daffodil at a later
 23 stage was to do -- it's Clematis, isn't it? -- that it
 24 triggers something which may be missed by a person.
 25 A. Not in CT Policing, no.

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1 SIR JOHN SAUNDERS: You weren't using it?
 2 A. We don't hold a lot of the bulk data sets that our
 3 partners do.
 4 SIR JOHN SAUNDERS: And you still don't?
 5 A. I think we're not allowed to hold some of them or there
 6 are limits on what we can hold. I would need to check
 7 that, but that's my understanding.
 8 SIR JOHN SAUNDERS: I thought we were reading only yesterday
 9 in the paper where they're now going to be held.
 10 A. I don't know what it is that ... In a situation like
 11 that, it would be: here's a piece of intelligence and
 12 we would manually, although the system would search for
 13 it -- bulk washing of, "Here's 100 telephone numbers",
 14 is not something that would apply in this case. I think
 15 Clematis and Daffodil are slightly different and I am
 16 sure we'll go into some more detail in closed if need
 17 be.
 18 SIR JOHN SAUNDERS: Sorry, I diverted us slightly off the
 19 route we were going.
 20 MR DE LA POER: Not at all, sir. I'm going to leave
 21 Operation Oliban behind and move on to what else was
 22 happening, this time in terms of a knowing attribution
 23 of events to Salman Abedi.
 24 A. Sorry, Mr de la Poer, can I just come back on the data?
 25 I know it's of interest. We are going to build a data

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1 science laboratory, so irrespective -- we hold lots of
 2 data. It's different from our partners' data, but from
 3 a national perspective we definitely want to understand
 4 how we can better exploit it. And I would say we're in
 5 the early stages of really understanding what we can do
 6 and we have created a branch similar to that which MI5
 7 has, data and analysis. That's not something that
 8 existed at this time.
 9 So I'm sure my colleagues at HQ will respond if I've
 10 got this wrong, but that is the approach we've taken.
 11 We've invested significantly on that, but that's not
 12 what was applicable here at that time.
 13 SIR JOHN SAUNDERS: Are we a bit late in that?
 14 A. We are later, yes. Our five-year programme was really
 15 to join all the bits up that I spoke about earlier, so
 16 43 different CT systems into a single system. That was
 17 a significant programme over a significant period of
 18 time. We've come to the end of that now, which has
 19 allowed us now to sit back and reflect and say: where do
 20 we now invest, how we do exploit that? And that's where
 21 we're building capabilities around our digital media,
 22 where we hold it all, how we can bring it together and
 23 exploit it. So as in any organisation, it is a process
 24 and if you stop at a particular point you'll see where
 25 we are up to on something. So yes.

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1 MR DE LA POER: 2015. I'm looking here at your
 2 paragraph 103. Although it's concurrent with
 3 Operation Oliban being in its live stage, we've dealt
 4 with that.
 5 We can see that Salman Abedi was linked to
 6 a telephone number which had been in contact with SOI B.
 7 And at that time, SOI B was believed to be involved in
 8 facilitating travel of others to Syria and there was
 9 additional information to suggest that Salman Abedi had
 10 been in contact with SOI B on a number of occasions.
 11 So here in terms of the picture that is being put
 12 under the name Salman Abedi, we have somebody who, the
 13 previous year, had been for 6 months an SOI and there
 14 are now a number of data points, it would seem, to
 15 connect him to another SOI. So at the very least, and
 16 I don't mean this to sound flippant, he doesn't appear
 17 to be choosing his friends very carefully, does he?
 18 A. I wouldn't describe it in those terms. This is not
 19 unusual, as Witness J said, for people to be in contact
 20 with a number of other SOIs or people of interest. Our
 21 interest is understanding what that contact means.
 22 Q. Whilst it's not unusual and may not justify a lead or
 23 investigation or a promotion, if that's the right word,
 24 to SOI status, obviously that's all under Pursue. What
 25 about under Prevent? You've got here an individual who

1 is by this stage 20 years old, so in that young adult
 2 category, and from a part of the community which has
 3 been identified as potentially giving rise to certain
 4 individuals becoming radicalised, in contact with two
 5 SOIs, one over a 6-month period in 2014, here's another
 6 in 2015. Is this not starting to reach the threshold of
 7 people needing to say, look, maybe he doesn't justify an
 8 investigation, but shouldn't we be getting this person
 9 into the Prevent programme, or at least talking to them
 10 about it?
 11 A. I can't speak specifically about that because it would
 12 go into what did we know.
 13 Q. Yes.
 14 A. That is the context in which we're making that decision.
 15 Shaun Hipgrave gave the figures of 6,000 or so people
 16 coming into Channel, 10%, 5% -- I looked at this year,
 17 2016/2017 -- of those end up in the position where they
 18 are being supported. Contact with SOIs, depending on
 19 the circumstances, whether that's friendship or not, is
 20 not necessarily the trigger for us to go to Prevent.
 21 SIR JOHN SAUNDERS: I wonder whether the assessment of
 22 whether they need it is for you or this is a possible
 23 (overspeaking) --
 24 A. Yes.
 25 SIR JOHN SAUNDERS: -- someone else assesses that, don't

1 they? That's what it was set up for.
 2 A. I think that's a legitimate challenge: are the
 3 Intelligence Management Unit the right people to make
 4 that decision? I think what I'm saying is the 10,000
 5 that Witness J was talking about would then have to go,
 6 so if there was -- I suppose it's a threshold issue,
 7 isn't it, a tolerance issue? If we set it at that
 8 level, we have to put it through the system, and from
 9 a Prevent perspective, ultimately that's going to go in
 10 front of the panel and say, what are the interventions
 11 we need here, is it children's services, is this person
 12 on drugs? What are the vulnerabilities that we are now
 13 going to work with? So simply just pushing people
 14 through because they've been in contact doesn't give
 15 them the tool to do it. I accept the argument to that
 16 would be: well, let's go and ask all the agencies and
 17 see what they have got.
 18 So I think there is something in that, but that --
 19 at the moment, that common contact would not necessarily
 20 be a referral to Prevent.
 21 MR DE LA POER: Witness J, speaking to the content of
 22 Witness X's witness statement, identified that in
 23 mid-2015 Salman Abedi was identified by MI5 as being in
 24 contact with SOI C. SOI C had a long-standing
 25 affiliation with an extremist group in Libya.

1 Your statement doesn't expressly mention SOI C.
 2 Is that, so far as you are aware, information that MI5
 3 passed to Counter-terrorism Policing?
 4 A. I think it's not in here because we didn't have it.
 5 Q. So you weren't told as far as you're aware?
 6 A. As far as I'm aware, the team are double-checking that
 7 because that jumped out at me. Obviously there's
 8 a difference between the SOIs. But I'm working on the
 9 assumption if we had that in our records, we would have
 10 put it in my statement.
 11 Q. Again --
 12 A. It was a contact of a contact of a contact, wasn't it?
 13 SIR JOHN SAUNDERS: It was a second stage contact, a contact
 14 of a contact.
 15 MR DE LA POER: I'm not sure that's right, sir. There were
 16 four contacts of a contact but SOI C was a direct
 17 contact, as I understand it.
 18 A. Yes. So it would again depend on --
 19 SIR JOHN SAUNDERS: I'm lost about that, but you didn't know
 20 about it?
 21 A. I don't think -- we are double-checking, sir, and by the
 22 time I finish tomorrow.
 23 SIR JOHN SAUNDERS: At least could you tell me this: should
 24 you have known about it bearing in mind the level of
 25 cooperation between the two organisations?

1 A. That would depend whether it was relevant to that
 2 investigation . I can't go into the details of what that
 3 investigation was. If MI5 have seen contact, that would
 4 be a decision about whether we need to do that in order
 5 to fulfil our role to assist them.
 6 MR DE LA POER: Might it be relevant to you who by now was
 7 under a Prevent duty?
 8 A. It might have been. It's added another contact, hasn't
 9 it?
 10 Q. Yes.
 11 A. And I do take the point. They can share it with us for
 12 the purpose of national security . They can only share
 13 data or information with us for the purposes for which
 14 they are there to do and I don't know in terms of the
 15 decision—making what sat behind that. But I accept it
 16 would have added to our picture.
 17 Q. September 2015. Let me make it clear, because I know
 18 what you'll say if I do, I'm not going to ask you the
 19 broader state of knowledge about Ismail Abedi. But
 20 it is well—established that in September 2015
 21 Ismail Abedi was the subject of a port stop; is that
 22 correct?
 23 A. That's correct.
 24 Q. On his device or devices, extremist terrorist material
 25 was discovered; is that correct?

1 A. Yes.
 2 Q. I'm not going to name a particular publication, but I'm
 3 sure you'll know the one that I'm speaking to. One of
 4 the items on there is regarded by some terrorists as
 5 being the seminal ISIS text?
 6 A. Yes.
 7 Q. And setting aside the question of is it a crime or not,
 8 we'll come to that in a moment, people who subscribe to
 9 the ideas in some of those documents found on
 10 Ismail Abedi's phone are undoubtedly Islamic extremists,
 11 is that correct, those who subscribe to those ideas?
 12 A. Yes.
 13 Q. And any right—thinking person would think that some of
 14 the ideas in there are utterly abhorrent?
 15 A. Yes.
 16 Q. And Ismail Abedi was the older brother of the, by now,
 17 20—year—old Salman Abedi?
 18 A. Yes.
 19 Q. Again, Ismail Abedi, in sharing those same
 20 characteristics that Salman Abedi's circumstances gave
 21 him by way of where in Manchester he lived, the
 22 community from which he came, and the connection with
 23 Libya?
 24 A. Yes.
 25 Q. So by this point, setting aside SOI C, you've got SOI A,

1 SOI B, you've got Salman Abedi's brother holding too
 2 terrible material, and you've got what I'm going to use
 3 as a shorthand, the JTAC background information that you
 4 in 2015 were fully alive to?
 5 A. Yes.
 6 Q. Does this not prevent an opportunity to give
 7 consideration to whether or not Salman Abedi should be
 8 spoken to about whether or not Prevent would be
 9 appropriate for him?
 10 A. I can't discuss the wider circumstances of what sits
 11 outside that port stop --
 12 Q. I understand.
 13 A. -- but I do take the point. It comes back to the
 14 threshold again: we have an adult who has, I agree,
 15 extremely unpleasant material, disgusting material, on
 16 their phone. We're looking at another person and trying
 17 to work out, where is the vulnerability , what is the
 18 vulnerability ? So certainly with Syria, we would do
 19 lots of work with families, but it's particularly around
 20 those where we can see a clear vulnerability by age and
 21 within a household. I think on this point, two separate
 22 adults, I'm looking for the vulnerability of that
 23 individual or our evidence that there is vulnerability .
 24 Q. Might the vulnerability be justified by reference to the
 25 following data points? Firstly , it is recognised

1 in that JTAC assessment that older members of the
 2 community may have an adverse influence on younger
 3 members of the community. Here we are talking about an
 4 older brother. Next, we know that Salman Abedi has
 5 already had contact with two people who justified the
 6 SOI status for MI5. We know his age, which is to fall
 7 into that category of young adult described in the JTAC
 8 report.
 9 Isn't that enough to at least ask the question
 10 through saying, "Let's get it into the Prevent
 11 programme, see what they make of it", that this is an
 12 individual who may be starting to go badly wrong?
 13 A. I think on those characteristics it wouldn't necessarily
 14 have been so at the time, but I come back to the point
 15 of our threshold for it : we are looking for those who we
 16 consider are vulnerable, we are looking for what that
 17 vulnerability is. This is an adult, this is not
 18 a children's services issue, it's not a drug and alcohol
 19 issue, and all the other factors . Clearly, this is
 20 a debate about where we set our threshold and who makes
 21 the decision.
 22 I think the alternative is we push those through to
 23 Prevent and Prevent look at what they can find, but
 24 I think we're describing a different position from where
 25 we are currently .

1 SIR JOHN SAUNDERS: So your views have now changed or the
2 way you operate have changed?
3 A. Sorry?
4 SIR JOHN SAUNDERS: The way you decide on referrals to
5 Prevent now has changed from then?
6 A. No, I don't think it has changed.
7 SIR JOHN SAUNDERS: So you think now, if the same facts
8 arose, you would not have been referring Salman Abedi to
9 Prevent?
10 A. I think the commonality of common contacts with subjects
11 of interest and others is not an automatic --
12 SIR JOHN SAUNDERS: What you are saying is that happens so
13 often in Manchester are you? That's what commonality
14 means, is it, it's something that happens regularly?
15 A. It's a point Witness J made when you were exploring how
16 many people might hold extremist views. We know tens of
17 thousands of people hold those extremist views. So
18 it is a matter for us, what is the threshold for saying
19 this person is now vulnerable to being drawn in --
20 SIR JOHN SAUNDERS: I'm really sorry about this, but is this
21 not a decision for the experts within the Prevent
22 programme to say, "We've just got too many"? If there
23 are tens of thousands who are at risk of vulnerability,
24 the government hasn't said: well, you can only deal with
25 so many, we don't want any more than that. If you're

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1 sending too many to Prevent, isn't it for them to say,
2 "Look, your threshold is too low"? And have they ever
3 said that to you?
4 A. They haven't said that to us and clearly there's a huge
5 attrition rate and the vast majority that are sent
6 through do not --
7 SIR JOHN SAUNDERS: I'm sorry to be difficult about this,
8 but have you ever talked to them to say, in what
9 circumstances should we be referring to you? Let me
10 give you the example you could say to them of
11 Salman Abedi, and you could ask them: should we have
12 referred him to you or were we right to say, actually,
13 this is pretty commonplace?
14 A. Yes, when we say "then", that's my team as well, so
15 we have spoken and what we have done, and we've had
16 throughout this period, is we have two Prevent staff who
17 work in the intelligence unit and are vetted, so they
18 are there to advise and assist. And I accept that's not
19 a panacea to all ills because you still have to go and
20 have a conversation and say, "What do you think about
21 this?" They receive and go through all our referrals
22 there are sent in.
23 SIR JOHN SAUNDERS: Were they there at the time?
24 A. Which time?
25 SIR JOHN SAUNDERS: 2015.

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1 A. Yes. When we restructured into our new structure, we
2 put -- and we recognised that this was going to be
3 decisions being made by intelligence officers, we put
4 two Prevent staff in there, so people who had come from
5 that background, vetted them and put them in.
6 SIR JOHN SAUNDERS: Do you happen to know if they considered
7 the case of Salman Abedi?
8 A. No, they -- I think their point would be: it's only if
9 you give it to us, we would consider it. I think that's
10 where we are in terms of understanding what that
11 threshold should be.
12 MR DE LA POER: Before we leave the port stop, can I just
13 ask you to agree with this? Obviously there has been
14 a lot of focus recently on Ismail Abedi and a port stop
15 that he was subject to in 2021. Can you confirm,
16 please, detective chief superintendent, that you are not
17 in a position to help with questions in relation to
18 that?
19 A. Yes, I wouldn't be the appropriate person to deal with
20 that.
21 Q. So let's just move on, not many more to go in our
22 chronology. In May of 2016, paragraph 109 of your
23 witness statement, Salman Abedi again came on to the
24 police's radar, associating with somebody who was
25 subject to bail conditions, which included a prohibition

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1 on travel.
2 A. Yes.
3 Q. Is that right? And there was a concern that this
4 person, so not Salman Abedi, was going to breach that in
5 company with Salman Abedi? Is that right?
6 A. Yes.
7 Q. As it turned out, that person did not breach their bail
8 conditions by leaving the country and Salman Abedi left
9 the country with somebody else?
10 A. Yes.
11 Q. Can you confirm for us, please, who that person who was
12 on bail was?
13 A. The person on bail was Abdalraouf Abdallah.
14 Q. So this is in May 2016, prior to his trial, but at
15 a time when he's on bail for terrorist offences,
16 an association, we won't go into the detail of it,
17 an association between Salman Abedi and
18 Abdalraouf Abdallah?
19 A. Yes.
20 Q. Albeit as it turned out, they were not in company
21 together, just that there was a connection that was
22 drawn at the time?
23 So we're just going to come now, understanding all
24 of those facts, to your paragraph 104, which is going to
25 need us to bring up the Anderson Report. I'll just read

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1 it out:
 2 "Between 201 and 2017, Salman Abedi continued to be
 3 referenced from time to time in intelligence gathered
 4 for other purposes. These include the two separate
 5 occasions referred to in the Anderson Report at
 6 paragraph 2.37."
 7 So let's bring up the Anderson Report at
 8 paragraph 2.37, please {INQ022846/66}.
 9 Again, bearing in mind the importance of the
 10 language used around this I will just read it out:
 11 "Although he remained a closed SOI until the day of
 12 the attack, Salman Abedi continued to be referenced from
 13 time to time in intelligence gathered for other
 14 purposes. On two separate occasions in the months prior
 15 to the attack, intelligence was received by MI5, whose
 16 significance was not fully appreciated at the time. It
 17 was assessed at the time to relate not to terrorism but
 18 to possible non-nefarious activity or to criminality on
 19 the part of Salman Abedi. In retrospect the
 20 intelligence can be seen to have been highly relevant to
 21 the planned attack."
 22 That's the language of the Anderson Report and are
 23 those two separate occasions in the months prior to the
 24 attack which in retrospect, as per Lord Anderson, can be
 25 seen to have been highly relevant to the planned attack,

1 the two separate occasions that you refer to in your
 2 paragraph 104?
 3 A. Same ones, yes.
 4 Q. So far as the first occasion is concerned, just the
 5 first occasion of those two, speaking on behalf of
 6 Counter-terrorism North-west, was Counter-terrorism
 7 Policing told about that first piece of intelligence
 8 prior to the attack?
 9 A. No.
 10 Q. So although your statement at paragraph 104 speaks about
 11 intelligence received between 2015 and 2017, we should
 12 understand in relation to that first piece of
 13 intelligence that the 2017 referred to is post
 14 22 May 2017?
 15 A. Sorry, I've said in my paragraph there were a number of
 16 references including the two, yes. The first of those
 17 we did not receive before --
 18 Q. Before 22 May?
 19 A. Yes.
 20 Q. The second of those, speaking on behalf of
 21 Counter-Terrorism Policing North West, so far as
 22 Counter-Terrorism Policing North West is concerned, did
 23 MI5 tell it about the second piece of intelligence prior
 24 to the attack?
 25 A. No.

