1. These are expansive and important chapters but we will address them relatively briefly for two reasons. First, Chapters 8 and 13 are directly linked to Operation Manteline and, therefore, to the CTPNW investigation and its conclusions. Although the SIO, Detective Chief Superintendent Simon Barraclough, would be the first to accept that neither he nor Manteline are infallible, we suggest that not only was Manteline a meticulous investigation but that also its conclusions have withstood the scrutiny of this Inquiry and can, therefore, be safely relied upon. Second, Chapter 14 was dealt with primarily in CLOSED and we believe that it is more appropriate to concentrate on the complete picture which we can only do in our CLOSED closing statement. In OPEN, however, we will respond not only to the general issues raised by these chapters but in particular, to the four which have been given prominence in OPEN namely, the OLIBAN messages, ARA's illicit mobile telephone, Prevent and the evidence capture following Ismail Abedi's port stop on 3 September 2015.

<table>
<thead>
<tr>
<th>PAGES</th>
<th>SUBJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Planning and preparation for the attack</td>
</tr>
<tr>
<td>7</td>
<td>Radicalisation of Salman and Hashem Abedi</td>
</tr>
<tr>
<td>17</td>
<td>The OLIBAN messages</td>
</tr>
<tr>
<td>24</td>
<td>Prevent</td>
</tr>
<tr>
<td>28</td>
<td>Port Stop: Ismail Abedi 3 September 2015</td>
</tr>
</tbody>
</table>
2. Operation Manteline is one of the largest police investigations ever conducted in the United Kingdom and, as already suggested, it is one in which this Inquiry and the public can have confidence. The facts are impressive: during the initial stages, there were approximately 1,000 police officers, police staff and National Crime Agency officers from across the entire country working on the investigation. There were more than 16,000 Actions, 17,000 exhibits, 20,000 documents and 4,000 witness statements.\(^{1}\) Twenty-three arrests were made under the Terrorism Acts and 42 premises and 18 vehicles were searched.\(^{2}\) Considerably more than 1,000 digital devices were seized which contained in excess of 16 terabytes of data. Over 7 million files were reviewed on RETINA.\(^{3}\) There was no reluctance to investigate: many theories and potential leads were explored and the overwhelming majority were found to lack substance. There has been no suggestion that Manteline ignored any substantive lead or failed to make any inquiry which it should have made. An investigation of this size will inevitably reveal myriad suspicions, coincidences and theories and each was considered to the fullest extent possible.\(^{4}\) We suggest that under the command of SIO Barraclough, this Inquiry can have confidence in the scrupulous nature of Manteline and the accuracy of its conclusions.

Barraclough has provided this Inquiry with a considerable amount of evidence: his principal 254-page witness statement,\(^{5}\) the 412 pages of Appendices attached to it,\(^{6}\) his evidence over four days on Chapter 8\(^{7}\) and his post evidence witness statement which came with five Annexes.\(^{8}\) The Inquiry will wish to consider all of it.

3. When a crime as egregious as this is planned and executed there will always be uncertainty and, therefore, speculation as to the scale of the conspiracy behind it. Some have sought to suggest that notwithstanding the absence of evidence, there must have been others involved in addition to Salman and Hashem Abedi.

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In part, this approach has relied upon an opinion provided by Ian Fenn, the headteacher at the Burnage Media Arts College which Salman Abedi attended from 12 January 2009 to 24 June 2011 when aged between 14 and 16 years of age (ARA and Hashem Abedi attended the same college albeit at different times). When interviewed for the BBC programme, "Manchester - The Night of The Bomb", broadcast on 22 May 2018, Fenn said as follows,

“... to this day, I can't fathom how Salman managed to do what he did. Not that he did it, but how he managed to, because he showed no aptitude for science at all. No aptitude for studies, really. So, putting together a bomb is quite difficult. I still can't fathom how that happened.”

And later, to the question, “Do you think he was capable of making that bomb alone?”

“No. No. I would -- perhaps I'm answering it a little bit too quickly, because he never showed what he could do in school. But I've spoken to the teachers who taught him science at some point, and there's absolutely no way that they thought that he -- because it's not simple. Could he follow an instruction book? A booklet? Yeah. Most people probably could. Could he have done it on his own by surfing the internet and doing -- I really think he would have had somebody having to guide him. Not necessarily here in Manchester, but someone somewhere. And I don't know where that was. I certainly don't think it just happened when he popped over to Libya and he came back a Jihadist. I don't think that was the case. But certainly, I would expect -- from what I am told, creating a bomb --

(Aside conversation for 9 seconds)
From what I've been told, creating a bomb requires a good level of scientific knowledge. And it's not that easy to do unless you really know what you're doing. And he's somebody who wouldn't have known what he was doing. So I discount, in my own mind, the idea that he's somehow self-radicalised and

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9 INQ025583T/31.
found out how to make a bomb. I just don't think that is true. I don't think that's tenable knowing him the way that I did, which... No."

4. We do not doubt the good intentions of Fenn, he was plainly attempting to assist those responsible for this programme and, through them, the public, but these comments were highly speculative and ill informed. As SIO Barraclough pointed out when he later gave evidence, there must be very real doubt as to the value of those opinions because Fenn (and, we would suggest, the teachers) never had an opportunity to assess the bomb building capabilities of either of the Abedi brothers and, much more importantly, he (and they) had not seen the video (CAH/38) to determine whether it could have provided the necessary support and instruction for them to have built this particular bomb.11

5. When Fenn later gave evidence, he did in fact modify those views and conceded that he might have been mistaken and that although he believed some form of support would have been required, such support could have been provided by a step-by-step demonstration obtained over the internet.12

6. We suggest, therefore, that Fenn’s assessment provides no basis for concluding that others must have been knowingly involved in this plot.

