Mr Lopez is not present within the hearing room, but he is available so that if it’s necessary to show a document, that document can be shown. But the document will take over the whole of the screen, so the advocate will need to indicate to Mr Lopez when to place it on the screen and also when to remove it from the screen.

Sir, having made those brief introductory remarks, could I invite Mr Weatherby, please, to make his submissions to you.

SIR JOHN SAUNDERS: Good morning, Mr Weatherby. Can I say that I have read all the very helpful written submissions which I have had. They are extremely comprehensive. A great deal of hard work has gone into them, and they will be of great use to me in writing my decision. So I’m grateful to everyone for the work they’ve put into it. It has brought home to me, if I didn’t know already, just how many topics we have covered during these hearings which will need to be covered.

To make your life easier, thank you very much for your speaking note which I have in front of me. I will try not to interrupt; I may not succeed, but I’ll try not to. If I have any questions to ask, I will try to do them at the end.

MR WEATHERBY: Good morning, sir. Can I check that you can see and hear me?

SIR JOHN SAUNDERS: I can, thank you very much. Can you see and hear me?

MR WEATHERBY: We can.

Sir, as you will appreciate, today and tomorrow we will hear open submissions on our chapters 8, 13 and 14. A timetable has been circulated, but for those that haven’t seen it, can I indicate the order in which you will receive oral submissions. Today you will hear submissions on behalf of the bereaved families in the known prior to the bombing. Salman Abedi and his family and associates that was generally, and the wealth of context evidence about the背景 of Islamic State’s international attacks at the time and the dire circumstances in Libya more generally, and the wealth of context evidence about what the confidence of those at the investigative and operational front line.

I will of course expand on why we question that MI5 and CTP, and perhaps others in the UK intelligence community such as MI6 and GCHQ, could not have done more to prevent the arena outrage, bearing in mind this was a complicated plot with many moving parts, the background of Islamic State’s international attacks at the time and the dire circumstances in Libya more generally, and the wealth of context evidence about that this exercise had the unintended consequence of sapping the confidence of those at the investigative and operational front line.

As far as I am aware, there are only two corporate MI5 witnesses, X and J, so we assume the expert had a close working relationship with both. Z therefore lacks the independence that is usually expected of expert witnesses, although we do, of course, understand that in this part of the inquiry it would be difficult indeed to identify an expert who was truly independent.

Z gave evidence solely in closed session, but we’ve been provided with a redacted version of his or her report and evidence. The summary of Witness Z’s conclusions indicates that he or she is largely uncritical of the performance of MI5 with respect to whether the arena attack could have been prevented.

The final point of the summary of Z’s conclusions asserts:

"Looking ahead, while it is important to assess whether the arena attack could have been prevented, and to apply lessons learned it would be hugely damaging to the mission of MI5 and CTP to keep the country safe if this exercise had the unintended consequence of sapping the confidence of those at the investigative and operational front line.

A healthy organisation welcomes scrutiny; only
unhealthy ones seek to avoid it. MI5 is a public authority and as such it is accountable to the public. The idea that the scrutiny or criticisms of a public inquiry might in some way adversely affect national security is not just plain wrong, it is corrosive in that it undermines confidence.

Independent scrutiny and criticism is a necessary precursor to making things better for the future. As a matter of law, Article 2 requires that the UK does everything reasonably practicable to safeguard life and that includes both operational and systems duties very much including where threat comes from terrorists. The investigative process of an independent official inquiry is a vital part of ensuring that the UK meets these obligations. What is hugely damaging to any public inquiry is the belief or suggestion that scrutiny and criticism is somehow harmful. Failure which is not rigorously identified is itself an obstacle to future improvement. As a result, MI5 and CTP are accountable to the public. Authority and as such it is accountable to the public.

The investigative process of an independent official inquiry is the belief or suggestion that scrutiny and criticism is somehow harmful. Failure which is not rigorously identified is itself an obstacle to future improvement. As a result, MI5 and CTP are accountable to the public. Authority and as such it is accountable to the public.

Between January and the end of March 2017, no less than eight associates of the Abedi brothers that we can actually identify were asked by them to procure two of the three chemicals needed to manufacture the explosive. These were, in chronological order as we can manage, Trial Witness 2, Alharth Forjani, Trial Witness 4, Witness MS, Relative C, Trial Witness 1, Zuhir Nassar and Yahya Werfalli.

In some cases, the individual refused and one of them, Trial Witness 1, indicated that he refused because he knew that the chemical could be used in the production of explosives. On or about 18 February and 18 May 2017, Salman Abedi rented two Manchester flats purely for the purposes of this plot. On 13 April 2017, the Abedis and Ahmed Taghdi bought a car to move and sort explosives and bomb components. Between 15 April and the bombing, a number of others were involved in minding the car. Then there was the hostile reconnaissance. Salman Abedi was involved in at the arena itself.

These were key moving parts of the plot that we know about; undoubtedly there will have been more. By moving parts, I am of course referring to elements of the conspiracy which were most visible and were most likely to lead to discovery.

From the security service open evidence, it appears that Salman Abedi was linked in one way or another to about eight subjects of interest and was the subject of persistent reports, intelligence and information received by Counter—terrorism Police and MI5 between at least December 2013 and the time of the bombing:

"He was [said Witness J] known by the security services to be an Islamic State supporter long before the bombing and he was known to have travelled to Libya twice and for significant periods in the year prior to this outrage."

"We'll come to all that later.

But this was no lone actor who emerged from nowhere to commit an atrocity. This was not a low—sophistication methodology which meant the conspiracy to bomb the arena was difficult to spot or at least to disrupt. This was the most complicated terror attack in this country since at least 7/7.

With respect to the procurements, the risk for the Abedis was that if any of those asked to assist had been of current interest to MI5 or CTP, then of course the attempted and actual procurements were likely to have been spotted by monitoring of one sort or another, or one would hope so. More on this and a particular Schedule 7 port stop later.

Furthermore, the more associates the Abedis involved and the more people those associates talked to, the greater of chances one of them tipping off the police.

We have already noted that Trial Witness 1 says he refused to help. He did so because in turn he spoke with Relative A who told him that the chemical could be used to make explosives. Some of these chemicals came from abroad, bringing an added complication of border and customs checks and further risk of discovery. We assume the Abedis resorted to internet purchases, made through third parties, because they could not find places to buy the chemicals over the counter, or at least not without raising undue suspicion.

Furthermore, although the two chemicals involved in these purchases had commercial uses, they had virtually no normal domestic application. We have demonstrated this in the written submissions by reference to an agreed fact in the Hashem Abedi trial.

There were a total of five purchases to Manchester addresses in recent years from the Italian firm involved in supplying one of the chemicals. Two of those were to legitimate commercial concerns the other three were to this plot. The fact that these chemicals had no real domestic use meant that there must have been a higher
There are three important questions we have regarding the procurements. What does the evidence tell us about whether the Abedis acted alone? Were those who objectively assisted really innocent? And how did the security services and CTP miss all that was going on?

Firstly, does what we know about the Abedi brothers indicate that they plotted and planned this alone? Did they decide to use a number of associates and internet orders to a number of different addresses to source two of the three chemicals they needed or did they have training and guidance which gave them this plan?

Secondly, were the procurers innocent dupes or did they knowingly assist the Abedis? In general terms, they or their devices were used to search for and order the chemicals through their Amazon accounts, in some cases set up at the time of the orders they made, to their homes or to addresses connected to them. Imagine the conversation, “Hi, Trial Witness 1, can you just do me a favour and buy these chemicals online for me through your own account and I’ll give you the cash?”

If that was a games console or clothes or a takeaway then it’s quite easy to see how this might happen. But chemicals? The reply one might expect would be, “Why can’t you do it yourself?”, or, “What do you want it for or shall I put your Abedi address down as the delivery address?” Were these associates remarkably gullible?

Possibly in one or two cases. But all eight? Is that what is being suggested?

Of course there is other evidence too and here we turn to mosaics or tapestries or jigsaws. In Zuhir Nassrat’s case he was linked to attempts to purchase both chemicals, but also he had very nasty mindset material on his (inaudible), including an image if the 9/11 attack with the caption “For Allah”. We know his explanation to police was that Hashem Abedi used his phone and his bank card. An explanation, we hasten to add, that he gave before leaving the country for Libya where apparently he remains.

Are we really expected to believe that this man with this unpleasant mindset material on his phone is an innocent who just let Hashem Abedi use his phone and account and bank card without explanation or his connivance?

We have also highlighted similar evidence regarding the procurer MS. He successfully purchased one of the chemicals using his phone and an Amazon account set up 10 minutes before the order was placed. On receipt of the chemicals he texted Hashem Abedi to say, “The oil had arrived”. The chemical was not oil. Innocent?

Really?

The third point, how was all this activity missed by MI5 and CTP, is also best illustrated by staying with
the evidence about MS. We know in fact that MS was of
interest to CTP quite independently of the Abedis as
he was stopped under Schedule 7 at Manchester Airport on
23 March 2017, just 2 days after receipt of the
chemicals he had ordered and the handing over of them to
Hashem Abedi.

The download of his phone done on that day showed
both pro-Islamic State material and the chemical
purchase. He had a significant amount of cash on him,
camouflage clothing, three mobile phones, he was
travelling to Istanbul on a one-way ticket, a transit
point to Syria and Libya. The families fail to
understand how this information, downloaded on a CT stop
2 months before the bombing, was apparently not acted
upon at all. It does not appear to have triggered
concern or any action.

We do not follow Witness J’s assertion that the
evidence of the purchase of this chemical would not
raise alarm without more. Of course, we understand that
position if the person is linked to a commercial use of the
chemical. But there is no question that was the
case here. TATP was the explosive of choice for
Islamic State at the time and well—known to be. The
chemical was a necessary catalyst in the process of
making TATP. Here, they had a person stopped under CT
powers and they find a download of a very recent
purchase of the chemical delivered to Manchester. The
inference was obvious: there was a significant
likelihood of explosives being manufactured in
Manchester by persons associated to Islamic State. If
Trial Witness 1 twigged, that why not the security
services?

But of course there is more. On this being noticed,
the associated text refers to the chemical as something
it was not, oil. Why was it not picked up that MS was
apparently hiding the nature of the chemical?

In terms of what the police and MI5 could do, there
were two obvious avenues of investigation. Firstly,
they could trace the Hashem Abedi phone, which was
clearly linked to the purchase. If this was
a non-subscriber phone it would not have been difficult
to trace where it had been and indeed where it was by
the usual methods with which we are all familiar.

But much more obviously, investigation of the
company in Italy, or indeed the delivery companies,
would have led not just to the detail of this
transaction but to the other two purchases from the same
company by Alharth Forjani on 18 January and Relative C
on 2 March.

As we know, these two were not just associates but

relatives. Enquiries made of them would have led to the
brothers, if they were innocent dupes, or at least
evidence that they were not so innocent, and to the
Abedi family.

We’ve referred to Trial Witness 1, Zuhir Nassrat and
MS. We do not need to go on to the other five who
procured the chemicals or were asked to do so. Some of
them may well be innocent dupes, but for the reasons
we have spoken to, not all of them.

We do follow Senior Investigating Officer
Barraclough’s evidence. We well recognise that the
criminal investigation was concerned with whether there
was a case which would succeed at trial with the high
standard required, but we do not follow the attempt to
elide that investigation with this. But that is what
has happened with the assertion by MI5 that there is no
evidence that anyone other than the Abedis were
knowingly involved.

There is no burden of proof here, neither
Mr Barraclough nor the families have to prove anything.
Our role is to assist your assessment of the evidence,
an assessment with a flexible standard, an assessment
which is not constrained by the high standard required
in the criminal law or indeed even that required in
determining civil liability. It’s irrelevant to your
inquiry whether the police and CPS were right or wrong
in the decisions they made.

In determining what happened you do not determine
liability at all. The corollary in the Act, section 2.2, is that you are not to be constrained by
any inference of liability that might be made from your
findings. Why is that corollary in the Act? Because
it is recognised that the bridge between the narrative
of what happened and recommendations to prevent failures
from recurring is accountability. Identifying omissions
and failures and who was responsible for them is not
determining liability but drawing judgmental findings
and conclusions which may be necessary to understand the
narrative and to underpin recommendations.

We have described the correct approach to this
evidence, the application of the flexible standard, in
the written submissions as settled law. No one has
sought to argue otherwise, but if they do, we’ve given
references to both the Undercover Policing Inquiry and
the Grainger Inquiry where the chairs of other inquiries
have fully summarised the law on these aspects after
full argument.

Let me draw these particular threads together. An
inquiry examines and scrutinises the evidence to
determine what happened. In reaching its conclusions it
does not determine liability, either criminal or civil, but it is not to be constrained in the way it expresses its conclusions by any such inference that might be drawn from its conclusions. That is the express statutory language.

Whereas a sensible starting point in finding facts is the balance of probabilities, the inquiry may express findings to a different standard and it may indicate that something is possible, even if the evidence is not clear enough to reach a conclusion either way on the balance of probabilities. It may indeed comment on its suspicions based upon the evidence, where appropriate.

The reason the criminal law depends a high standard of proof is to balance the rights of the individual against the might of the state and to avoid the catastrophic effects of error. Civil law adjudicates between parties and so requires an adjudication on the basis of predominance of probability. An inquiry is a protractive search for the truth and a standard or unduly constrained approach which limits that search is anathema to the process.

The unease that some expressed at our questioning in the chapter 8 evidence was, with respect, misplaced. The suggestion by one advocate that we had advanced a conspiracy theories was not just wrong, but unwelcome.

Fairness is, of course, the ever-present element. Here, that does not mean fair trial rights because there’s no trial, but some of the elements are the same. Witnesses who may have allegations made against them or are likely to be criticised are being given disclosure and independent legal advice and representation and the right to make representations.

Regarding some parts of the evidence we anticipate you will use Rule 13 to give a final right of comment or correction.

Taking all that back to the procurement evidence, we comment that some of those involved were probably innocent dupes, but we also comment that it is absolutely untenable to pretend that they all were.

This inquiry should set out what happened, it should say that some of those involved were probably innocent, but it should also say that some were not. The assertion by MIS that there is no evidence that anyone other than the Abedis were knowingly involved has damaged MIS’s credibility before the families. It defies gravity. It is inconsistent with the views of Manteline, which has outstanding suspects.

So much for the chemical procurers, what about the Micra and its storage and the purchaser and the storers? Was it innocent that Ahmed Taghdi bought the car with the Abedis on 13 April? It was only a car. He gave evidence that he knew the Abedis were leaving the country 2 days later and they said they were leaving for good. He said he asked, “Why do you need to buy a car for 2 days?” And their explanation, that they needed it just to do some final errands, “baffled him” but did not make him suspicious. Is that credible given the surrounding evidence? We say absolutely not.

We know that a phone associated to him called Mr Bliidi, in whose car park space the car was going to be left around the time of the purchase. Mr Taghdi stated that he did not have that phone with him at the time and the calls must have been made by one of his siblings. Maybe it was just a coincidence. In looking at the role of Mr Taghdi and people who played a part, it is common sense that each piece of evidence has to be considered in its context. Mr Taghdi was in Libya at the time of the uprising and he played his part in the aftermath. He denied fighting but Abdalraouf Abdallah suggested otherwise. Mr Taghdi had mindset material on his devices. He wasn’t just someone the Abedis knew who was into cars: he was battle-hardened and was plainly interested in and supportive of the most violent extremist movements.

Reminding ourselves of the mindset material, Mr Greaney asked him about the images of masked fighters wearing black clothing and carrying assault rifles that he had on his phone. He vehemently denied that the group were Islamic State fighters. He was asked to translate the Arabic on the flag they were carrying. He translated the slogan but he missed out the name of the group. It was, as we learned, and he eventually accepted, the Al-Nusra Front, the Al-Qaeda affiliate in Syria. Is Mr Taghdi an innocent, reliable witness who should be believed when he says he knew nothing?

Well, let’s move the evidence along. Mr Taghdi was plainly an associate of Abdalraouf Abdallah and Salman Abedi for a considerable period. Abdalraouf, as we’ve said, told us that Mr Taghdi was fighting in Libya in 2011. Mr Taghdi visited Mr Abdallah in February 2015 in Belmarsh with Salman Abedi, when Abdalraouf Abdallah was on remand for the serious Islamic State-related offences we know about.