1 Q. As you will appreciate, in closed I will be exploring
 2 with you your view on whether that should have been
 3 communicated and the degree, if any, that you assess
 4 that was capable of making a difference --
 5 SIR JOHN SAUNDERS: I'll need to know why that has to be in
 6 closed. Is this witness not able to say within the
 7 cooperation between MI5 and CT Police we should have
 8 known? Is that something you can't answer?
 9 A. I think there's a broader picture to it, sir.
 10 SIR JOHN SAUNDERS: There may be a broader picture and there
 11 may be details that need to be considered about that.
 12 If you can't answer it, we'll consider in a more
 13 measured way whether you can answer it or not. But
 14 I would like at least it to be considered.
 15 MR DE LA POER: Certainly. Can I just assist with this now
 16 to the degree that I can? As you will appreciate from
 17 what I have said, this is something that I have given
 18 consideration to, ultimately I am not the judge of it in
 19 this situation, but it certainly seemed to me to be
 20 something that would be explored in closed and which
 21 would fall into that category of material that you, sir,
 22 have repeatedly spoken about in terms of that which may
 23 be capable of being broken out. But I appreciate we are
 24 here now and it is not for me to suggest to you, sir,
 25 that you can't --

1 SIR JOHN SAUNDERS: I will consider it and whether I can
 2 make a decision on it without having a closed hearing,
 3 I can't say. I certainly don't want to interrupt what
 4 we are doing here by having a closed hearing to decide.
 5 Because ultimately if I decide it can be broken out,
 6 then I assure you it will be. I don't think I can go
 7 further. I have to obviously allow the relevant parties
 8 to make submissions to me before I make a decision.
 9 MR DE LA POER: With those questions in mind, detective
 10 chief superintendent, can I just bring your attention to
 11 the detail of what the Intelligence and Security
 12 Committee said. At {INQ022846/120}, at 6 at the bottom,
 13 a well-rehearsed comment:
 14 "Previous ISC reports, including the Woolwich report
 15 and the original 7/7 report, have raised concerns as to
 16 how well MI5 and CTP work together. Last year's attacks
 17 revealed that there were still problems around the
 18 sharing of MI5 information with CTP, and the involvement
 19 of CTP in MI5 decision-making. We recognise that
 20 improvements have been made, but this is an area that
 21 requires continuous improvement. We would highlight the
 22 need to address cultural differences and incompatible IT
 23 systems in particular."
 24 Clearly, they are speaking about all of those events
 25 in 2017 in general terms, you'd agree with that,

1 wouldn't you? This is part of their summary?
 2 A. Yes.
 3 Q. Do you recognise in relation to your work with MI5,
 4 I say you -- Counter-terrorism Policing -- over the
 5 period 2010, although you didn't become involved until
 6 2013, through to 2017, that description by the ISC?
 7 Does that accord with your own experience?
 8 A. Can I just see the --
 9 Q. We can go back to the previous page {INQ022846/119}:
 10 "Last year's attacks [I think this is probably what
 11 you'll want to focus on] revealed that there were still
 12 problems around the sharing of MI5 information with
 13 CTP."
 14 A. I don't think I can really comment on that on behalf of
 15 CTP. We weren't, as the north-west, involved in
 16 presenting the material to ISC. I don't know what the
 17 material was or what the basis for that conclusion was.
 18 That was managed by HQ, so it's not something I feel
 19 I can adopt here.
 20 Q. If we go to page 168 {INQ022846/168}, we can see, and
 21 it's important that we read this:
 22 "We note that the internal reviews commented on 'an
 23 imbalance in the relationship between MI5 and the
 24 police' ..."
 25 And then there is footnote 150, and then if you

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1 could scroll down, please, which is a specific reference
 2 to a quotation from the CTP Manchester Post-attack
 3 Review. So that is specific to Manchester. Again,
 4 if we go up to the top.
 5 A. I've read the top paragraph, yes.
 6 Q. It's just that quotation, which is an extract from the
 7 internal review. Again I recognise you are not here to
 8 speak on behalf of national CTP, I'm just trying to
 9 sense from you whether or not your perception was that
 10 there was an imbalance in the relationship between MI5
 11 and the police, perceived or otherwise?
 12 A. That's not my experience. Obviously this report looks
 13 across a range of attacks, so again I can't pinpoint
 14 what it is that led to the --
 15 Q. I understand. I think that quotation is directly from
 16 the Manchester review, but I am only asking you to
 17 comment upon your experience, particularly having held
 18 very senior positions within it, and I think you've
 19 given us your answer about it.
 20 A. Yes.
 21 Q. It's there and on the face of the report it appears to
 22 relate to Manchester, but you would say that that wasn't
 23 your personal experience?
 24 A. It talks about:
 25 "We note the internal reviews [plural]."

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1 The reviews were carried out by HQ. The north-west
 2 simply supplied material to it. If your question is do
 3 I recognise that at that time there was an imbalance in
 4 the relationship, that was not my experience.
 5 Q. That was exactly what my question was driving at.
 6 I wasn't asking you to adopt or reject that in terms of
 7 who spoke it, rather what was your experience.
 8 A. And yes, I can only speak from that perspective.
 9 Q. {INQ022846/202}, please. If we look at -- we were
 10 speaking about this earlier. I think it is intended
 11 that that is II in bold at the bottom:
 12 "Salman Abedi should have been considered for
 13 a Prevent referral after his closure as an SOI
 14 in July 2014. It is concerning that there is no
 15 evidence of discussion between CTP and MI5 as to
 16 a potential referral."
 17 I think you would associate yourself with that?
 18 A. Yes.
 19 Q. Subject to your caveat that you don't know whether there
 20 was such consideration because there are no records?
 21 A. Yes.
 22 Q. And then over the page, {INQ022846/203}, at the top, and
 23 this again we've covered:
 24 "The committee is surprised that at no point were
 25 any members of the Abedi family referred to the Prevent

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1 programme."
 2 A bit is extracted there:
 3 "It is highly disappointing that Prevent was once
 4 again not applied to SOIs who later went on to instigate
 5 an attack, an issue this committee has previously
 6 criticised."
 7 Again, that's there on the face of it. Are you in
 8 a position, if I don't ask you others will, to comment
 9 upon that or offer us any assistance from your
 10 perspective? I appreciate you are dealing with
 11 a redacted passage and that will inhibit your ability to
 12 answer.
 13 A. I've referred to Ramadan and you asked about him
 14 earlier. We can't go into here what we knew or didn't
 15 know about him and how that may have affected our view
 16 of any referral. I've discussed Salman in the context
 17 of when he was an SOI and my view at the closure of the
 18 2014 investigation that it wasn't appropriate. In terms
 19 of --
 20 SIR JOHN SAUNDERS: Sorry, let's go back to II then, please.
 21 I did want to check this. According to your answer just
 22 made to Mr de la Poer, you have associated yourself with
 23 II.
 24 A. That it should have been considered for referral.
 25 SIR JOHN SAUNDERS: Right. But you say it should have been

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1 considered, but shouldn't have been referred?
 2 A. In my view, I would have been happy with a decision that
 3 it wasn't. I would have understood that as being
 4 a reasonable decision.
 5 MR DE LA POER: If we go back to JJ, is there anything that
 6 you can say? That's on the next page. I'm conscious
 7 you began your answer by saying you just can't speak,
 8 and I think we can say, about any of the Abedi family,
 9 about what the police did or didn't know.
 10 A. The only other item that I put in open was the appendix
 11 to my other statement, which illustrated our attempts to
 12 contact Ismail Abedi and his response to that --
 13 Q. Yes.
 14 A. -- which I think would speak to whether Prevent would
 15 have been suitable for him.
 16 Q. Yes. He certainly, on the face of it, didn't cooperate
 17 with the approach made by your officers. I think your
 18 first statement indicated that it was Prevent who
 19 approached him, but I think it was in fact GMP or
 20 certainly Counter-terrorism Policing (overspeaking) --
 21 A. It was some of our counter-terrorism police, so what
 22 they would normally do or -- in that process they were
 23 assessing whether he would engage and quite clearly the
 24 response we got was no.
 25 Q. I'm going to move to my part 3, which I'm expecting will

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1 be relatively short. Obviously, you held a very senior
 2 position at the time of the attack and you have told us
 3 you also currently hold a national position. Were you
 4 directly involved in any of the reviews following the
 5 attack?
 6 A. No. We provided the material to the reviews.
 7 Q. Are you in a position today to provide any reassurance
 8 to those listening, from a position of knowledge that
 9 you have, that the issues that we have been talking
 10 about today, namely Prevent referrals and communication
 11 between CTP and MI5, have been the subject of
 12 improvement since 2017?
 13 A. I can say they have been, yes.
 14 Q. And are you satisfied that they have been adequately
 15 addressed or is there more necessary work to be done?
 16 A. I can't speak to the 100 or so recommendations and where
 17 they all -- I did have some of them, but in my role as
 18 national intelligence lead -- so for example, we
 19 developed a Prevent training package for all our
 20 intelligence officers that's now mandatory. We added
 21 Prevent as a specific requirement to consider with our
 22 national standards of intelligence management. We have
 23 in place an internal audit and business assurance
 24 process now that allows me to commission audits such as
 25 the safeguarding audit to say: go and look at an

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1 appropriate number of records, audit them, and tell me
 2 whether we are doing this appropriately or not.
 3 So within my sphere of intelligence I received
 4 a number of those recommendations that came out of the
 5 far end of the review and so I can speak to those.
 6 I would say in terms of Prevent, it hasn't stopped
 7 just at the review, there have been other reviews since.
 8 SIR JOHN SAUNDERS: I was just going to ask you. Have you
 9 been involved in that? In Mr Shawcross' review,
 10 originally Lord Carlile's review.
 11 A. They have both visited us. Lord Shawcross met with our
 12 independent advisory group, members of the community who
 13 advise us, and we had a discussion with them and him on
 14 Prevent. There are other significant Prevent changes
 15 that have taken place and clearly the national
 16 coordinator and HQ will speak to those in depth. But
 17 other lessons learned from other events have helped to
 18 build Prevent into mainstream policing. I think
 19 historically it was seen as something that sat outside
 20 normal safeguarding. It is now the 14th recognised
 21 vulnerability within the policing family, so domestic
 22 violence, child sexual exploitation, and there was
 23 a HMIC report on Prevent that gave some very good
 24 recommendations on Prevent that have now been
 25 implemented.

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1 So I can shed a light on some of the recommendations
 2 but only a fraction of those that came out of the
 3 review, but that's from my experience in intelligence.
 4 MR DE LA POER: Thank you very much indeed, detective
 5 chief superintendent.
 6 Sir, we've reached a point in the timetable where
 7 I had indicated that I'd be inviting you to break for
 8 lunch, but because we started 10 minutes later than we
 9 expected there's probably capacity within our usual
 10 90 minutes for 10 minutes or so of questioning. Really,
 11 I would submit, it's something that Mr Atkinson would be
 12 better placed to assist you with, whether that would be
 13 a helpful 10 minutes for him or not.
 14 SIR JOHN SAUNDERS: Have you learned your lessons of how to
 15 cross-examine from yesterday?
 16 MR ATKINSON: I found that very informative.
 17 SIR JOHN SAUNDERS: I thought you might.
 18 MR ATKINSON: Can I raise one matter, which is not a way of
 19 avoiding answering the question of whether I should have
 20 10 minutes now or not --
 21 SIR JOHN SAUNDERS: I'll leave you with a choice. If you
 22 want me to break now, I will break now.
 23 MR ATKINSON: I am concerned that, as indeed you were, sir,
 24 shortly earlier, about this witness's answers
 25 in relation to paragraph 104 of his statement and the

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1 indication from him, which was perhaps not reflected by
2 the wording of that paragraph, that CTP were unaware of
3 the two pieces of intelligence highlighted by
4 Lord Anderson until after the attack.

5 We can well understand that analysis of why
6 information was not communicated is absolutely a matter
7 that may involve considerations of national security and
8 therefore something properly dealt with in closed. But
9 whether those things, in the view of CTP, should have
10 been communicated and whether, had they been
11 communicated, it may have made a difference are, we
12 submit, not things that ought to engage national
13 security so that this witness should be prevented from
14 saying that. It may be a better use of the next
15 10 minutes, and indeed the hour of lunch, for that to be
16 reflected on.

17 If that is the position, if the Secretary of State
18 considers there are real difficulties with that and
19 therefore it needs to be visited in slower time by you,
20 sir, in closed, then so be it. But if the reality is
21 the witness can answer to that extent in open, then he
22 should.

23 Can I invite therefore consideration of that and
24 perhaps start my questioning after lunch with an answer
25 to that question?

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1 SIR JOHN SAUNDERS: Okay. I'm quite happy for people to
2 consider it.

3 MR DE LA POER: Can I just ask in those circumstances for
4 you to take a slightly longer than normal lunch break so
5 we can have those discussions and just ensure that we
6 start promptly with an answer, to the extent that one
7 can be determined, so perhaps 2 o'clock if you don't
8 mind.

9 SIR JOHN SAUNDERS: Yes. I'm not going to get involved in
10 this. I shall just see if that can be --

11 MR ATKINSON: If there are proper arguments to be had in
12 closed before you, sir, I absolutely understand you'll
13 want to do that then. If in fact that's not the
14 position in relation to just those questions, then
15 it would be helpful to know now.

16 SIR JOHN SAUNDERS: Okay. Thank you.

17 MR SHELDON: I wonder if I could speak to Mr Scally about
18 this topic (overspeaking) --

19 SIR JOHN SAUNDERS: The normal rules do not apply.
20 Mr Scally is not going to be altered in the answers he
21 gives except where we are considering permission to deal
22 with things. Unless anyone is going to raise an
23 objection, then I have no problem with that at all.

24 MR SHELDON: Thank you, sir.

25 SIR JOHN SAUNDERS: It's quite right for you to raise it.

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1 I don't know whether we're in the same territory as
2 yesterday and whether we are not reporting until given
3 permission. Perhaps that's not applying today.

4 MR DE LA POER: I don't believe that it is. I think we're
5 on the standard 10-minute delay. I will just check with
6 everyone who understand these things better than me.
7 (Pause). Yes.

8 SIR JOHN SAUNDERS: Right. Thank you very much.
9 (12.51 pm)

10 (The lunch adjournment)

11 (2.00 pm)

12 (Delay in proceedings)

13 (2.12 pm)

14 MR DE LA POER: Sir, further to Mr Atkinson's submission
15 just before lunch, and before I call upon him to ask his
16 questions, can I please invite Mr Sheldon QC to state
17 the position of the Secretary of State as at today
18 in relation to the issues that Mr Atkinson raised.
19 I will then turn to Mr Horwell to hear what he has to
20 say.

21 MR SHELDON: Thank you. This issue, as you would expect,
22 was given careful consideration before Detective
23 Chief Superintendent Scally gave his evidence and again
24 over lunch. The detective chief superintendent will
25 speak for himself through Mr Horwell, but our position

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1 is that it is simply not possible to give any meaningful
2 or accurate answer to those two questions in open
3 that is not either materially misleading or inaccurate.
4 Our submission is that the only fair and proper way of
5 dealing with this is to deal with the issues fully in
6 closed and then to give careful consideration as to
7 what, if anything, can be disclosed of that evidence.