7. The two brothers would obviously have been fastidious in keeping their conspiracy confidential and the actions of Salman Abedi from his arrival back to this country on 18 May 2017 illustrate the degree to which he went to isolate himself and keep his return and, therefore, his purpose a secret: there is no evidence that he met anyone during those five days;13 he purchased a new SIM card and mobile telephone; and at times conducted himself in a manner consistent with the use of anti-surveillance techniques. Furthermore, there is no evidence that Salman Abedi was in need of any assistance during that critical period or that he was given any.14

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10 INQ025583T/62-63.
11 Barraclough: 45/56/20-57/12.
12 Fenn: 179/150/15-151/3.
14 Barraclough: 47/94/22-95/5.
8. There are, of course, outstanding suspects or TIEs whom CTP want to interview, and the investigation is far from closed, but we commend the view of Manteline that unless and until there is sufficient evidence of other co-conspirators, based on the circumstances of the attack, there is no reason why this should have been anything other than a two-man conspiracy. An open mind is required but any approach which is rooted in nothing more than the simple averment that others must have been involved without any supporting evidence, is unhelpful.

9. SIO Barraclough summarised Operation Manteline and its approach in five paragraphs of his witness statement. They are important and are set out in full:\footnote{Barraclough: INQ035481/180-181/paras 466-470.}

"The second question raises a much broader point. It is said that there seem to CTI/STI to be obvious grounds for suspecting that Salman Abedi and/or Hashem Abedi were assisted and encouraged by others. If this conclusion was excluded by the investigation, I am asked why this was the case and the basis on which it was done.

The investigation of a large criminal conspiracy in respect of the Manchester Arena Attack gave rise to reasonable suspicion falling on a number of individuals as highlighted throughout my statement. I believe that where this was the case, and where it was possible, appropriate action was taken by way of arrest or interview under caution. Operation Manteline is an enormous investigation which has spanned three years using substantial investigative resources. The police are required to investigate without fear or favour which is why ultimate value is always placed on evidence rather than mere suspicion. In conducting what the public rightly expect as an open-minded and ethical investigation, it is inappropriate for the police to reach conclusions based on anything other than evidence. At the time that I am making this statement we have one suspect who remains under review (Abdalraouf Abdallah). There are also a small number of suspects who remain wanted for questioning as a result of reasonable suspicion as to their possible involvement in the planning and preparation for the attack. At the time of completion of this statement these are [four persons are identified, each of whom was then out of the jurisdiction]. It
must be understood that the investigation is a continuing process and that the position is liable to change at any time.

The Inquiry has asked that I address the question: 'What conclusion was, ultimately, reached by the investigators as to who was responsible for the bombing, including those who assisted or encouraged the actions of Salman Abedi and why was that conclusion reached?'

A thorough investigation was conducted under my leadership in the search for the truth. Those individuals who were suspected to have been involved were arrested or interviewed under caution if it was both possible and appropriate to do so. It is clear that some assistance was given to Salman Abedi during the course of preparing to carry out the attack. This assistance was heavily influenced and encouraged by the actions of Hashem Abedi who arranged for chemicals to be purchased, and who was involved in what are believed to be the prototype construction of containers and detonator tubes and the construction and storage of TATP. Hashem Abedi’s involvement resulted in his conviction in March 2020. As for others who might have encouraged Salman and Hashem Abedi to carry out the attack, there were a number of calls to Salman Abedi between 18th and 22nd May including calls from Libya which have been untraceable and consequently the identity of the caller has not been established. It is therefore not possible to say if the caller was Hashem Abedi or somebody else.

In addition to the points above, I wish to add that in 2018, I oversaw the full cooperation between my investigation team and the team of Max Hill QC, then Independent Reviewer of Terrorism Legislation, in relation to his report entitled "The Terrorism Acts in 2017" which was published in October 2018. In this report Mr Hill commended the police for the "thoroughness and the rigour" of the investigation. In order to assist with the preparation of the report, the investigation team provided three documents containing details of the police powers used, including those arrested the premises searched. All of those individuals who were allocated a cipher in Max Hill QC’s report by Mr Hill have been commented upon in this section of my statement.”

10. Salman and Hashem Abedi were given assistance by a large number of individuals: from those who purchased precursor chemicals to those who
assisted in the purchase of the Nissan Micra and provided either premises or the parking space at Devell House. There is, of course, the greatest possible difference between mere assistance and conspiratorial or knowing assistance: it is not accepted that there are obvious grounds for suspecting that Salman and Hashem Abedi were provided with knowing assistance.

11. In addition to the evidence of SIO Barraclough, of course, is that of Witness J who confirmed that it is MI5’s assessment that no one other that Salman and Hashem Abedi was knowingly involved in the attack plot. That is a view which must be subject to whatever evidence may emerge in the future.

12. Manteline will always remain open, but as the evidence currently stands before the Inquiry, we suggest that there is insufficient for it to conclude that another or others were knowingly involved in this conspiracy. As for the evidence on encouragement/radicalisation, we shall address that in the next section.

CHAPTER 13: RADICALISATION OF SALMAN AND HASHEM ABEIDI

13. The Inquiry has heard from two witnesses with very different approaches to the evidence and how it should be interpreted: SIO Barraclough and Dr Wilkinson. Each has value and a contribution to make, but we suggest that the more evidence-based approach of SIO Barraclough is to be preferred.

SIO SIMON BARRACLOUGH

14. Radicalisation is dealt with at paragraphs 336-389 of Barraclough’s main witness statement and in his evidence during days 170 and 171. Radicalisation can take many forms and in the age of the internet does not even have to involve direct contact with another person. Radicalisation, whatever its form, is likely to occur in private. It follows, therefore, that caution must be exercised when examining what is likely to be a far from complete picture: there can be a natural tendency to fill in the gaps and this must be resisted unless justified by evidence. Theories can be of interest but are no substitute for

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16 Witness J: 166/97/2-12.
evidence. Caution was rightly applied throughout Barraclough’s approach to the evidence and this he emphasised at the beginning of the following section of his witness statement (our emphasis):

“There are some preliminary points that I would wish to make in relation to this issue of radicalisation. First, it is not necessarily correct to consider Salman Abedi and Hashem Abedi jointly in this regard. Separate influences may well have led to their radicalisation and what was a significant influence on one of them may not have been on the other. It is also necessary to keep in mind the extent that they might have served to radicalise each other at various times. It would also, in my view, be a mistake to ignore the extent that Salman and Hashem Abedi might have self-radicalised by their own endeavours. Finally, as will be apparent from my comments below, I believe that there were several influences on both of them which led to their radicalisation and I do not consider that it is correct to draw a simple conclusion that any one individual or circumstance led to the radicalisation of either brother.”