We also heard the evidence from the statement of Mr Forjani, a cousin of Salman Abedi and a barber, that Ahmed Taghdi was with Abdalraouf Abdallah and Salman Abedi in his shop when they all loudly espoused extremist views linked to IS in front of his customers to the extent he threw them out. After the car purchase, Mr Taghdi was in touch with...
Salman Abedi whilst he was in Libya. On 4 May, Mr Taghdi was cell sited near Devell House where the car was, whilst the car was there, and the day after the bombing he’s seen to go and check on the car. From checking the car we know that Mr Taghdi then drove straight to the street meeting with a large number of other associates about a mile and a half away, where a member of the public, involved in a police operation wholly unconnected to terrorism, overheard one of them say, “Our boy did well at the arena”. We note that Mr Barraclough was uncertain as to the evidence of this meeting when questioned about it and helpedfully did further checks with his team. Having done so, it seems there is no reason to doubt this evidence, gathered, as I say, in the course of a wholly unrelated police investigation. We note also that the language said to be used, “Our boy”, chimes with that used by Abdalraouf Abdallah about Salman Abedi, which perhaps gives this the ring of authenticity. There is other evidence we’ve put in our written submissions but I’m sure you get the drift. Was Mr Taghdi an innocent? Is the evidence seen against his obvious allegiances to violent extremism just a series of coincidences or was he involved in assisting the Abedis regarding the car and its storage? I have made mention of Elyas Blidi and many of the same points apply to him. Was it a coincidence that a phone connected to Mr Taghdi called him around the time the car was bought? On its own, that is an unremarkable fact, but when we consider the car was stored in his car park 2 days later, containing the bomb parts, was this a coincidence? Once again, his devices contained pro-ISIS material. He kept unfortunate company in the context of this case. We are led to believe his friend, Elyas Elmehdi, was the intermediary who arranged storage of the car on behalf of Salman Abedi, although Mr Blidi and Mr Elmehdi gave conflicting accounts to the police. Mr Blidi is an interesting character in that there is CCTV footage of him hanging around outside the Granby House flat on 19 May, 3 days before the bombing, at a time when Salman Abedi was coming in and out. There is no evidence of a meeting and no obvious purpose to a meeting, if there was one, but it is a remarkable coincidence the two men were in the same place at the same time during that period if that is so. Likewise, we have heard evidence that close friends of Mr Blidi had tickets for the Ariana Grande concert but did not go. The police investigation elicited the explanation that the tickets had been lost. I don’t think we ever established how much the tickets were, but concert tickets are very expensive these days. No one sought replacement tickets or reported them missing prior to the day. Mr Blidi called by a phone connected to Mr Taghdi at the time the car was bought, the car stored at his car park by arrangement through Elmehdi, the missing tickets, the presence at Granby House, all coincidence or was there more to this mosaic, especially given his possession of pro-ISIS Material and his presence at the street meeting the day after the bombing which I have already mentioned with respect to Mr Taghdi? Moving on to Elyas Elmehdi. Now the police evidence is that he was the person referred to in the Oliban messages who was fighting in Libya in late 2014, facilitated by Abdalraouf Abdallah. This was long after the uprising against Gaddafi and at the time when Islamic State was sweeping across the country, taking land. As we’ve seen, Abdalraouf Abdallah wrote to Mr Elmehdi from prison with an apology about the trouble this had caused him. Mr Elmehdi then visited Abdalraouf Abdallah in prison in January 2017 with Salman Abedi. He, by his own admission, was the one who arranged the storage of the Micra at Devell House, it appears following a phone call from Salman Abedi to him at 1.13 on the morning of 15 April. A rather strange time of day you might think for something like this. But he was seen near the car while Salman Abedi was in Libya, he had contact by phone with Salman Abedi in Libya during this time on 15 May, 3 days before Abedi’s return. He too was present at the street meeting after the bombing. And yes, once again, he had mindset material on his devices and once again he has left the jurisdiction and is apparently in Libya. According to Mr Barraclough, Mr Elmehdi remains a suspect, another piece of evidence which does not sit easily with Witness J’s assertion that there is no evidence anyone else was knowingly involved. I could go on. There were, on the evidence, others, such as Mr Alzilitni, who had suspicious contact with the car. Indeed, he returned to the car days after the bombing and was seen to be wiping it as if to remove fingerprints. He subsequently tried to leave the country. Are all of these people just victims of coincidences or are each of these pieces of information, insignificant of themselves, building a jigsaw of
a wider network of associates, who facilitated this plot
in the same way as any criminal conspiracy works? Some
play a major role, some don’t; some know what will
happen when, others don’t; but all are involved to one
extent or another.
We were cautioned by Mr Barraclough’s evidence to
remember that Devell House was the centre of
a drug–dealing operation. We do. But we also remember
that there is not a scintilla of evidence connecting
Salman Abedi or Hashem Abedi with that drugs conspiracy.
So why would the Micra deserve the attention of others
whilst they were away in Libya on that score?
Before I leave the procurers and the associates,
I want to pick up one further point. We were told that
the sort of mindset material found on various devices of
various people associated with this case is depressingly
common. That may be so for the people CTP and MI5 cause
and we would urge you to take a careful step back if any
evidence has left such an impression.
No one has suggested that there is other than
the sort of mindset material found on various devices of
those who have been on the MI5 books, but those figures
are across the whole country and over a significant
period. Possession of mindset material is significant
in this case because it assists in considering whether
a coincidence really is a coincidence and whether
a person was an innocent dupe or not.
Still on the subject of moving parts and the plot
and still bearing in mind the assertion by MI5 that
there is no evidence that anyone other than the Abedis
were involved in this plot, I now turn to Libya. This
plot involved not only the large number of purchases
I have dealt with but it also involved know—how and,
bearing in mind the extensive evidence you have heard of
the brothers’ school, college and university careers,
their lifestyles and their background, could they have
carried off this plot without the direction and guidance
of others and training?
To make a bomb of this sort not only involved
sourcing and purchasing the chemicals, as we have seen,
and finding a premises to manufacture the explosives, it
involved know—how as to how to make them. You have
heard from scientists and you have seen a video. The
process does not require specialist equipment or
particularly complex processes. However, neither is it
a matter of putting all the ingredients in a bucket and
mixing them together.
We also know that it is a highly dangerous process
and particular precautions have to be taken, which
I will obviously not go into here.
Once manufactured, it has to be stored in
a particular way, and that means it has to be processed
again before it can be used. On various internet sites
it is dubbed “the Mother of Satan” for a reason. It has
no commercial use because it’s too dangerous to
manufacture and too unstable to store safely.
We agree that there’s no evidence that anyone
assisted the brothers in the actual manufacturing
process at Somerton Court. We agree that it is probable
that no one did, although a lack of evidence does not
actually mean that they were not so assisted. However,
with no evidence of any chemistry prowess or academic
interest in such science, is it really likely that the
brothers did this without training and guidance or from
simply googling it and getting such an instructional
video online?
Let’s also not forget that despite the best efforts
of the police, there is absolutely no evidence that the
Abedis did access such a video. Isn’t the most likely
explanation one or both of the brothers received
training, probably in Libya? Bearing in mind that TATP
was Islamic State’s explosive of choice, it was an
explosive used at 7/7, and one of the explosives used by
the attempted shoe bomber Richard Reid, it was also the
explosive used in the Brussels and Paris attacks. Were
all of these attacks perpetrated by actors who googled
the recipe and made the explosives or was there training
going on elsewhere? We’ll remind ourselves of the links
and the evidence of training in other attacks later on.
Opportunity. We don’t know exactly when
Salman Abedi embarked upon his plot, but we do know he
spent two lengthy periods in Libya in the months before,
from 25 May to about 8 October 2016, and from 15 April
to 18 May 2017. We’ve seen no evidence of what
Salman Abedi was doing during these trips, but we do
know that his wish for martyrdom and his connections to
Islamic State were well—developed long before May 2016.
We also know not only did Islamic State have
training camps in Libya at these times, but we know that
the UK and US governments had intelligence and were
worried that these Libyan Islamic State camps had been
involved with a number of notorious international terror
attacks, including the ones in Tunisia and the Paris
attacks. What is more, in January 2017, the US bombed
some of these camps on the basis that Islamic State was
planning and training for more such attacks.

Putting those pieces of the jigsaw together,
Salman Abedi was in Libya for prolonged periods of time
in the run-up to the bombing. Islamic State had the
training camps and Western intelligence was saying that
those behind the camps were using them to actively plan
and perpetrate further outrages in Europe.

I have referred to opportunity. Given what we know
of the mindset of Salman Abedi and what he subsequently
did, we ask the question: why wouldn’t Salman Abedi have
attended at these training camps and been involved in
a plot, planned and trained by Islamic State there?

Isn’t there the clearest and most compelling
inference that this is in fact what happened: mindset
and acknowledged allegiance to Islamic State, yearning
and praying for martyrdom, contacts with subjects of
interest and known facilitators, presence in Libya for
prolonged periods?

In our submission it is highly likely that the plot
came into being or was already in being when
Salman Abedi was in Libya in summer 2016. We say it is
likely that he learned what was needed and where to get
the chemicals and how he should go about it. We suggest
he learned how to manufacture the explosives as safely
as could be done in sufficient quantities and how to

safely store it.

Often small details that are telling. We note that,
on return to the UK, from both his trips to Libya
proximate to the bombing, Salman Abedi obtained a new
SIM card. The October SIM was used for the initial
actions of the plot and the first procurements before
being replaced. It was also in touch with a significant
Libyan number, that of Majdi Alamari, significant
because the Libyan phone was in contact with the final
Salman Abedi number obtained only on 18 May. I’ll come
back to that.

The evidence is unclear as to exactly why the
brothers returned to Libya for a month prior to the
bombing but we suggest one of the reasons was final
training on the assembly of the bomb. It is clear that
the bomb was not assembled at Somercourt as the
explosives would have been too unstable to be left
in that state. And instead, the bomb components were
moved across town in the Micra and stored in the
Devell House car park.

Once again, I’m not going to go through the details
of the construction, but it was not straightforward. It
required the right amount of explosives, the making of
a detonator, wiring a switch, the adding of other
components to make it as deadly as possible.

Once again, there’s no evidence anyone actually
assisted Salman Abedi in the final assembly, but once
again, taking account of Salman Abedi’s background and
case, is it credible he constructed this viable and
deadly device without training and guidance? We suggest
not.

Again, we comment: why wouldn’t he have availed
himself of training in Libya, given the opportunity and
his mindset? There are perhaps four details of
particular importance with regard to the device.

Firstly, we know from the evidence that the switch
used in the device was probably sourced for this plot in
Libya. It was established in evidence that at the
Hashem Abedi trial it was manufactured in March 2016 in
Romania for an Italian company. There were two export
destinations, Denmark and Tunisia.

The Hashem Abedi investigation found that a
consignment of the switches sent to Tunisia was sent
to Libya. If the switch was sourced in Libya, why?
No one has suggested it was a specialist item. The most
likely reason it was sourced in Libya is that whoever
trained the Abedis needed the switch to show them what
to do with it. Otherwise, why would it be sourced there
and not in Manchester together with the rest of the
components?

It also meant that it had to be conveyed to
Manchester. We do not know who conveyed it, but it was
either a third party, which would of itself contradict
the MI5 lone actor hypothesis, or it was Salman Abedi in
October 2016 or May 2017, travelling through
Manchester Airport. On that scenario, one would think
a port stop would have been likely to discover or
disrupt the plot.

Secondly, there were other bomb components which
were purchased but then replaced before the bomb was
assembled. I will tread carefully here, as I was asked
to do in questioning, but I’m sure you will follow.

Prior to leaving for Libya on 15 April, it was not
just the explosives which were stored and left in the
Micra, there were other bomb components. Some of these
items were not used and were found in the car when it
was searched after the bombing. We know from the
investigation that replacement items were sourced after
Salman Abedi’s return from Libya. The inference is that
the replacement items were to make the device even more
devastating. We cannot think of any other explanation.

If we are right, someone told Salman Abedi what to
do during that last trip, a directing mind or a trainer.

Thirdly, you’ll recall the shopping list evidence
found on the remains of Salman Abedi’s phone, which
related to items he needed to obtain for the device.  
Where did that shopping list come from and why if he and 
his brother were lone actors? The shopping list was 
apparently on a text, an SMS sent to and deleted by 
Salman Abedi, but partially recovered by the police, 
guiding him as to what he needed for the assembly of the 
 bomb.  
Fourthly and finally, in this regard, there are 
unexplained calls from and to the Libyan phone and 
Mr Alamari on 21 May. You’ll recall the communications 
I mentioned earlier in January 2017 with this phone from 
Salman Abedi’s previous number. Those communications 
involved Salman Abedi and another associate paying from 
the UK for welding equipment ordered from China for 
delivery in Libya. The evidence suggests that once 
he had returned to the UK on 18 May, Salman Abedi was 
isolating him from unwanted contact by renting the 
Granby House flat and obtaining the new SIM at the 
airport on his final return on 18 May. We know there 
were calls to the Abedi Libyan number, but how did 
the person on the Alamari phone get the new Salman Abedi 
number and why?  
We know Salman Abedi was in touch with Hashem Abedi, 
but who and why was he in contact with this other Libyan 
number? I also raised an issue with some other calls 
from Salman Abedi’s phone in the final days which I was 
asked not to pursue because of the methodology used. 
I don’t know whether that was picked up in the closed 
hearings, but there appear to be further unaccounted 
calls in his final preparation days. It’s unlikely that 
the calls from and to the Alamari phone were innocent, 
in our submission, because there was no contact from the 
new 18 May number and known associates other than 
Hashem Abedi, and it was a Libyan number, raising an 
inference of others in Libya connected to the plot. 
That deals with all we want to say about those 
associated to the plot and why we say that the assertion 
by the security services that there is no evidence that 
anyone else was knowingly involved in this plot is 
untenable.  
As we turn to look at the context, we’ve highlighted 
the evidence shows that there were many parts to this 
plot which were visible, but whether they could be seen 
depended upon whether the security services and CTP were 
looking in the right direction.  
In our submission, there were missed opportunities, 
including the apparent failure to follow up the download 
of MS’s devices when port stopped on 23 March, including 
the failure to port stop Salman Abedi on either of his 
last two trips to Libya when there was, as we will 
analyse, such a persistent and suspicious series of 
pieces of intelligence about him.  
It is an obvious point, but it is clear from his 
actions at the airport on 18 May that Salman Abedi was 
sensitive to surveillance. He bought a new SIM and took 
a bus for about a mile before getting a taxi. Why? 
Obviously, we say, as an anti-surveillance measure 
because he was going to the car and then to buy further 
items and rent the new flat to assemble the bomb. What 
if he had been port stopped? Perhaps he had the switch, 
perhaps the shopping list would have come to light. He 
might have been asked where he had been and why he’d 
travelled out with his family and back on his own on a 
one-way ticket with hand luggage. Whatever, there are 
invariably a number of “what ifs” in all of that. But 
already sensitive to being watched, he would not have 
known why he was being stopped. That is not a “what 
if”. Even if his plot had not been discovered or 
unravelled, it is likely, isn’t it, that it would have 
been disrupted?  
The question whether this plot could and should have 
been prevented lies in what there was to see and, as 
we have suggested, whether MI5 and CTP were or should 
have been looking. The latter question is one of 
context. What was there in Salman Abedi’s history that 
should have led to interest in him and, if there was 
interest in him, was there relevant context and should 
it have influenced how he was viewed?  
Our concluding submission will be that insufficient 
attention was paid to Salman Abedi in joining the 
various dots from mid–2014 right up to the bombing 
itself. We base our submissions, of course, on the open 
evidence and the open source material we’ve referenced 
to assist the scrutiny of what did and did not happen. 
We’re conscious, of course, that you have heard more 
evidence than we have. Although that might not all 
point in one direction, we comment that if our 
submission stands up on the open evidence, the position 
is likely to be even stronger in conjunction with the 
rest of the evidence.  
We’ve commented that the plot involved a large 
number of moving parts. Many of those moving parts were 
insignificant of themselves, but the mosaic they formed 
is not, so it is with context and background. We noted 
in our opening submissions that the mosaic argument is 
often raised, rightly so, with respect to restrictions 
on disclosure: a piece of information may mean little on 
itself, but put together it forms a greater whole. 
The corollary of that is the same is true in terms 
of what was known about the plot and about the Abedis
In our view, the pivotal moment was March 2014 when MI5 opened Salman Abedi as a subject of interest. Rightly or wrongly, at that time information about Salman Abedi persuaded MI5 that he was a national security concern sufficient to formally designate him and raise a level of investigation.

We know little about the information that led to opening him as an SOI, other than it related to contact with another SOI, SOI A. As we understand the evidence, MI5 determined by July 2014 that Salman Abedi should be closed, not because they had made a mistake but because the nature of contact was different to what they had earlier understood and there had been no further worrisome reports. Again, we have not heard the evidence so we are not in a position to comment on whether that decision was right or not. The point we make about this is that any competent look at Salman Abedi would include a person opened as an SOI would necessarily include looking at the information causing that concern against its general and specific context.

What do we mean by that? In 2014, one would assume that any competent look at Salman Abedi would include the information itself, the background of the kind of violent extremism that he was thought to be involved with, and that would presumably be the Al-Qaeda and emerging IS militia threats from Syria and Libya and it would include background on Salman Abedi himself, his family, and extremists within the Libyan Manchester community and within the general area where he lived and his associates.

Once closed, one assumes that all that information would remain on the KIS record and, when further evidence came in which referenced Salman Abedi, that new information would be assessed within the context of the evolving intelligence picture held on the KIS which would provide the basis for further assessment, investigations and decisions.

What was known at that point and available to be known starts with family. We say that with particular reference to the 2010 JTAC report regarding family interest in the radicalisation of young Manchester Libyans. We’ve set out in detail in the written submissions the evidence regarding Ramadan Abedi, whether he was a member of the Libyan Islamic Fighting Group or not, or indeed whether there really was a formal membership; it is beyond doubt that he was a supporter or fellow traveller. You’ll recall the fact that Ramadan Abedi was interesting enough to be stopped twice under CT legislation at ports in 2011.

What was learned then and recorded on the documents we have looked at in evidence was that he was making frequent trips to Libya to aid, in one way or another, the rebellion. He denied being a member of the LIFG, hardly surprising as it was proscribed in the UK at this time, but he told border officers he was part of an unnamed radical Libyan group and he also told them that his sons, Salman and Hashem, were out in Libya too.

Downloaded and noted on one of these 2011 port stop records were videos of Ramadan Abedi with an automatic weapon in Sabratha, Libya, and the record shows this was shared with partner agencies. A point to be made here was this was all evidence known to the security services in 2011. Ramadan Abedi was of interest and this was information they had and some of it at least was interesting enough to share between them.

Ramadan Abedi was also linked to a number of really sinister Libyan men of his generation, leaders of the LIFG who’d lived in Manchester at the same time as him and who were plainly his friends or associates. This is ground we have highlighted a number of times and we have set it out in the written submissions, so I won’t labour it.

The interest of the UK intelligence community in the LIFG was front page headlines from the 1990s. And there’s open source evidence of a clear interest in LIFG members in Manchester at least by the early 2000s.

With respect to connections to the Abedis, I am speaking of Anas al-Libi, arrested in Manchester for terror offences in 1999 and released, who then fled before the police came to rearrest him following further enquiries. He was subsequently indicted by the US for two African US embassy bombings which killed 224 people.

You’ll remember the evidence of a photo showing one of Al-Libi’s sons with Hashem Abedi, who was holding assault weapons. Talking about Abd al-Baset Azzouz, an alleged Al-Qaeda bombmaker, who fled Manchester on bail in 2006 and was sanctioned in 2016 by the UN on evidence that he was sent by the leader of Al-Qaeda, al-Zawahiri, to build an Al-Qaeda fighting force in Libya. You’ll recall his son, Hamza Azzouz, was a friend of Salman Abedi and was listed to visit Abdalraouf Abdallah with Salman Abedi in March 2017, although Salman Abedi didn’t turn up. And a third man connected to the other two through...
the Sanabel connection, a charity which was found to be linked to the LIFG. Bashir Al-Libi, recognise that Al-Qaeda commanders.

As previously mentioned, by March 2014, when it was ascertained about Ramadan Abedi to raise this as a significant part of the context. And as time went by, the family context became ever more sinister.

Moving from the family context to the general picture we know, and it should have been clear to the intelligence services, that many young men of Libyan heritage were going out to fight Gaddafi in 2011. The fact that they were going to fight to get rid of a dictator was one thing, but the growth of Al-Qaeda and similar groups in Libya during this period was quite another.

The 2012 CONTEST report, published in early 2013, so a year before MI5 really started looking at Salman Abedi, recognised that Al-Qaeda groups in Libya were stronger than ever.

We know from the evidence that Abdalraouf Abdallah, and almost certainly Salman Abedi, were involved with the 17 February Martyrs Brigade led by Mahdi al-Harazi, an Al-Qaeda leader who subsequently led a Libyan force in Syria. You’ll recall the magazine interview with Assistant Commissioner Basu, who commented that those who travel to war zones became brutalised and gained a taste for violence and those who travelled to fight in Libya were doing the same as people the UK stopped travelling to Iraq and Syria. It’s worth recalling that Salman Abedi was about 16 at the time of the uprising.

leave the office. Indeed, an officer would not have had to leave his or her desk. This is an inquiry anyone could do and indeed the media did.

If anyone had looked at Ramadan Abedi’s social media when Salman Abedi was opened as an SOI, they would have seen Ramadan Abedi’s open support for Al-Qaeda on his public Facebook page, as in May 2013 Ramadan Abedi posted photos of assault weapon–toting Al-Nusra Front fighters with the caption: “My greetings of peace to al-Nusra, may they be victorious against the infidels.”

Later in 2013, Ramadan Abedi again posted on his public Facebook page a photo of Al-Libi at the time of his arrest with the caption: “The Prophet knows how many have a picture of this lion in their Facebook profiles, the weak are forbidden to share it.”

The reference to Al-Libi as a lion will no doubt not be lost on anyone who’s followed this inquiry given that is the same term Ramadan Abedi used of Hashem Abedi in a picture of him with military weaponry.

If investigators had looked at the public social media of Hashem Abedi, they would have seen him post a photo on his public Facebook page in February 2014 of an IS gang brandishing a sword, ready the chop off the right hand of a blindfolded man, with a caption signing his approval. So when Salman Abedi, then about 19 years old, was opened, the clear known family context was that this father fitted the JTAC 2010 report profile perfectly and was connected to the LIFG and had clear support for Al-Qaeda and a connection to various Al-Qaeda commanders.