8 It's important evidence and, in our submission,
9 it is important that whatever is disclosed is disclosed
10 accurately and fairly.

11 SIR JOHN SAUNDERS: Thank you. Mr Horwell?

12 MR HORWELL: Sir, in short, Mr Scally cannot answer those
13 two questions in open session. Not all questions are
14 capable of straightforward answers, and as might be
15 imagined, that is the case here.

16 The two questions posed by Mr Atkinson will and must
17 be asked at the closed hearing when a full investigation
18 can be conducted and, after the closed evidence has been
19 heard, a gist of Mr Scally's evidence on those two
20 questions will of course be considered.

21 I well appreciate the frustration that must arise
22 from a stance that has to be taken such as this, but
23 that is the only fair and appropriate order to be
24 followed in my submission.

25 SIR JOHN SAUNDERS: Thank you. Mr Atkinson, I was given

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1 some advance notice of what the answer was going to be
2 and I have considered it. I will consider the matter in
3 closed, but at the end of closed, on question 1,
4 you will get from me either a yes or no answer. You may
5 not get the evidence which has led me to that conclusion
6 but you will get the answer. So I hope that satisfies
7 people. It's certainly what has been urged on me by
8 others in the past.

9 As to question 2, I am not sure that is capable of
10 a yes—or—no answer, but I will again, because it's
11 speculative by its very nature, and that may have to be
12 the result of all those sort of questions, of which
13 there are a number, would it have made a difference, but
14 I will obviously do my best to give you as full an
15 answer as I can having heard those matters in closed.

16 MR ATKINSON: Thank you, sir.

17 SIR JOHN SAUNDERS: So I'll do the questions, not you; is
18 that all right?

19 MR ATKINSON: And, I'm sure, much better.

20 SIR JOHN SAUNDERS: No, you don't think that at all, but
21 thank you very much.

22 MR COOPER: Sir, sir, may I raise a general issue on the
23 back of this, which is something that we'd be assisted
24 by? You're obviously going into closed to hear
25 evidence, not just Mr Scally but other witnesses as

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1 well. If it becomes apparent during the course of your
2 closed session that some material actually should be
3 open, will you have a discretion to recall that witness
4 in open?

5 SIR JOHN SAUNDERS: Yes, absolutely, and we are trying to
6 allow for it within the timetable that we would expect
7 that to happen.

8 MR COOPER: I'm reassured. Thank you.

9 SIR JOHN SAUNDERS: Mr Atkinson.

10 Questions from MR ATKINSON

11 MR ATKINSON: Mr Scally, good afternoon, you will well
12 understand with all that preamble that I ask you
13 questions on behalf of the families of those murdered on
14 22 May 2017.

15 Others in the same vein will follow on from me.
16 You will understand, as applies to all of us, that those
17 that we have the privilege to represent were the victims
18 of terrorism and it follows that the last thing any of
19 them would want to do is to elicit from you anything
20 that would help anyone to carry out such an attack in
21 the future. That is not my intention.

22 But we do seek your help to identify, insofar as is
23 possible, what more could have been done, if there was
24 more, and to learn lessons if they are there to be
25 learnt. Please, as we go through, if there are matters

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1 better dealt with in closed, again indicate that and
2 we'll know where we are.

3 SIR JOHN SAUNDERS: Mr Atkinson, again, I will really try to
4 not interrupt you at all, but can I just say that it is
5 perfectly apparent to me sitting here that whenever
6 there is an answer which says, "That has to be dealt
7 with in closed", there is a huge amount of frustration
8 and I well understand it. I'm afraid that we can't just
9 tell everyone what it's going to be and then let them
10 make up their own minds whether or not it should be in
11 closed rather than open, because that defeats the
12 object. And I am afraid somebody has to be the arbiter
13 of that and I have that unwelcome responsibility, but
14 I will do it.

15 MR ATKINSON: Can I say, sir, that we recognise that part of
16 our role at this stage is to help you with that task by
17 identifying areas that we are concerned about and that
18 can and should be taken further and when the risk to
19 national security is not an obstacle.

20 SIR JOHN SAUNDERS: I'm grateful, thank you, Mr Atkinson.

21 MR ATKINSON: In relation to that risk, the risk to national
22 security, that really is in the relationship between
23 Counter—terrorism Policing and MI5 the area where MI5
24 takes the lead?

25 A. Yes, they are the lead agency.

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1 Q. To use another term for it, they have primacy when it
2 comes to national security between you and them?

3 A. Yes.

4 Q. Inevitably, that means that where there are judgement
5 calls as to where national security lies,
6 Counter—terrorism Policing can explain what their
7 thinking is, but ultimately the decision will be taken
8 by MI5?

9 A. Yes, generally, that would be the approach, yes.

10 Q. The best way of achieving that, would you agree, os for
11 there to be a conversation about that between you and
12 them?

13 A. Yes.

14 Q. So that you can be provided with information, you can
15 understand the limitations as to its use, you can
16 discuss that with them, the pros and cons of that,
17 ultimately respecting they are the ones who are the
18 ultimate arbiter?

19 A. Yes.

20 Q. You told us in the course of this morning in your
21 evidence that over the period of time you had been in
22 your role within Counter—terror Policing, there had been
23 an increase in MI5's confidence to share material with
24 Counter—terror Policing?

25 A. Yes.

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1 Q. And you went on to say that you, the police, would look
 2 after it and protect it?
 3 A. Yes.
 4 Q. Does it inevitably follow from that that in the earlier
 5 stages of your working with MI5, there was less
 6 confidence on their part in sharing material with the
 7 police than now?
 8 A. I can't speak on their behalf, but I can only say my
 9 experience has been our relationship has grown.
 10 I certainly personally have been exposed to their work
 11 in a way that didn't necessarily happen at the start.
 12 So I can't say in terms of individual pieces of
 13 intelligence, but their willingness -- some of this is
 14 in the recommendations -- to invite us into their
 15 quarterly reviews of investigations, for us to be
 16 exposed to some of the change programmes, the
 17 innovations like Clematis and Daffodil, not everybody
 18 but some of us have been exposed to those, that is a
 19 sort of illustration of the way in which we have come
 20 together and are much more linked-up in terms of how we
 21 approach the challenges we face.
 22 Q. Mr Scally, just a logistical point, because you're
 23 looking at me --
 24 A. Sorry, I find it --
 25 SIR JOHN SAUNDERS: It's absolutely fine. We can hear you,

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1 so that's fine.
 2 MR ATKINSON: Some of the areas you have just touched on are
 3 areas of MI5's work, that, would this be fair, for
 4 a period of time were therefore being dealt with by MI5
 5 without a good deal of sharing with others as to what
 6 they were doing?
 7 A. I don't think I would characterise it like that.
 8 I think as I said this morning, we are there to assist
 9 them. We can bring executive powers, our links with
 10 community policing, our links with other partners and
 11 knowledge of the local area. They make every endeavour
 12 to give us the material that they think helps us deliver
 13 the service we are there to give them, I can say no more
 14 than that. They provide us with material knowing what
 15 we can do and we often have conversations, "We could try
 16 this, could we have a form of words for that, could you
 17 get us this", and they will supply that.
 18 So that's the nature of the relationship. They have
 19 come to us for assistance and we provide that assistance
 20 with the material that they give to us.
 21 Q. Picking up on two parts of that, they provide you with
 22 the information that they think you need. They are more
 23 likely to be right in their thinking if they know better
 24 what it is that you need, which comes through working
 25 together and dialogue?

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1 A. Yes.
 2 Q. And in terms of that being started by them coming to you
 3 for help, that is a decision by them as to when in their
 4 process of investigation, for example, they think they
 5 need that help unless they are talking to you all the
 6 time?
 7 A. They are talking to us all the time. At the point of
 8 them opening an investigation, it would be entirely
 9 normal for them to tell us and invite us to assist.
 10 Q. Because if you listened to the evidence of Witness J
 11 over the last couple of days, he was invited to consider
 12 the assessment of the Intelligence and Security
 13 Committee of Parliament that had identified, both
 14 following 7/7 and following the murder of Fusilier Lee
 15 Rigby, that there was not enough cooperation and
 16 informing sharing going on even as recently in that
 17 context as 2013/2014. And then the frustration of that
 18 committee that 3 years on from that, it was still
 19 an issue.
 20 Is it your assessment that over the time you have
 21 been in this field, there has been a build-up of
 22 confidence by them in sharing with you?
 23 A. Yes.
 24 Q. And that that has helped both them and you together do
 25 your work?

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1 A. Absolutely.
 2 Q. And that work primarily being to protect the public
 3 from, in this instance, the risk from terrorism?
 4 A. Yes.
 5 Q. Is part of that greater togetherness also the fact that
 6 the mechanical side of things, the computer systems and
 7 the like, are better attuned to work with each other?
 8 A. Yes, they are now.
 9 Q. You'll understand, I'm not going to ask you for details
 10 of that, not least because you wouldn't tell me, but
 11 going back to something that the chair said earlier, there is
 12 inevitably a vast amount of data that comes
 13 through from any investigation. One knows from
 14 Mr Barraclough's evidence before Christmas that the
 15 amount of material that Operation Manteline generated,
 16 that is but one operation and there are many. So vast
 17 amounts of data, including rafts of telephone numbers by
 18 way of example. And there is a lot that joined-up
 19 computer systems can do to spot things that, with the
 20 best will in the world, someone who writes things on
 21 pieces of paper is never going to. Is that an area
 22 where there is better picking up and sharing of
 23 information across computer systems than there used to
 24 be?
 25 A. Yes.

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1 Q. And does that help?
 2 A. It does help, yes.
 3 Q. For example, in terms of identifying the significance of
 4 a telephone number that may crop up in one place,
 5 joined-up computer systems are going to help identify
 6 where else it has popped up?
 7 A. Yes, I mean the phrase joined-up computer systems could
 8 mean many things. I can't really say much more about
 9 how we have improved those links.
 10 Q. Understood. In terms of the approach to material, there
 11 must inevitably be a difference between that which they
 12 can share with you so that you understand what they are
 13 doing and where an investigation is going and what could
 14 ever be used by you when you reach the later stages of
 15 an investigation that may take it anywhere near a court
 16 building?
 17 A. Yes. They are entirely separate and we keep them
 18 completely separate.
 19 Q. Again, is that a joint decision or is that again an area
 20 where MI5 will have the ultimate decision as to what can
 21 and can't be used, lines of investigation that can or
 22 cannot be pursued because of what they might reveal?
 23 A. That would certainly be something that was discussed
 24 in the JOTs, in the joint operational team, so what
 25 senior investigating officers can offer to that

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1 discussion is — we may have intelligence, how can we
 2 turn that into evidence, and they will offer our views
 3 on how we might go about doing that, what the options
 4 are for doing it. But ultimately, as you say, if that
 5 needs us to have material that we can break out then,
 6 yes, that has to be MI5's decision, but those
 7 conversations happen regularly.
 8 MR DE LA POER: I have just been asked to ask you to speak
 9 up a little. It may be that because that microphone
 10 that you're just moving doesn't appear to be on — it is
 11 now. That's the one closest to you. Thank you.
 12 MR ATKINSON: Witness J in his evidence explained to us the
 13 difference between a lead and what is done in relation
 14 to a lead and a trace and what is done in relation to
 15 that. So as he explained it, a lead is intelligence or
 16 information that's not linked to an ongoing
 17 investigation and therefore the process you've described
 18 for us, as he did, of how you decide whether to
 19 investigate a lead or not. And a trace is where
 20 information comes in and you look to see how that fits
 21 in with what you already know or what is already on
 22 a database, for example.
 23 A. Yes.
 24 Q. In relation to each of those, is it again ultimately
 25 MI5's decision what is done in relation to following up

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1 a lead or pursuing a trace?
 2 A. No, it's very much joint. Traces go both ways, so if we
 3 had a new piece of intelligence we might ask them what
 4 they hold and vice versa, they may say, "We've got
 5 something new, can you tell us what you've got?" And
 6 then that is fed into the process that we described
 7 earlier.
 8 Q. Again, just to understand the relationship, in terms of
 9 prioritisation clearly there are priority 1 and 2, 3,
 10 and 4, as you've described it, in this pyramid. And
 11 what you say of that in your witness statement,
 12 paragraph 53, is that MI5 devoted a great deal more
 13 attention to the top of the pyramid, P1 and P2, than the
 14 bottom, P3 and P4, which attract considerably fewer
 15 resources.
 16 And we understand, as was explained by Witness J
 17 before you, that is because of the risk posed by someone
 18 or a group of people who are in a P1 or P2 level
 19 investigation compared to a P3 or P4.
 20 A. Yes.
 21 Q. Is it for Counter-terrorism Policing to fill that gap to
 22 investigate those who have come up to be a priority at
 23 all but not a P1 or P2?
 24 A. No. If we both receive material in, we will conduct
 25 what we call an enhancement, so we will get it to

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1 a point where we think we've got enough to have a proper
 2 discussion. Our partners in MI5 will do the same and
 3 that's where you'd have the gatekeeper exchange to say,
 4 "This is what we think about risk activity", and what we
 5 think we can do about it, and they would give their
 6 view, and in that meeting there is then a decision, is
 7 this now — does this now reach the threshold for a lead
 8 or an investigation? It could go straight in as an
 9 investigation and, if so, what we are now going to do
 10 about it.
 11 Q. If it's assessed to be a low priority investigation,
 12 approximate, so a P3 or a P4, does that mean nothing
 13 happens or does that mean it is done by CTP rather than
 14 by MI5 or it just involves fewer resources from both?
 15 A. No, it absolutely doesn't mean nothing happens. They've
 16 designated it a priority operation and, in the same way
 17 as any other investigation, the strategy will be set and
 18 we would apply our resources to delivering that
 19 strategy. So absolutely not, and all the way down to
 20 lead, leads are mini-investigations in essence that try
 21 and establish whether there is risk there, how credible
 22 that risk is, and therefore whether it should be moved
 23 up and become a priority operation.
 24 Q. In the ISCP report in relation to the events of 2017,
 25 paragraph 171 for your note, sir, the committee there

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1 said the following:
 2 "The committee found that there were considerable
 3 delays in processing new leads where the information did
 4 not immediately relate to a threat to life , ie lower
 5 level priorities ."
 6 Was that a fair observation back in 2017 in your
 7 judgement?
 8 A. Can you just read the --
 9 Q. Of course. We can put it up on the screen if that would
 10 help.
 11 A. I just wanted to choose my words correctly.
 12 Q. {INQ022846/179}, and it's the bottom of the page.
 13 Three lines up from the bottom:
 14 "The committee found that there were considerable
 15 delays this processing new leads where the information
 16 did not immediately relate to a threat to life , ie lower
 17 level priorities ."
 18 SIR JOHN SAUNDERS: This is the Woolwich Report? I'm sure
 19 it goes on to apply it again.
 20 MR ATKINSON: It is. But just as an observation, firstly in
 21 the 2013/2014 period, would you have said that was fair
 22 then, that if there was not an identified threat to
 23 life , so it was not a P1 or P2, leads might be too
 24 slowly pursued?
 25 A. I don't think there's a slowness in making the decision

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1 this is a lead. I think, as Witness J described
 2 yesterday, the level of resource and in particular the
 3 type of resource that can be applied to that is very
 4 different from a priority operation. And that does
 5 sometimes mean it can take some time to establish how
 6 credible -- whether there is risk in there, whether that
 7 risk is credible, and whether we have the means to do
 8 something about it. But that's primarily a function of
 9 what you can apply, both in resources and techniques, to
 10 low-level intelligence .
 11 SIR JOHN SAUNDERS: Does it go on to say it's still
 12 a problem?
 13 MR ATKINSON: There's a quote over the page in relation to
 14 Woolwich still and then it goes on to talk about
 15 intelligence operation centres and then it goes on to
 16 talk about one of those involved in London Bridge at
 17 paragraph 173, so it does, certainly on my reading of
 18 it, suggest it was not a problem that had gone away.
 19 SIR JOHN SAUNDERS: No, we should point out a different
 20 police force involved.
 21 MR ATKINSON: Understood. Thank you, Mr Lopez.
 22 Again, is that -- in some respects presumably that
 23 is an inevitable thing, because there has to be
 24 prioritisation , there will always be some leads that are
 25 followed up in slower time than others?