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15. And when giving evidence:

“Q. First of all, the view of the investigation in relation to the path to radicalisation of Salman and Hashem Abedi was that that was not something that happened in one moment or as a result of one thing or one person?

A. I agree.

Q. That the role of the father of the Abedi brothers is likely to have been of some significance?

A. I think that’s true.

Q. That the changes within both brothers in terms of their conduct, behaviour and attitudes appear to have coincided with Abdalraouf Abdallah becoming more involved in their lives?

A. Yes, that is demonstrated.

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19 Barraclough: INQ035481/81/para 337.
Q. And what is clear is that by late 2016, both brothers had become thoroughly radicalised?

A. Yes.  

16. As a measure of how incomplete the picture is, Barraclough pointed out that Salman and Hashem Abedi used at least 14 different mobile telephone handsets between July 2016 and May 2017. Only two of the fourteen mobile telephones were recovered during the investigation and therefore at least 12 devices could not be examined for evidence. Eight of those devices are known to have been internet enabled smart telephones.  

17. In terms of a chronology, it is clear that the first known actions to prepare for the attack began in late 2016 when Hashem Abedi returned from Germany which was not long after the release of the ISIS video (CAH/38) which it is believed the brothers are likely to have seen (or at least one very similar to it). It was in late 2016 that Hashem began to gather items (for example, the oil cans) and the purchases of the precursor chemicals began in January 2017 (the first to be ordered was on 18 January 2017). It follows, therefore, that the brothers had been radicalised by the end of 2016, but when did the process of radicalisation start? SIO Barraclough believes that the radicalisation of Salman Abedi would have begun by 2015 and he has relied upon, in particular, the accounts of Ibrahim Khalifa and a cousin of Salman Abedi. Khalifa stayed at the Abedi family home, 21 Elsmore Road, Fallowfield, Manchester, during August 2015 and he gave evidence of an occasion during that month when Salman Abedi voiced his support for ISIS when an item came on the television news about ISIS in Iraq. Hashem Abedi was present. Salman and Hashem Abedi left for Hajj soon afterwards and were away from 16 September to 3 October 2015. Khalifa did not see the brothers again until 14 April 2017 and he was then surprised by their appearance: they both had beards and were wearing traditional Islamic dress. The cousin described ‘dramatic changes’ in Salman Abedi in 2015 or 2016, when Salman Abedi changed both his behaviour and appearance: he went from taking drugs and attending parties to becoming a

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20 Barraclough: 171/11/5-21.
21 Barraclough: INQ035481/81/para 339.
serious and judgemental man who eschewed drugs, alcohol, tobacco and parties; began to associate more with ARA; started to make new friends among older Libyan males within the south Manchester community; grew out his beard; and started wearing religious dress.23 Samia Tabbal flew to Istanbul on 7 October 2016 (and from there to Libya), just four days after her two sons had returned from Hajj, and this left only Salman and Hashem Abedi at 21 Elsmore Road, although it should be noted that for much of the remaining months of 2016, Hashem Abedi was in Germany where he worked for the Benhammedi family.24 This period is very proximate to the attack planning and it is suspected that from this time, especially, the brothers were radicalising and encouraging each other.25 But Barraclough is adamant that he is not able to say definitively when or how Salman and Hashem Abedi were radicalised.26

18. In his witness statement, Barraclough considered ARA in another section.27 As set out above, ARA is suspected of having given Salman Abedi assistance but such assistance is, “likely to have been ideological motivation and encouragement rather than (particularly given [ARA’s] incarceration) a more practical hands-on assistance.”28 In the strategy document, the rationale for ARA becoming a suspect is recorded as follows: “Given this background information, influential status as an extremist proven by his conviction and links to Islamic State and close association with ABEDI before the execution of the attack — it is highly suspected that ABDALLAH played some part in the planning, influence and ideological motivation of the attack. He was not previously arrested in 2017, for this investigation and presently remains in custody.”29 Barraclough then illustrated some features of the evidence which went to the closeness or otherwise of the relationship between ARA and Salman Abedi:

i. Salman Abedi visited ARA in prison on two occasions only: 26 February 2015 (when he went with Ahmed Taghdi) and 18 January 2017 (when he went with Ayoub Sadigh and Elyes Elmehdi). Those three other attendees were interviewed and there is no evidence that ARA sought to motivate Salman Abedi during those visits. Two visits to ARA were

24 INQ039035/20-21 and INQ034649/139.
27 Barraclough: INQ035481/188-204/paras 495-547.
28 Barraclough: INQ035481/202/para 539.
29 Barraclough: INQ035481/188-189/para 495.
cancelled by Salman Abedi (17 January 2017 and 6 March 2017). We would add that compared to others, Salman Abedi was an infrequent visitor to ARA in prison.

ii. An illicit mobile telephone with the number 8383 was found in ARA’s cell on 17 February 2017. It has been calculated that ARA used that phone to make 441 connected calls between 6 December 2016 (the date of his arrival at HMP Altcourse) and 17 February 2017 (the date the phone was seized). Only three of those connected calls were to Salman Abedi’s 2630 number (one on 16 January 2017 and two on 24 January 2017 – the calls in chronological order lasted 4 minutes 28 seconds; 4 minutes 17 seconds; and 15 seconds). There were eight other calls to Salman Abedi’s 2630 number which did not connect, they went to ‘call forward’. Out of the 441 connected calls, 110 were to numbers which, following the attack, have been attributed to identified individuals. The contact which ARA had with Salman Abedi represents only 0.7% of ARA’s overall contact use on this illicit mobile phone, and 2.7% of the 110 calls ARA made to known individuals. Salman Abedi stopped using his 2630 number on 1 February 2017 but he cannot have informed ARA of that fact because ARA attempted to call the 2630 number on six subsequent occasions between 10 and 15 February 2017 and each such call was forwarded to voicemail. ARA obtained a second illicit mobile phone while at HMP Altcourse and this was found on 26 May 2017. That phone had not been used to contact Salman Abedi. The procedure for obtaining the billing for ARA’s illicit phone did not begin until 4 May 2017 and the billing was not received until early June 2017. Temporary Assistant Chief Constable Scally said that the delay in obtaining the billing was “unacceptable” and that it should have been obtained within a month of the download. It is clear, however, that even if the billing had been obtained before the attack, the link to Salman Abedi could not then have been made. The connection between Salman Abedi and the 2630 number was only made because of work done and which could only have been done after the attack.