By June 2014, with Salman Abedi still an open SOI, had the security services been giving Hashem Abedi’s Facebook attention they would have seen him post another pro–IS referencing a Cardiff man, Reyaad Khan, who was later killed in a drone strike, with Hashem Abedi suggesting to a friend that they go and join him in Syria.

Jumping ahead chronologically, but saying with the issue of family, by September 2015 it was not just a context involving dad and younger brother, but the worrying extremist links were now clear with respect to the older brother, Ismail. We’ll return to that, but it’s clear that Ismail Abedi was of some interest at least by that time.

In terms of family context, by March 2014, when it appears MI5 first took proper notice of Salman Abedi, sufficient was known or available to be easily thereby
which was a fact that should have been taken into account later, in our view, in determining whether he was likely to move from terrorist sympathies to terrorist activity. As a matter of common sense, such experiences in formative years were likely to have a greater effect. And whilst on the subject of Mr Basu, it's worth noting that he commented in the interview that it would be a "huge leap of faith" to think that Salman Abedi had been travelling to Libya for family and not for training. We respectfully agree.

Back to pre-March 2014 and the opening of Salman Abedi as an SOI. The CPS were warning about young men going to fight in other countries. Although with a focus on Syria, the law was not so limited and the CPS would make that clearer still in later guidance, certainly by 2016. By May 2014, the Home Affairs Committee published a report highlighting the sharp increase in Al-Qaeda activity in North Africa and in particular Libya, describing it as: "A large warehouse full of weapons with its doors wide open."

I stress that all of this is background. The specific regarding the family and the general regarding Al-Qaeda and Libya was there and available to the security services and it was or should have been the backdrop to investigations regarding Salman Abedi in March 2014 and beyond.

I'm going to look at the chronology of what Salman Abedi did next in a moment, but continuing the context, while Salman Abedi remained an SOI, Islamic State declared their caliphate. Shortly thereafter and just after Salman Abedi was closed as an SOI, British citizens were evacuated from Libya because of an upsurge in Islamist militia violence and the sweep of Islamic State forces across various parts of the country. By 29 August, the UK threat level raised to severe, no doubt because of the ascendancy of Islamic State. In the autumn we know it was widely reported that Islamic State took areas of Libya, starting with Derna in the east. In these areas they were to set up training camps and bases for fighter, some of which were to remain until at least 2017. During 2014, and through 2015 and 2016 there was a spate of international Islamic State attacks, including the two deadly attacks in Tunisia, the Brussels Jewish museum attack, the Charlie Hebdo attacks, and the November 2015 Paris attacks. Many of these were specifically linked to Islamic State in Libya and the KBL training camps there.

The links to these attacks and to Islamic State included the so-called mastermind of the Paris attacks, Abdulhamid Abaaoud, who was reportedly trained and directed by the KBL, the Libyan IS affiliate. In February 2016, the US bombed Islamic State camps near Sabratha using British air bases, killing the terrorist who was behind the Tunisian museum attack. By July 2016, the latest CONTEST report directly asserted that Daesh, Islamic State, was the main threat and referred to branches, including in Libya.

In September 2016, the Foreign Affairs Committee highlighted the rise of Islamic State in Libya in 2014 and its setting up of training camps, acknowledging that the terrorists who killed British holidaymakers in Tunisia had trained in these camps. In December 2016, Anis Amri, a Tunisian national with links to the Libyan IS faction, carried out the truck attack on Christmas markets in Berlin.

In September 2017, the US again bombed Islamic State bases in Libya, this time near Sirte, asserting publicly that they did so because the bases were linked to international attacks and intelligence indicated that further attacks in Europe were being planned from there.

Despite this rising body of evidence, that the focus of Islamic State international planning, training and operations had shifted and was known to have shifted to Libya, the UK security services seemed to have remained fixated on Syria and young men and women travelling there to fight or support the so-called caliphate. If that is so, if we are right about that, the security services were blindsided regarding the likes of Salman Abedi and that appears to have been a fatal error.

Of particular relevance to this point is what CTP officers asserted in 2014 regarding similar activities of Abdalraouf Abdallah in Syria and Libya and I'll address that in my next section. There was an assumption that the same activities would lead to prosecution only with respect to Syria. Finally, in terms of context, it was well-known by the beginning of 2017 that an extraordinary number of young men and women had either been jailed or killed or disappeared who had clear links to IS and had come from a small area of South Manchester within a radius of a mile. The Abedi home was within that area. You'll recall the Guardian article with regard to this, published on 25 February 2017, months before the arena attack, that named 16 such terrorists.

In this regard we fail to understand the M5
assumption noted in the gist at paragraph 31 that:  

“...There was nothing regarding the threat in Manchester that was out of step with other areas of the UK outside of London.”

How can that be right?

I haven’t covered all of this for reasons of time and of course we have submitted fuller written submissions, but no one can pretend that there was not a worrying canvas upon which any information about Salman Abedi should have been considered. Just about all of the matters I have referred to in this section of context were known at the time. This is not hindsight thinking.

My third and last chapter, following the plot and general context, what was the information coming in about Salman Abedi or available to be seen which should have been superimposed on this canvas?

To pick up the chronology from March 2014 and his opening as an SOI, M15 clearly paid some attention to him and assessed whether he truly was a national security risk. By the time they came to a decision, two things had happened, as we have noted: Islamic State had declared their caliphate, and Salman and Hashem Abedi had travelled to Libya, coincidentally or not, a few days after the declaration of the caliphate.

Whether they did so and whether it was —— why they did so and whether it was connected to what was going on with IS in Libya we don’t know, but it was certainly an interesting time to travel there. Interesting in particular because they were then evacuated on HMS Enterprise and interesting to us because all of this was therefore very visible to the security services, M16, M15 and CTP.

No doubt others who were evacuated were innocents caught up in the situation with legitimate family or work reasons for being there, but for M15 and CTP, here was an SOI who they had closed only a few days earlier being evacuated, because of the rise of IS and other militias, and the fact that the SOI had travelled there recently.

This should have prompted a rethink and a reanalysis of the risk from Salman Abedi. Whether it did or not, you will have no doubt considered in the closed sessions, but all we know is that Salman and Hashem Abedi agreed to be debriefed on return to the UK.

Whether there was or was not a debrief was subject to an NCND, neither confirm nor deny, answer. We understand why the content of the debrief may have had to be heard in closed session, but we remain confused as how the fact of whether there was ever a debrief could ever potentially compromise national security, but there we are.

Whether there was a proper reappraisal of Salman Abedi at that stage or not, when he was returned from Libya with his brother, there should have been, and of course his travel to what was in effect an IS zone at that time should have added to his burgeoning file, as might the significance of the Hashem Abedi Facebook public posts we’ve referred to.

Next, within just 3 months, we have the extraordinary Oliban episode. Well over 1,000 messages between Salman Abedi and Abdalraouf Abdallah downloaded by CTP when Abdalraouf Abdallah was arrested and charged with serious Islamic State related terrorist offences. The full picture of the Oliban evidence is still not clear to us and it appears to have been rather glossed over by CTP and M15 until recently.

From the open evidence we know that Abdalraouf Abdallah was not an Oliban target until the Abdallah family home was searched on 1 August 2014 with respect to his brother Mohammed, who was a target of the operation.

Abdalraouf Abdallah’s phone was downloaded and the product, ICW/13, led police to realise that he was in touch with a number of facilitators in different countries, including those linked to Syria and in Libya.

And in fact, it became clear to the police that he was at the centre of that facilitation plot, trying to get his procedure and three other men weapons, and connected to IS in Syria.

As we have heard in evidence, the sentencing judge set out the full extent of Abdalraouf Abdallah’s involvement at the centre of that conspiracy. I do not repeat it here, but the judge painted a picture of a very sinister Abdalraouf Abdallah, far removed from the one he asserted in trial evidence or indeed to you.

The investigation continued and the police returned to arrest him on 28 November and downloaded his replacement phone, the product of which was ICW/13.

ICW/13 showed that although he had ceased the earlier plot, he was still in touch with a Libyan facilitator linked to IS and obviously so because his social media profile had an image of him against the backdrop of an IS flag.

In the messages, Abdalraouf was seeking to obtain weapons from him in Libya. He’d apparently facilitated the travel of Elmehdi to fight there and there was direct contact with him at that time.

ICW/13 contained something like 1,300 messages between Abedi and Abdallah. The messages had been gone
over and some themes have been picked up: both men
praying for martyrdom, a conversation initiated by
Salman Abedi about Derna, remembering this was the
precise time Derna had been taken over by Islamic State,
and reference to a pro—IS Facebook post of a dinaar,
again initiated by Salman Abedi. There was reference to
violent nasheeds and derogatory reference to non—Muslims
and Westerners.

CTP reports at the time refer to evidence of further
certification in the ICW/13 messages, but noted that as
it was Libya, it was not going to be prosecuted at that
time. This is the clearest of evidence that, despite
the law, the police and security service attention was
fixed on Syria and, despite the evidence, they did not
properly appreciate the similar threat to the UK of
extremists linked to IS in Libya.

Parts of ICW/13, including the dinar communications,
were used in the prosecution of Abdulraouf Abdallah, but
without anyone being interested in who was at the other
end of the conversation, despite various explanations,
we submit, that the failure to attribute the
Salman Abedi phone was a serious failure which resulted
in really important information about Salman Abedi being
missed. We would have thought it obvious that the phone
should have been attributed for the actual

Abdulraouf Abdallah prosecution. With whom Abdallah was
communicating was potentially relevant on a number of
bases: it could have led to a bad character issue, it
could have negated a possible line of defence, it could
have satisfied a curious juror question, to could have
led to further investigations and further charges or
further offenders and defendants.

It was not a difficult matter to attribute the phone
because Salman Abedi said in a message precisely who
he was. He was the subscriber of the phone; it was not
a burner phone. Beyond the prosecution, it is plain and
obvious that the identity of the other person was
important intelligence. We remain unclear on the
evidence as to why attribution was not undertaken by the
intelligence side of CTP, over the fence as they put it.

Had the phone been attributed, there plainly would
have been consideration as to whether the other person
was engaged in anything illegal and whether he was
a national security risk. Had the phone been attributed
CTP would have seen that he was in fact a recently
closed SOI and his status would or should have been
reassessed and reassessed with MI5.

Was the decision to close him right given this
intense close relationship with an IS facilitator and
his activities? Even if the answer at that stage was
that he should not be re—opened as an SOI, the
information would have been added to the mosaic ready
for the next piece of information about him.

But if our understanding is correct, not only did
the prosecution team not attribute the phone, and
neither did the intelligence hub of CTP, they did not
share the Oliban messaging, ICW/13, with MI5. That is
our understanding from the gist at paragraph 49, but it
seems from the most recent documents that CTP did not
accept that. Why the dispute or, rather, how is there
did not consider the Oliban material and failures and
the review of the reviews by
Lord Anderson presumably wasn't aware of it either or
perhaps they would just have done the attribution themselves.

If it be the case that MI5 were not given the
material, then this second check simply did not happen.
The position darkens further because we learn from the
gist at paragraph 17 that no mention of the Oliban

material was made in the post—attack review. The
explanation of Detective Chief Superintendent Scally,
appeared, was that the terms of reference of the PAR
were to consider only evidence that was available prior
to the bombing, although in fact Mr Scally had not seen
the terms of reference, so why he should so speculate is
unclear.

In any event, this explanation is a half—baked
nonsense. CTP did have the Oliban material prior to the
bombing. The failure to attribute the 3458 number was
precisely the sort of thing that a PAR would have in on
and consider. If there was a good explanation, the PAR
could consider it. Without the material, they were
unaware of the problem. The whole point of a PAR is to
see if there were any failures and whether lessons can
be learned, or so one would hope.

The story continues. If the CTP post—attack review
did not consider the Oliban material and failures and
MI5 say that it never received the Oliban material, then
that suggests that the MIS PAR did not consider this
either. If that is so, the review of the reviews by
Lord Anderson presumably wasn’t aware of it either or
indeed the Intelligence and Security Committee of
Parliament.

We've asked these questions in writing to the
In their responses, CTP and MI5 have declined to answer whether Lord Anderson or the ISC knew about this. We do not see how these questions about whether this potential failure was referred to the PARS or Lord Anderson or the ISC would be a matter of national security. These questions are relevant to how candid MI5 and CTP have been with this process. How interested are they in learning lessons? Is this really an exercise in avoiding reputational damage or criticism from their perspective?

Baroness Hallett referred to Paragraphs 112, et cetera, of the PFD report. She also referred to IT incompatibilities between CTP and MI5. Are we seeing some of the same issues repeating here?

And whilst on the subject of 7/7 and repeated problems, we also note that Baroness Hallett also asserted that the chemicals required to produce the same explosive, TATP, had been easier to obtain than aspirin.

Back to the chronology. Salman Abedi opened as an SOI in March 2014, travelled to violence–riven Libya just after the caliphate was declared in June 2014. MI5 closed him as an SOI and, a few days later, the Royal Navy evacuate him and his brother. They agree to be debriefed but we don’t know whether they were. The UK threat level is raised at the end of August. The end of November, clear evidence emerged of the closeness of Salman Abedi to Abdalraouf Abdallah and the extremist mindset and aspirations they share, but neither CTP or MI5 noticed.

In early 2015, Salman Abedi’s same phone goes on to the approved list of both remanded terrorist Abdalraouf Abdallah and Abdulrahman Benhammedi. Again, we’re unsure whether this was logged by CTP and MI5, but we assume not. This would presumably have linked back to the Oliban messages.

Even if the phone logs were missed, Salman Abedi and Mr Taghi visited Abdallah in late February 2015. We know from Witness J’s open evidence that MI5 and CTP did not know about this visit. Even without the Oliban material, therefore the link to Abdalraouf Abdallah was plainly known by early 2015. If they knew this closed SOI was consorting with the remanded IS facilitator, did they not then look at the phone list? Apparently not.

Salman Abedi had been of sufficient interest to open as an SOI in 2014. Since then, MI5 and CTP knew he had travelled to Libya at a critical time, he and his brother had been evacuated, and Salman Abedi had visited Abdallah in prison early 2015. Even without the Oliban material, why did this not spark further interest in Salman Abedi, even if just to do simple checks such as looking at the phone lists?

It’s not just that CTP missed the Salman Abedi connection in Oliban and apparently failed to share the material with MI5, this was apparently compounded by missing the attribution from the prison phone lists. As I have just said, but it’s worth emphasising, putting the specific content on one side for a moment, attribution would have showed an extremely close relationship with Abdallah, a man being prosecuted for these serious IS facilitation crimes relating to Syria, and evidence showing a clear and similarly illegal and worrying orientation towards Libya, even after his first arrest.

The assessment in July 2014 that Salman Abedi was not of sufficient interest to continue looking into was now well and truly out of date and needed reassessment.
in the light of this new information. Not only did they miss the fact and sheer quantity of these important messages, because they did not attribute the phone or note the messages which stated Salman Abedi’s actual name but, after the arena bombing, CTP and MI5 appeared to have failed to disclose all this to their own reviews and the previous reviews by others —— subsequent reviews by others. If I’m wrong about that, CTP and MI5 have had the opportunity to correct that from the written questions we recently provided and they declined to answer.

In their written answers to you last Friday, you did know about this issue and the material is still unclear (sic), perhaps they will make this clear in their speeches as I have no desire or interest in taking a bad point.

We mentioned in the closed evidence Mr Scally, according to the gist, advancing excuses for these failures and in the open evidence we also had a series of excuses. Repeatedly one officer asserted that the use of the word “terrorist” by Salman Abedi in one of the messages had implications regarding Derna and the dinar and IS suggested that he was against IS.

In our view, this is ex post facto justification latched on to now in hindsight. Is there any evidence.

Was the information relating to all three brothers regarding their allegiance to IS taken seriously enough? Were the security services too fixated on Syria and missed the risks from elsewhere? Were they too fixed on actual positive evidence of attack preparation rather than seeing where the attack might come from? Was that approach closing the stable door after the horse? By 6 May 2015, we are told, through the summary of closed evidence broken out in the gist, that an MI5 officer informed CTP that they were considering re—opening Salman Abedi as a subject of interest but in the event they did not. We are not informed why. But what if MI5 had the Oliban material? That would have gone into the assessment presumably and the outcome might have been different. This is the jigsaw problem: if you lose one piece, the result may be that the whole picture is spoiled.

Again from the gist, we learn that Salman Abedi was not re—opened but consequent to him being visible through another lead, intelligence was received from June 2015 through to August 2016, through this whole period, December 2013 to 2017, Salman Abedi was linked to no less than eight other SOIs to varying degrees.

MI5 were receiving information about him through the second half of 2015 until August 2016; that included any suggestion that CTP did not pursue the 3458 attribution because they thought the person behind it was against them? Absolutely not. And with good cause. And if that was a line that they considered at the time, had they attributed the number, they would have put into the mix the fact that Salman Abedi was a recently closed SOI and his evacuation from Libya and the general context. None of that happened.

The proper response by anyone who wants to learn lessons and improve for the future is to accept failure, be open and transparent and address it. The book of excuses, prevarication, confabulation eventually begins to look like obfuscation and cover—up even if it is not.

We do not cast doubt and MI5 and CTP officers go to work each day hoping to prevent the next Salman Abedi and we do not doubt that they were as horrified as everyone else at the arena bombing, but this process is not helped by some of the virtue signalling and assertions which amount to: trust us, we’re a world—class security service.

None of that matters to those who have lost loved ones. How can the family of Alison Howe or Lisa Lees assess whether the security services have stopped all the plots which they reasonably could have done? How can they be scrutinised or tested? What are the parameters for asserting that a plot has been prevented?

Do the German security service or the French counter—terrorism police assert they were mid—table in the league of international counter—terrorism services or would they say they were world class and the best they could be? How could they or we know?

What matters to the family of Olivia Campbell—Hardy and Sorrell Leckzowski is not what the security service did on another day but what went right and what went wrong on this day and its background.

The family of Saffie —Rose Roussos have made clear to you their view that opportunities were missed. I say to MI5 and CTP on their behalf: look hard at the Oliban issue, own up to the fact that this was a missed opportunity, and explain how it really happened and why it will not be allowed to happen again. The same with other missed opportunities we have suggested, such as the port stop of M5 and what we say was a clear missed opportunity to investigate that. That is what would bring at least some comfort to the family of Georgina Callander and Philip Tron.

Were these apparent failures disclosed to the PARs and Lord Anderson and the ISC? If not, why not? This goes to the heart of the credibility of CTP and MI5 evidence.

Was the information relating to all three brothers regarding their allegiance to IS taken seriously enough? Were the security services too fixated on Syria and missed the risks from elsewhere? Were they too fixed on actual positive evidence of attack preparation rather than seeing where the attack might come from? Was that approach closing the stable door after the horse? By 6 May 2015, we are told, through the summary of closed evidence broken out in the gist, that an MI5 officer informed CTP that they were considering re—opening Salman Abedi as a subject of interest but in the event they did not. We are not informed why. But what if MI5 had the Oliban material? That would have gone into the assessment presumably and the outcome might have been different. This is the jigsaw problem: if you lose one piece, the result may be that the whole picture is spoiled.

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MI5 were receiving information about him through the second half of 2015 until August 2016; that included
a significant period whilst he was in Libya. I’ll return to that, but what did they think he was doing, there in light of the information about him persistently coming to them as we have described and in the context of his known support for Islamic State and what was going on in Libya?