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1 A. Yes, I think that's in the nature of prioritisation .
 2 Q. And does that remain the case now?
 3 A. They are still prioritised and graded. Yes, sorry,
 4 I was just thinking about something I could describe,
 5 but probably can't. Yes, the nature of prioritisation ,
 6 and this is within terrorism or not, is that, as
 7 Witness J said, for a very, very clearly high-risk,
 8 known threat, we will apply more resources, more rapidly
 9 than we would for something that we believed to be low
 10 threat.
 11 SIR JOHN SAUNDERS: Mr Atkinson, I'm sure joint working will
 12 come into everything, but there was an aspect that you
 13 may or may not be coming to which I wanted to deal with
 14 if I may.
 15 MR ATKINSON: I was going to move to the sharing of
 16 information one way or the other.
 17 SIR JOHN SAUNDERS: You carry on and when you have finished
 18 tell me, and I'll ask my question if you haven't asked
 19 it .
 20 MR ATKINSON: In terms of the sharing of information from
 21 MI5 to you and back again, as you understand it, there's
 22 one area of that that I'm not going to ask you about now
 23 in any detail at all , but can I just understand two
 24 areas of which that is the second in slightly more
 25 detail by reference to what Witness J in his statement

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1 said about them.
 2 This is {INQ022846/24}. It's right at the bottom of
 3 the page.
 4 It's a matter that you were asking about this
 5 morning, sir. Paragraph 97:
 6 "In 2015, MI5 received information that indicated
 7 that Salman was in contact with a subject of interest,
 8 SOI C."
 9 So it was direct contact rather than other:
 10 "SOI C was a long-standing SOI due to his previous
 11 affiliation with an extremist group in Libya."
 12 And so this was one of the areas that you indicated
 13 was not shared by the service with North-west
 14 Counter-terrorism?
 15 A. That particular contact, yes.
 16 Q. So this is in relation to someone with affiliation with
 17 extremism in Libya on the basis of the JTAC 2010
 18 regional assessment, a problem with which the Manchester
 19 area, by way of example, was having to grapple,
 20 Libyan-based extremism, in relation --
 21 SIR JOHN SAUNDERS: I think you need to give an answer. I'm
 22 really sorry. It's going on a transcript. You're
 23 nodding rather than saying anything.
 24 A. Sorry, I was waiting -- I was nodding in
 25 acknowledgement --

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1 MR ATKINSON: I think he was aware there was more coming,
 2 sir .
 3 SIR JOHN SAUNDERS: Sorry, it's always the sub-question
 4 halfway through that always confuses me. I think it's
 5 the raising of the voice at the end where you're meant
 6 to understand the question (overspeaking); is that
 7 right?
 8 MR ATKINSON: I think that's an Australian thing, sir.
 9 I digress. So identifying extremism of a kind that
 10 was prevalent on the basis of JTAC in Manchester
 11 in relation to someone who was based in Manchester,
 12 Salman Abedi, and who had been across the radar of
 13 North-west Counter-terrorism for a little period of time
 14 by this point. Was this not a piece of a jigsaw that
 15 could have been of interest to you?
 16 A. I wouldn't be able to answer that without being able to
 17 explain the nature of that investigation, I'm afraid, as
 18 to whether, in answer to your question, that is
 19 something we should have had. That would involve me...
 20 Q. Looking at it a different way, given that you, unlike
 21 the service, had a duty under statute to prevent, to
 22 steer people away from terrorism, to have due regard to
 23 that need, would that be a reason in that context for
 24 them to alert you to another association with an
 25 extremist of someone who had been across your collective

1 books and for whom you had a Prevent obligation?
 2 A. I think that would be a matter of scale. So if the test
 3 is do you tell the police every time somebody who has
 4 been an SOI (inaudible) 20,000, 40,000 -- contacts
 5 another SOI, you should tell the police about it, is
 6 a matter of scale that ...
 7 Q. In terms of scale you didn't have 20,000 closed SOIs on
 8 your books in the north-west, did you?
 9 A. Sorry, yes, I'm speaking from a national perspective.
 10 Q. You didn't have 20,000 closed SOIs who were based in
 11 Manchester, who had connections with the Libyan
 12 community and who were Salman Abedi, did you?
 13 A. No, but I'm talking about if we take that approach on
 14 one individual, why would we not apply that to all? And
 15 that's --
 16 SIR JOHN SAUNDERS: Can I ask a much more basic and less
 17 nuanced question: when you operate together and a piece
 18 of information comes in relating to a particular person,
 19 a decision is made what to do, if anything, between the
 20 two of you?
 21 A. Yes.
 22 SIR JOHN SAUNDERS: If you leave that information with one
 23 out of two people, you may well get a much less good
 24 answer. So if the two of you actually get together and
 25 say, "Yes, we agree we do that", that is likely to be

1 better than simply one on their own saying it?
 2 A. Yes, I'd agree in principle, and clearly we do meet.
 3 But if you extrapolate that, that would mean they give
 4 us every piece of information they're getting and we
 5 give them every piece of information -- I think there
 6 has to be some sort of assessment in terms of whatever
 7 this operation was, what it was trying to achieve. Does
 8 this --
 9 SIR JOHN SAUNDERS: I'm not talking about this particular
 10 thing, I'm talking in general terms.
 11 A. And if it's at the level of every piece of data is
 12 shared because it may impact on the other organisation,
 13 I think that --
 14 SIR JOHN SAUNDERS: If you're looking jointly at somebody
 15 and a piece of information came in, isn't it important
 16 that you both look at it and decide how significant
 17 it is?
 18 A. It is, and they will bring what they think is
 19 significant to that. The number of contacts between
 20 even a small group of people...
 21 SIR JOHN SAUNDERS: The other advantage is if you leave the
 22 decision to one person, we are all capable of making
 23 mistakes, and if the other person on the other side
 24 thinks there's something fundamentally wrong with
 25 a decision and we know that MI5 are the people in

1 charge, but if one of your team decided this was really
 2 wrong and something needed to be done about it, they
 3 could come to you and you could escalate it, if
 4 necessary, up to someone higher up in MI5 and something
 5 could be done to stop that mistake happening if it was?
 6 A. Yes, and that does happen, but I take the caveat with
 7 the material or the circumstances that we are aware of,
 8 we do have differences of view. Clearly we're both
 9 concerned about threat and risk to the public, and with
 10 our skills and experience, we may see that risk in
 11 different ways.
 12 SIR JOHN SAUNDERS: All the better to talk about it then,
 13 isn't it?
 14 A. And we talk about it constantly, but I take the point
 15 and we talk about the things that we have shared between
 16 us.
 17 SIR JOHN SAUNDERS: Thank you. Sorry.
 18 MR ATKINSON: Not at all.
 19 Same document, Mr Lopez, if you would, page 26
 20 {INQ022846/26} and the bottom of the page,
 21 paragraph 111.
 22 In this context, this is using this as an example
 23 rather than a specific because I'm not going to ask you
 24 about the specific because I understand you can't answer
 25 the specific, all right? But this is intelligence

1 coming to the service, which they have to assess as to
 2 whether it relates to terrorism or something else. And
 3 that something else may be legitimate activity or it may
 4 be criminal activity of another kind.
 5 Would you agree that that is an area that the police
 6 have a degree of experience in: is this criminal or not?
 7 SIR JOHN SAUNDERS: I take the point. I think we're getting
 8 quite close to the -- I absolutely have taken that point
 9 that when we're dealing with non--nefarious activities,
 10 the police ought and would know much more than MI5 about
 11 that and their expertise should be of value. If
 12 I answer in that way, leaving the witness not to, I will
 13 explore it in greater detail.
 14 MR ATKINSON: I'm grateful, sir, thank you.
 15 That can come down.
 16 In terms of information going the other way from you
 17 to them, when an assessment is made as to whether
 18 someone should become an SOI and then whether they
 19 should be closed as an SOI, would CTP be invited to
 20 provide information that may help with those decisions?
 21 A. We would have been involved all the way through up to
 22 the point of closure and our partners would come to us
 23 with a proposal to say, "We want to close this subject
 24 of interest", and there would be a discussion about our
 25 views on that. Ultimately, that is their decision, but

1 again if we feel that's not appropriate, there's more
 2 we can do and we have that discussion. But yes, we are
 3 involved in those discussions.
 4 Q. Because certainly it was the evidence of Witness L
 5 at the London Bridge Inquests that when asked about the
 6 closing of lines of investigation, that at that time
 7 from their perspective, from 2015 to 2017, there was not
 8 systematic consultation of the police before they took
 9 a decision to close an investigation. Does that accord
 10 with your experience or was there more involvement
 11 in that?
 12 A. I think in terms of a policy, that's correct. I think
 13 it was referenced in some of the reviews, but I can't
 14 remember in terms of the classification of what came out
 15 of that. So I recognise it and I recognise now -- as
 16 I said earlier, we are invited into meetings and
 17 decision-making processes now that perhaps we weren't
 18 in the past, and for the reasons the chair has outlined,
 19 that is clearly a better discussion to have, a better
 20 thing to do.
 21 So I think that has changed slightly. I would say
 22 from a MI5 perspective, and I can't speak on their
 23 behalf, them coming to us saying, "We think we need to
 24 close this", or, "We need to close this subject of
 25 interest", we will have a discussion with them about

1 that, but they may have their own reasons behind that
 2 and they can speak to that, no doubt.
 3 Q. Port stops. The schedule 7 power under the
 4 Terrorism Act is a police power.
 5 A. It is, yes.
 6 Q. And therefore that is something that can be done with
 7 prior discussion with MI5, as we heard from Witness J
 8 yesterday, but can also be undertaken by officers on the
 9 ground reaching the necessary belief to permit them to
 10 do it. Is there, and back in 2015 to 2017 was there,
 11 routine sharing of the results of port stops with the
 12 service by the police?
 13 A. I don't think I can answer. What I would say is the
 14 product of that goes into the intelligence system. I'm
 15 not sure I want to go into where and how.
 16 Q. One understands that if it was a stop that had
 17 collaboration between the service and the police behind
 18 it, that there would, we presume, be sharing of the
 19 results of it.
 20 A. Yes, and I think Witness J described that.
 21 Q. But going back to the chair's analysis a few moments
 22 ago, in terms of identifying whether in other situations
 23 there is something that comes from a stop that may
 24 actually fit into an MI5 mosaic of information, isn't it
 25 better to share them and for them to say, "Actually, we

1 don't need that", rather than not to share (inaudible)
 2 they may have done?
 3 A. Sorry, yes, we will share anything we believe is CT
 4 relevant, so a number of schedule 7s are completed.
 5 If we believe there is a counter-terrorism product out
 6 of that, that will be shared with MI5.
 7 Q. Will that include evidence generated either from
 8 speaking to someone or from analysis of their devices
 9 that shows extremism?
 10 A. It would be both. It would be the officer's report,
 11 which contains the interview or questioning, and
 12 it would be any product that we obtained during that
 13 search.
 14 Q. And so we appreciate that there may be difficulties in
 15 specific instances in you answering yes or no, but in
 16 general terms, if there was material on the face of it
 17 suggesting sympathy for, support of so-called
 18 Islamic State on someone's phone, that would be
 19 something that you wouldn't keep to yourselves?
 20 A. No, we wouldn't. I would need to check the mechanics of
 21 exactly what goes from there, you'll appreciate the
 22 devices are significant now, but if there's anything of
 23 CT relevance, which is our first check, then we would
 24 share that with our partners.
 25 Q. Would the same apply in relation to arrests under the

1 Terrorism Act, moving on from port stops to that?
 2 A. Yes.
 3 Q. If someone is arrested on suspicion of committing
 4 a terrorist offence or preparation for and so on, would
 5 products from such an arrest in terms of items seized,
 6 interrogation of telephones seized and so on, would that
 7 routinely be shared with the service?
 8 A. Yes.
 9 Q. Are you able to tell us whether the analysis of
 10 Abdalraouf Abdallah's phone in November — seized
 11 in November 2014 was shared with the service?
 12 A. The analyst's report? I couldn't say definitely, no.
 13 We can check, I'm sure.
 14 Q. Can you think of any particular reason offhand why it
 15 wouldn't have been?
 16 A. It depends if that was produced for the purpose of the
 17 prosecution for our case. MI5 have many analysts who
 18 can produce what it is that they need.
 19 Q. Would raw data be shared? You've downloaded a phone
 20 (overspeaking) normally be shared?
 21 A. Raw data would normally be shared, yes.
 22 Q. The defence debriefing interview of Salman and
 23 Hashem Abedi in August of 2014, is that the kind of
 24 thing that would have been shared between you and the
 25 service?

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1 A. The fact that that happened? Um...
 2 Q. And the circumstances of it.
 3 A. Well, certainly that came in on an intelligence report.
 4 I would have to check whether that was routinely shared,
 5 but if we thought it was relevant to somebody of
 6 interest to us both then we would share, yes.
 7 Q. In terms of being someone of interest to you both, this
 8 was someone who had been of interest to you both until
 9 a month earlier and then they'd been closed as a subject
 10 of interest. Would that be a reason for it to be shared
 11 rather than not?
 12 A. Yes, I think so.
 13 Q. Indeed, if that highlighted the fact that part of the
 14 period of time during which they'd been a subject of
 15 interest and hadn't appeared to be doing very much, if
 16 that revealed that a reason for that might have been
 17 that they'd not been in the country for that period of
 18 time, would that be another reason to share it?
 19 A. Yes, I think it would have been — if it's somebody of
 20 interest, it's more routine than that, we have some new
 21 information, we have a new piece of intelligence and
 22 we would routinely share that with MI5.
 23 Q. Are you able to help us as to whether it was?
 24 A. No, but I'm sure we can find out.
 25 Q. Are you able to help us as to whether that resulted in

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1 any reassessment of the decision to close Salman Abedi
 2 a month earlier?
 3 A. The intelligence report about the debriefing team? No,
 4 I'm not.
 5 Q. Moving on again, you've been asked a good deal about the
 6 JTAC joint — the JTAC regional risk assessment in 2010.
 7 You've explained to us that more recently, JTAC's focus
 8 has been the national risk level rather than the
 9 regional, and that also was Witness J's description of
 10 it. But you explain how there was coverage in that
 11 area, the assessment of risk in a particular region and
 12 what the risks were from you in terms of your region;
 13 is that right?
 14 A. Yes. We have an analytical team that produce
 15 assessments for us. During that period they would also
 16 produce them in conjunction with MI5.
 17 Q. In terms of the conjunction with MI5, because that's
 18 what, I took a note of it, you said last time, is that
 19 you and they looking together at a region, at
 20 a community within a region, and assessing whether there
 21 are risks to that community or within that community?
 22 A. It could be a community. It's more often thematic
 23 matters, Syria, travel to Syria, online radicalisation,
 24 particular groups which I won't go into. So it can
 25 either be geographic, quite often thematic, and as

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1 I say, we'll do an assessment.
 2 Q. So it wouldn't be right to say that you were only
 3 looking at individuals in any kind of risk assessment
 4 work, you would be looking at communities and the
 5 behaviour of groups within a community that may put that
 6 community at risk?
 7 A. I think they are linked. The actions of individuals —
 8 if we suddenly see 850 people going to Syria, it's the
 9 actions of individuals that may inform that assessment,
 10 plus other intelligence that's available to us, so
 11 I think the two are linked.
 12 Q. Witness J was taken yesterday by Mr Weatherby, who reads
 13 far more newspapers than I do —
 14 SIR JOHN SAUNDERS: Than anybody I think.
 15 MR ATKINSON: — to an article in The Guardian that was
 16 identifying a small area of Moss Side and then a wider
 17 area of 2.5 miles and, in that wider area, 16 persons
 18 who were either convicted or dead in connection with
 19 terrorism. That presumably is the kind of thing that
 20 you and yours would be spotting in your review of the
 21 risks in the Manchester area, both by looking at
 22 individuals, but also looking at communities?
 23 A. Yes. You learn the lessons from particular cases to try
 24 and identify themes or areas where you might be able to
 25 intervene, collect. So the individual cases, and I know

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1 the graphic well, help to illustrate the general threat.
 2 Q. Did that not indicate that, whilst on any view there was
 3 a problem in relation to Syria, what was going on in
 4 Syria and people who were going there and the people who
 5 were going back, but there were similar problems
 6 in relation to other conflict zones, including Libya?
 7 A. It did to an extent. You do have to look at the
 8 national context. So it wasn't just Libyan people going
 9 to Syria, there were lots of people from different
 10 communities that made that choice. I think what's
 11 interesting about the cases we have talked about is if
 12 you take Abdalraouf Abdallah or his brother, they were
 13 faced, and others around them, with a choice of where
 14 they wanted to go if they wanted to do what they wanted
 15 to do, and faced with that choice, so they could have
 16 gone to a country they knew well, they could travel to
 17 Libya, they clearly had family and contacts there.
 18 For me, the interesting point is they didn't chose
 19 that, they chose Syria, the more difficult place to go,
 20 and that to me I think illustrates the point that
 21 Witness J — we all know within the CT network, the draw
 22 of Syria at that time was not at the expense of
 23 everything else and I think I agree with Witness J on
 24 that, not at the expense of everything else, but if
 25 those who in this case could have travelled to Libya,