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30 Barraclough: INQ035481/203/para 542.
31 INQ042455/6-7/para 23.
33 Gist/para 50 and INQ042455/1-2/paras 2-4.
19. Salman Abedi and ARA had known each other for many years and were plainly friends, but the precise nature of their relationship must be seen in the context of the limited contact between them when ARA was in prison. It is not as if Salman Abedi had deliberately decided to have no contact with ARA in order to avoid the scrutiny of the authorities; he did visit ARA, but he did so on only two occasions.

20. When giving evidence, Barraclough stressed that notwithstanding the detailed work of Manteline and the fact that ARA is a convicted terrorist, the evidence at this stage concerning ARA as a radicaliser amounts to no more than a ‘mere suspicion’ and there is no evidence that he was involved in attack planning:

"Q: At paragraph 539 you address the assistance that Abdalraouf Abdallah is suspected, again to underline that word, to have provided in relation to the events of 22 May. Is it the position that in light of the investigation that was carried out, the conclusion that was reached was that the assistance that Abdalraouf Abdallah is suspected to have provided is likely to have been ideological motivation and encouragement rather than, particularly given his incarceration, a more practical hands-on assistance?
A: Yes, that's correct, but to stress this is mere suspicion. I don't know whether we're going to talk about evidence later, but it remains mere suspicion.
Q. And it's very important, out of fairness to Mr Abdallah and in terms of public understanding, that you should have emphasised that fact."34

"The investigation has not discovered any evidence that any direct communication between Abdallah and Salman Abedi concerned the planning of the attack. So there is simply no evidence to show that there is that direct involvement in the planning. So the suspicion remains around the contact and what – if I may put it this way – what we don’t know as opposed to what we do know through the evidence."35

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34 Barraclough: 170/162/4-18.
“Q. Would it be fair to summarise the position in this way, that he may have been involved in the radicalisation of one or both of the brothers but no one can say with any certainty?

A. That’s true.”

21. Salman and Hashem Abedi were undoubtedly motivated by their support for ISIS and theoretically could have been radicalised by any one or more of the following influences, they are set out in no particular order and the list is not intended to be exhaustive (also, note the references in the footnotes to the relevant social media evidence):
   i. Each other;
   ii. Their parents;
   iii. Ismail Abedi;
   iv. ARA;
   v. The internet;
   vi. Extremist preachers (through the internet or otherwise); and
   vii. Extremists in Libya.

22. We do not suggest that ARA was a benign influence on Salman Abedi, far from it, ARA’s convictions and the details which lie behind them speak for themselves, as does the fact that changes in Salman Abedi’s conduct and appearance do appear to have coincided with an increase in his exposure to ARA, but just as Manteline has been driven by the principle that it is, “inappropriate for the police to reach conclusions based on anything other than evidence” then so must we and care must be taken to ensure that the abundance of suspicion and theory are not used as substitutes for evidence.

Dr WILKINSON

23. Dr Wilkinson is undoubtedly an expert on the history of Islam and Islamist extremism and as such has made a valuable contribution to this Inquiry. Our concerns, however, have been based on his approach to the evidence (more often than not to the lack of it) and the fact that he has been content to draw wide conclusions founded on little if any evidence which on occasions were not only outside his terms of reference but also his expertise.

24. Our concerns were expressed at an early stage\(^{42}\) and eventually large parts of Dr Wilkinson’s second report were removed for being inadmissible but some of our concerns remain. As a previous terrorist judge, the Chairman is extremely well positioned to assess Dr Wilkinson’s opinions, balance them against the evidence and reach appropriate conclusions and so we will not take undue time here by making extensive comments. We will examine first, some extracts from his report and his response to CPs’ observations, and then some from his evidence.

25. As for his report and his response to CPs’ observations, five examples:

   i. “Given an overall lack of first-hand text in the form of conversations and recorded communications between Salman Abedi and his family and associates, and a large amount of contextual and circumstantial evidence, I will rely on sub-text and context more than I would feel comfortable with if this were a criminal trial rather than an Inquiry to build my account of the radicalisation of Salman Abedi.”\(^{43}\) If there is an absence of evidence an expert should simply accept that and not seek lesser alternatives.

   ii. “To put it as clearly as possible: the fact that Salman Abedi was able to communicate with and visit Abdalraouf Abdallah freely in prison meant that Abdalraouf Abdallah’s ‘head’ walked out of HMP Belmarsh and HMP Altcourse on Salman Abedi’s body with a Worldview that encouraged Salman Abedi to blow-up the Manchester Arena.”\(^{44}\) Putting to one side the style of writing, the evidence of contact between Salman Abedi and ARA when ARA was in prison is as follows: (1) When on remand at HMP Belmarsh between 3 December 2014 and 29 July 2015,

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\(^{42}\) INQ041987.

\(^{43}\) INQ036837/29/para 5.8.

\(^{44}\) INQ041987/43 – comment on INQ036837/116/para 10.5.12.
ARA made 13 connected calls to Salman Abedi's 3458 number using the approved prison PINS system. There is no contact on the HMP Belmarsh PINS system in the five months between ARA's sentence on 15 July 2016 and his transfer to HMP Altcourse on 6 December 2016. While at HMP Altcourse, ARA did not use the PINS system to contact any number associated with Salman Abedi and, indeed, Salman Abedi was not on the list of persons ARA could call.\(^4\) (2) ARA used his illicit phone to speak to Salman Abedi on three occasions only for a total of nine minutes in January 2017 (see above). (3) Salman Abedi visited ARA in prison on two occasions only (February 2015 and January 2017) and on each occasion was accompanied by others (see above). We submit that such evidence cannot justify a conclusion that because of the contact Salman Abedi had with ARA whilst ARA was in prison, ARA's head replaced that of Salman Abedi and thereby caused the attack on Manchester Arena.

iii. “Salman Abedi would have trusted his younger brother, Hashem Abedi, as they had already fought together in three Islamist militia campaigns.”\(^6\) There is no evidence to support this and, for what it is worth, was denied by Hashem Abedi.\(^7\)

iv. “This suggests that Hashem Abedi had built a fledgling Violent Islamist Extremist network of his own”\(^8\) There is no evidence to support this.

v. “In summary, between mid-2014 to mid-2016, I can say beyond doubt that Abdalraouf Abdallah was a key radicalising influence on Salman Abedi and it was he who was responsible for consolidating and deepening Salman Abedi’s already existing belief in the virtues and desirability of a ‘martyr’s’ death according to the Violent Islamist Extremist Worldview of the so-called Islamic State group.”\(^9\) To elevate what anyone would accept as a suspicion to a finding “beyond doubt” is of obvious concern.