Continuing with 2015 and the persistent trail of information and intelligence which was coming through this whole period, we know Abdalraouf Abdallah was bailed and Salman Abedi associated with him during this time and according to the cousin, the barber, not hiding their pro–Islamic State views.

We are told Salman Abedi was associated to another SOI during 2015 who was subject to a port stop according to the gist. We don’t know who that was, but we know that, in September 2015, Ismail Abedi was port stopped and found in possession of a substantial amount of mindset material.

According to the gist, MI5 had intelligence at this point that Abedi supported IS, that this was depressingly not unusual and did not necessarily mean he was a national security threat.

Once again we’re back to context. The port stop of Ismail Abedi did not only find images and photos of his brothers bearing fearsome military weapons, presumably manufactured, the storage of the explosive, and the people with the knowledge of a continuing link to Abdallah, but nothing apparently done.

I have dealt with the facts after this point earlier when I dealt with the plot. Salman Abedi returned to Manchester on 8 October and bought a new SIM.

In January, he spoke with Mr Alamari, who we know featured later.

He consorted with the dying Mansoor Al–Anezi, himself connected to an earlier attempted bombing in Exeter. He visited Abdallah in prison. He embarked on the moving parts of the plot, the procurements, the manufacture, the storage of the explosive, and the gathering of the other components of the bomb and its final assembly.

The families I represent, and no doubt all the families, would really like to know what exactly did Salman Abedi have to do to prompt a meaningful response from the security services. Was there proper investigation of context and background, an assessment of each piece of the jigsaw as it came in against that context and background? The options were really straightforward in principle: re–opening him for ongoing investigation and ports action.

The answer appears to be that Salman Abedi was able to continue this long—lasting and complicated plot unhindered because the security services did not have any real positive evidence of actual attack preparation or failed to see it when they did have it.

We note the numbers of persons who were or had been on the books, but looking back on Salman Abedi, there was a substantial amount of context and background known about him and his actions and beliefs and associations. There should have been real alarm at the threat from Libya, given the links that the US, in particular, had seen prior to the arena outrage, regarding the link between the KBL and IS camps in Sabratha and Sirte and European IS—linked attacks. There was consistent information coming to them about Salman Abedi; he did not say anything to them.
not emerge from the shadows. And finally, there was a lot to see with the plot itself with so many parts, a plot more complicated than any seen since the 7/7 attacks at least.

You have seen all of the evidence and no doubt you and your team have scrutinised the closed evidence particularly carefully. The other advocates will address you on issues relating to the precursors and Prevent and the evidence relating to education and the mosques. I’ll only touch on the latter two and only briefly.

In our view there was little evidence that any of the educational establishments the brothers attended should have been aware of the threat from them.

Although the mosque hasn’t covered itself in glory in terms of the evidence, it is not in any sense known for extremism. It is a large and mainstream multi-heritage place of worship. Although the Abedis did attend there, perhaps more than first admitted, it’s difficult to see what the mosque could have been expected to do.

In our submission, although the inquiry has been entirely right to look at all aspects of the circumstances leading up to this bombing, the inquiry should not get too deflected and inadvertently disappear down rabbit holes. In our submission, the inquiry should very much maintain its focus on the counter-terrorism services because that is where the real possibilities of stopping the next Salman and Hashem Abedi lie.

Yes, the whole community must be involved, but unless CTP and the security services get it right, then the chances of further such plots resulting in devastating attacks will regrettably remain high.

We know from other inquiries and inquests that sometimes, sadly, there is nothing that can be done to stop individual outrages and attacks. But for the reasons we’ve outlined, was this one of them? There have been a few attacks in the UK that have got through that are as complicated as this one and we doubt there have been any where there was so much known and the trail of intelligence about the perpetrator so persistent.

Although the families see the issue of preventability as central to their own interests in this inquiry, sadly whatever is determined will not bring their loved ones back. Rigorously identifying failures and missed opportunities provides the basis for change and will give the families the peace of mind that others may not to find themselves in their shoes in the future.

SIR JOHN SAUNDERS: Mr Weatherby, I’m extremely grateful, as I said before, having read your written submissions, that was very clear and very detailed.

Can I just raise two points? The first one is to ask you to check something you read out that it actually means what you say. I would actually just ask you to go away and look at it. It may be you think nothing needs to be said. It’s on page 8. I’m not going to read it out, I’m just going to refer you to it and then if you’d look at it.

On page 8, above the last paragraph which is headed ”Libya” on page 8, about seven lines up, there is a sentence starting at the end of a line:

“No one has...”

I wonder if you’d just like to look at that sentence at some stage and consider whether it actually says what you mean. That’s one thing and whether you decide to do anything about it is entirely for you because you may be simply highlighting something if you do.

The other point is this, which is rather more of substance, and again it may be you prefer to respond at some stage in writing. You have raised the question of the other people who undoubtedly helped with what happened and the issue has been whether they helped knowingly or unknowingly.

MR WEATHERBY: Yes.

SIR JOHN SAUNDERS: I take the point that the more there are who are actually involved in it means it’s a plot which should have been more visible to the security services and CT Police. But when it comes to me giving my opinion or my judgment on a particular burden of proof as to whether people have been proved on the evidence, as it were, to be involved, I do have some reluctance. It’s a natural reluctance perhaps of a criminal lawyer, firstly.

Secondly, these investigations are still open and I am sure everyone took what Mr Scally said at face value, that if they could find someone to prosecute, they certainly would. I have to be careful not to do anything which might prejudice any further prosecution. I know often courts do say, well, the trial process gets rid of all that. But I would be concerned about saying something in a report indicating my judgment as to someone’s guilt or innocence, and on whatever scale, when a trial may follow, as there may well be in some of these cases, particularly after looking at all the evidence again and has been encouraged by the way this process has gone and the questions you, for example, have asked.
MR ATKINSON: In short, today I seek to address first whether more could have been and could now be done to prevent a murderous bombing such as this by removing access to the precursor chemicals necessary for such a deadly device and/or to enhance the chances of the significance of such purchases being made and being recognised earlier.

Second, whether more could be done to address online sources of radicalisation and radicalisation in the context of the prison system.

And thirdly, whether more could have been, should have been and in future should be done by those our society entrusts with its protection from the evil of terrorism, namely MI5 and Counter-terrorism Policing, through better analysis of data, better joint working, better use of counter-terrorism tools such as Prevent.

SIR JOHN SAUNDERS: Thank you.

MR ATKINSON: On behalf of the families of Courtney Boyle, Liam Curry, Chloe Rutherford, Michelle Kiss and Jane Tweddle.

The question of whether the attack by Salman Abedi could have been prevented by the authorities rightly represents the first of the inquiry’s terms of reference. It is the central question that the families want the inquiry to answer.

In the opening statement that I made on their behalf, they expressed a wish to understand what was known of the bomber and his brother by the authorities, what was done by the authorities in relation to them, and what more could and should have been done to prevent them from becoming radicalised, from building their bomb, and from carrying out their murderous attack.

The authorities in this context represent a number of public bodies whose effective operation presented them with the opportunity to address aspects of the path of radicalisation that took Salman Abedi through mosque, school and further education, via the prison visiting facilities at HMP Altcourse, and en route coming to the attention of the police and MI5 into the City Room with a bomb.

The evidence of these three chapters of the inquiry has allowed these authorities to be scrutinised to various extents and these steps on the road to the shedding of so much innocent blood have been examined.

The hope of the families is both that this examination will allow you, sir, to answer that central question of could more or different action have been taken to stop the bomber in his tracks and also to address whether more and different action now can and should be taken to stop any such atrocity from blighting the lives of other families in the future.

SIR JOHN SAUNDERS: Thank you.

MR ATKINSON: Can I deal with that now (overspeaking) but very, very briefly. I think in our written submission, I don’t have the paragraph to hand at the moment, but a reluctance to be direct about individuals then the way forward may be, obviously it’s a matter for you, to set out the fact in a straightforward way about each of those who were involved and what they did, but also including the context evidence that I’ve set out, but then to make a general comment about that evidence, saying that on the balance of probabilities, or whatever standard you thought was appropriate, it’s quite clear that some of the people involved were innocent dupes and some of them weren’t.

MR WEA THERBY: In our submission, you could do it either way, and although we take on board the entirely proper some of them weren’t.

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As we observe at paragraph 4, unlike our previous submissions to you, sir, at the close of chapters 7 and 10, the families now are at a significant disadvantage because they are unaware of much of the evidence that you have heard in this regard. As the Secretary of State recognised in her submissions, there have been significant limits on the extent to which it has been possible to disclose evidence relevant to MI5’s involvement.

We make this observation, sir, not in a spirit of criticism or complaint. As I said in the families’ opening statement, the families have been the victims of terrorism and the very last thing they would wish to do is to assist terrorists or to put other lives at risk.

We do not seek in anything we say here to undermine the proper protection of national security in the national interest.

As we say at paragraph 5, it bears repetition, that where there are limitations to the awareness by the families of the context of what I have just said, that where there are so many missed opportunities or occasions when information could have been handled differently, then it is right in answering the central question of how and in what circumstances these innocent lives were lost that this is made clear so that the authorities can be held accountable in the public interest and learn the necessary lessons.

The families, like Witness J himself said, hope and expect that this process will squeeze every last drop of learning from these terrible events so that MI5 and CTP can be as good as they can be in the future.

As Lord Anderson observed, even marginal improvements are capable of paying dividends and saving lives.

It is important to stress, however, that in the context of what I have just said, that where there are limitations to the awareness by the families of the evidence that the inquiry has heard, we invite you to answer each of those questions, and only if absolutely necessary in the interests of national security to do so, without clear and full reasons being given.

As we do at paragraph 7 of our written submissions, it is convenient to revisit the inquiry’s approach to fact—finding, echoing much that Mr Weatherby has just said. At the stage of the chapter 7 closing submissions, we submitted that the inquiry’s approach to fact—finding, consistent with the approach in other inquiries, should be a flexible and variable approach to the standard of proof.

The starting point should be the civil standard, but if you are sure about a particular finding, it may be appropriate for you to say so and, if not, to record a possibility or a suspicion, particularly where the question goes to the core terms of reference.

In particular, we submit that you should express a view about whether, if certain steps had been taken before the attack, it could realistically have been prevented.

There are extensive references in the written submissions to other reviews that have already been undertaken. We accept that the conclusions of other reviews are valuable to you. There is no reason, following the open evidence this inquiry has heard, to doubt any of the criticisms earlier made of the Prison Service, the operation of Prevent or the actions of MI5 and CTP.

However, some of the reviews were not independent. None has had the advantage of the far more extensive documentary and oral evidence that is now available to you. As Lord Anderson observed back in 2017, with his assessment of the security service internal reviews:

“To act as a gadfly on the hide of the beast is not the same as to direct a full independent review.”

This inquiry must consider whether all that is known now was known to those reviews then and, if not, whether it casts doubt on any of those previous reviews’ conclusions.

We invite you, at our paragraph 9, to consider the nature and extent of the materials provided to those previous reviews, both internal and external, and to express a view as to whether any additional material should have been provided to them.

It is in this regard of serious concern that the Operation Oliban material was not considered as it appears in the post—attack reviews or provided either to the ISC or to Lord Anderson.

The explanation from DCS Scally that the terms of reference may have been confined to information and intelligence known before the attack is an unsatisfactory one. By definition, a thorough review must consider not only what was known but what should have been known.

Whilst in their recent position statement MI5 do not...
I turn first to the topic of precursor chemicals, in
resolving the question of whether more could and can now
various strands of evidence that assist the inquiry in
absence of evidence from the decision makers,
of intelligence should have been assessed and handled
from the gist, namely how one of the two central pieces
of evidence from the primary witnesses of fact and decision
makers rather than exclusively or mostly through
a corporate witness.

It should be for inquiries to make determinations
concerned with MI5 and CTP, whether an inquest, public
inquiry, report to the ISC or otherwise, receiving
from the primary witnesses of fact and decision
we submitted that the matters which they wished to
In our opening statement on behalf of the families
writing our paragraph 16.

These plans to avoid detection appear, as far as the
critics of CTP for not drawing the Oliban material to
towards the internal review process,
impertinent that such review processes are robust and are
as robust as possible because in many instances,
including investigation following non–fatal attacks, the
review process may be the only mechanism by which MI5
and CTP will be able to learn lessons.

That said, we submit in writing at paragraph 11 that
if it be the case that the inquiry should acknowledge
that the material adduced in the closed sessions has
demonstrated the real advantage of an official inquiry
concerned with MI5 and CTP, whether an inquest, public
inquiry, report to the ISC or otherwise, receiving
evidence from the primary witnesses of fact and decision
makers rather than exclusively or mostly through
a corporate witness.

It should be for inquiries to make determinations
based on the best available evidence rather than the
sole opinion of someone not personally involved with the
events under consideration. To take an example arising
from the gist, namely how one of the two central pieces
of intelligence should have been assessed and handled
at the time, that cannot be rigorously evaluated in the
absence of evidence from the decision makers,

particularly where it transpires that the view of the
decision maker diverges from the corporate position in
a way which may reflect poorly on that organisation.
That, we submit, is a recipe for concealing mistakes and
impeding learning.

Sir, in writing at paragraphs 13–15 we address
recommendations that could be made in relation to the
securing of the attendance of witnesses. I don’t seek
to develop those further orally and turn instead to the
various strands of evidence that assist the inquiry in
resolving the question of whether more could and can now
be done to prevent terrorist atrocities such as that of
22 May.

I turn first to the topic of precursor chemicals, in
writing our paragraph 16.

In our opening statement on behalf of the families
we submitted that the matters which they wished to
understand from the inquiry included whether the
purchase of the chemical components of TATP and the
other elements of the Abedis’ explosive device ought to
have been identified and investigated and whether in
this regard the procedures employed by the Home Office,
security service and police in relation to the purchase
of precursor chemicals of a kind recognised as
components of IEDs were then and are now sufficiently
robust to identify persons who should be investigated.

In answer to these questions, the families submit
the purchase of those ingredients ought to have been
identified and investigated and that the procedures for
identifying these substances were not then and are not
yet sufficiently robust.

This issue, our paragraph 18, is an important one.
Had there been more stringent controls, it is possible
that the purchases and attempted purchases would have
been detected and the attack thus frustrated. It is
also possible that the attackers would have been
deterred from carrying out so devastating an explosive
attack at all given that their conduct shows them to
have been acutely aware of the risks of detection and
that could have saved lives.

The evidence demonstrates that the Abedi brothers
obtained at least 55 litres of hydrogen peroxide and at
least 16 litres of sulphuric acid, so much was opened by
Mr Greaney.

They made these purchases, as he developed, in
smaller quantities through a number of different
associates over a period of months. Whether or not
these associates understood what they were doing, which
Mr Weatherby has just addressed, the clear inference is
that the approach to purchasing precursor chemicals was
designed as a deliberate plan to deflect suspicion.

First, in that no single person would be responsible
for the purchasing of one large amount. Second, that no
single person would be responsible for the purchase of
both chemicals. And third, that the purchase would be
made from a range of different email addresses, paid for
by a range of different bank accounts to make it less
identifiable that they had a single project.

These plans to avoid detection appear, as far as the
families can gauge, to have been entirely successful and
they demonstrate the importance of stringent controls on
the acquisition of precursor chemicals.

At the time of the attack, as we develop at
paragraph 21, sulphuric acid was not on the list of
regulated precursor chemicals. That is, it was
available for purchase by a member of the public without
a licence.

As the Secretary of State concedes now, the only
requirement then was that a suspicious activity report
should have been filled in if a particular purchase was
identified as being suspicious. But for reasons to
which we will return, such an approach is out of touch
with the reality of commonplace purchases in the 21st
century.

That this is the case is unsurprising given that, as
Mr Hipgrave explained, the regulation of explosive precursors at that time was still directed principally towards the prevention of the type of explosives used during the Troubles in Northern Ireland. The regulations therefore, by 2017, did not sufficiently reflect the chemically made explosives which the government were by then aware ISIS and other such organisations were disseminating information about to teach would—be terrorists how to use.

In its 2018 report, “The 2017 Attacks: What Needs to Change”, the ISC raised questions about whether the system was fit for purpose. Mr Hipgrave accepted that with hindsight, sulphuric acid above a certain concentration should have been included on the list of regulated chemicals by 2017, but that didn’t happen until the following year.

It is difficult to square those facts with Mr Hipgrave’s suggestion that the list was being reviewed constantly. Although a consultation has just taken place, as the Secretary of State points out, and the government’s response will address aspects of the present need for certain precursors to be restricted, the evidence of events in 2017 shows all too clearly that this needs to be reviewed regularly as new threats, new techniques and new propaganda emerge.

The families therefore submit that there needs to be a framework for a regular proactive review of the list of regulated and reportable explosive precursors. The failure to have carried out such a review before 2017 is a serious one. It is at least possible that had sulphuric acid been regulated then as it is now, it would have deterred or frustrated the attack in the form that it was carried out.

In the light of these failures, the families submit that a recommendation should be made that the Secretary of State commit to a proactive review of these lists at regular intervals and state publicly that such a review has occurred if it has done so. The need for such regular review is all the greater now that the United Kingdom is no longer part of the European Union and will not benefit from any updates to European regulation as it did in the past.

Paragraph 25. Mr Hipgrave indicated that regular reviews of regulated explosive precursors were one of the areas that could be responded to in the recent consultation on the Poisons Act. The families do not accept there is any reassurance on the question of regular reviews to be derived from that consultation, for the reasons we develop in paragraph 25 in writing.

That was a consultation aimed at businesses, online marketplaces and members of the public who use such chemicals for legitimate purposes. And it was designed to assess the adverse impact on them of increased regulation. It was not a consultation on how effectively the measures will protect the public or ways in which emerging threats can be kept under review.

It follows that nothing in the government’s response to the consultation would interfere with you making a recommendation that the Secretary of State commit to such proactive review.

Another area in which regulation was deficient at the time of the attack and significantly deficient, we submit, in 2017 is in the regulation of online marketplaces. Mr Hipgrave accepted that one of the challenges to regulation is that retail transactions no longer invariably involve a person standing behind a counter serving a customer. However, it is evident that the system of regulation which was in place at the time of the attack did not address that reality. Many of the ways in which it is suggested that suspicious transactions could be identified were ones that had no place in an online marketplace. Such a marketplace was not a new phenomenon in 2017 and the fact that there had been no update to the systems of control and guidance to vendors to reflect those obvious changes is another area in which the government had failed to act.

It is in that context that the families welcome the proposal for amendment to the Poisons Act and, in particular, the proposal that online marketplaces should be subject to the same regulation as vendors.

While it would be ultimately for the Secretary of State to consider the impact on business in making decisions as to legislation going forward, it is submitted it would be entirely appropriate for your report not only to reflect the obvious deficiencies in the regulations of the online marketplace in 2017 but also to find that such regulation is likely to save lives in the future.

The final area to cover under the topic of precursor chemicals is the intelligence sharing between those responsible for such effective regulation, MI5 and the police.

This is paragraph 30 in our written submissions. As a matter of generality, it appeared that Witness J’s evidence was that if MI5 received intelligence in relation to the purchaser precursor chemicals it would not necessarily be able to communicate that to the police. His evidence in this regard was given by a reference to the statutory functions of the service set out section 1 of the Security Services Act of 1989,
which we quote at paragraph 31.