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1 had contacts and friends and a much easier process,
 2 chose to go to Syria, I think it illustrates to me the
 3 draw that that place had at that time.
 4 Q. Isn't the countervailing risk in relation to that that
 5 because there are priorities, because there are limits
 6 on resources inevitably, that a focus will develop on
 7 those who show an interest in Syria at the expense of
 8 those who may be learning exactly the same things,
 9 getting exactly the same radicalisation, somewhere else?
 10 A. I think the focus is on people who are starting to do
 11 something about their beliefs and that was Witness J
 12 expressing we are interested in individuals and we are
 13 interested in individuals who are starting to do
 14 something and meeting that threshold and they are
 15 turning what they think are their beliefs or what are
 16 their beliefs into activity. So I make the point that
 17 Syria was clearly the draw and, in terms of our
 18 priorities nationally, was the top priority. That
 19 doesn't mean there weren't other priorities. But the
 20 case I illustrate shows how attractive Syria was to
 21 those with that interest.
 22 Q. But in terms of assessing whether someone is starting to
 23 do something about their beliefs, that presumably, as
 24 rather the criteria for putting someone under the
 25 Prevent scheme, is looking at what they say about these

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1 things, whether expressing radical views, whether they
 2 are associating with people who were expressing such
 3 views, whether their behaviour is becoming more of
 4 a concern, for example they're becoming more anti-social
 5 in their behaviour — these are presumably the things
 6 that you'd be looking at rather than just whether they'd
 7 bought a ticket to go to Syria or not?
 8 A. Yes, those are some of the elements, yes.
 9 SIR JOHN SAUNDERS: Actually, that's in a way the point.
 10 They don't tend, do they, to get tickets to Syria? Most
 11 people wanting to go to Syria don't go directly there.
 12 I'm not even sure if it's possible (overspeaking) —
 13 A. No (overspeaking) well-known routes, paths by which —
 14 SIR JOHN SAUNDERS: But they don't go directly?
 15 A. No.
 16 MR ATKINSON: And so it is looking at a range of factors
 17 that will lead to a decision about a whole series of
 18 things that you could do to interrupt someone on their
 19 path to terrorism? It isn't any one particular thing?
 20 A. There is no single path that says, "This is the route by
 21 which somebody becomes a terrorist".
 22 Q. If someone comes from a community where there is
 23 a problem with extremism and with the radicalisation of
 24 the young and they are seeking to leave the country on
 25 a one-way ticket that could be interpreted as a one-way

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1 ticket to Syria, that might be a reason to stop them and
 2 speak to them at an airport?
 3 A. Yes, if we believed that the appropriate use of the
 4 schedule 7 powers was there and officers are asked to
 5 consider common routes, routes used by people, then yes.
 6 Q. If someone comes from a community where there is
 7 a problem with extremism and with young people being
 8 radicalised and they are seeking to travel to another
 9 place where there is extremism and where there is
 10 conflict, like Libya, is there not also a reason to
 11 consider stopping them?
 12 A. I think if there's anything to suggest that that was the
 13 purpose of the travel — I think that the key difference
 14 is Abdalraouf Abdallah and others trying to get to Syria
 15 is a very different picture than people of Libyan
 16 heritage returning to Libya. That's an incredibly
 17 common thing for people to do.
 18 Q. If there was available to you information that the
 19 person seeking to go back to Libya was someone who had
 20 engaged in fighting in Libya in the past in an extremist
 21 cause, would that make a difference?
 22 A. In terms of doing a schedule —
 23 Q. Stopping them at an airport to speak to them under
 24 schedule 7 rather than stopping them going full stop.
 25 A. It may have been a — it may be a factor. There are

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1 some tools that we have that I would have to discuss in
 2 closed that aid our staff in making decisions about
 3 where they should focus their effort. That's the most
 4 I can say about it. I'm happy to explain some of the
 5 ways we assist officers in making their decision.
 6 Q. If there's someone who's going through an airport, going
 7 to a conflict zone, where there's extremist activity
 8 happening and they have been a subject of interest,
 9 albeit now closed, does that make any difference?
 10 A. I don't think that's something that our borders officers
 11 would routinely know, who on a particular flight was
 12 a closed subject of interest.
 13 Q. Is that the kind of thing that they could be provided
 14 with through computers, so they're running someone's
 15 name through the system, it could flag up for them to
 16 help them make a decision, "These are things you might
 17 want to know about X"?
 18 A. I'm just going to have to stop at that point. There are
 19 ways in which we help officers make a decision and I'm
 20 happy to explain those, but I don't think it would be
 21 appropriate for me to put that out into the public
 22 domain, if that's okay.
 23 Q. Mr Lopez, if you would, {INQ022846/185}, and it's the
 24 top of the page, paragraph 192.
 25 This is the ISCP report in relation to the 2017

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1 attacks. Paragraph 192:
 2 "During Salman Abedi's time under active
 3 investigation, March 2014 to July 2014, and as a closed
 4 SOI from July 2014 onwards, MI5 and CTP received
 5 information informing them of Salman's [something
 6 redacted] frequent travel to link [and something further
 7 redacted]. However, he was not at any point subject to
 8 any form of travel monitoring or travel disruption. The
 9 committee found this highly surprising and questioned
 10 MI5, who explained that he was predominantly a closed
 11 SOI."
 12 As we can see there.
 13 But he was travelling back and forth to Libya.
 14 Do you agree that more could have been done to pick up
 15 on his developing mindset, his developing
 16 radicalisation, through the use of schedule 7?
 17 A. I agree with that point. It's up to MI5's officers. If
 18 they had put a ports action on, we would have acted on
 19 that. As we have discussed or has been discussed
 20 a number of times, we never know what we might find but
 21 the possibility's there. If there had been a ports
 22 action we would have acted on that ports action.
 23 Q. Just to follow that process through, from MI5's point of
 24 view, they would have the information that had led them
 25 to treat Salman Abedi as a subject of interest,

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1 including information fed in by you about, for example,
 2 his criminality, anti-social behaviour and so on. They
 3 would have information about members of his family.
 4 I appreciate there's limits to what you can say about
 5 that, but by way of example we know that his father and
 6 brother had both been port stopped, so that could have
 7 fed into that pool of knowledge. And we know that he
 8 had, since being closed, been in contact with further
 9 subjects of interest, such that it had registered with
 10 them rather more than they had shared with you.
 11 So a way of checking that he was not going on the
 12 wrong path since he had ceased to be a subject of
 13 interest would be to just see whether there was anything
 14 revealed by where he was going and what he was taking
 15 with him?
 16 A. Yes, it would have been. I think the difficulty speaks
 17 to what is the policy around how closed subjects of
 18 interest were managed, which again is not something
 19 I can detail here. But certainly between ourselves and
 20 Witness J, we can detail the approach taken to closed
 21 subjects of interest in the closed hearing.
 22 Q. Clearly, his last trip, April 2017, coming back in May
 23 of 2017, do you agree was a missed opportunity to have
 24 stopped him at a port?
 25 A. Yes, I think Witness J discussed that in terms of the

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1 return. If there had been a marker, we would have --
 2 no, I'm sure carried out a stop.
 3 Q. And thereby a missed opportunity potentially to have
 4 stopped him, full stop?
 5 A. Potentially and I saw the discussion around what may or
 6 may not have followed from that, but yes, it was an
 7 opportunity to stop him.
 8 Q. Moving on to another potential area to stop someone in
 9 his position, and this is going briefly back to
 10 precursors, the reality, would you agree, is that there
 11 is a good deal of reliance on suppliers recognising that
 12 this is a transaction about which they ought to be
 13 suspicious?
 14 A. Yes.
 15 Q. Presumably, there are things that can be done away from
 16 the supplier that can also reach that conclusion?
 17 A. You'll have to expand a little.
 18 Q. Absolutely. So we're aware that a good deal of shopping
 19 is done online and therefore potentially with suppliers
 20 who are outwith this jurisdiction. But in terms of
 21 monitoring of internet traffic, email traffic and the
 22 like, there are things that can be done away from the
 23 supplier that may flag up a transaction that ought to be
 24 looked at?
 25 A. I think that's an area Mr Hipgrave probably went as far

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1 as he could in terms of what the arrangements are
 2 currently. I think as Witness J said, both we and MI5
 3 play our part with the Home Office to manage that
 4 precursor environment. I'm stopping at the limits
 5 really of what Mr Hipgrave said.
 6 Q. Beyond that, it's a test of a supplier identifying
 7 whether, for example, the customer appears to be rather
 8 unfamiliar with the thing that they're buying and what
 9 it is for or there being something dodgy about their
 10 relationship?
 11 A. I think that is some of the, is it 2015, older advice
 12 when I think -- as I think the point has been made
 13 here -- people went into shops sometimes and bought
 14 things. I think that is still relevant but I do take
 15 the point that lots of transactions don't happen in that
 16 environment now.
 17 Q. And how do we solve that problem from the
 18 counter-terrorism policing point of view? What more
 19 could be done to make the internet more like a
 20 shopkeeper in terms of identifying something that may be
 21 suspicious?
 22 A. A lot is done. I'm going to have to leave that and
 23 describe it in closed, if I may, and then obviously if
 24 we can bring anything back...
 25 MR ATKINSON: I'm afraid I've completely lost any idea of

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1 how long I've got left .
 2 MR DE LA POER: You've been going about an hour, which gives
 3 you 50 minutes.
 4 MR ATKINSON: If at any point in that time anyone, including
 5 the shorthand writer, would like me to stop for a period
 6 of time, they have only to say.
 7 MR DE LA POER: If your assessment is that you'll need about
 8 that amount of time, may I propose that we break at half
 9 past? That would leave you a sensible-sized session now
 10 and a sensible-sized session afterwards.
 11 MR ATKINSON: That is extremely helpful. Thank you very
 12 much.
 13 Prevent. You've been asked a good deal about this
 14 and more particularly, in a way that some might have
 15 been criticised for yesterday, you've been taken to
 16 a series of points in time when there was certain
 17 information available and asked whether Prevent should
 18 happen, a referral to Prevent should have happened at
 19 various points. I don't need to do that again.
 20 Obviously, I've learned my lesson.
 21 But just to understand how Counter-terrorism
 22 Policing approaches its duties to have due regard to
 23 prevent people being drawn into terrorism, what is,
 24 insofar as you can say it in open, the threshold that
 25 you apply?

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1 A. I think as I said earlier, in the guidance, and I think
 2 it's the recent one, there is the -- the Home Office
 3 guidance, there is no defined threshold of what being
 4 drawn into terrorism means. On the face of it that
 5 looks quite strange but I think it reflects the point
 6 that was made earlier: there is no single route.
 7 So the process is that once we get a referral from
 8 wherever that referral comes, internally or externally,
 9 the national policy is we would complete what's called
 10 a police gateway assessment. That police gateway
 11 assessment would look at what we know and make some
 12 assessment of where we think there might be
 13 vulnerabilities: complex needs, autism, mental health,
 14 whatever those vulnerabilities are. Then we pass that,
 15 in the north-west, to a local authority based Channel
 16 coordinator and they will complete something called
 17 a vulnerability assessment framework.
 18 Q. It's fair to say, isn't it, that the Channel process, by
 19 way of example, is a structured process with a series of
 20 stages at which a series of judgements are made --
 21 A. Yes.
 22 Q. -- as to whether this is an appropriate person to be
 23 helped by this process?
 24 A. Yes.
 25 Q. One stage in that process is then being willing to be

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1 helped, but it is but one of the stages that has to be
 2 gone through?
 3 A. Yes.
 4 Q. And those who make that process work, local authorities
 5 in particular, are trained and experienced in making
 6 that series of judgements along the way as to whether
 7 this is someone who ought to be looked at or not?
 8 A. Local authorities and our own Prevent teams within
 9 policing.
 10 Q. Because as the guidance says, the police play an
 11 essential role in most aspects of Prevent by working
 12 alongside other agencies?
 13 A. Yes.
 14 Q. Because you can provide information in to them about,
 15 for example, the risks in a particular community of
 16 radicalisation, of which this person is a part?
 17 A. Yes, we provide that context and I talked about the
 18 counter-terrorism local profiles this morning. They are
 19 routinely -- we have a CONTEST board in Manchester and
 20 indeed all our local authorities. We would share that
 21 product with the local authority, with those responsible
 22 for Prevent. Clearly, they see the Prevent cases coming
 23 through, they know the nature of the radicalisation, is
 24 it extreme right wing, left wing, Islamist. So they
 25 have that data, but we try and provide some threat

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1 context to go with it as well.

2 Q. And the Channel guidance, again in identifying people

3 who may be vulnerable to radicalisation, and therefore

4 the kind of people who ought to be steered away from it,

5 gives examples such as them being subject to influence

6 from others who are potentially radicalisers, there

7 being tensions in their family that may be pushing them

8 in that direction, that they may be exhibiting

9 anti-social behaviour or criminal tendencies that show

10 that there's a problem developing. And those are all

11 things that in many cases the police will have

12 information about that can be fed into the

13 decision-making; would you agree?

14 A. Yes, we would, and we would complete our part of what we

15 thought the vulnerability factors were and the other

16 agencies would then add theirs.

17 Q. Ultimately, putting all those together, it is for the

18 Channel programme itself to make decisions as to whether

19 this is someone to take forward or not?

20 A. Yes. Obviously with a — as long as they've consented

21 to that process, the individual.

22 Q. And their consent or otherwise will depend on how they

23 are approached, but that again is something that the

24 Channel programme and the panel will be well trained and

25 well experienced in engaging with someone to explain why

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1 they're talking to them and what they want to help them

2 do?

3 A. Yes, they will, and I don't know if this has been picked

4 up, but there's another option if they don't consent.

5 We would not just stop the case. We have what are

6 called police-led Prevent cases. I don't know if you're

7 going to go into that, but I think they're useful to

8 explain.

9 If the risk is perhaps too high, they don't consent,

10 we can still run a Prevent case but not through the

11 Channel process.

12 Q. Just to understand, because this is something you deal

13 with in your witness statement —

14 A. Yes.

15 Q. — for your note, sir, paragraph 75. If someone says,

16 "I'm not getting involved in this", there are still

17 things that can be done to help them despite themselves?

18 A. Whether it is despite themselves — for some cases, so

19 I looked last week, having followed some of the

20 discussion, and the vast majority of our cases will go

21 through to Channel. That is the right and appropriate

22 way if we can get them through there.

23 We've discussed the attrition rate and how many drop

24 out of that. Between 5% and 10% end up with support.

25 Around 9% of our cases, when I looked last week, were in

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1 the other pot, so cases where there's some limits to

2 what we can share or there hasn't been consent and we

3 think the risk is high, then we will apply essentially

4 the same multi-agency approach but in a different

5 format, so without consent and with confidentiality

6 agreements between agencies to try and manage the risk

7 in a different way so that there's a number of different

8 ways of doing it. I didn't —

9 Q. Still engagement with relevant agencies?

10 A. Yes.

11 Q. Still coming up with a multi-agency strategy to deal

12 with the perceived problem of someone becoming

13 radicalised even if that person doesn't want to engage

14 in the Channel process?

15 A. Yes. There are clearly limits. If an adult does not

16 want to engage and holds extremist views and has no

17 vulnerabilities, no engagement with services, I don't

18 want to give the impression we can then cure that

19 problem. But if it was a mental health issue, let's

20 say, or another vulnerability that we could work on or

21 another agency and ourselves could work on, what we find

22 is — I think it's difficult just to change somebody's

23 view of the world. What we find is most successful is

24 dealing with the vulnerabilities that sit underneath

25 that and in solving those problems, we are much more

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1 successful, I think, in dealing with the radicalisation

2 issue.

3 Q. Going from the general to the particular, do we

4 understand that there is no evidenced decision at any

5 point on the part of CTP to start that process going

6 in relation to Prevent with any member of the Abedi

7 family?

8 A. Yes, other than the point I made about Ismail. In my

9 statement I outlined our attempts to contact him to meet

10 with him and that for us would have been the start of

11 a process to say, "Actually, is this person somebody who

12 we should be referring?" But as the annex to my

13 statement makes, very clear, both him — and I think we

14 called at the family home as well and spoke to his

15 father — very clearly did not want to engage with us.

16 Q. Can you remind when that was roughly?

17 A. There's a series of four dates, I think we're in ...

18 I haven't got it. I think it's perhaps 2016.

19 Q. At that stage, were any steps taken to broaden that to

20 his brothers?