26. As for his evidence, four examples:

\(^{46}\) INQ036837/123/para 10.9.3.
\(^{47}\) INQ039035/16-17.
\(^{48}\) INQ036837/123/para 10.9.8.
\(^{49}\) INQ036837/120/para 10.6.14.
i. Dr Wilkinson portrays the OLIBAN messages (5 to 28 November 2014)\(^{50}\) as representing a period of \textit{“intense radicalisation”},\(^{51}\) It is not accepted that the messages can be described as such (see below). ARA \textit{may have been} a radicalising influence on Salman Abedi, but in November 2014, ARA’s purpose was to send fighters to Syria and there can be no suggestion that ARA sought to persuade Salman Abedi to go to Syria let alone to fight there. The evidence is that such messages were commonplace and we submit that there is nothing to raise them from the commonplace to their being examples of grooming or an attempt to radicalise.

ii. As referred to above, it is Dr Wilkinson’s opinion that communication between Salman Abedi and ARA when ARA was in prison was such as to transpose ARA’s mind into the head of Salman Abedi. Yet as the build up to the attack approached, it is also Dr Wilkinson’s opinion that following ARA’s sentence on 15 July 2016, ARA’s influence over Salman Abedi started to wane.\(^{52}\) If ARA had had such an important influence on Salman Abedi, then surely the contrary would have been expected? Validation and further encouragement from ARA would surely have been sought by Salman Abedi?

iii. Costello placed importance on Salman Abedi’s use of the word ‘terrorists’ when describing ISIS.\(^{53}\) Dr Wilkinson sought to challenge this view by suggesting that whatever Arabic word Salman Abedi had used, it was probably either a neutral or positive word and that accordingly, Salman Abedi was not being critical of ISIS.\(^{54}\) When the record of messages is examined, the word Salman Abedi used was not Arabic but the English word, ‘terrorists’.\(^{55}\)

iv. The Twitter account “@owys633” was created at 22:48 on 22 May 2017 and this was used to fabricate messages which appeared to have been sent before the attack. The purpose of this deception was to suggest that ISIS had prior knowledge of the attack and, therefore, had directed it. Because of the proximity of the creation of the Twitter account to the

\(^{50}\) INQ100077.
\(^{51}\) Wilkinson: 182/164/8-10.
\(^{52}\) Wilkinson: 182/164/8-16.
\(^{53}\) INQ100077/6/item 20204.
\(^{54}\) Wilkinson: 182/180/6-181/10.
\(^{55}\) INQ100077/6/item 20204 – the entry under the ‘Content’ column shows the message which was sent and whether it was in English or Arabic.
attack, it is Dr Wilkinson’s opinion that this suggests that ISIS at least had some form of “heads-up” about it. \(^{56}\) That, we submit, is pure speculation.

**CHAPTERS 13 and 14: THE OLIBAN MESSAGES**

27. At the outset, we wish to make clear that it is accepted that on balance, the 3458 number and the messages should have been ‘lifted out’ of Oliban and submitted to the IMU for research and wider consideration.

28. In so accepting, however, we submit there are three significant considerations: first, that it remains important to analyse the messages and to place them in context: they were on any view unremarkable for an investigation of this kind; second, we further suggest that it is important to understand why it was that no one at the time thought it appropriate to submit this information to the IMU – which underscores their unremarkable nature; and third, there is a broader context to the messages in CLOSED which cannot be explored in OPEN. OLIBAN is the only part of the CLOSED which has been broken out in any detail and there is a risk, therefore, that undue prominence will be given to it. Those reviewing the evidence only in OPEN will be unable to place it in context and assess it within the complete picture. It is obvious that the OPEN evidence has caused concern and we will deal with it as best we can in this OPEN forum.

29. It appears to be suggested that the OLIBAN messages are relevant to both radicalisation and preventability in that they might show ARA at an early stage of radicalising or grooming Salman Abedi and that, if they had been linked to Salman Abedi at the time, something would or could have been done which might have stopped the attack.

30. OLIBAN is the only part of the CLOSED which has been broken out in any detail and there is a risk, therefore, that undue prominence will be given to it. Those reviewing the evidence only in OPEN will be unable to place it in context and

\(^{56}\) Wilkinson: 183/16/11-18/7 and see Barraclough’s evidence at: INQ035481/110-111 paras 413-418 and 187/paras 490-491.
assess it within the complete picture. It is obvious that the OPEN evidence has caused concern and we will deal with it as best we can in this forum.

31. We submit that hindsight has undoubtedly played a part in the interpretation of the messages and the impact it is suggested they should have had. Just as Costello looked at the messages in an entirely different way when he revisited them in 2018 and came to very different conclusions to those he had reached in 2015, so an emphasis is now being placed on them which was simply not thought realistic before the attack; such, we would suggest, is the influence of hindsight. As to what should have been thought of the messages at the time, the fact that no one in either the police or the prosecution teams decided that anything further should be done with them cannot be ignored: no one thought that ‘Salman’ should be identified; no one thought that ARA was or was attempting to radicalise or groom ‘Salman’; and no one thought ‘Salman’ was vulnerable. When considering what was reasonable in 2014-2016 (obviously a very busy period for CTP), regard must be had to the collective view that no one thought there was a need to identify ‘Salman’ or any of the others with whom ARA had communicated in a similar fashion.

32. Temporary Assistant Chief Constable Scally said that he would have preferred to have seen the messages “lifted out” of OLIBAN and submitted to the Intelligence Management Unit with a request that they should be assessed. He added that then, those with the “widest view” would have been able to consider the messages “against the whole picture of what we knew at that time”.

33. Costello and Morris gave important evidence on OLIBAN and were faced with the difficult task of having to attempt to remember events from seven years ago; having to distinguish between views formed before the attack and those formed afterwards (and which inevitably would have been influenced by the attack); and of having to separate their CLOSED evidence from their OPEN. Their evidence frequently demonstrated in particular, the difficulty they found in separating contemporaneous opinions from those formed after the attack.