In summary, Witness J’s evidence appeared to be that intelligence relating to the acquisition or proposed acquisition of precursor materials was not always information which could be shared with the police given the statutory remit of the service. If they assessed that chemicals were being acquired for purposes other than terrorism they would need to be concerned that the purchaser was involved in serious crime before there would be a statutory basis to share the intelligence and the crime in question might not be sufficiently serious.

Moreover, the fact that a closed SOI was purchasing such precursors was not necessarily sufficient to trigger an investigation.

The families have very real concerns with this analysis. We fully understand that it would not be appropriate for MI5 to pass intelligence to the police reflecting every instance of low-level criminality unrelated to terrorism that they encounter. For example, a person under surveillance seen to be fly-tipping or selling pirated goods. However, that is a situation far removed from the present hypothesis.

The reason why the families raise these concerns is precisely the protection of national security and protection against terrorism.

89

An interpretation which reads section 1 of the 1989 Act as limiting the ability of MI5 to fulfil its purposes cannot be right. There are two particular concerns. First, which we address at paragraph 35, it appears to be assumed that MI5 will be in a position to assess that such a purchase does not fall within its remit without any investigation; the families would approach it differently.

As we noted in our questioning of Witness J, we submit that evidence of such a purchase necessitates an investigation to ascertain the subject’s intention, which cannot be assumed. Put another way, the families do not accept that a preliminary assessment that the acquisition of explosive precursors was done with non-terrorist intent would raise any statutory bar to further consideration or intelligence sharing.

The service would be entitled to consider all possibilities, including the possibility that any initial assessment that there was no terrorist intent in the acquisition may be wrong.

Secondly and relatedly, the families are concerned at the suggestion that these are matters which could not be shared with the police unless the threshold of serious criminality is assessed to be met. Again, this appears to put the cart before the horse by assuming that an assessment that intelligence relates neither to terrorism nor serious crime can be made from a piece of intelligence in isolation. It is submitted that that is a dangerous approach.

As is clear from the circumstances in which preparations were made for the arena attack, it is foreseeable that a would-be terrorist will attempt to cover their tracks by encouraging others to help them in the obtaining of chemicals.

It may be the case that a wider pattern of such purchases by a number of individuals with a common associate may present a very different picture. It may also be the case that the police and the service each have information relevant to that assessment. The families therefore submit that the position is very different from a situation in which MI5 becomes aware of evidence of minor criminality with no potential connection to terrorism.

Given the potential uses of these chemicals in the preparation for terrorism, it is essential to the fulfilment of MI5’s statutory functions that information is shared so that a wider picture can be assessed.

We invited you, sir, to explore these issues further with Witness J in closed session. The families submit that the evidence given in open raises real concerns

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that whether or not the purchase of chemicals could have been identified or assessed differently in the particular case, the approach to such matters in general suggests that insufficient steps were being taken in this area to protect the public from terrorism.

MR ATKINSON: You’re very kind, sir.

I turn next in our written submissions to areas of radicalisation within the community. This is from paragraph 38.

We sought to address there various alterations that could be made to improve the protection of the public and the safeguarding of individuals from the pernicious infection of radicalisation. In particular, at paragraph 39 we sought briefly to add to Mr Gozem’s submissions about improvements that could be made in the efficacy of the educational system, especially the value of the common transfer file, and similarly at paragraph 41 we made limited submissions, beyond those made already by Mr Cooper, in relation to the role of religious establishments.

I don’t seek to develop either of those now and confine myself at this stage to a third topic of online
1 radialisation. Paragraph 43 of our written document.
2 As Dr Wilkinson identified, there is a massive
3 problem with extreme material being posted online that
4 may have a radicalising influence on its readers. The
5 ISC has identified the ease with which such material is
6 accessed as an issue back in 2014 in its report then.
7 As you observed, sir, during Dr Wilkinson’s evidence,
8 this may be an area where further legislation would be
9 of benefit.
10 In that regard the Commission for Countering
11 Extremism, the CCE, was established in 2017 as
12 a non-statutory expert committee of the Home Office,
13 operating independently from government. In 2019, it
14 proposed a definition of hateful extremism as follows:
15 “Activity or materials directed at an outgroup who
16 are perceived as a threat to an ingroup, motivated by or
17 intending to advance a political, religious or racial
18 supremacist ideology.”
19 That is a definition that appears clearer and more
20 inclusive than the one contained, for example, in the
21 Prevent guidance.
22 In 2021 it sent a report to the Home Office entitled
23 “Operating with Impunity: Hateful Extremism and the Need
24 for a Legal Framework” in which it again proposed that
25 new definition.
26
27 It further identified a number of lacunae in the
28 criminal law, including that it was lawful to:
29 “… collect material that encourages terrorism,
30 including material which seeks to persuade the reader to
31 commit terrorist acts, so long as the person does not
32 possess it in circumstances which give rise to
33 a reasonable suspicion that the possession is for
34 a purpose connected with the commission, preparation or
35 instigation of an act of terrorism.”
36 This is true even for the most extreme violent
37 terrorist materials, such as torture and executions.
38 And it went on to recommend a new criminal offence of
39 possessing such terrorist propaganda.
40 The Chief Coroner at the London Bridge Inquests
41 suggested consideration be given to legislation in this
42 area and it was already considered by the independent
43 reviewer of terrorism, Jonathan Hall QC, in his report
44 “The Terrorism Act in 2019”, although he ultimately did
45 not then recommend it.
46 But as we observe at our paragraph 47, that no
47 criminal proceedings could be taken against, for
48 example, Ismail Abedi for possessing the dreadful
49 material described by Dr Wilkinson as “the full
50 radicalising kit of texts and nasheeds” on his mobile
51 phone is a source of intense concern to the families.
52
53 They do not accept that it is impossible to frame an
54 offence that captures possession of the most egregious
55 examples of extreme violent terrorist propaganda, such
56 as beheading videos, for which a legitimate purpose is
57 difficult to fathom while safeguarding freedom of speech
58 and expression where material is more equivocal.
59 As we contend at our paragraph 48, there is a clear
60 parallel between possession of that type of extremist
61 material and the possession of child pornography. Both
62 address material which represent conduct that is without
63 justification and that directly involves harm. Both
64 necessarily depict the commission of an offence. Any
65 new offence could be subject to the same statutory
66 defences that apply to child pornography offences:
67 legitimate reason, a lack of awareness, receiving
68 unsolicited images.
69 We suggest that the independent reviewer’s model 2
70 appears to the families to be an attractive one that
71 warrants further consideration. It considers an offence
72 of possessing extreme terrorist propaganda, with
73 terrorist propaganda defined as:
74 “Material likely to be understood by a reasonable
75 person as directly or indirectly encouraging the
76 commission or preparation of acts of terrorism.”
77 Extreme propaganda would be propaganda that depicts
78 the act of terrorism in words or images by reference to especially grave forms of violence. The need for such a measure to regulate such material and protect those susceptible to its insidious influence is all too clear and all too long overdue.
80 According to Mr Hipgrave, the 2021 CCE report
81 remains under the Secretary of State’s consideration.
82 We invite you, sir, to consider recommending the
83 Secretary of State respond to that report and the
84 particular issues of whether a new definition of extremism should be adopted and a new criminal offence should be introduced.
85 I turn next to prisons and paragraph 50 of our
86 written submissions.
87 The revised Prevent guidance issued in July of 2015
88 recognises that the responsibility for public protection and reducing re-offending gives both Prison and the Probation Service a clear and important role both in working with offenders convicted of terrorism—related offences and in preventing other offenders from being drawn into terrorism and the extremist ideas that are used to legitimise terrorism.
89 What this fails to recognise is the full implications of the Prevent duty imposed on prisons to respond to the ideological challenges of terrorism and
the threat we face from those who promote it and to
prevent people from being drawn into terrorism.

The specific focus in this context is
Abdalraouf Abdallah. The Secretary of State is at pains
to assert that there is insufficient evidence that he in
fact radicalised Salman Abedi. For example, their
conversations were not recorded, the evidence of their
telephone communication is limited. Similarly, the
submissions of GMP seek to reduce the impact of the
messaging that was captured, diluting, through the
blowing of the hindsight whistle, the implication that
those messages have for the relationship of the
participants.

Of course there are wider issues as to the approach
of the prison system to radicalisation that need to be
considered and of which you, sir, should be careful not
to lose sight in the examination of the specific case of
Abdalraouf Abdallah.

That specific case has already been addressed by
Mr Weatherby and will be addressed further by those who
go after me. I would observe only, as we do in writing
at our paragraph 51, that he was at risk of radicalising
young people that came to visit him whilst he was
detained in prison and that that was a risk that should
have been identified from the time that he was

First, and this is at paragraph 53 of our written
submissions, both the national and local policies
governing visits focused on public protection through
preventing escape, but did not consider the risk of
radicalisation or the risk posed by prisoners to those
outside the prison adequately or at all.

(Pause)

Prison Service instruction 15 of 2011, the only
national policy governing prisoners’ visits in 2017 and
the primary policy today, had regard to certain risks
posed by prisoners, for example such as child
exploitation or sexual grooming, but made no reference
to the risk of radicalisation at all.

Paul Mott, the head of the Joint Extremism Unit, the
body with strategic responsibility for countering
terrorism in the prison estate, suggested the latter
risk may not have been an issue in 2011. That is
difficult to accept given the history of terrorism and
violent Islamic extremism in the UK and is a position
inconsistent with the Prevent guidance that applied to
the prison system.

Prison Service instruction 13 of 2016, which is
aimed at managing and reporting extremist behaviour in
custody, and became operative in 2017 after Salman Abedi
had visited Mr Abdallah, is not yet fit, we submit, for
purposes. Mr Mott frankly volunteered it was not written
in the clearest and most consistent manner and was at
the very least ambiguous as to whether a non-extremist
person in the community meeting a terrorist prisoner
would qualify as a potential contact of concern.

Mr Mott and Dr Wilkinson agree that the focus
remains on the risk posed to and not from prisoners.

Second, at our paragraph 56, the Prevent guidance
recognised the role of prison staff in identifying
radicalisation risks and the training they will need to
help them do so. In reality, however, there was, as
Mr Mott described it, an acute issue with the level of
resources committed to the prison estate in 2017 and
issues with inadequate staffing and counter-terrorism
extremism training and support for prison officers,
arguably, remain today.

Third, our paragraph 57, the evidence demonstrates
inadequate information sharing between MIS and CTP on
the one hand and the Prison Service on the other. The
families do not know what information was shared in
Salman Abedi’s case, but trust that this will have been
investigated in the closed sessions.

That CTP became aware in May 2016 that Abedi,
a former SOI with extensive contact with extremists, was
associating with Abdallah while the latter was on bail

sentenced.

As Lord Thomas, the then Lord Chief Justice, said
following his appeal against sentence, Abdallah
organised the terrorist activity of the Manchester
group, he provided practical and emotional support to
the members of the group, he undoubtedly was
coordinating the activity of a small group of men
intending to take part in armed conflict in Syria, and
took substantial steps in a number of ways to achieve
their arrival in that country, their financial support
and their being armed.

While measures were put in place to protect the
public physically from the harm that Mr Abdallah posed
through his incarceration, this failed to meet the risk
he continued to pose to the public even though he was
incarcerated.

Nothing appears to have been done to address the
risk that he posed to those vulnerable to his malign
influence in the community, and in the result, as
Dr Wilkinson concluded, Mr Abdallah radicalised
Salman Abedi from prison by way of his illicit mobile
telephone and through prison visits.

That inaction and this failure properly to meet
the Prevent duty is shown by the evidence heard by your
inquiry to be the result of three principal causes.
and there was concern that they were going to travel abroad together, should have prompted consideration of the risk that Abdallah posed to Salman Abedi, including at the point when Abdallah was then remanded into custody.

6    It should have prompted disclosure to the Prison Service of Salman Abedi’s status as a closed SOI so that it could be managed and they could manage the risk. Had he been identified, of course, as the Salman in Abdallah’s telephone contacts, as the families contend should have happened, the risk would have been further appreciated as being all the more acute.

7    We invite you to consider exactly what information was disclosed, what information should have been disclosed, what action it could have prompted and whether any of that may have made a difference to the outcome, including if the product had been analysed alongside what else was known about Salman Abedi and Abdalraouf Abdallah.

8    Whatever was or was not shared, as the ISC observed: “The lack of action by the authorities where there was a clear risk that these were meetings between two extremists was unsatisfactory.”

9    And we invite you, sir, to endorse that finding.

Assistant Commissioner Basu described disagreements between CTP and MIS as to what information can be broken out of the CT space to other partners including prisons.

This is a disagreement that is clearly unacceptable given the role that those two organisations are capable of playing in addressing the risk of radicalisation.

As the Prevent guidance recognises, the police play an essential role in most aspects of Prevent work alongside other agencies. They hold information which can help assess the risk of radicalisation and disrupt people engaged in drawing others into terrorism. Information about Abdallah fell into that category and disagreement or reticence about sharing it with the Prison Service is diametrically opposed to the objectives of combating radicalisation.

How the risks posed by terrorist prisoners is managed is dependent on the information prisons receive from their partner agencies. Mr Mott candidly accepted that the sharing of suspicions about non–terrorist prisoners suspected of involvement in terrorism either in 2017 or now is “always the case and the way it should be”.

He added that the system in 2017 for sharing information was relatively disconnected.

The multi–agency Pathfinder process and a Joint Intelligence Unit is a step in the right direction, but those processes are only as good as the information fed into them.

In our submission, you were right to observe during Mr Mott’s evidence that a more successful system would be achieved if everybody shares everything with everybody else and there is no reluctance to do that.

To ensure these problems are not repeated, we invite you to recommend that HMPPS consider the measures we set out in writing at our paragraph 61 in relation to the sufficiency of its policy and guidance, the operation of its categorisation and approved visitor system, especially in relation to those who pose a risk as radicalisers and the training of its staff.

It is not enough to lock up those who can inspire and encourage terrorism’s front line killers. The prison system must play its part in shutting down these persons and protecting those who are vulnerable to them.

I move on at our paragraph 63 to MIS and CTP. As a starting point, it is important to note that Witness J and DCS Scally accepted that, with the benefit of hindsight, different decisions could have been made by those organisations but they assert that every decision that was made was reasonable or good and no alternative decisions could have prevented the attack.

Witness J had not, nor had, he suggested, any other review, detected a single individual or systemic failing on MIS’s part. Moreover, at the time, both Witness J and DCS Scally gave the impressions that they were both distancing themselves from the conclusions of previous independent reports, for example in relation to port actions and Prevent, and that any institutional learning is only achieved reactively in response to an atrocity.

As Mr Basu agreed, it is regrettable that many of the issues identified in the OIR were not implemented much earlier.

We invite you, sir, to make your own independent assessment of the performance of MIS and CTP. As part of that, you should conclude and express in open whether different decisions could and should reasonably have been made and whether there were any failings, individual or systemic, on the part of either/or both organisation and whether improvements can be made to ensure improvements are made proactively and before future attacks.

At the outset of these submissions we identified that the families identified the specific issues that we invited you to express a view on, namely the key decisions relevant to MIS and CTP, including whether it was right to close and then not to re–open Salman Abedi as an SOI, whether MIS should have shared information more...
That, as disclosed in the gist for the first time, a person is in contact with, the greater the concern credible that the more persons of an extremist mindset, including at least six second level contacts of SOIs and, of course, Mr Abdallah, a convicted terrorist.

As Witness J accepted, it is at least potentially part of a radicalised family with a father and brothers all sharing an extremist attitude.

All of that may be in addition to him having grown up as a mosaic of information assessed jointly as to that risk. That accords with the assessment of the independent preventability expert who identified that there was: “No mechanism to aggregate the reporting.” And if there had been:

“As Witness J said:

De facto Tier 2 SOI status is imperfect because the formal process and assessment of risk presented by the person would not take place.”

At paragraph 69, DCS Scally described in general terms a joint assessment process between MI5 and CTP of new intelligence which should consider all of the existing information but, as I will go on to develop, in Salman Abedi’s case information available to both organisations was not shared.

In open, Witness J said, referring at that stage to the contact with three SOIs and four individuals:

“The cumulative risk come would have been considered.”

But he said he would need to check whether in fact that had been done. We submit the fact he did not know the answer to that important question strongly suggests that there was no joint assessment and no cumulative assessment of the risk, or at least no satisfactory assessment.

That accords with the assessment of the independent preventability expert who identified that there was:

“No mechanism to aggregate the reporting.” And if there had been:

“... a different conclusion may have been reached”.

That also accords with the assertion now made by the Secretary of State that, by definition, a closed SOI was someone who would no longer be under investigation and that each piece of intelligence would have been assessed as indicating, apparently in isolation, whether it indicated a risk to national security rather than a mosaic of information assessed jointly as to that joint picture of risk.

MI5 has been repeatedly warned about the risks of
such a lacuna. The ISC report in relation to the murder of Lee Rigby in 2014 found that MI5 did not have a strategy for dealing with SOIs who occur on the periphery of several investigations and recommended that where individuals repeatedly come to MI5’s attention through their connection with a wide range of SOIs, MI5 must take this cumulative effect into account, they should ensure that interactions between SOIs are highlighted when making Investigation decisions, and that MI5 should consider attaching more significance to the fact that two SOIs being in regular contact, even when contact appears to be merely social. The ISC found in 2018 that it does not appear that these lessons had been fully learned. You should consider, sir, whether the insistence of addressing repeated minor red flags is now adequate, what more can be done, and including whether to recommend, if it has not already been adequately achieved, that MI5 and CTP develop a system to allow for the periodic reassessment of cumulative risks for those closed SOIs from whom fragments of information are received from time to time. At our paragraph 74 in writing we address the topic of the management of closed SOIs in other respects. The decision to close Salman Abedi as an SOI and not to re—open him at any stage thereafter, despite the further information that came in, is of acute concern to the families. The inquiry is invited to consider whether at any stage he should have been formally re—opened as an SOI, what investigative steps could and should have then been taken, and whether they could have made a difference. The families note that the independent preventability expert found only that “most” decisions in this area were understandable and reasonable. That logically implies that at least some were not. It is important that those that were not are identified as such to the fullest extent that is possible. According to Witness L at the London Bridge Inquests, between 2015 and 2017 there was not a systematic consultation with CTP before MI5 chose to close an investigation. DCs Scally agreed with that criticism in terms of policy. He added that CTP are now invited to meetings and consulted on decisions that they were not in the past but it remains unclear whether CTP are always consulted. For all the well—rehearsed reasons that joint working is to be preferred, the inquiry should emphasise that it should always be a joint decision. This is not an area, we submit, in which a balance needs to be struck by reference to what the Secretary of State describes in her chapter 14 submissions as a “blurring of lines of accountability”. The ultimate decision can be that of the service but it is important that both partners to the management of intelligence in the name of protecting the public contribute to the decisions that are made and are aware that they have been. At our paragraph 76, we invite you, sir, to consider whether the decision to close Salman Abedi as an SOI should have been reassessed following significant developments in the chronology thereafter, including, first of all, when it became apparent that he and his brother had returned from Libya, evacuated and debriefed apparently by the MOD, in August 2014, a month after he had been closed as an SOI.

We invite you to consider whether a thorough investigation into him and his status was or could have been conducted when he was out of the jurisdiction and whether the fact of his return from a conflict zone with terrorist training camps should have triggered further consideration. The evidence derived from his brother’s port stop just a year later, in September of 2015, should have highlighted that issue.