21 A. No, I don't think there were at that stage.

22 Q. Or indeed any other?

23 A. No, I think it goes back to your point. We've discussed

24 the 2014, was it considered or not, no record, and

25 I think then I've covered Salman.

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1 Q. And that both by the consensual route and clearly
 2 therefore because he was never given the opportunity to
 3 say yes or no, by the non-consensual route?
 4 A. For Salman?
 5 Q. For Salman.
 6 A. Yes.
 7 Q. And at any stage was there any, that you have seen
 8 record of, discussion between those who were privy to
 9 the developing information about Salman, the service and
 10 yourselves, in terms of information that could be
 11 gleaned from port stops, from contact with SOIs, from
 12 contact with Abdalraouf Abdallah and so on, at any point
 13 a revisiting of a decision, if there ever was one, to
 14 refer him to Prevent?
 15 A. No, I think I've gone through the decision points, the
 16 2014 closing, and we discussed at length Oliban, as
 17 opportunities to consider that.
 18 Q. You mentioned in passing that there were, indeed in
 19 fairness to your statement, Prevent staff within the IMU
 20 from 2015.
 21 A. I think 2015, yes.
 22 Q. Was that a response to the concerns raised in the ISCP
 23 report at the end of the previous year in relation to
 24 Fusilier Lee Rigby and the lack of reference to Prevent?
 25 A. I don't think from our perspective it was linked. It

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1 was our view the creation of that IMU structure, where
 2 they would see all the intelligence and see the wider
 3 picture, was being brought in at that time to meet the
 4 new IT system. So creating that structure, we
 5 recognised they were intelligence professionals, but we
 6 wanted to bring into that people who had specialism
 7 knowledge in safeguarding and Prevent in particular, so
 8 there could be conversations within the sensitive area
 9 of our world that Prevent staff wouldn't normally be
 10 involved in within that environment.
 11 Q. Would that have involved, in general rather than
 12 particularly in relation to Salman Abedi, them looking
 13 at closed SOIs when new information came in about that
 14 person?
 15 A. No, I don't think it would, no. They would look at --
 16 and look at all our new referrals, from wherever they
 17 come, and they are available for officers who are
 18 managing leads or pieces of intelligence to say to
 19 a colleague: what do you think about this, what are your
 20 thoughts, what can we do? And that's why we out them
 21 there.
 22 Q. Was it a recognised aspect of what ought to be thought
 23 about by someone in IMU that a piece of information
 24 comes in about X, who is a closed SOI, would that person
 25 look at that new piece of information in the light of

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1 what was already known about X?
 2 A. Yes, they should do, but they would go back to the start
 3 of the intelligence handling model: here's a new piece
 4 of intelligence on a closed subject of interest, should
 5 this be an investigation? In simple terms, they would
 6 go through that joint assessment with MI5. That may or
 7 may not result in them being opened again as an SOI. If
 8 not, then that would be the point at which other options
 9 would be considered. So it depends by which route
 10 that -- whether that came to MI5, to us, or how that
 11 came in.
 12 Q. So just to understand each of them, if the intelligence
 13 comes to you first, CTP first, and it's being processed
 14 by the IMU, would they as a matter of course look at
 15 what was already known about the person in assessing
 16 whether this was a lead that ought to be investigated?
 17 A. Yes.
 18 Q. If they decided it was not a lead to be investigated,
 19 would they as a matter of course consider whether
 20 Prevent was an alternative option?
 21 A. They should consider -- one of the seven considerations
 22 is safeguarding, so every piece of intelligence that
 23 comes through, risk, proportionality, actionability,
 24 safeguarding is written in there, and when we wrote
 25 those nationally, we did debate do we put Prevent in or

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1 safeguarding in. Our view was we put safeguarding in
 2 because that is a broader issue. If you kept it narrow
 3 to CT -- we wanted to keep it as broad as possible.
 4 Q. Would they know that Prevent was one of the things that
 5 they ought to be looking at in that context?
 6 A. Yes.
 7 Q. Would they document that they had done so?
 8 A. I don't think they always would do, no.
 9 Q. And certainly do we understand from what you said that,
 10 back in 2014, that wasn't necessarily going to happen,
 11 a record of a decision such as that?
 12 A. No. There's the closing of the SOI -- not conflating
 13 the two things. If there's a new piece of intelligence,
 14 when the new standards of intelligence management came
 15 in, I'm trying to remember the date -- was it 2015? --
 16 that is what said whenever you assess a piece of
 17 intelligence, you should go through this process of
 18 which one of them is consideration of safeguarding.
 19 Q. And so by way of example, the contact between
 20 Salman Abedi and SOI B, which is one that you were told
 21 about --
 22 A. Yes.
 23 Q. -- do we understand that if things were working properly
 24 there would have been an assessment by someone in the
 25 IMU about that piece of information against the

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1 background of what was already known about Salman Abedi?
 2 A. Yes. I think if that was brought to us -- I mean, it's
 3 clearly part of an investigation because we've got
 4 an SOI in there. So we've got people looking at the
 5 purpose of that investigation. So if there's already an
 6 investigation running, there will be a particular
 7 intelligence team that manage that investigation and all
 8 new intelligence relating to it.
 9 Q. If the intelligence to start with comes through MI5 then
 10 presumably whether that happens or not will absolutely
 11 depend on whether they share it with you?
 12 A. Yes.
 13 Q. If they do, would the same process, so far as someone in
 14 IMU is concerned, be gone through?
 15 A. Yes, you'd go back to the, "Can we trace this person
 16 with you?", and we end up back at the joint assessment
 17 of what have you got, what have we got, what do we
 18 think.
 19 Q. In terms of primacy for that decision as to whether this
 20 is a lead to be followed or not, would that in that
 21 situation be MI5's ultimate decision?
 22 A. It's the same, it's the same process, it's a joint
 23 decision. Ultimately, they are the lead agency and will
 24 say, "This is a priority operation", or, "This is
 25 a lead".

1 Q. And in terms of deciding whether someone should be
 2 referred to Prevent in that process -- they are not
 3 under the duty but you are -- would they still
 4 nevertheless have primacy over whether that should be
 5 done or not?
 6 A. No, they would only have primacy if there were issues as
 7 to how we could pass the information. If it was very
 8 sensitive in terms of the source of that information and
 9 there were issues about how we would ever get that to
 10 a local authority or to children's services. But
 11 I think, as we discussed, there is a process to go
 12 through to try to get to a form of words, but clearly,
 13 that's, as the lead agency, for them to work out,
 14 particularly if it's come through them, how we can use
 15 it.
 16 Q. In paragraph 69 of your statement, which you were taken
 17 to by Mr de la Poer and (ii):
 18 "Prior to being sent to Prevent, an assessment is
 19 carried out by the IMU to ensure [at (ii)] Prevent work
 20 with partners does not compromise an ongoing national
 21 security investigation."
 22 A. Yes, that's specifically talking about when we have seen
 23 -- sorry, we get -- our biggest provider of referrals is
 24 education, they are the largest referrers of Prevent, so
 25 that would be: have we got a referral from school?

1 It would go to the IMU to do that process first to make
 2 sure there was no impact on any ongoing national
 3 security investigation.
 4 Q. And would that inevitably involve communication between
 5 the IMU and MI5 --
 6 A. Yes.
 7 Q. -- about that person to check there wasn't something
 8 that they knew that you didn't?
 9 A. Yes, our approach is we would go to MI5 and say,
 10 "We have got a prevent referral, can you see any reason
 11 why this shouldn't be referred?" So it's not a
 12 collection of all the intelligence we know. That's the
 13 approach we would take.
 14 Q. So there can be situations where, on the face of it,
 15 Prevent might have been identified as an option for
 16 someone but because of the difficulties that any such
 17 referral would create for ongoing investigations where
 18 national security is engaged there would be at least
 19 hesitation in doing it?
 20 A. I think it's quite rare, but there needs to be careful
 21 consideration during the lifespan of an investigation as
 22 to any impact. Closing it is perhaps a different
 23 matter, but during the lifetime of an investigation --
 24 in my own experience, and I'll broaden this to
 25 safeguarding, is if we see a safeguarding matter,

1 a threat and risk, and again MI5 -- we have statutory
 2 obligations for safeguarding that don't necessarily
 3 apply to MI5, but they have a policy approach where they
 4 work with us and we have never failed, in my view, to
 5 get a form of words out that can manage that
 6 safeguarding issue.
 7 Q. We've heard statistics in relation to the number of
 8 closed SOIs that there were then, that there are now.
 9 But looking at the 20,000 number that was given to us
 10 earlier this week, are you able to help us, either now
 11 or in due course, as to what proportion of those were
 12 referred to at least the start of the Prevent process?
 13 A. No, I wouldn't be able to. They go back over many,
 14 many, many years and that's why the pool is growing, so
 15 not something I would have readily available.
 16 Q. In terms of those who had been closed but come up again
 17 on the radar because there is something new that has
 18 come in, are you able to help as to how often they are
 19 then referred to Prevent --
 20 A. No.
 21 Q. -- whether it's often, occasionally, never?
 22 A. No, it's something we can go away and look at, but no,
 23 I wouldn't have that here.
 24 MR ATKINSON: If that would be a convenient moment, sir.
 25 SIR JOHN SAUNDERS: Yes, thank you. So quarter to or just

1 after quarter to? Thank you.
 2 (3.32 pm)
 3 (A short break)
 4 (3.52 pm)
 5 SIR JOHN SAUNDERS: Mr Atkinson.
 6 MR ATKINSON: Moving on again, briefly to the topic of
 7 prisons, clearly the approach the Prison Service has to
 8 the assessment of risk in one respect is through its
 9 categorisation system and we can speak to Mr Mott more
 10 about that. Aside from that, the need for it to tackle
 11 the risk of radicalisation of those in prison by people
 12 who are also in prison, and Mr Mott will be able to help
 13 us in that regard in relation to the Joint Extremism
 14 Unit.
 15 But in terms of them being able to identify and
 16 address the risk of persons in prison radicalising those
 17 who are outside it, is that not an area where the Prison
 18 Service needs information from others to understand that
 19 that is a risk and how to deal with it?
 20 A. Yes, I would agree.
 21 Q. Is there a role for CTP in that process?
 22 A. Yes, we do have a role in that process.
 23 Q. Clearly MI5 has a role. There will be others who have
 24 a role as well, to ensure that the Prison Service knows
 25 that this is a particular prisoner in relation to whose

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1 visitors care needs to be taken?
 2 A. I think the approach Mr Mott refers to is the Pathfinder
 3 process, which is about the general risk of CT within
 4 prisons and within prisons and for an individual. We
 5 contribute to that process so that they have an
 6 appropriate picture of the risk and threat an individual
 7 may pose.
 8 Q. Has there historically been a reluctance in your
 9 experience to share information with the Prison Service
 10 because of a concern about the dissemination of
 11 information about those who have come to the attention
 12 of MI5 or CTP in a national security context?
 13 A. I can only speak personally from the north-west position
 14 and our Prisons Intelligence Unit. There is the
 15 Pathfinder process, there are other mechanisms on an
 16 individual basis with suitably vetted individuals where
 17 we can share intelligence and information that is
 18 relevant to them. So there will be a security governor
 19 within each prison, suitably vetted. And at a regional
 20 level, there is a regional CT governor, again suitably
 21 vetted, so we have a mechanism by which we can share
 22 sensitive intelligence, if need be, and I think
 23 Paul Mott talks about what's now called the overt/covert
 24 bridge, which again is another mechanism by which we can
 25 share with the appropriate people appropriate

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1 intelligence to help them discharge their functions.
 2 Q. In your assessment, comparing now to 2017 and the time
 3 when Mr Abdallah was receiving visits from Salman Abedi,
 4 is that process better now than it was then?
 5 A. I think it will have developed like any process and
 6 there is a joint agency team now that have taken that to
 7 the next level. There is a new nominal management
 8 process that takes people through their life in prison
 9 and probably HQ would be better to describe that. So
 10 there are some very new and important initiatives. But
 11 I think going back to that period, we would have still
 12 had in 2017 that regional close one-to-one relationship
 13 and we have embedded with us, vetted in our units and in
 14 our office someone from HMPPS.
 15 Q. We'll ask more of Mr Mott on that, but thank you.
 16 Moving from prisons to a particular prisoner and
 17 Abdalraouf Abdallah, just so we can understand the
 18 chronology in relation to his phone. So this was an
 19 arrest in November, 28 November 2014, and an
 20 investigation into allegations of facilitating people
 21 going to engage in terrorism in Syria. Would it be fair
 22 to say that there was therefore very much
 23 a travel-to-Syria focus to that investigation so far as
 24 what led to him being prosecuted?
 25 A. Yes.

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1 Q. The telephone seized on his arrest, downloaded and
 2 interrogated, I think was ICW/13?
 3 A. 13.
 4 Q. Presumably, and you will say where you feel
 5 uncomfortable going any further, but presumably the
 6 focus of the evidence that was used to prosecute him was
 7 in relation to his focus on Syria and people going to
 8 Syria?
 9 A. Yes. Obviously, the SIO can expand on this, but my
 10 understanding of the case we were putting was that
 11 Abdalraouf Abdallah had helped facilitate individuals,
 12 assisted them in their travels to Syria.
 13 Q. And therefore, presumably, a focus on your part, not
 14 yours personally, you understand, insofar as his phone
 15 was concerned on, for example, messaging between him and
 16 anyone that was dealing with going to Syria and matters
 17 of that kind?
 18 A. Yes. I think there is a strategy that's set out
 19 in DI Morris' statement --
 20 Q. Which Mr de la Poer took you to.
 21 A. In terms of the analysis in terms of what we are looking
 22 for on this device, yes.
 23 Q. The communications between Mr Abdallah and "Salman" did
 24 not fall into that box, travel to Syria, on the face of
 25 them?

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1 A. No.
 2 Q. But they were not irrelevant from your assessment of the
 3 case against Mr Abdallah, were they?
 4 A. No, I think as we said this morning, the officers used
 5 a small element of those messages to illustrate what
 6 they felt was Abdalraouf Abdallah's mindset.
 7 Q. And so to get some sense of that, I wonder, Mr Lopez, if
 8 we can have {INQ030790/3}, and when you get there you'll
 9 see that there's a box that shows text of messages and
 10 it's the top of those boxes I'm after, please.
 11 If we could focus on the top box, please. This is
 12 communication -- this was communication, I think I'm
 13 right in saying, on 13 November 2014 between Mr Abdallah
 14 and the person identified in his phone as Salman. So
 15 with Mr Abdallah saying:
 16 "I was listening to the description of the maidens
 17 of paradise."
 18 And:
 19 "Go straightaway. I ask Allah for martyrdom."
 20 Salman's response:
 21 "Ha ha ha. Oh Lord! Amen."
 22 SIR JOHN SAUNDERS: So the 44397 is Salman's number, yes?
 23 MR ATKINSON: That I think is Mr Abdallah's.
 24 A. I think it's from Mr Abdallah to --
 25 Q. Yes. So the top messages are from Mr Abdallah, the

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1 bottom ones are to --
 2 SIR JOHN SAUNDERS: That is the calling number, is it?
 3 MR DE LA POER: I'm as confident as I can be that that
 4 number ending 4397 is not the number attributed to
 5 Salman.
 6 SIR JOHN SAUNDERS: ICW/13 is the Abdallah number?
 7 MR DE LA POER: That is the exhibit for the phone, yes.
 8 MR ATKINSON: And the number Salman was using ended 3458.
 9 SIR JOHN SAUNDERS: I do remember that number. It's just,
 10 to me, slightly confusing, but no doubt perfectly
 11 understandable.
 12 MR ATKINSON: Not at all, sir.
 13 So the bottom box on that page, Salman to
 14 Mr Abdallah, asking:
 15 "Have you heard about Khawlan? He was martyred."
 16 And Mr Abdallah's response:
 17 "Yeah. May Allah place his mercy on him."
 18 Answer:
 19 "Anmen (sic)."
 20 These are just examples of communications that
 21 clearly, on Mr Abdallah's part, show his mindset is his
 22 view of martyrdom, of people dying, and indeed killing
 23 at the same time in the cause of Islamic extremism, but
 24 also has sympathy for that from the person he's talking
 25 to, Salman?