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58 There are many such references, here are two examples: 193/165/1-169/20 and INQ042092/24/paras 117-119.
59 Scally: 168/88/6-89/6; 168/180/7-12; and 169/15/16-22.
34. The focus of OLIBAN was quite narrow namely, on those who were travelling to Syria to engage in fighting, and the evidence which was accumulated was viewed within that particular context. That is not to suggest, of course, that evidence of other criminality or of other police interest would have been disregarded. Police officers are not unaccustomed to discovering matters of potential interest which are outside the remit of an investigation and neither are they unfamiliar with coming across safeguarding issues and how to deal with them. The necessity of having a wider focus to that of any particular investigation is commonplace in police work and is not something which is confined to CT policing.

35. To view the messages in context, first they must be examined as a group, that is the complete messages between ARA and Salman and then as a whole, that is all of the messages which were sent by or to ARA.

36. At paragraphs 94-97 of his witness statement, Costello set out his approach at the time he studied the messages and submitted them to the CPS in 2015:

“In reviewing the conversation involving ‘Salman’ in 2015 I specifically recall three main aspects of the conversation that informed my assessment of his communication with [ARA] at the point the file was submitted to the CPS.

Firstly, was the fact that Salman sent a picture of a Dinar minted by ISIS accompanied by him calling the group “Terrorists”.

Secondly, was the later conversation where [ARA] was pressing Salman with the explicit detail of the “Maidens of Paradise” — this was notable to me because Salman was firm in his reaction to [ARA], did not seem to be adversely influenced by him and was strong enough to instruct [ARA] to stop, telling him he was going too far.

Thirdly, despite [ARA] being in a clear position to facilitate individuals travel to Syria and Libya to engage in fighting (albeit such activity in Libya was not considered a criminal/terrorist offence at the time), no such encouragement from

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60 193/131/19-20.
61 INQ100077 (22 pages).
62 INQ042101 (550 pages).
63 INQ042092/19/paras 94-97.
[ARA] was evident, and equally no such desire expressed by Salman himself to do so.”

37. To those three factors, Costello added nine more, but he cannot be certain which of them were in his mind in 2015 and which were informed by the work he did after the attack:64

i. Salman was aware that a friend called Ilyas had travelled to Libya and wished for him to be well, in so doing he sent a link to a Nasheed intended to give comfort to mothers whose sons have travelled to support Allah’s religion.

ii. Salman showed a sadness (rather than elation) for individuals who had been martyred, and in so acknowledging stated “nothing good from that side.” (During this second period of communication images of individuals who were purported to have died as martyrs were shared between [ARA] and Nader ALI. These were not shared with Salman).

iii. Salman showed some support for [ARA]’s wish to become a martyr, a wish [ARA] made plain on a number of occasions. Salman indicated that he hoped [ARA] achieves his ambition and that he would pray each day for the same for his friend. However, the only action Salman ABEDI suggested for [ARA] to take in order to achieve such an aspiration was to pray, he reinforced this when saying that aside from praying “By Allah Abdo, there is no other solution, no other.”

iv. Salman continued to engage with college studies and other interests with other friends (i.e. football). He did not appear to be becoming isolated.

v. The aspiration for [ARA] to become a martyr and be rewarded with the Maidens of Paradise is recognised within messages between the pair as being unrealistic/a fantasy due to [ARA]’s condition.

vi. The promise of the reward of the Maidens of Paradise to Salman for the simple act of providing details of a dream in which Ismail ABEDI had seen [ARA] recover from his spinal injury, appeared to be entirely religious in context. The communication was entirely absent of any indication such rewards are reserved only for those who commit extremist acts.

64 INQ042092/19-20/paras i-ix.
vii. Salman showed happiness (rather than disappointment) when he learned that his friend Ilyas who had travelled to Libya was to return home safely.

viii. The various links to media, Nasheeds shared between the pair seemed to relate predominantly to Libya, and the running of the Libyan country by General Haftar. This was common to see between Libyans who were naturally interested in events from their homeland.

ix. Salman was himself aware of [ARA]'s intention to travel to Libya at the end of November 2014, and that he was unlikely to return. This was an indication that the pair understood that their friendship and level of interaction in the UK would clearly come to a natural end at that point.

38. The messages, therefore, are of a very mixed nature and the fact that ARA communicated with Salman Abedi in a manner which was very different to that, for example, in which he communicated with Nader Ali (an obvious facilitator of travel to Syria who was not prosecuted only because he was out of the jurisdiction), is of some significance: Salman Abedi and Nader Ali were not considered by ARA to have been of like minds. If the messages were not thought remarkable at the time, that is a firm indication that they were not.

39. There can be no doubt that Costello did consider the messages in 2015 and must have done so at some length. This is obvious from his detailed 27-page contemporaneous report on the messages which he submitted to the CPS in 2015. Part of that work would have involved an assessment of 'Salman':

"In the way that I understood those messages and had them presented at court at the trial, on the face of what it meant to me in OLIBAN, it didn’t present a danger to me or a concern to me in that perspective."

And later:

"Q. And to your mind there was something concerning about the attitudes of this individual Salman?"

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65 INQ042095.
66 193/45/14-17.
A. Not in the attitude of this individual Salman, from those messages when we assessed them in 2014/2015, no. Not in relation to Salman, it was in relation to [ARA]'s aspirations. These messages here, where they’re interacting and exchanging around martyrdom are Salman’s prayers for [ARA]’s intention. So, it’s the importance and the relevance to [ARA]. I did not see, from the messages in 2014, Salman, the person communicating at that time, bearing in mind what he went on to do, that deplorable act, I did not see that that was made out. 

40. There can equally be no doubt that at the time, Costello believed that the references to Jihadi Nasheeds, Kuffar, martyrdom and maidens of paradise were commonplace and nothing exceptional and that ARA was not attempting to radicalise or groom ‘Salman’.