Thereafter, we invite you to consider whether, individually or collectively, any of these events warranted his being re—opened as an SOI: his contact with SOI B and then with SOI C during the year following his closure; when MI5 was considering opening a lead into him in May 2015, when he was being treated as a de facto Tier 2 SOI from July of 2015 through to August 2016; after his association with five other individuals of extremist mindset, including Abdallah and those connected to IS; during the course of 2016 and into the early part of 2017; in the light of his repeated travel to Libya in the years following his closure, including at a time when it was suspected that he intended to travel to Syria back in November of 2015.

It was, albeit implicitly, accepted by Witness J, as we note at our paragraph 78, that closed SOIs did not receive the attention they should have done before 2017. The Clematis programme designed to capture closed SOI candidates for reinvestigation was clearly introduced in recognition of that failing. Whilst that was a positive step, Witness J accepted that Clematis was being run irregularly and that it should have been run more frequently. He suggested it had been run from 2014 and that if it had it may have highlighted Salman Abedi as someone who should have been re—investigated. He also accepted that how closed SOIs are managed is an area that MI5 has
not solved and needs to continue to improve.

The gist reveals there was a risk that new unsolicited intelligence might not be read, still less assessed, if it was attached to a closed SOI that was not being actively monitored and the system for triaging such intelligence was a bit haphazard.

It is frustrating for the families, as it was for the ISC in their 2018 report, that more progress was not made before May of 2017 with this long—standing, recurrent and fundamental problem.

One of the lessons apparently learned from the 7/7 attacks was the establishment of a team to review closed SOIs.

The 2014 ISC Woolwich report identified that there are a large group of individuals who may also pose a risk to national security but who are not under active investigation. The necessary improvements identified at that time had not been made by 2017 and arguably have not been made now.

The nine—month delay between the relevant events in mid—2016 and the triggering of a priority indicator on Clematis in March of 2017 was, we submit, excessive given the implications that a priority indicator carries. It is reminiscent of the 2014 ISC report which found considerable delay in processing new leads where the information did not immediately relate to a threat to life and to unacceptable and unexplained delays in investigating low priority cases.

As Witness J accepted, it is at least possible, and in our submission highly likely, given all that was known about Salman Abedi that a prompter review may have led to an earlier investigative steps being taken against him. We submit that Salman Abedi coming into sharper focus at a time when he was in fact planning a terrorist attack and was engaged in preparation for it would have been a significant step towards thwarting his plans.

The families do not consider that to be speculative but to be logical common sense.

The families are also troubled that the gist reveals that some intelligence had been received but not processed by the time of the attack.

At our paragraph 82, the delays demonstrate that part of the problem is the level of resources and their allocation. The programmes to manage closed SOIs, Clematis and Daffodil, can only be effective if the prior indicators are run frequently and resources are committed to the prompt analysis of the results.

As the preventability experts have identified, the response indicated to him should have been drawn to the attention of the team that had assessed him previously so they could apply their more granular knowledge to the intelligence. Similarly, the analysis of digital material must be efficient if swift action is to be taken on actionable intelligence.

With that in mind, our paragraph 84. Witness J’s insistence that a lack of resources played no part in the failure to prevent the attack against an admitted background of MI5 being increasingly stretched since some 3 years before the attack and the declaration of the caliphate in June of 2014 and the increase in the security level in August of 2014 appears unsustainable.

It is also inconsistent with the views of at least some of the MI5 witnesses summarised in the gist and the evidence provided to and the findings of the ISC.

As we quote at our paragraph 85, according to the gist the MI5 north—west investigative team were struggling to cope with a significant increase and change in workload from 2015. An MI5 officer raised with his superiors his concerns regarding the triaging of intelligence and was worried that something could potentially get through. According to Witness J, MI5 was surprised by the pace of change.

In April 2017 the north—west team went into amber on its workload dashboard which meant that it was in a period of stress and high capacity, which indicated there should be some redistribution of work to other teams across the country.

It was not until 15 May of 2017 that much of the work was taken up by another regional station. Witness J maintained that the admitted overstretch was unavoidable and could not have been prevented. We invite you to consider whether MI5, on the contrary, should have foreseen the issues following the declaration of the caliphate and whether, in any event, by 2017 it had had sufficient time to commit more resources and whether, given the risks identified in the Manchester regional assessment published by the Joint Terrorism Analysis Centre in 2010, the issues in the north—west were and should have been predicted.

As we observe at our paragraph 87, one explanation for the lack of preparedness for the risk in Manchester is that MI5 and CTP had not had sufficient regard to that 2010 JTAC report. According to the gist, Witness J said that by 2017, he would not have expected MI5 officers to be very familiar with the report and would have expected them to consider more up—to—date documents. However, he was unaware of any in existence.

Similarly, DCS Scally was unaware of the report when he joined North—west Counter—terrorism in 2013, but he was aware of other reports addressing similar issues.
We invite you to examine closely whether there was sufficient focus on the specific challenges Manchester presented. The ISC has recommended, indeed repeatedly recommended, that more resources be committed to closed SOIs. It has done so since 2006. The 2014 Woolwich report recommended that consideration be given to a funding model that allows for periods of high intensity work without that being at the expense of the rest of an organisation’s work. The inquiry should consider whether those recommendations have been implemented. The recommendation from the internal review for a marginal redistribution of resources toward closed SOIs suggested that they have not. With respect to the expertise of the reviews, the issue is not the slight redistribution of existing resource but that significantly more resources must be dedicated to closed SOIs and that may necessitate more overall resources. The issue has, since the attack, become more acute. As you, sir, observed through your open questions to Witness J, the fact that the number of active investigations has remained constant while the number of closed SOIs has doubled since 2017 is indicative of a resourcing problem.

More fundamental reform of the management of closed SOIs may be required, particularly if, as Witness J and MI5 maintains, it is correct that none of the post—attack changes would have prevented the attack. According to Witness J, closed SOIs are defined as of no or low risk to national security and are subject to no investigation. There may be a significant difference between the two. The inquiry should consider whether the tiering of the ever—expanding pool of closed SOIs that MI5 has commenced since the attack is sufficient to distinguish between those that can be determined to pose no risk, and so therefore can be subject to no investigation, and those that pose low or residual risk that require at least some ongoing monitoring, including of their travel and periodic review of the cumulative intelligence held about them. Moreover, the fact that Salman Abedi was being investigated as a de facto Tier 2 SOI for 14 months, notwithstanding that he was a closed SOI throughout that period and therefore according to Witness J not subject to investigation, and despite the fact that a de facto Tier 2 was a concept that no one at MI5 recognised, shows that the reality of the distinction between those subject to investigation and closed SOIs is not as binary as the current system dictates.

I turn next, sir, at our paragraph 91 in writing to the two key pieces of intelligence. We invite you to consider whether those two pieces of intelligence that were highly relevant to the attack should have been assessed and handled differently. We submit on behalf of the families that a number of factors suggest that they should have been handled differently.

First, our paragraph 92. According to the MI5 officer who first evaluated one piece of the intelligence, it could be understood at the time to indicate activity of pressing national security concern. If that is one reasonable interpretation of the intelligence then adopting a cautious approach consistent with the risk posed, action should have been taken at the time. That a different view was adopted does not appear to have been the result of inexperience on the part of the officers concerned who had variously six, 17 and 23 years of service.

We invite you to consider whether it was the result of the pressure that the officers were working under and what can be done to ensure that the system for reviewing intelligence does not permit a question of interpretation to have such disastrous consequences.
shared with CTP is reinforced by the fact that it may have related to criminal activity. It is the police who are best placed to assess whether in a particular case activity, such as, for example, the acquisition of precursor chemicals is for an innocent, terrorist or criminal purpose, for example in relation to the manufacture of drugs. Given their experience (inaudible: distorted) in criminality. MIS and CTP were on notice of the specific risk posed by the crossover between crime and terrorism in Manchester as a result of the 2010 JTAC report. They should have developed a joint policy to address the challenge that that posed. As Witness J appeared to accept, the answer lies in consultation with the police who ought to and would know much more about criminality. It should not be for MI5 to make an assessment without such police assistance. The preventability expert could see no reason except that it was MIS policy for not sharing this intelligence with CTP.

The families do not know whether the ISC, which was not shared by MI5 with CTP before the attack: his contact with SOI C in 2015; the intelligence that he had been no general problems with intelligence sharing between the two organisations. For example, DCS Scally refuted a discussion that by 2017 it was not as good as it should have been. The assertions by the CTP in their position statement that it cannot now be established is an extraordinary one in this age of electronic data sharing, but should not deter you from finding the answer.

In the same vein you will recall the assurance that you gave to the families that your report would answer the question of whether the two critical pieces of intelligence should have been shared between the two organisations, even if national security reasons prevented you from giving reasons for that conclusion. The families continue to encourage you to do exactly that.

As we set out in writing at paragraph 102, we invite you, sir, to examine with care the assertion by Witness J that the issues did not lead to consequences that had a significant impact on Abedi’s case. In view of the extent of the unshared material now known, that conclusion is difficult for the families to accept as more than an example of the speculation that the Secretary of State’s and indeed GMP’s submissions encourage you to guard against.

Whatever the impact on Salman Abedi’s case, the extensive failure to share critical information demonstrates that the apparently historical perception by CTP that MI5 are slow to break out documents is a modern reality and systemic problems that have run in both directions. It echoes the experience of the Prison Service as to the sharing of information relevant to radicalisation, on which I have already touched.

It is an issue that has been repeatedly identified by the independent reviews and we set out those relevant reviews at our paragraph 104. Witness J and DCS Scally both at times in their open oral evidence gave the impression that since 2013 there had been no general problems with intelligence sharing between the two organisations. For example, DCS Scally refuted a discussion that by 2017 it was not as good as it should have been.

As we set out in writing at paragraph 102, we invite
We invite you, sir, to reject that position insofar as it is maintained now. It is entirely inconsistent with the repeated failure to share essential intelligence in Abedi’s case, which we have enumerated already, with the previous findings of those previous reviews that we quote at our paragraph 104, with the Home Office and Mr Basu’s position that there needed to be a strengthening of data sharing between the organisations, and with Witness J’s acceptance on this issue that:

“There were areas where we could have done better.”

It is surprising that, according to Witness J, materials seized from a person arrested for a terrorism-related offence, evidence gathered following a port stop or evidence that an SOI was purchasing precursor chemicals, are not shared as a matter of course between the organisations and instead that it depends on a particular individual’s assessment.

There appears to be a difference between Witness J and DCS Scally on the extent of sharing with the latter maintaining that anything of relevance to CT, including precursor chemicals, are not shared as a matter of course between the organisations and instead that it depends on a particular individual’s assessment.

The families urge you to recommend that urgent consideration is now given to this issue.

You should also, we invite, consider recommending the rapid deployment of further technical automation which, as Witness J recognised, would have helped to make connections between intelligence on SOIs and to assess whether Witness J was right to add, as with all issues, that it would not have made a material difference in terms of the judgments that were eventually made.

Our paragraph 111. By way of the reviews, recommendations and existing changes, there has been a recognition that ever-closer working between MI5 and CTP is necessary and it addresses some of the problems in their relationship.

Mr Basu recognised the need for the two organisations to be closer still. The question that arises at our paragraph 112 is whether the natural conclusion of that ever-closer relationship is to unify the domestic counter-terrorism functions into a single organisation. Mr Scally noted that there are similar models around the world that could be adopted. It has the potential to solve unilaterally the issues with intelligence sharing, intelligence analysis and joint working and to provide a more responsive, effective and comprehensive response to the domestic terror threat. There are clearly also economies of scale.

In her chapter 14 submissions, the Secretary of State argues that a balance has to be maintained that, according to Witness J, should afflict CTP and MI5 is shocking. It is such mundane difficulties with IT, as identified in the practical problem with information technology. That which Mr Basu described as the Holy Grail, carries significant risks. It allows both organisations to miss the whole picture and an individual misjudgement to prevent the sharing of material with the most appropriate organisation to analyse it.

It’s also concerning that the two organisations would not necessarily tell each other when they had opened or closed an SOI.

Aside from the cultural and policy issues, as we observe at our paragraph 108, there is a serious practical problem with information technology. That mundane difficulties with IT, as identified in the gist, should afflict CTP and MI5 is shocking. It is inconceivable that those responsible for counter-terrorism in this country should need to send PowerPoint presentations slide by slide because of issues with sharing large files and it might not be realised for a whole day that sent documents had not arrived.

It was agreed by witnesses that both their IT systems were clunky, hit and miss. According to an MI5 witness:

“Sharing information for intelligence purposes was bureaucratic and process-heavy.”

And a CTP DCI responsible for one part of the partnership had concerns about the system of communication.

Whilst these technical problems were largely resolved by 2019, they should not have existed as a facet of the protection of this country from terrorism in the 21st century and such basic technical issues should certainly have been eliminated by now.

The fact that further statements last week of Witnesses J and DCS Scally indicate that the problems were well-known or that steps had been taken to address them, which clearly were insufficient, speak of a failure to grasp the depth of the problem or to confront its solution.

One solution, as we observe at our paragraph 109, both to the IT and information sharing issues, is for the two organisations to use a single IT system on which all intelligence is automatically logged and shared.

Mr Scally would be surprised if in the future the two organisations did not consider using a single system. Why to date it has not been considered, still less implemented, is unclear. No good reason for it not being undertaken has been advanced, we submit to you.

The families urge you to recommend that urgent consideration is now given to this issue.

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In her chapter 14 submissions, the Secretary of State argues that a balance has to be
Mr Atkinson: The Secretary of State argues that a balance has to be struck as to the extent of joint working by reference to the blurred lines of accountability and capacity issues. Those, we submit, are issues that can and should be addressed rather than being obstacles to joint operation. Indeed, what those submissions show, we submit, is there is a need for careful consideration of how effective, efficient and robust joint working is to be achieved.

The evidence of the issues, technical and otherwise, that arose in relation to a joint operation in the years that led Salman Abedi from his status as an SOI to his murder and terrorist show that no time can be lost in that careful consideration being given to this important and, we submit, ultimately solvable issue.

I turn next at paragraph 114 to Operation Oliban. The inquiry has heard detailed evidence about that operation and the investigation into a number of the members of the Libyan community involved in the facilitation of travel to Syria.

In their closing submissions, GMP argue that this operation should not be afforded too great a prominence as a result of it being one significant part of the closed evidence that has rightly been broken out into open.

But we submit that its importance is not because of that status but because of what it underlines about the limitations of intelligence handling and intelligence sharing and the consequences that such failings can and here did have.

At our paragraph 114 we set out something of its history. Against the background of what that operation was and the focus on Abdulraouf Abdallah within it, the objective of the review of his devices regard those charged with it to seek to attribute relevant communication data to specific individuals and to identify like-minded associates who may share extremist views or aspirations. We invite you to reject the unjustified attempts by Messrs Morris and Costello to add a gloss to those words so that they should not be read as focusing on those who are not concerned with Syria.

The messages and the identity of Salman Abedi were deemed relevant to the prosecution against Mr Abdallah. They clearly identified his mindset and, in doing so, spoke volumes about the mindset of the person that he was speaking to.

That person's identity was therefore clearly relevant. Counsel for the prosecution asked about it. Mr Scally accepted that his identity was relevant to the prosecution against Mr Abdallah and that he would want to know who was on the other side of the communications and that a simple subscriber check on the number was not, and should have been, carried out.

Compliance with the prosecution's disclosure obligations is likely to have required some investigation to have been carried out because the identity of Mr Abdallah was capable of informing the significance of his communications with Mr Abdallah.

Further investigation of Mr Abdallah was, moreover, relevant to determining whether he too had an interest in Syria.

In any event, if the attention was exclusively on Syria, it is demonstrative of a lack of focus on other conflict zones that Mr Weatherby has already touched upon. There has been a regrettable attempt by CTP to distance themselves from their own earlier interpretation of the messages during Operation Manteline and to advance various unsustainable contentions, such as that there was "nothing concerning" about Mr Abdallah's attitude in these messages, that they in fact showed him to consider IS to be terrorists and that he desired martyrdom for Abdallah rather than for himself.

Some of these persist in the written submissions of GMP but do not, we submit, withstand analysis. Notwithstanding Mr Costello's expressing caution about reading messages in isolation, his and CTP's retrospective analysis about Mr Abdallah's view of IS appears to have been founded on a single word "terrorist". As Mr Scally accepted, there is at the very least a question mark over that interpretation. The most obvious interpretation, given Mr Abdallah uses the word "Really!" immediately thereafter and the accompanying image of an IS dinar is that Mr Abdallah was baulking at the suggestion that IS was a terrorist organisation because they had established a holy currency.

When set in the context of the other messages with Abdallah, including him sharing jihadist nasheeds and
what was or should have been known widely about him by
CTP, that this was the only interpretation is, we
submit, unsustainable. It’s a clear vein — as former
DI Mantel, Salman Abedi sent at least one unequivocal
message in which he expressed his personal desire for
martyrdom.
In any event, as all relevant witnesses accepted
eventually, CTP needed to investigate the messages
concerning him in the Abdallah case. All the relevant
messages should have been extracted and provided to the
Operations Intelligence management Unit, the OIMU, with
a specific request to assess them. They were not.
Mr Costello’s suggestion, contradicted by the
positions adopted by Messrs Scally and Morris, that the
messages were effectively extracted and provided to OIMU
oversstates the position. As his own report


demonstrates, only a fraction of the messages were
identified and that was as a part of a wider report that
was drafted for the CPS for the prosecution and not the
OIMU.
To provide part of the telephone data with limited
assistance invited the significance of these messages
being missed. As a result Salman Abedi was not
identified when he could and should have been, at the
very latest by 19 August 2015, when the number was
registered. Given its registration in his name and
Abdallah identifying him as Salman, only the most modest
policing investigation records were required to identify
him and, as was identified during the closed evidence by
Mr Morris and Mr Costello, his full name was also
included in the communications.


It is difficult to identify what more was needed to
identify him, save the most basic of steps. And if
he had been identified then, as CTP witnesses accepted,
the mobile number and the content of the messages would
have been available on systems available to law
enforcement, CTP and, if shared, MI5 as yet another
indication of the risk that he posed.


That reality makes MI5’s assertion in its position
statement of last Thursday, that the attribution of the
number would not have made a difference, difficult to
follow. It would have been another tangible link
between Salman Abedi, that MI5 knew about, and
extremism.
The messages would have assisted the authorities to
understand the relationship of Abdallah and Abedi when
it was mistakenly thought they were travelling to Syria
in May 2016. CTP would (inaudible: distorted) it was
accepted have interviewed him. A referral to Prevent


We invite you to reject Witness J’s evidence on this issue, including his outright refusal to call it an
error and to describe the decisions in this regard as
reasonable.
Mr Scally was right to accept that more could have
been done to establish his developing radical mindset
and radicalisation through the use of port stops.
He was also right that had Salman Abedi been stopped
in April 2017 on his way to Libya, or on 18 May on his
return to the UK, it could potentially have prevented
the attack.
It may have resulted in intelligence about the
attack, it may have deterred Salman Abedi, particularly
if he was stopped on his return in May, just 4 days
before the attack. He was not to know whether there was
capacity to analyse his data in time. There is a real
possibility that, in view of the counter-surveillance
measures he adopted on his return, he would have thought
that the authorities were aware of his planning.
It does not follow from those measures that a stop
would not have worried him. It is possible that he
would have had relevant material on his person or on his
phone.
The Secretary of State’s submission is, like
Witness J in his earlier evidence, that it is pure
speculation that a port stop would have made a difference. We submit, for reasons that led Witness J ultimately to concede the point in his evidence, that it can be properly argued that had Salman Abedi been stopped there was a significant chance it would have stopped him carrying out his plot and we invite you to weigh up all the evidence you have heard to determine if that is or may be right and also to consider whether the changes the security service and CTP have made following the attack have eliminated the risk that such an opportunity may be missed again in the future.