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1 A. Yes, that would be one way of describing it.
 2 Q. And indeed that was the way it was analysed by Mr Morris
 3 in his report about it for Operation Manteline?
 4 A. Yes, I think it's sympathy for Abdalraouf Abdallah's
 5 views.
 6 Q. And indeed, in the context of that exchange, the Salman
 7 had sent a screenshot from Facebook of a gold dinar,
 8 does this come back to your mind, an old Islamic
 9 currency which put in that context, referring to
 10 Islamic State, again showing a sympathy for them in the
 11 exchange between them?
 12 A. I think he sends it and uses the word "terrorists".
 13 Q. Yes. And further exchanges which I don't need to put up
 14 on the screen where again the topic of martyrdom comes
 15 up between the two of them. So on, for example,
 16 22 November, Salman describing martyrdom as "a nice
 17 thing" and expressing the hope on 27 November in the
 18 context of martyrdom:
 19 "May Allah make us depart from this world in that
 20 way in his cause."
 21 So the topic being talked about, sympathy for the
 22 idea of martyrdom in the cause of Islamic extremism
 23 between the two?
 24 A. Lots of people have looked at those messages and have
 25 different interpretations. I see it as Salman

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1 expressing sympathy for a desire that
 2 Abdalraouf Abdallah seems to be proposing as opposed to
 3 Salman Abedi stating that as a desire for himself.
 4 Q. Did it not occur to those viewing the material in 2014
 5 that someone who had that sympathy, someone who had that
 6 interest, was someone who ought to be identified?
 7 A. Yes -- well, I think we covered this earlier. And in
 8 terms of my view that if this wasn't relevant to that
 9 particular investigation, there was merit and my
 10 preference would have been that should have been lifted
 11 up and put into the intelligence system to say: here is
 12 a new piece of intelligence, please assess it.
 13 Q. But a subscriber check on that number, the 3458 number,
 14 would have identified the person, the subscriber of that
 15 number as of Salman Abedi, wouldn't it?
 16 A. I don't know, but I'll take it, if it was a registered
 17 handset.
 18 Q. And had been since 2013. I think Mr Barraclough was
 19 able to --
 20 A. Right.
 21 Q. Do we understand that a subscriber check on the number
 22 was not done?
 23 A. I can't say for certain, but I think from reading the
 24 statements of DS Costello, I don't think he made efforts
 25 to identify the individual as far as I understand it.

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1 Q. We understand that it was identified after —
 2 A. Yes.
 3 Q. — indeed some time after the attack in 2018, but not
 4 'back in 2014 when a subscriber check might have
 5 revealed it?
 6 A. Yes, if Simon Barraclough has covered the registration
 7 of it and it was registered, then yes, a subscriber
 8 check would (inaudible: coughing) —
 9 Q. We then have the situation that in 2016, on information
 10 that was available to you, it appeared at one stage that
 11 Salman Abedi was going to be travelling with
 12 Mr Abdallah. Ultimately, it proved it wasn't
 13 Mr Abdallah, who was going to be travelling in breach of
 14 bail, he was going with someone else. Were those dots
 15 not connected at that point that here was, on the face
 16 of your information, Mr Abdallah going to travel with
 17 someone called Salman and you had been wondering who
 18 Salman on the phone had been? Did that not lead to
 19 a connection being made?
 20 A. I think we're going to stray into what our intelligence
 21 picture was at the time. You've alighted on one
 22 particular element. I don't think I could fully cover
 23 that without giving the whole picture, I'm afraid.
 24 Q. It is something that you will need, we suggest, to do in
 25 due course. It's just, and again if you can't answer

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1 this now, you must say so, but in terms of there being
 2 a further source of information that might have led to
 3 the recently closed SOI of Salman Abedi being looked at
 4 again, if a subscriber check at the time could have
 5 identified him, would this have made a difference?
 6 A. I think we're going to go into what we knew of the
 7 relationship between the individuals and how that was
 8 informed. You're alighting on one element of it.
 9 Without being able to describe what in the broadest
 10 terms we knew about that relationship, it makes it hard
 11 to assess and give you an answer. I can't go any
 12 further in this setting, I'm afraid.
 13 SIR JOHN SAUNDERS: It's perfectly apparent from what
 14 you have already said that in relation to the flight,
 15 there was clearly something of a link, I don't need to
 16 know what, between Salman and Abdallah —
 17 A. Yes.
 18 SIR JOHN SAUNDERS: — as you have already told us. So that
 19 did demonstrate a link. I think to answer the
 20 question —
 21 A. It's an assessment of what that relationship may be.
 22 SIR JOHN SAUNDERS: Okay. Right.
 23 A. The nature of that relationship.
 24 SIR JOHN SAUNDERS: But it's another link of some sort
 25 between the two of them?

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1 A. Yes.
 2 MR ATKINSON: Just finally this: in Mr Morris' report, and
 3 we gather we're going to be able to ask him about this
 4 as well, it's the very last line of it, he says this:
 5 "The communications between Mr Abdallah and
 6 Salman Abedi did not feature in the Anderson Report."
 7 They're not dealt with by Lord Anderson. Were they
 8 drawn to his attention?
 9 A. I would have to go and look at the search terms we were
 10 given — as I say, it was conducted by headquarters and
 11 we were given the search terms of the things we were
 12 looking for. So if that number wasn't in those search
 13 terms, it wouldn't have gone into the source material
 14 that informed the review, if that makes sense.
 15 Q. But in terms of the review identifying that this was
 16 potentially another opportunity to have got a better
 17 idea of Salman Abedi years before, wasn't that something
 18 Lord Anderson ought to have known?
 19 A. I would have to check what we had put in — or what the
 20 requested for and what the searched for material was and
 21 the timing of that because that was provided to the
 22 review team relatively quickly after the attack. So
 23 I don't know whether that material was in there or not.
 24 MR ATKINSON: Those are all my questions.
 25 SIR JOHN SAUNDERS: Thank you very much.

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1 MR DE LA POER: Sir, next can I turn to Mr Weatherby QC.
 2 We have had an indication from at least some of those
 3 at the back that they would be content to sit past 4.30
 4 if you wished to do so.
 5 SIR JOHN SAUNDERS: Up to you, Mr Weatherby, and indeed to
 6 you as a witness. Speaking for myself, it has been
 7 quite a tough week already, so if we could finish within
 8 a reasonable time tomorrow then that would be of benefit
 9 to me, but certainly not a requirement.
 10 MR WEATHERBY: I will be an hour, I would think.
 11 SIR JOHN SAUNDERS: Okay. Well, see how we're going. And
 12 please, as a witness, do tell me, Mr Scally, it's
 13 obviously important that you're fresh enough to answer
 14 the questions. I'm not going to ask you to finish today
 15 or anything. We may go on to 20 to, quarter to,
 16 something like that.
 17 MR WEATHERBY: I'm entirely in your hands. I'm happy to go
 18 as long as you want.
 19 SIR JOHN SAUNDERS: Is everybody happen if we go on to 20
 20 to, quarter to? Let's do that, please, thank you very
 21 much.
 22 Questions from MR WEATHERBY
 23 MR WEATHERBY: My name is Pete Weatherby and I represent
 24 another group of the bereaved families.
 25 A. Yes.

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1 Q. So I've got a few more questions for you, as you've
2 heard, and you've been provided with the material, so
3 I hope we can go through some of them fairly swiftly and
4 of course you listened to yesterday and the day before
5 with Witness J, I think.
6 A. Yes.
7 Q. So just picking up from that, we heard evidence of an
8 interview with Deputy Assistant Commissioner
9 Neil Basu --
10 A. Yes.
11 Q. -- in the Sentinel journal; yes?
12 A. Yes.
13 Q. I'm not going to go through it all, it's one small part
14 of it I want to ask you about. Would you be familiar
15 with that journal?
16 A. Not directly. It's not something I would read or do
17 read, sorry.
18 Q. The one aspect, and it's for anybody following, I don't
19 think we need to put it up, but it's tab 43,
20 {INQ042137/12}. I'm just going to read about
21 four sentences. Mr Basu said:
22 "We've long known that training overseas can
23 battle--harden people. It's not just people able to fire
24 a gun, it's the psychological bar that you overcome by
25 being brutalised in theatre. Once you get a taste for

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1 violence, the second time is much easier and cops know
2 that from dealing with violent criminals."
3 Yes?
4 A. Yes.
5 Q. And that is something that you would agree with?
6 A. Yes, it's certainly a concern for us if people
7 (overspeaking) experience.
8 Q. Yes. So that as CTP would be a context for the part of
9 your work that deals or dealt with in the period we've
10 been talking about, with Syria and other places?
11 A. Yes. That was a concern, particularly for Syria, people
12 returning, having experienced that.
13 Q. Yes, and other places as well. In this strange world of
14 ours, there are a number of conflict zones and,
15 of course, that, that I have just read out, although it
16 certainly would relate to Syria, it would also relate to
17 Libya, wouldn't it?
18 A. Yes, and as you say, other locations, Yemen, other
19 conflict zones.
20 Q. Absolutely. And it would be correct that in the period
21 after the rebellion, CTP would know that hundreds of
22 young men from the UK, many from Manchester because of
23 the demographics, went to Libya and many of them fought
24 in the 2011 rebellion against Gaddafi; yes?
25 A. I... I don't think we can say we knew what happened

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1 upstream to particular individuals.
2 Q. Okay. All right. Well, in the public discourse, in the
3 BBC, the news, there was talk about hundreds of young
4 men going and fighting in that rebellion, wasn't there?
5 SIR JOHN SAUNDERS: Fighting where, sorry? I missed it.
6 MR WEATHERBY: In Libya, in 2011 in the rebellion.
7 A. I am not saying that wasn't in the media, but in terms
8 of the way we would operate, the lead intelligence
9 agency, and I think Witness J covered in some detail,
10 the upstream knowledge that they had and we rely on that
11 and those assessments.
12 Q. Yes, okay. At the moment -- I am going to drill down
13 into this, but at the moment all I'm asking about is the
14 headline point that it was well-known in 2011 publicly
15 that a large number of young men were travelling to
16 Libya and were involved in the fighting there. Is that
17 right? Was that well-known to CTP?
18 A. As I said earlier, we conduct assessments around threats
19 and risks. I can't say specifically that piece of
20 information appeared in our assessments. But I take the
21 point and clearly there was a civil war from 2014 on.
22 Q. All right. With respect, I'm not quite following your
23 answer, so can I put up a BBC report and then ask you
24 about the same point.
25 Tab 118 and it's {INQ042232/1}, please, if we could

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1 have that up.
2 This is an online BBC Newsbeat report entitled:
3 "The young Britons fighting and staying in Libya."
4 It is dated November 2011. And it has a picture of
5 four individuals, one of whom happens to be Mr Taghdi,
6 who we heard evidence from. The narrative, if we go
7 over the next page, please, {INQ042232/2}, goes into
8 specific detail about what those group of young men were
9 doing and that was guarding a prison where Gaddafi
10 supporters were being held and on their 2 days off, they
11 were going around arresting people. Okay?
12 A. Yes.
13 Q. A bit further on:
14 "It is thought hundreds of young British men
15 travelled to fight, most of them from Manchester."
16 Yes?
17 A. Yes, I can see the words, yes.
18 Q. We can take that down then.
19 So it was a matter that was being looked at by
20 journalists going to Libya and talking to young men,
21 including from Manchester, who were involved in jobs
22 associated with the rebellion, like those young men, or
23 people who were fighting; yes?
24 A. Yes.
25 Q. So would it be right that at that point, CTP may not

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1 have had the detail, but they would know that large
 2 numbers of young Libya-linked men were going out and
 3 fighting in the rebellion?
 4 A. I think we'd accept that as a proposition within our
 5 threat assessment.
 6 Q. And in fact, we're going to hear more about this from
 7 other witnesses, we're going to hear about the
 8 Tripoli Brigade, which I think has already been
 9 mentioned, and the 17th February Brigade, and a section
 10 of that was actually called The Manchester Fighters.
 11 That would be something within CTP's knowledge?
 12 A. I can't say at what point we knew any of these bits
 13 within the threat assessments. I'd have to go back and
 14 look at them individually, look at the JTACs. I think
 15 Mr Barraclough has commented on from his investigation
 16 what his assessment is and whether Salman Abedi
 17 travelled and where he was trained.
 18 Q. I'm going to come to that. I'm trying to deal with this
 19 in stages.
 20 A. I appreciate that.
 21 Q. And we have provided this stuff in the material, so
 22 it is there. In fact, I'm not going to put this up,
 23 I don't think it's necessary, but at tab 80, there's an
 24 online report in the Middle East Eye, which shows
 25 a mural in Tripoli of the Manchester Fighters. I don't

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1 know whether you have seen that in the preparation.
 2 A. Yes.
 3 Q. Very visible evidence in Tripoli of a band of young men
 4 involved with the 17th February Brigade in the
 5 rebellion; yes?
 6 A. Yes.
 7 Q. And of course we know, and we're going to hear,
 8 hopefully, from Mr Abdallah, that he and his brother
 9 were actively fighting in that rebellion, so known
 10 people to CTP. He was then subsequently convicted of
 11 the offences that we've talked about.
 12 A. Yes.
 13 Q. And so was his brother, both connected to IS. Yesterday
 14 we heard the --
 15 SIR JOHN SAUNDERS: Okay, different offences, I think, the
 16 brother went to Syria, I think; is that right?
 17 MR WEATHERBY: Connected offences.
 18 SIR JOHN SAUNDERS: Thank you.
 19 MR WEATHERBY: Abdalraouf Abdallah was convicted of the
 20 facilitation offences and weapons procurement offences
 21 and --
 22 SIR JOHN SAUNDERS: And sending money, I think?
 23 MR WEATHERBY: And sending money. That was in relation
 24 specifically to a number of men, including his brother,
 25 and including a man called Raymond Matimba, who was an

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1 Islamic State fighter, so directly linked to IS.
 2 In fact Mohammed Abdallah, I'm sure you can confirm,
 3 was specifically convicted of being a member of IS and
 4 fighting for them in Syria?
 5 A. I'd have to check around the IS details. If you've
 6 taken that from a court --
 7 Q. Sure. And then of course yesterday we heard some
 8 Parliamentary Reports, I'm not going back to them, but
 9 you heard me put those reports, and in those reports
 10 it's quite clear it became apparent after 2011 that
 11 Islamist militias had been very much involved in the
 12 rebellion; yes?
 13 A. Yes.
 14 Q. And there can be no doubt, can there, that the
 15 consequence of fighting in Libya and fighting with those
 16 Islamist militias would have been a big concern in terms
 17 of radicalisation?
 18 A. Yes, I think the point you made earlier, it is a concern
 19 for us where people have that experience.
 20 Q. I'm building from the assertion by Mr Basu here and I'm
 21 putting it in the Libyan context from 2011.
 22 A. Yes, I think in his article he was retrospectively --
 23 I think he used the phrase "wake-up call".
 24 Q. He did, because he was talking after the arena bombing,
 25 indeed. But as a general proposition, that's what I put

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1 to you. I have not put the bit specifically about Libya
 2 from Mr Basu.
 3 In terms of CTP being a bit more focused on the
 4 Abedis, it's right, isn't it, that in 2011 Ramadan Abedi
 5 made a series of trips to Tunisia and Libya in respect
 6 of the rebellion? He claimed to be providing,
 7 effectively --
 8 A. Aid or assistance.
 9 Q. -- aid and medical assistance?
 10 A. Yes, I can go as far as saying that the port reports --
 11 Q. Yes.
 12 A. -- cover that.
 13 Q. We've had the port stop --
 14 A. Yes.
 15 Q. -- reports. I don't want to put them on the screen but
 16 I want you just to help me with a couple of details from
 17 them, and if I get anything wrong I'm sure I'll be
 18 corrected.
 19 But what happened was Ramadan Abedi took a series of
 20 trips in a short period of time to Libya and he was
 21 stopped twice on ports stop; yes?
 22 A. Yes.
 23 Q. Whereas the legal basis for a port stop is much wider
 24 than the reasonable suspicion necessary for most
 25 arrests, it's right, isn't it, that a port stop is

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1 related to CT issues?
 2 A. Yes. Those are the considerations that can be borne in
 3 mind.
 4 Q. I know you've indicated a reluctance, that's the wrong
 5 word, you've indicated that there is a difficulty in you
 6 going very far with Ramadan Abedi, but it's right and
 7 it's already public that there was not one but there
 8 were two CT stops, port stops, in 2011 relating to him?
 9 A. Yes.
 10 Q. In the first of those stops, which was actually
 11 2 November, during the course of his interview or the
 12 discussion with the officer that was dealing with him,
 13 he volunteered that Salman and Hashem Abedi had gone
 14 with him to Tunisia and Libya in the first week of
 15 August 2011?
 16 A. Yes.
 17 Q. They weren't with him here, he was at this point on
 18 2 November -- he'd returned via Manchester Airport; yes?
 19 A. Yes.
 20 Q. I'll come to the second one in a moment. Did CTP
 21 recognise -- and I know that you didn't start until
 22 2013, but you're the institutional witness, so please
 23 try if you can to help us. But in the aftermath of the
 24 Libyan conflict in 2011, being specific about that time,
 25 did CTP pay attention to the fact that returning