41. Morris also found it difficult to differentiate between attitudes at the time and those which were formed after the attack. Morris was asked about an answer he gave in CLOSED following a question which contained the words, “reflected upon it” and added this:

“It’s very hard not to look back with hindsight (overspeaking) obviously going on to do what he did. At the time the intelligence wasn’t submitted -- and it came through me and at that time I didn’t or I can’t remember whether I asked whether it was submitted as intelligence or whether it should be submitted as intelligence. It went to the CPS and they never asked. It went to Mr Hill and he never asked, the junior QC -- no one ever asked who this Salman was. So, with hindsight, yes, it should have -- of course it should have been put in. But at the time, I obviously didn’t think it should be, but looking back, yes, of course it should have been.”

42. Morris then said that there were five or six others who had had similar communications with ARA and he did not believe that any of them had been
submitted to intelligence and he repeated that such communications were commonplace:

"So, it’s very hard for me, without hindsight, to say, yes, it should have been submitted."71

43. In terms of how the messages should have been sent to ‘intelligence’ and, therefore, to the IMU, Morris said that they should have been delivered as an “intelligence submission” by which he meant a specific request for ‘Salman’ to be identified. The IMU cannot be expected to examine every piece of data given to it without direction and therefore, if anyone had wanted the IMU to research the 3458 number and to identify ‘Salman’, the ICW/13 download should have been accompanied by an ‘intelligence submission’ requesting that that be done. Morris said that some four or five persons within the OLIBAN investigation team would have had the messages and could have considered whether or not an intelligence submission should have been sent to the IMU.72 It would be unfair, therefore, to isolate just one person as having been responsible for this consideration: the responsibility was shared.

44. The evidence of Temporary Assistant Chief Constable Scally that it would have been preferrable for the messages to have been “lifted out” of OLIBAN and submitted to the IMU with a request that they should be assessed (i.e. in an intelligence submission) is, of course, undoubtedly correct but it is also clear that the manner in which the messages were viewed at the time is very different to the emphasis which has now been placed on them and that might tend to suggest that once the burden of hindsight has been removed, those at the time believed that the messages fell one side of the line whereas it is now accepted that on balance, they should have fallen the other.

45. Finally, questions were understandably asked about the inexperience of Morris and Costello in their roles as CT SIO and CT Officer in the Case. By 2014, they were experienced police officers and the investigation, of course, concluded successfully.

71 193/145/1-2.
72 193/143/18; 193/158/11-159/5; 193/166/3-23; and 193/190/16-192/17.
PREVENT

46. This section will be brief for two reasons: first, the full picture of what was known to MI5 and CTPNW about Salman Abedi, and other members of the Abedi family, has been explored in CLOSED and any meaningful examination of Prevent would have to take into account all of that information; and second, the Chairman has said on a number of occasions that he does not wish to prejudice the work being conducted by the Independent Reviewer of Prevent, William Shawcross, and his ongoing review of the Prevent programme.73 Moreover, there is a limit on how useful it is to examine the hypothetical scenario as to what would have happened if Salman Abedi had been referred to Prevent. The limits of such an exercise have been recognised by the Chairman, who characterised it as “entirely speculative”.74

THE THRESHOLD FOR REFERRAL

47. During the questioning of both Witness J and Scally, much emphasis was placed on the report of the Intelligence and Security Committee (ISC), in which the Committee registered its surprise that at no point were any members of the Abedi family referred to Prevent.75 Scally provided some much-needed context. He explained that there is no defined threshold of what “being drawn into terrorism”76 means and that, in deciding whether to refer someone, the police would be looking for particular factors which made that person vulnerable, such as complex needs, autism and other mental health issues.77 Where someone was an adult, mere contact with an SOI was not enough:

“[…] from a Prevent perspective, ultimately that’s going to go in front of the panel and say, what are the interventions we need here, is it children’s services, is this person on drugs? What are the vulnerabilities that we are now going to work with? So simply just pushing people through because they’ve been in contact doesn’t give them the tool to do it.”78

73 169/55/1-4.
75 INQ022846/203.
76 Counter-Terrorism and Security Act 2015, section 26(1).
77 168/159/1-14.
78 168/95/8-15.
48. The Inquiry had heard evidence about two individuals who were referred to Prevent before the attack and their cases provide instructive examples.

49. Mohammed Alzoubare was referred to Prevent between 2015 and 2017. He had a history of mental health issues – in 2014 he had been hospitalised after suffering an acute psychotic episode – and this was “decisive” in the decision to refer him. 79

50. Costello explained that when working on Operation OLIBAN, he developed concerns about a 14-year-old boy who was being used to pass messages between the subjects of the operation. 80 Costello met with the Channel Coordinator about the boy and a decision was made that there would be a referral to Children’s Services and the Channel file on the family reopened. 81

51. In both cases there were identifiable factors – mental health problems and age – which made these individuals vulnerable and which could be addressed through intervention. An adult who holds extremist views, even one who is in contact with SOIs, is not in the same category and, unfortunately, is not unusual.

52. It was suggested that the threshold for referral to Prevent may be too high and that it was for Prevent itself to make any assessment about vulnerability once a referral is made. However, Scally pointed out that such a distinction between CTP and Prevent is artificial as Prevent officers are embedded within CTP – two vetted members of Prevent staff have sat within Scally’s team from at least 2015. 82 Moreover, any lowering of the threshold, so that referral was automatic for those who were interested in extremist material, would require significant extra funding: the system as it currently stands would be unable to cope. 83 This is in a context where the attrition rate is already very high: for the year ending 31 March 2020, there were 6,287 referrals to Prevent at a national level. Just over 10% of those, 697, were adopted for support by the Channel Panel. 84

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79 169/121/21 – 122/18; TIE Report INQ030737.
82 168/102/14 – 103/5.
83 169/119/14 – 120/3.
84 169/119/3-11.
53. Despite the attrition rate, it is clear that CTP and MI5 recognise the value of the Prevent programme. It was suggested to Scally that Salman Abedi may not have been referred to Prevent because CTP have little faith in the system. Scally was adamant that such a view was entirely incorrect: “No, I completely disagree. [...] I view it as safeguarding and as a core part of what we do.” This sentiment was echoed by Witness J from MI5’s perspective. He noted that he had seen instances in his career where MI5, with the police, had referred individuals to Prevent and, “there have been successful outcomes. It is a valuable tool.”