Sir, at paragraph 131 of our written submissions we deal with the question of Prevent. I don’t seek to develop those submissions now orally given the time. But we do invite you, sir, very much to take that into account. We submit that there is real consideration that should be given by you, sir, as to whether a Prevent referral ought to have been considered by the police and/or by MI5 or a combination of the two and whether that could have made a difference given that he was, as you described during the course of the evidence, an obvious candidate for such a referral.

In conclusion, sir, and in advancing the analysis of CTP and MI5 that we have on behalf of the families, we repeat the submissions we made at the opening of the inquiry in this regard. It is not the intention of the families to seek to criticise for the sake of it or to apply an unrealistic counsel of perfection to those who are doing their best to protect our country in the difficult circumstances confronting this country in the first half of 2017. The families share your determination, sir, to ensure that further terrorist attacks are prevented rather than assisted by this process of deep and far-reaching review. However, we submit that the public is better served and public confidence is better secured when those entrusted and empowered with the means and responsibility to provide that protection are required to explain what they did or did not do and why when something so terrible happens as occurred at the Manchester Arena on 22 May of 2017.

As I said in our opening submissions on their behalf, it is through identifying that which could have been done better, what differences could have been made, and what therefore can and should be done better and differently in the future that honesty and certainty can be gained for those who deserve it most as to whether the losses that they feel so deeply could have been prevented.

It is through that process of identification also that a positive legacy of a kind, some glint of silver can be derived for them from this blackest of clouds. Thank you, sir, very much for your patience with me.

SIR JOHN SAUNDERS: I’m very grateful, Mr Atkinson, and I recognise the careful analysis of the evidence which has gone into all that you have said, so thank you very much for that.

I assume we’re breaking off now.

MR GREANEY: Yes, please, sir.

SIR JOHN SAUNDERS: For an hour? MR GREANEY: Yes, please, for an hour. Shall we return at 2 o’clock, sir?

SIR JOHN SAUNDERS: Okay, 2 o’clock. Thank you very much.

(1.04 pm) (The Lunch Adjournment)

(2.00 pm) MR GREANEY: Good afternoon, sir. I’m going to ask Mr Welch to join us now, please.

SIR JOHN SAUNDERS: Thank you.

Closing submissions by MR WELCH

MR WELCH: Sir, one of the most important functions of a public inquiry is, as far as possible, to determine why a particular event happened. There is and never will be any meaningful answer to why the Manchester Arena attack happened. The attack was a senseless and barbaric attack that defies any reason or explanation.

The evidence of the development and motivation and objectives of those responsible for the attack at the Manchester Arena provides no comfort or understanding to the families of those who died. On the contrary, the overwhelming feeling of those we represent, having heard this evidence, is of how futile their loss has been and how depraved and misguided the beliefs and values of those responsible for this attack were.

However, the hope of all those we represent continues to be that lessons are learned from the tragedy. Whilst chapter 8 of the inquiry concerned attack planning and preparation, chapter 13, radicalisation, and chapter 14, preventability, in the broadest terms the evidence in these chapters goes to the following important questions: who carried out the attack and how did they carry it out, why did they carry out the attack, and thirdly, could and should the authorities have prevented the attackers from carrying out the attack?

Sir, you have our written submissions which we hope will assist you and your team in providing answers to these questions. These oral submissions will highlight some of the main issues and main pieces of
Secondly, properties used in attack planning and preparation. You also heard evidence that the Abedis used a number of addresses for the construction and storage of the IED. The TATP that was used in the IED appears to be manufactured at a rented address in Blackley, a significant distance from the Abedis’ home and the place they were, in reality, less likely to be recognised. A separate property, loaned to the Abedis whilst the owner was out of the jurisdiction, was used for the delivery of most of the chemicals.

The use of associates’ bank accounts for the purchase of the chemicals, the use of a loaned property to take delivery of the chemicals, and the rental of a separate property to assemble the TATP were clearly all steps taken by the Abedis to distance themselves from the assembly of the IED and avoid detection.

In our submission, such behaviour forms part of a pattern that displays a level of sophistication and quasi—military awareness on the part of the Abedis that suggests a degree of training and preparation beyond that of a person who is self—radicalised on the internet. That is seen in other activities that the Abedis undertook in the months preceding the attack.

The Abedis transported the TATP using a Nissan Micra vehicle that they appear to have purchased specifically for that task and to store the material whilst they were out of the country in Libya. We cannot help but observe that Ahmed Taghdi’s explanation that he effectively purchased the vehicle for the Abedis as a favour for friends and that he thought they needed it to run errands before they left the UK permanently is not credible.

The Micra was used to transport the material from Blackley to Devell House. The Abedis split up when transporting the TATP and used anti—surveillance techniques to avoid detection, then leaving the vehicle at Devell House as they left for Libya on 15 April 2017.

Salman Abedi returned to the United Kingdom from Libya on 18 May 2017. It is not known and we have not heard evidence in relation to what he did, nor who he met. What can be reasonably inferred from the evidence is that, firstly, he came back specifically to carry out a terrorist attack. Secondly, that it had been determined that the attack would be at the Manchester Arena. And thirdly, that it had been determined that he would attack the Ariana Grande concert on 22 May.

Salman Abedi’s very first movements upon returning to the UK involved anti—surveillance measures. He returned to the United Kingdom from Libya on the morning of 18 May 2017. Instead of getting a taxi into
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1 Manchester city centre, he took a bus to Wythenshawe bus station and then, having booked a taxi whilst still on the bus, a taxi towards Devell House.

2 The purpose of this visit appears to have been to check the Nissan Micra. Upon his return, he made arrangements to check into Granby House, a property in a busy part of the city centre, again away from his home address. As DCS Barraclough explained, this was all about operational effectiveness.

3 There is no evidence that over the course of the following days Salman Abedi met any member of his family or associates. He used a SIM card that he’d purchased from the airport on a new mobile telephone. He later disposed of the phone on 22 May, having conducted a factory reset, thus removing traces of any calls.

4 The evidence indicates that the first act of hostile reconnaissance was carried out at the Manchester Arena on the evening of 18 May 2017. He then purchased materials for use in the construction of the IED.

5 On 19 May, he collected the TATP from Devell House. Over the course of the following days, Abedi constructed the IED at Granby House, leaving, it appears, only to conduct further hostile reconnaissance at the arena or to purchase more component parts for the device. He does not appear to have considered any target other than the arena.

6 These movements, the immediate focus on the arena, and the number of occasions it was visited for reconnaissance lead to the inevitable conclusion that the arena, and in particular the Ariana Grande concert, had been identified as the target prior to Salman Abedi’s return to the United Kingdom on 18 May 2017.

7 Hostile reconnaissance and anti-surveillance techniques occurred right up until the night of the attack. Who carried out the attack? The inquiry has heard evidence that suggests that Salman and Hashem Abedi fought in the Libyan Civil War in 2011 and perhaps later. There is also evidence to suggest that when they fought in the civil war, it was part of the February 17th Martyrs Brigade. In DCS Barraclough’s opinion, Salman and Hashem Abedi revealed some level of military training and...

8 … may have fought with the February 17th Martyrs Brigade during 2011, attending a training camp or both. It is impossible to know precisely when and what type of training the Abedis received. However, the actions of both in the attack planning and preparation that occurred between January and May 2017 displayed a high level of sophistication which indicates a commensurate level of training. This was a long way from a lone wolf arming himself with a knife.

9 They engaged in anti-surveillance and covert techniques to avoid being detected by the authorities that suggests training not simply in how to use a weapon but how to carry out a terrorist attack without detection. Whilst it may be the case that they received this training as part of their efforts in the Libyan Civil War, in our submission that appears unlikely.

10 They had gone to Libya with their father originally to fight as part of an armed militia in an uprising. There would appear to be little need to teach them techniques in relation to anti-surveillance, hostile reconnaissance and the best means to purchase precursor chemicals without being detected.

11 Clearly, there is evidence that the Abedis travelled to Libya on a number of occasions between 2011 and May 2017, and it is not known who they met there or precisely what they did.

12 Given that they were in Libya at the time that IS was forming a base there, and it is known that there were terrorist training camps being operated from Libya in this period of time, it is in our submission very possible that they received specific training in terrorist techniques during this period.

13 The next topic others who may have been involved. The inquiry has been told that, having considered all of the evidence that was gathered as part of Operation Manteline, it was determined that there was no prosecutable case against anyone other than Hashem Abedi.

14 The standard of proof that you apply, sir, in reaching your conclusions is different from the criminal standard and the realistic prospect of conviction test. Mr Weatherby has already addressed you on the standard of proof to be applied.

15 The inquiry has heard from none of the Abedis’ immediate family, despite invitations to assist, and they have left the jurisdiction and will in all likelihood be unlikely to return. This has been the source of immense frustration for the families we represent and leaves a number of questions unanswered.

16 The inquiry has heard a significant amount of evidence that Ramadan Abedi and Ismail Abedi had violent Islamist extremist mindsets. The DNA of both Ramadan and Ismail Abedi was recovered from the Nissan Micra that was used in the transportation of the TATP to Devell House and its storage at that location.
are questions that remain unanswered in this regard. In relation to associates of the Abedis, the inquiry has heard evidence in relation to a number. Zuhir Nassrat, who had links to an IP address that was used to attempt to purchase hydrogen peroxide on the 19th and 20 March and whose phone was used to search for sulphuric acid. He too had material on Facebook suggesting that he held extremist views. Zuhir Nassrat has also left the jurisdiction and did not assist your inquiry.

The inquiry has heard evidence regarding Elyas Elmehdi, who allowed Salman Abedi to park the Nissan Micra at Devell House as a favour. He had a lengthy and potentially very significant telephone conversation with Salman Abedi on 15 May 2017 and was seen on CCTV approaching the Nissan Micra to look into the passenger window on 21 May 2017, contradicting an earlier account he had given to the police.

Mr Elmehdi appears to have been a trusted friend of both Salman Abedi and Abdalraouf Abdallah and went to fight in Libya in 2014. He has also fled the jurisdiction and remains a suspect.

The inquiry has also heard evidence concerning Mohamed Younis Eisa Soliman, who is an associate of Hashem Abedi. His telephone was used to search for sulphuric acid and to purchase that material on 15 March 2017 and was then delivered to Mr Soliman’s home address. He was in frequent contact with Hashem and Salman Abedi in the period between January and April 2017. He was the subject of a port stop in late March 2017, having purchased a one-way ticket to Istanbul. He was found to be in possession of camouflage clothing and a significant amount of money.

An examination of his mobile telephone revealed mindset material, military images and an Instagram picture with ISIS supporters on it. He is also out of the jurisdiction and remains a suspect and you will recall what DCS Barraclough said. The evidence that has been collected with regard to Mohamed Soliman would point to him being complicit in and having knowledge of the Manchester Arena bombing.

These individuals have fled. The inquiry did at least have evidence from Abdalraouf Abdallah and Ahmed Taghi. You have heard evidence in relation to their mindsets, actions and relationships with the Abedis. That is again, at the very least, troubling and causes questions to be asked.

On the basis of the evidence that has been heard in relation to the actions of these individuals, it is averred by us that there is the very real possibility at least that the Abedis’ plan to attack the arena was known about by more than just the two brothers. If not, that they were provided with some form of assistance in preparing for, planning and carrying out the attack.

Next, sir, chapter 13, radicalisation. The facts of the Manchester Arena attack, supported by Hashem Abedi’s confession, demonstrate in the clearest possible terms that Salman Abedi and Hashem Abedi subscribed to the violent Islamist extremist mindset, were followers of the ideals of the Islamic State group, and were willing to act in furtherance of such beliefs.

There is no easy answer to the question as to how the Abedis became radicalised. However, on the basis of the evidence that has been presented to the inquiry, it is possible to gain some insight into what might have been some of the more significant influences in the radicalisation of the Abedis.

In our submission, and without wishing to oversimplify matters, there appear to have been three main factors.

Firstly, the Abedis’ family background and upbringing. A significant figure in the shaping of Salman and Hashem Abedi’s mindsets and worldviews appears to have been their father, Ramadan Abedi. He arrived in the United Kingdom as a political exile in 1993. It has been widely reported in open source material that he was a member of the Libyan Islamic Fighting Group. During the 1990s the Abedi family were friends with Anas al-Libi, who was a commander in Al-Qaeda, living in exile in Manchester.

As Dr Wilkinson noted of Salman Abedi’s upbringing: “His entire expression of Islam was within the Islamist extremist worldview.”

And that Ramadan Abedi’s worldview: “... obviously percolated down a generation into the sons.”

It is perhaps relevant to consider some of the mindset material that was seized from various devices and social media outlets belonging to Ramadan Abedi and Ismail Abedi in order to gain some understanding of their thoughts and the influence that they would have had on Salman and Hashem Abedi.

The contents are telling. Ramadan Abedi’s Facebook account contained a photograph of a martyr, Abdul Munem al-Sayd, a post supporting Hamas, a post about Abu Khatala, a terrorist serving a sentence in the United States, and an image of two executed males hanging from a tree.

Dr Wilkinson noted that in 2012, Ramadan Abedi was openly declaring on his Facebook page his shahidist
In 2011, Ismail Abedi was the subject of a port stop returning from Indonesia. A significant amount of material supporting Islamic State group was found on several of his devices. You have heard reference to this already, but Dr Wilkinson described the material that Ismail Abedi was found to be in possession of as being a sort of toolkit of Islamic State propaganda and material.

Upon his arrest on 23 May 2017, various electronic devices were seized from Ismail Abedi, both on his person and from his home address. These devices once again contained various items of material that were indicative of Islamic State group sympathies, including photographs of weapons, beheadings and Osama Bin Laden. The Abedis appear to have been born into a world of Islamist extremism and the use of violence in the pursuance of such ideas. The worldview of Ramadan Abedi appears to have heavily influenced each of his sons. It is likely, as Dr Wilkinson has given evidence, that he nurtured their extremist views, which were encouraged when he exposed them to training and combat with Islamist militias who fought in the Libyan Civil War. There is strong evidence that Salman and Hashem Abedi travelled with their family to Libya in 2011 to fight in the civil war and we suggest it is the second factor which is key to their radicalisation. However, it does not appear that the Abedis were completely radicalised immediately as a result of this experience.

You will recall, sir, that according to one of his cousins, upon Salman Abedi’s return to the United Kingdom in 2011, he appears to have spent much of his time partying and taking drugs. Salman and Hashem Abedi were rescued from Libya by HMS Enterprise in 2014. The reason they were rescued was because extremist militias had been fighting in the area they were rescued from. According to the evidence of MI5 that has been considered by the inquiry in open session, this was a period of time when Islamic State were building up their presence in Libya and becoming more of a terrorist threat from that country, and according to the Foreign Affairs Committee, it was a time when they were using Libya as a venue to train terrorists.

The extent to which the Abedis were involved in the fighting in Libya in this period is unclear, and whilst their experience of fighting in 2011 might not have had an immediate effect on radicalising them, in our submission common sense dictates that exposing teenage boys to the experience of an armed group and fighting in a war zone would have had a profound effect on them, which brings us to the third effect of radicalisation, that is Salman and Hashem Abedi’s associates.

In addition to growing up in a family environment that was steeped in the ideals of Islamist extremism and where violent terrorists appear to have been idolised, the Abedis appear to have socialised with like-minded individuals who had also been brought up against a background of conflict and, in particular, Islamist violent struggle against authority.

Ahmed Taghi had known the Abedis since childhood. His family knew the Abedi family. His father was killed by Gaddafi’s forces in the 2011 civil war in Libya. Abdalraouf Abdallah’s father, who was born in Libya, fled the country as a result of his opposition to Colonel Gaddafi. His uncle was killed, as you have heard, whilst a political prisoner in Libya in 1996. Mr Abdallah accepted in his evidence that he grew up in a household that was fiercely anti-Gaddafi. Mr Abdallah himself fought with the February 17th Martyrs Brigade in the Libyan Civil War in 2011 and said that most of his boys, which he said included Mr Taghi, were involved in the fighting against the Gaddafi forces in 2011.

Mr Abdallah’s family were family friends with the Abedis and he’d grown up with them, knowing Salman Abedi; he said, since they were babies. Whilst these individuals have given oral evidence to the inquiry that they do not hold extremist views and have suggested that there were never any real discussions about the situation in Syria or Islamic State, there is an abundance of evidence from the electronic communications of each of them that we refer to in our written submissions and that you have heard evidence on that they did harbour extremist views and did support the principles and ideas of Islamic State.

As you have heard already referred to today and throughout this inquiry, Abdalraouf Abdallah is a convicted terrorist who helped facilitate the transfer of men to Syria to fight. In our submission, there is ample evidence that you have heard from the text messages between him and Salman Abedi that he played some role in Salman Abedi’s radicalisation. Salman Abedi, along with Abdalraouf Abdallah, was friends with Raphael Hostey. Raphael Hostey travelled to Syria to fight with Islamic State group and, having sustained an injury, became a prominent propagandist for IS, recruiting people from all over the world and from South Manchester.
The Abedis’ peers and associates were undoubtedly a strong factor in their radicalisation. Many like the Abedis had themselves grown up in families that subscribed to the worldview of violent Islamist extremism, had fought with the Islamist militias in the Libyan Civil War and had lost family members as part of this armed struggle.

Whilst the beliefs of Ramadan Abedi and his peers might have laid the foundation for the radicalisation of the Abedis, it appears that the growth of an Islamic State was a major trigger for the radicalisation of the Abedis but also for a wider group of young men and women from backgrounds similar to the Abedis. This combination of factors and triggers meant that extremism amongst its pupils and was at the forefront of efforts in this regard. There is no evidence that either of the Abedis showed signs of extremism that the staff at Burnage Academy failed to address or that the academy failed in its anti-radicalisation strategy.

Turning to education, you heard that Salman Abedi was a pupil at Burnage Media Arts College, frequently referred to as Burnage Academy, from 12 January 2009 until 24 June 2011. The evidence is that he was a badly behaved boy who was getting worse as his education progressed. There can be little doubt that the academy made significant efforts to try and combat any form of extremism amongst its pupils but also that its role as a group of young men, who was failing at the school and that his behaviour was deteriorating, we have seen no evidence of anyone actively seeking to address the underlying reasons for this.

Manchester College. Salman Abedi attended Manchester College between September 2012 and December 2013, completing a full academic year and an evening class for one further term. Whilst the inquiry may well conclude that Salman Abedi spent a period of time fighting in the Libyan Civil War after leaving Burnage Academy, it does not appear that any member of staff at Manchester College sought to establish what Salman Abedi was doing in the year before his enrolment. Overall, his attendance at Manchester College was poor. He did not attend at all in the first 2 weeks of his time at the college, but did improve that year because of disciplinary action. In his second year, Salman Abedi’s attendance deteriorated again and he stopped attending entirely and completely withdrew.

During his time at Manchester College, Salman Abedi, in company with his brother, Ismail, met with staff three times to discuss his behavioural issues. Firstly, there was a meeting regarding his attendance and the need for it to improve. The second incident concerned his involvement with a group of young men who apparently made disrespectful comments towards female learners and created a disruptive and uncomfortable environment. Unfortunately, Ms Pilling from Manchester College, who

opposed to the role of the educational institutions that Salman Abedi attended. You have our written submissions relating to mosques and prisons.