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1 fighters or returning young men who may have been
 2 fighters may have been brutalised, to use Mr Basu's
 3 word, or radicalised, or both?
 4 A. I think it would have been relevant -- you have talked
 5 about Abdalraouf Abdallah and we clearly knew about
 6 those circumstances. I've talked about us doing
 7 a threat assessment and recognising the threat that we
 8 talked about earlier in South Manchester. I can't say
 9 specifically at that time what particular actions were
 10 being done in terms of travel. Certainly, again, it is
 11 something we can look at.
 12 Q. It would be helpful. If you wouldn't mind, that would
 13 be very helpful.
 14 What I'm asking, really, is: was there an actual
 15 recognition in CTP of this factor, this problem?
 16 A. I think there is a recognition if people are travelling
 17 for extremist purposes. Whether that was applied as the
 18 thinking in 2011 --
 19 Q. Yes.
 20 A. -- for a nationalist civil war, I don't know.
 21 Q. I get the general reply, it would be helpful if you
 22 could consider whether you can give us some more
 23 specific reply about what happened in respect of Libya.
 24 You mention it being a national conflict, which
 25 of course it was, but I had sought to draw further

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1 information through the Parliamentary Committees, the
 2 involvement here, the significant involvement of
 3 Islamist militias, and of course that sets it aside from
 4 a conflict which is purely national, didn't it?
 5 A. There was involvement of a whole range of people and
 6 I will not profess to be an expert on it, Mr Weatherby.
 7 I accept -- and again we would go to partners and to
 8 JTAC for our assessment of whether any of that activity
 9 posed a risk to the UK or UK interests, and I think
 10 we have to rely on that. I know Witness J, you took him
 11 to his understanding of the picture there.
 12 Q. Yes, okay. That's a fair point that you're not an
 13 expert in that. But the reality is that the realisation
 14 of the involvement, the very significant involvement of
 15 the Islamist militias, raised the prospect of fighters
 16 joining up with or being radicalised by, at that point,
 17 Al-Qaeda in particular, didn't it, and that was within
 18 your area?
 19 A. I think there was that prospect. We were asked
 20 yesterday, were there any prosecutions relating to any
 21 of that, and I don't think there were relating to any
 22 Libyan travel.
 23 SIR JOHN SAUNDERS: This is a very simplistic approach, but
 24 we know that in terms of people going to Syria to fight
 25 and meeting up with Islamists there, it was well

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1 recognised there would be a risk that they'd come back
 2 and be involved in terrorist activity over here. Did
 3 you have the same cautionary feeling in relation to any
 4 of or all of those who came back from Libya, having been
 5 fighting, knowing, as you did, as we've heard, that the
 6 political vacuum was being used by Islamists over there
 7 in Libya to certainly create their presence in that
 8 country? So did you treat it in the same way, either
 9 entirely or marginally?
 10 A. I think it probably was treated in a different way.
 11 Certainly the national priority was Syria and for every
 12 individual who travelled to Syria, we had a plan for how
 13 we were going to receive them back, where they were.
 14 I certainly don't think for -- well, (a) knowing who
 15 has travelled for what purpose to Libya is a very
 16 different matter for those who have legitimate reasons
 17 to travel there. I'm not aware of us necessarily
 18 tracking Libyan fighters.
 19 SIR JOHN SAUNDERS: So do you think you should have done
 20 more to identify that as a risk?
 21 A. I suppose it goes to Witness J's point: there is the
 22 risk of somebody who's getting combat experience and
 23 I think that's general risk because it speaks to
 24 capability, not intent necessarily but capability. But
 25 in terms of whether that posed a risk to the UK would be

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1 a matter we would look to our partners and threat
 2 assessments to say this is now a priority that we need
 3 to look at. So I think Syria and Libya are different .
 4 SIR JOHN SAUNDERS: I'm sure they are, it's just whether
 5 they were treated in any way in the same way and I think
 6 that hopefully is, in a simplistic way, the point you
 7 may be getting at.
 8 MR WEATHERBY: Yes, absolutely. If I may just take it
 9 slightly further and then I'll move on, I'll take the
 10 hint.
 11 Every situation is different and we can distinguish
 12 any situation, but the point here is the one well made
 13 by Mr Basu about the brutalisation of being involved in
 14 conflict, but also the realisation, certainly by the
 15 time of the Parliamentary Committee, of the involvement
 16 of radicalised Al-Qaeda-facing groups. And my question,
 17 which I don't think you can answer today, but it would
 18 be helpful if you could answer either in open or if it
 19 has to be in closed, is: in this period, after the
 20 rebellion, did CTP consciously understand the raised
 21 risk from those happenings, and if so, what did they do
 22 about it?
 23 A. Yes, I'll go and ask that. The reason I refer to
 24 Mr Basu's wake-up call is I think clearly he was
 25 expressing a view on behalf of the network that looking

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1 back —
 2 SIR JOHN SAUNDERS: Can you just tell me, what was Mr Basu
 3 specifically saying acted as a wake-up call? Was it the
 4 Manchester attack?
 5 MR WEATHERBY: Yes.
 6 SIR JOHN SAUNDERS: So that does indicate, anyway from
 7 Mr Basu's point, that the full realisation of the impact
 8 of people coming back from the fighting in Libya may not
 9 have been perceived by CT Police in particular?
 10 A. I would separate the two. So I go back to Witness J's
 11 point. If we are looking at individuals who pose
 12 a threat to the UK, that's not — you know, that would
 13 come to our door and we'd ask for assistance in relation
 14 to individuals they thought of concern but I took
 15 Mr Basu's phrase in that way that following the attack
 16 this was a wake-up call to mean, as you've interpreted
 17 it, sir.
 18 SIR JOHN SAUNDERS: Thank you.
 19 MR WEATHERBY: Yes, you certainly talk in 2018, I think,
 20 about in the wake of the arena attack, certainly .
 21 A. Yes.
 22 Q. Finally on that point, was there an increase in
 23 referrals to Prevent when people started to come back
 24 from Libya?
 25 A. I'd have to go and look at the figures, but that's

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1 something we can find out. We do break them down in
 2 terms of what we think is inspiring them. Not an exact
 3 science.
 4 Q. Okay. If subsequently, information or intelligence came
 5 in to CTP regarding an individual but that individual
 6 was known to or believed to have fought in the Libyan
 7 rebellion, would that have been something that would
 8 have been relevant context so far as you are concerned?
 9 A. If it had come in to CT as a new piece of intelligence
 10 it would have gone into the normal system which I have
 11 described.
 12 Q. Yes, no. If a piece of information had come in about
 13 somebody in Manchester, for example, saying that they
 14 were involved in radicalising young people somewhere,
 15 and that was the piece of information that came in and
 16 it was being looked at by CTP, if CTP knew or believed
 17 that that person had fought in the Libyan rebellion,
 18 would that piece of information have been used as
 19 context when considering the actual piece of information
 20 that had come in?
 21 A. Yes, I think if I understand you correctly, yes. That
 22 experience speaks to capability. So the fact that
 23 somebody has combat experience speaks to their
 24 capability, not necessarily their intent or the other
 25 factors we would think about, but clearly, yes.

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1 Q. Yes. So if people returning from Libya had been subject
 2 to port stops, for example, and it had been ascertained
 3 that they'd fought in the rebellion or they'd said
 4 something which had led CTP to consider that they had,
 5 for example, or somebody else had said they had, so
 6 there was some relevant information, would that be
 7 information that would be useful to CTP in terms of
 8 a context picture about those people who had gone off to
 9 that conflict?
 10 A. I think knowing that would be of interest to us, yes.
 11 Q. Something to weigh in the scales if there were future
 12 pieces of information? That's the purpose of context
 13 information, isn't it?
 14 A. Yes. If it comes in to us, our test is: do we think
 15 this is relevant to CT? That's the first question all
 16 our staff ask. If the answer to that question is yes,
 17 we can hold it on a CT database.
 18 Q. You've been asked about the JTAC 2010 report and you
 19 said that you were aware of it, but you'd have asked
 20 what the position was now. So here you are, you arrive
 21 in CT Policing in 2013. The answer to your question
 22 is that in Manchester, there is the three-year-old
 23 report now about the potential for radicalisation by the
 24 older generation. But there's also the rebellion and
 25 the general knowledge that young men had been out and

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1 fought in that rebellion. So the updated JTAC
 2 information is that the threat is worse; yes?
 3 A. The threat has changed.
 4 Q. Yes.
 5 A. We are specifically looking at the threat to the UK.
 6 Q. Yes.
 7 A. For us, in terms of our patch, and, as I said earlier,
 8 we would continually, with our partners, update that
 9 assessment through our investigations, which clearly
 10 I can't go into. But they primarily give us very clear
 11 picture of what we think is happening in the
 12 environment.
 13 Q. My point is, though, that in 2010, you've got this quite
 14 stark report, saying that there's a number of problems,
 15 in particular communities in Manchester, one of them
 16 being the Libyan community, and an identified problem is
 17 the radicalisation of the younger generation by a small
 18 minority of the older generation.
 19 A. Yes, that was listed as a potential concern.
 20 Q. And your answer earlier was that, yes, that would have
 21 been of relevance but you'd have wanted it updated?
 22 A. Yes.
 23 Q. My point is the updating, by the time you got there, was
 24 that the position was potentially more serious.
 25 A. By 2013?

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1 SIR JOHN SAUNDERS: Because of the civil war and the
 2 fighting going on.
 3 A. It is of that. As I said earlier, that was much less
 4 relevant to us than what was developing in Syria. I'm
 5 not saying it was not relevant, but I think the two —
 6 there were different characteristics. As I explained
 7 earlier, a Libyan person travelling back to Libya and
 8 back and forward is different than somebody trying to
 9 join IS in Syria.
 10 MR WEATHERBY: Okay. I don't think I need to ask you
 11 further about that, but my point is that the update
 12 hasn't got better in terms of the JTAC 2010 report, it's
 13 got more important for you to have note of.
 14 A. Yes.
 15 Q. And then what happens, as we know, is that as time
 16 passes, IS starts to reach the end of the road in Syria
 17 and it flourishes for a period in Libya.
 18 A. Yes.
 19 Q. So again, you have an additional problem which is not
 20 just IS in Syria but IS in Libya now?
 21 A. Yes. Witness J covered that.
 22 Q. An emerging fact, as I put to him, from the Foreign
 23 Affairs Committee. So the position is getting more
 24 serious as a matter of context; yes?
 25 A. Yes.

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1 Q. In terms of Ramadan Abedi, you have addressed
 2 a difficulty with telling us in open about what was
 3 known about Ramadan Abedi. It's right, isn't it, that
 4 during the second port stop on 17 November, he was asked
 5 about the LIFG and his involvement in Libya and he
 6 answered those questions?
 7 A. Yes.
 8 Q. I don't know whether there's an objection to me taking
 9 that any further.
 10 MR DE LA POER: Not for my part. It will be a matter for
 11 the witness.
 12 A. My point in going further than that, Mr Weatherby,
 13 I think the point Witness J made, I accept what is on
 14 the port report, the interpretation of what that might
 15 have meant, the context of that, I have to adopt MI5's
 16 position as the agency, and I think MI5's position was
 17 that they didn't feel they could discuss the breadth of
 18 that in this session. So I accept the port report for
 19 what it is.
 20 MR WEATHERBY: Okay. I'll keep this confined, if I can, and
 21 if I'm going too far, you just tell me.
 22 In the port stop, he's asked about the LIFG and
 23 whether he's a member.
 24 A. Yes.
 25 Q. And he says no. He mentions a number of people, an

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1 unnamed group which he says that he's involved with, and
 2 he's then asked whether he knows people in the LIFG.
 3 A. Yes.
 4 Q. And he answers that question; yes?
 5 A. Yes.
 6 Q. And that is redacted on the report.
 7 A. Right. I'm not aware which bits were redacted.
 8 Q. I'm not going further than that.
 9 A. That's fine.
 10 Q. But there is knowledge about Ramadan Abedi, which is
 11 relevant to the JTAC 2010 point about radicalisation,
 12 that's my point.
 13 A. Yes, and I have said earlier, that threat was not new to
 14 us.
 15 Q. No.
 16 A. I can't explain here how we dealt with it, but I've
 17 accepted that threat was recognised by us and in fact
 18 was probably informed by us.
 19 Q. Yes. So the position is then that on any information
 20 which subsequently came in over the next few years,
 21 until 2017 and the bombing, about Salman Abedi, you had
 22 the general emerging picture from Libya and the known
 23 extremist groups in Libya as context?
 24 A. As a context, yes.
 25 Q. And you had the known material about Ramadan Abedi,

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1 whatever that is?
 2 A. Yes.
 3 Q. As context in terms of radicalisation ; yes?
 4 A. Yes.
 5 Q. Therefore when pieces of information came in, you would
 6 consider whatever that information was, but not in
 7 splendid isolation ?
 8 A. No.
 9 Q. You would do it in that context?
 10 A. Yes.
 11 Q. Are you able to say it was done in that context in terms
 12 of the information that came in?
 13 A. Which information?
 14 Q. Well, the various bits of information that CTP knew
 15 about with Salman Abedi.
 16 A. No. If we were going to go into the assessments that
 17 were made, we would have to go and...
 18 SIR JOHN SAUNDERS: I don't think we are. I think you're
 19 just being asked --- you have told us the context, you've
 20 agreed that is the context, you're just being asked when
 21 the new piece of information came in and a new
 22 assessment was made, was the context taken into account
 23 or don't you know?
 24 A. I won't know for each individual piece whether they came
 25 into MI5 first ---

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1 SIR JOHN SAUNDERS: But in general terms were they taken
 2 into account?
 3 A. In general terms the knowledge of that locality --- we
 4 had a specific desk that dealt with South Manchester.
 5 The problems were very clear to us. I'd be surprised if
 6 that context was not known about and considered.
 7 MR WEATHERBY: Okay. Let me finish on this topic and then
 8 maybe I'll suggest we finish for the day.
 9 I put to Witness J a number of Facebook posts from
 10 Ramadan Abedi, okay?
 11 A. Yes.
 12 Q. One of those was 2013, with a fairly clear support for
 13 Anas al-Libi. I'm not going to repeat the evidence, you
 14 remember it. Another was full-on support for the
 15 Al-Nusra Front of Syria; yes?
 16 A. Yes.
 17 Q. Were CTP aware of those Facebook posts?
 18 A. I would have to check if and when we were aware of them.
 19 Again, that's going to be in the whole picture of what
 20 we knew and when.
 21 Q. Yes. Okay.
 22 In terms of mindset material and support for
 23 extremists by people like Ramadan Abedi in this context,
 24 obviously we've discussed privacy issues, but when
 25 looking into a subject of interest, for example, this

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1 sort of material is public, isn't it? There's no
 2 privacy issue about looking at someone's public Facebook
 3 posts?
 4 A. No, and I think Witness J discussed how we might respond
 5 if we were investigating an individual.
 6 Q. Yes, but it's not intrusive as an investigation
 7 necessarily ---
 8 SIR JOHN SAUNDERS: Mr Weatherby, I won't stop you now, but
 9 I'm not sure that's always as clear as you're saying.
 10 I'm not sure the answer given by the IPT is exactly as
 11 clear as that, but the legal aspect we can look into if
 12 necessary.
 13 A. I think there are issues ---
 14 SIR JOHN SAUNDERS: Understandably, yes.
 15 A. --- when we look at a particular individual or not as
 16 opposed to general ---
 17 MR WEATHERBY: But as a general proposition, not this case,
 18 it would be right, wouldn't it, that that is the sort of
 19 information that you would look at to build a picture
 20 about an individual?
 21 A. If we were looking at an individual open source media
 22 assessment, I can't say what it was in 2011 at all,
 23 I can tell what you it is now, and yes, open source
 24 media is a source for us.
 25 Q. And I think we know from evidence we've already heard

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1 that Facebook searches were done on Ismail Abedi in
 2 2015?
 3 A. Where is that evidence?
 4 Q. Mr Greaney put to Mr Barraclough on Day 46 that
 5 a Facebook search had turned up an image of the
 6 Jordanian pilot, a rather offensive ---
 7 A. If it's in Mr Barraclough's statement then I am clearly
 8 happy to (overspeaking) ---
 9 Q. That's the sort of investigation, if you were looking at
 10 somebody, that would be included; yes?
 11 A. Yes, open source is a very common ---
 12 SIR JOHN SAUNDERS: So this is the post-attack investigation
 13 of which Mr Barraclough was the SIO; is that right?
 14 MR WEATHERBY: No, sorry, I put that too swiftly. It was
 15 put to Mr Barraclough to confirm that in
 16 September 2015 ---
 17 SIR JOHN SAUNDERS: Thank you very much.
 18 MR WEATHERBY: --- the Facebook post had been turned up.
 19 Sir, that reaches the end of that topic if that's
 20 a convenient moment.
 21 SIR JOHN SAUNDERS: Tomorrow morning at 9.30 then.
 22 Thank you very much.
 23 (4.48 pm)
 24 (The inquiry adjourned until 9.30 am
 25 on Thursday, 28 October 2021)

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