54. Scally explained how, in the years preceding the attack, Prevent was a key part of engaging with communities. Prevent engagement officers were based in local boroughs and worked closely with mosques. CTP also took steps to ensure that it shared intelligence with wider community stakeholders. This is epitomised by the Counter-Terrorism Local Profiles project, a national initiative which began in 2010. This involves CTP distilling its secret material, and information gleaned from Prevent referrals, into a product that is briefed to local commanders and senior partners in local authorities.

SALMAN ABEDI

55. Scally gave evidence that there was no record of whether a Prevent referral was considered regarding Salman Abedi. Of course, when giving evidence in OPEN, Scally did not have the benefit of access to the CLOSED material. In fact, as was broken out in the gist, a document does show that several years before the attack Salman Abedi was considered for a Prevent referral and it was decided not to take that action.

56. The first opportunity to consider a Prevent referral for Salman Abedi was when he was closed as an SOI in July 2014. Despite what was put to Scally, the ISC did not opine that a referral should have been made at the point of closure, but only that it should have been considered.
57. It was the view of both Scally and Witness J that a decision not to refer, at that point, would have been a reasonable one.\textsuperscript{95} Scally explained that Salman Abedi’s circumstances at the point of closure were “very common in Manchester and across the country”.\textsuperscript{96} Witness J said that a referral would not have been “justified” at the point of closure:

“From a MI5 perspective, when we closed Salman Abedi in 2014, he was one of a group of 20,000 closed SOIs, so there needs to be some clear judgements around which of those, were you to refer someone, who you would refer and why. In 2014 when we closed him, I see very little basis for us referring him to Prevent based on the intelligence picture we had at the time in 2014.”\textsuperscript{97}

58. Witness J and Scally were asked whether, once the Prevent duty came into effect in July 2015, all closed SOIs – including Salman Abedi – should have been reviewed in order to check whether they should now be referred. Witness J said that the scale of such a task – there were 20,000 closed SOIs at a national level – would “swamp” MI5 and “prevent us from doing other things.”\textsuperscript{98} Scally said that, from CTPNW’s perspective, “I don’t think it was considered a reasonable option”.\textsuperscript{99} Nor would it have been reasonable to refer Salman Abedi to Prevent subsequently merely because he had contact with SOIs. Scally explained how common such contact was and would not, without more, lead to an automatic referral.\textsuperscript{100}

59. Consent is a necessary prerequisite for a Channel adoption and a sense of Salman Abedi’s likely reaction to a Prevent referral can be gleaned from how his brother, Ismail, reacted to intervention from CTP. Following the discovery of extremist material as a result of Ismail Abedi’s port stop, an NWCTU officer contacted him in 2016 and attempted, on multiple occasions, to engage with him.\textsuperscript{101} The officer described Ismail Abedi during one call as “evasive and non-committal”. During another call, a female speaker came on the line and said that Ismail Abedi would only speak to the officer through his solicitor or with a

\textsuperscript{96} 168/71/4-7.
\textsuperscript{99} 168/43/11-12.
\textsuperscript{100} 168/101/7-17
\textsuperscript{101} See Chronology of NWCTU interactions with Ismail Abedi 2016: INQ042170.
warrant and the officer was never to call the number again. On another occasion, the officer attended 21 Elsmore Road and spoke to Ramadan Abedi who agreed to pass the officer's details to Ismail Abedi. Despite these attempts, Ismail Abedi did not engage. As Scally put it: “in that process they were assessing whether he would engage and quite clearly the response we got was no”.

CTP CHANGES REGARDING THE PREVENT DUTY

60. There continue to be improvements to CTP’s approach to its Prevent duty. Scally summarised the changes which had been made post-attack: a mandatory Prevent training package has been put in place for all CTP intelligence officers; Prevent has been added as a specific consideration within the national standards of intelligence management; and there is now an internal audit and business assurance process that enables safeguarding audits. An audit was conducted in 2021 which reassured Scally that, when assessing intelligence, officers were recording, not just decision-making around Prevent, but wider safeguarding considerations as well.

CHAPTER 14: PORT STOP: ISMAIL ABEDI 3 SEPTEMBER 2015

61. On 3 September 2015, Ismail Abedi and his wife Salha El-Faitori were the subjects of a Schedule 7 port stop at London Heathrow Terminal 4 after they had disembarked from a flight from Amsterdam. They were interviewed and their electronic items were seized and downloads from them obtained. A large variety of digital information was discovered including pro-ISIS related material, Jihadi Nasheeds, images of military grade weapons and 31 images of Ismail Abedi holding weapons in various poses including one in which he can be seen holding a handgun to his head and another in which his name “Ishy” is written in bullets. There can be no doubt that some of the content from these devices would amount to “mind-set” material in a criminal trial for terrorist offences but that does not mean of itself that simple possession of it would amount to a criminal offence.

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102 Chronology of NWCTU interactions with Ismail Abedi 2016: INQ042170.
104 168/114/18 – 115/2.
105 168/40/9-14.
106 INQ032586.
106 INQ042717-28
62. At the time this material was seized, a CTP Sergeant examined it and concluded that it did not meet the evidential threshold for submission to the CPS. Former Detective Inspector Frank Morris was questioned about that decision on the basis that it must have been incorrect, such was the extreme nature of some of the material. Morris had not examined the downloads and the only contribution he could make was that the Sergeant who had made the decision was “very experienced”.

63. What Morris did not know, was that in January 2021 (he retired on 10 January 2021), a review was conducted of all of the material connected to Ismail Abedi. On 4 June 2021, that material was submitted to the CPS for a charging decision. This material included all relevant items from the 3 September 2015 port stop downloads. On 9 July 2021, the CPS advised that currently, there was insufficient evidence for there to be a realistic prospect of conviction for any proposed terrorist offences. This, we would submit, tends to validate the decision of the CTP Sergeant in 2015 and even if it does not, it clearly suggests that if the material had been submitted to the CPS in 2015, there is no reason to believe that a different conclusion would then have been reached. The list of the material submitted to the CPS in 2021 is available and this should be read together with two CTP reports.

64. That there may be public surprise or concern as to the severe limitations of the charging threshold is not a matter for either CTP or the CPS. If change is required, then it can only be through legislation.

Richard Horwell QC
Daniel Mansell
4 March 2022

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108 193/180/3.
109 INQ041876.
110 INQ038940 and INQ042157.