Certain key figures, such as Abdalraouf Abdallah and Raphael Hostey, appear to have been inspired by the teachings of Islamic State and encouraged others to travel to Syria to fight with IS and provided active assistance to those wishing to do so. Members of the Abedi family and their peer group appeared to have downloaded material online that they downloaded on to their personal devices. This material no doubt only served to encourage the radicalisation through glorifying the actions of Islamic State group and encouraging armed struggle and martyrdom.

This combination of factors and triggers meant that a number of people from backgrounds similar to the Abedis were radicalised in this period. As noted by Dr Wilkinson, between the end of 2013 to 2016 there was a cadre of Manchester—based convicted terrorists whose convictions were connected to Islamic State crimes. In our submission Dr Wilkinson is correct that the attack may be attributable to the Islamic State group in that it was carried out by individuals who were part of a group of second generation Libyan exiles who had been brought up in a culture and ethos of Islamist extremism. Inspired by the likes of Abdullah and Hostey, the ideas of Islamic State group allowed the members of this group to go one step further than their fathers and take the fight beyond the territorial borders of Libya to a greater stage and, in the case of the Abedis, commit heinous acts of savagery such as the Manchester Arena bombing.

The next topic is opportunities to identify and prevent the radicalisation of the Abedis. Given the length of time over which the Abedis appear to have become radicalised, it is reasonable to believe that there would have been opportunities to identify the signs of radicalisation and take steps to deradicalise them. Three areas relating to the Abedis’ development

have been identified in which steps could possibly have been taken to prevent their radicalisation: firstly, education; secondly, mosques; thirdly, visits to prisons.

In these oral submissions, sir, we will only refer to the role of the educational institutions that Salman Abedi attended. You have our written submissions relating to mosques and prisons.

Turning to education, you heard that Salman Abedi was a pupil at Burnage Media Arts College, frequently referred to as Burnage Academy, from 12 January 2009 until 24 June 2011. The evidence is that he was a badly behaved boy who was getting worse as his education progressed. There can be little doubt that the academy made significant efforts to try and combat any form of extremism amongst its pupils and was at the forefront of efforts in this regard. There is no evidence that either of the Abedis showed signs of extremism that the staff at Burnage Academy failed to address or that the academy failed in its anti-radicalisation strategy.

However, it is perhaps worth noting that despite the recognition that Salman Abedi was failing at the school and that his behaviour was deteriorating, we have seen no evidence of anyone actively seeking to address the underlying reasons for this.
The difficulty is that it was looked at in isolation because Trafford College appear to have had no information about behavioural incidents from the other educational establishments that Salman Abedi had attended. In her evidence, Michelle Leslie from the college highlighted that had more information, and therefore more context, been known about Salman Abedi’s educational past and the civil war in Libya, this might have resulted in a concern and a referral to a safeguarding officer.

The University of Salford. Salman Abedi was a student at the University of Salford between 3 October 2015 and March 2017. He enrolled on to the undergraduate course to study for a Bachelor of Arts degree in business management. His attendance in the first year at the university was unremarkable. He enrolled for the academic year 2016–2017, but his engagement went rapidly downhill from mid–November 2016.

On 13 January he attended an exam but, having signed the exam sheet, did not complete any of the questions and left at the first opportunity. He completely disengaged thereafter.

Salman Abedi provided no communication to the university regarding his disengagement, no reason was supplied as to why he no longer intended to attend the university. At the time, there was no student case management system for checking student engagement. The University of Salford Business School operated a tutor system but the only meeting that Salman Abedi ever had with her, his tutor, was on 8 October 2015 in his first week and there was not a single individual communication between Salman Abedi’s tutor and him in his entire time at the university.

Salman Abedi steadily and then suddenly and completely disengaged from university life and nobody appears to have noticed, far less questioned him about it. Nobody appears to have raised any concern regarding Salman Abedi’s conduct in the January 2017 exam. Mr Hartley, who gave evidence on behalf of the university, said that such conduct was not unique, but there is no evidence of any other students acting as Salman Abedi had done, nor any explanation for it.

The unusual behaviour of Salman Abedi in the January exam should, in our submission, have led to some further investigation. The exam was scheduled to take place shortly before Salman Abedi was due to receive a payment of a tranche of his student loan. In fact, Salman Abedi received a payment into his bank account of £2,258 from

gave evidence to the inquiry, could not assist with the details of this incident.

The third incident occurred in October 2012 and therefore only 1 month into his time at Manchester College. It involved Salman Abedi assaulting a female learner. He struck the back of the head and neck of the female learner, who wished to press charges and the police were called. Following the incident, the female learner’s sister who attended another college was made the subject of abuse from Salman Abedi’s friends.

The college asked to meet with Salman’s parents, but instead met with his brother, Ismail. The parties met for a mediation and the matter was dealt with by way of restorative justice. Nothing about any of the incidents led to any consideration by Manchester College regarding a Prevent referral or any concern regarding radicalisation.

However, this is not surprising. There is a complete absence of evidence of any enquiries being made by the college as to why Salman Abedi was behaving in an aggressive way towards female learners.

It appears that it was not until 2013 that the college first took steps to develop their understanding of Prevent through training. However, whilst middle management and the senior leadership of the college received some training, none of the people who were actually in contact with the students had received any training in Prevent, so had no idea what to look for. We suggest that matters went further than that.

Absent the staff receiving any training on Prevent, they would not have been aware that they should have been on the lookout for any indicators of susceptibility to or early signs of actual radicalisation.

Next, Trafford College. Salman Abedi was enrolled as a student at Trafford College between 15 September 2013 and 22 June 2015. One particular incident involved a member of staff who saw an image on Salman Abedi’s mobile telephone of him holding a gun. The incident was not taken any further as the staff member accepted Salman Abedi’s explanation that his shooting there, completely disengaged from university life and nobody appears to have noticed, far less questioned him about it. Nobody appears to have raised any concern regarding Salman Abedi’s conduct in the January 2017 exam. Mr Hartley, who gave evidence on behalf of the university, said that such conduct was not unique, but there is no evidence of any other students acting as Salman Abedi had done, nor any explanation for it.

The unusual behaviour of Salman Abedi in the January exam should, in our submission, have led to some further investigation. The exam was scheduled to take place shortly before Salman Abedi was due to receive a payment of a tranche of his student loan. In fact, Salman Abedi received a payment into his bank account of £2,258 from
It is concerning that despite problems occurring at the same time as Salman Abedi and Hashem Abedi had moved into the operational phase of their radicalisation and attack planning. At around this time, they were making plans or actually purchasing the precursor chemicals to be used in the IED. In our submission, the purchase of these chemicals was probably financed by the student loans that Salman Abedi obtained in 2017, including the payment on 20 January 2017. It is a reasonable inference to draw from the timing of that exam, the payment of the student loan, Salman Abedi’s actions during January 2017, and the fact that he completely disengaged from university life after January 2017, seemingly to focus his attentions on the preparation for the Manchester attack, that his purpose in attending the exam was to give the pretence of still engaging on the course in order to make sure that the student loan he was due to receive would still be paid so that he could continue to finance his preparations for the attack at the Manchester Arena. Of course, the University of Salford could not have known this at the time. However, they should have been aware, simply from his conduct, that something unusual was happening and something that called for at least some questions to be asked by someone at some stage.

In conclusion, in relation to the education of the Abedis, there is no evidence of a single incident in either of the Abedis’ education that was in itself an obvious indicator that they were becoming radicalised and should have been referred to Prevent. However, in the case of Salman Abedi there were numerous incidents across the various institutions that now, in hindsight, are troubling: he engaged in violent misogynistic behaviour; he was aggressive towards members of staff; he was rude and engaged in acts of dishonesty; he had pictures of himself carrying weapons; he spent periods of his education with no parental support and disengaged for various periods of his studies without any explanation.

It is concerning that despite problems occurring at the various institutions, there is no evidence of anyone ever asking Salman Abedi what was going on or seeking any explanation for his deteriorating and sometimes concerning behaviour. In the case of two of the institutions, portions of the staff who dealt with students did not have any form of Prevent training. It may well be that nobody noticed any troubling signs of radicalisation in Salman Abedi because nobody knew what to look for.

Individually, there are elements of concern in relation to Salman Abedi’s behaviour over the years. Collectively, in hindsight, the picture is more worrying.

Part of the problem in this regard is that there was no common transfer file detailing any behavioural issues. In our submission, the common transfer file, whilst we accept is not a matter without some problems, deserves further consideration, and we’ve addressed that as one of the recommendations that we invite you to make, sir.

Chapter 14, whether the Manchester Arena attack could and should have been prevented by the authorities. The scale of the challenge presently faced by MI5 and Counter-terrorism Police in combating the threat from terrorism is sobering. However, it cannot be right to accept that no matter what steps are taken by MI5 and CTP, there will always be one plot that gets through the net.

This provides no comfort to the families we represent in relation to the loss they have suffered. In our submission, nothing is inevitable and the attack at the Manchester Arena certainly was not.

In addressing the issues from chapter 14, a significant amount of the evidence was heard in closed session. We are grateful to the efforts of you and your team to release material from the closed session in the gist.

The evidence that you heard in open session was that owing to the threat posed by the emergence of the Islamic State group, MI5 and CTP faced unprecedented challenges from 2014 onwards and that there was, according to Witness J, a step change in 2017. However, Salman Abedi was not unknown to the authorities. MI5 and CTP did, as you have heard already this morning, have information relating to him, his contacts and his mindset.

Dealing first with intelligence as to the general potential threat in Greater Manchester, CTP and MI5 were or at least should have been aware of the issues that were particular to parts of Manchester in the years...
Troublingly, as referred to by Mr Atkinson, between January 2015 and August 2016, he was apparently treated as a Tier 2 SOI whilst not being formally declared an SOI, and I will return to that later.

The authorities also had intelligence relating to his travel. From 2011 onwards, MI5 received information on his travel to Libya on a number of occasions. On two occasions the nature of the information received caused MI5 to think that Salman Abedi might be travelling on to Syria, but he appears not to have.

In November 2015 he travelled to Germany via Paris and returned the following day. Initially, it was thought likely that he was seeking to travel to Syria, but an MI5 investigator disagreed with this assessment.

Significantly, there was the material obtained during Operation Oliban, you have heard this referred to already extensively, I do not need to repeat it.

You are aware, as we all are aware now, that there was a significant amount of mindset material that was in the possession of Counter-terrorism Police that was obtained as a result of Operation Oliban.

Finally, the two pieces of intelligence received by MI5 in the run-up to the attack. On two separate occasions in the run-up to the attack MI5 received intelligence related to the arena attack that was highly relevant to the planned attack. At the time the intelligence was not fully appreciated and it was assessed as relating not to terrorism but instead to non-nefarious activity or to non-terrorist criminality on the part of Salman Abedi.

Turning to the question of how the intelligence that was available was assessed, investigated and shared and what was done as a result, it is our submission that the focus of the authorities appears to have been very much on Syria during this period, perhaps even at the expense of considering Libya.

There was an understanding that the Islamic State group was developing in Libya and using Libya to train terrorists. However, as Witness J said in his evidence:

"We weren’t detecting strong indications that Islamic State in Libya were focused on Western attack plotting in the way we did clearly from Syria, Iraq and the surrounding region.”

"Whilst the draw of Syria at the time was not at the expense of everything else, Syria was clearly the draw and, in terms of our priorities nationally, was the top..."
One of the questions that was considered in evidence was why Salman Abedi was not reopened as an SOI after October 2015 and whether this was reasonable. You heard evidence that on 3 March 2017, MI5 ran a process called Clematis to determine if closed SOIs were showing signs of re-engagement. He hit a priority indicator and was identified as one of 685 closed SOIs who were showing such signs. This was on the basis of information received by MI5 in mid-2016. MI5 have accepted that the process should have been run more frequently.

On 1 May 2017, the indicator that had been hit on 3 March was triaged and Salman Abedi was assessed as meeting the threshold for further investigation. On 8 May he was considered for assessment to a process called Daffodil that would have determined whether he should have been the subject of low-level investigative enquiries in order to identify whether he had re-engaged in Islamist activity. He was identified as one of 26 SOIs to be considered for referral into the Daffodil process at a meeting scheduled for 31 May 2017, tragically 9 days after the attack.

From our perspective, and on the basis of the information we heard, we cannot help but observe that this process was too slow. We understand that there will need to be processes whereby large numbers of cases are assessed, triaged and judgements made as to which cases are priorities, which need further investigations and which need no further action.

We also understand that this process will, by necessity, involve judgements being made at different levels. However, if this is the case, such judgements will need to be made quickly, otherwise there is a real risk, as manifested itself in the case of the Manchester Arena attack, that the authorities will be inadvertently sitting on information that has not been fully assessed and would have justified further investigations at the precise time that terrorists are carrying out attack planning and preparation.

We have deep concerns about the fact that Salman Abedi was treated as a de facto SOI but not actually formally designated as an SOI between June 2015 and August 2016. For us, there remains confusion around this element and Witness J’s open statement recently served has not clarified it. We remain concerned that whatever the proper designation of Salman Abedi at this time, in August 2017 (sic) he does not appear to have been the subject of a formal closure and risk assessment process.

The next question is whether further disruptive action should have been taken, including whether he should have been referred to Prevent. We do not know and cannot know the full range of disruptive actions that are available to the authorities. However, we can identify two disruptive actions that certainly were available and, in our submission, could and should have been applied to Salman Abedi at various times: port stops and referral to Prevent.

Witness J accepted that port stops on Salman Abedi would have been a better course of action. He accepted that had Salman Abedi been port stopped or the subject of port action on his return to the UK on 18 May 2017:

"It might have stopped him doing what he was doing."

It could conceivably have led to something in his property being discovered or something he said being identified as relevant or indeed being followed to the bomb.

ACC Scally agreed that while Salman Abedi had been an open SOI and then subsequently became a closed SOI, MI5 and CTP had received information of his frequent travel and that more could have been done to pick up on his developing mindset and radicalisation through a Schedule 7 port stop.

In relation to Prevent, MI5 is not subject to the Prevent duty. However, it was clear that it was a matter that they considered in conjunction with the police. CTP officers were subject to the Prevent duty after 1 July 2015. Even before Prevent became a legal duty, there was an expectation that the police and its partners would engage with the Prevent strategy. Throughout the time of MI5 and CTP’s knowledge of Salman Abedi, there were numerous opportunities to refer him to Prevent.

ACC Scally has said that on being closed as an SOI in 2014, Salman Abedi should have been considered for a referral to Prevent. We agree that at the very least he should have been considered, but in our submission it probably should have gone further. Even on the bare facts of what was known then, he was 19 years old, communicating with extremists and identified as being from a community in danger of radicalisation. There is a compelling case that a Prevent referral should have been made even at this early stage.

SOI B, who Salman Abedi was identified as being in contact with in 2015, was linked to Al–Qaeda and had facilitated the travel of others to Libya and likely influenced Salman Abedi’s extremist ideology, another opportunity to refer Salman Abedi to Prevent or put him on port stops when he was identified as communicating
they related to non-nefarious activity or criminality on the part of Salman Abedi. As a general proposition, it must be correct that the police officers at CTP will have a higher degree of expertise in judging whether or not material does relate to potential criminal activities or not.

We’ve heard no real explanation as to why the two pieces of material were not shared with CTP. It is not possible on the basis of the evidence considered in the open sessions of the inquiry to make any meaningful submission as to whether any additional intelligence could have been available. However, what can be said is that there appears to have been numerous opportunities for Salman Abedi to be looked at further, either through a referral to Prevent, port stops, reassessment as an SOI or even being re-opened as an SOI.

The path to his radicalisation was not a short one. The attack planning and preparation went on for, at the very least, a number of months. And during the planning and preparation for the attack, Salman and Hashem Abedi interacted with various people, purchased materials for the construction of their IED, transported the materials, stored them at various properties they used, and travelled between the UK and other jurisdictions.

Further investigation or, at the very least, further scrutiny may well have produced either some intelligence or had some deterrent effect that may have prevented the Manchester Arena attack.

In conclusion, sir, the families we represent wish to thank you and your team for the efforts that have been made over the past 2 years to answer some of the many questions that they have in relation to the deaths of their loved ones. There will forever be feelings of grief and frustration at what happened. The enduring sense is that there were many opportunities missed to stop this terrible attack. However, you have already made recommendations that will hopefully make all of us safer and that we hope you will be able to do so again in volumes 2 and 3 of your report.

SIR JOHN SAUNDERS: A great deal of hard work has gone into that analysis and it’s very helpful to me. I will actually raise one matter with you now, but I’m not particularly asking for an answer now.

One of the matters you have been dealing with is the question of education and Prevent and whether anything should have been noticed at the time.

As you know, I had submissions from the University
of Salford and I’m going to hear from them in due course. One of the things they say is, well, no one came to us and said there was any query about Salman Abedi, how were we to know, and, it’s really up to CT Police to come and tell us if they’ve got any problems and we’ll have a closer look.

So we do know that at the time that Salman Abedi was closed as an SOI, he was in full-time education, I think at the University of Manchester, but I’ll be corrected if I’m wrong. Would it be appropriate, when deciding with somebody in full-time education, whether to close them as an SOI, or indeed at the time perhaps you were thinking of opening them, for CT Police and/or MIS to at least speak to the place of full-time education they’re at and, if the answer to that is yes, would it actually work in practice or would it lead to a great deal of difficulties for the educational establishment in dealing with their student population?

I am not asking for an immediate response, I think it may need some thinking about, and perhaps the University of Salford could address me about it tomorrow as well, but if you were able it put something in writing, not long, just something, that would assist me.

MR WELCH: Sir, I will put something in writing. The first thought that occurs to me is that one of the questions that will need to be considered is one of proportionality. Perhaps a blanket application of a rule like that might prove to be unduly cumbersome simply because of the number of closed SOIs. But certainly there should be some further calculation that allows better consultation than existed.

Both the report that was presented by the University of Salford and also the evidence that was presented to you, as you will recall, at pains to emphasise that they had no information, so what else should or could they have done. And one must sympathise with that position and so there has to be better communication between organisations such as CTP and educational establishments and, when there is the closure of SOIs, something in some cases, whether that’s all cases, perhaps that might be something also that CTP would need to comment on. Those are my first thoughts. But it’s something I will give further thought to and commit to writing over the course of the next day or so with your permission.

SIR JOHN SAUNDERS: I’m very grateful. Thank you very much for your submissions to me.

MR GREANEY: Yes, sir, I was going to suggest that we have a 15-minute break and then we’ll hear from Mr Cooper on behalf of the families he represents.

SIR JOHN SAUNDERS: Okay, 15 minutes, thank you very much.

(A short break)

MR GREANEY: This morning at the conclusion of the submissions of Mr Weatherby, you invited him to read again a particular sentence on page 8 of his speaking note so that he could make sure that it set out what he intended it to set out. Sir, I know that he is satisfied that it does, but he wishes you to be clear, and I wonder whether, just before Mr Cooper addresses you, if Mr Weatherby is still on the link, whether now would be an opportunity for him just to make sure that there is no confusion at all about what he intended to communicate.

MR WEATHERBY: Yes. I’m sorry to --- can you hear me?

SIR JOHN SAUNDERS: Yes, absolutely, Mr Weatherby. Please do go ahead. I may have just been obtuse and I’m sorry if I have been.

MR WEATHERBY: No, no, I’m sorry to break Mr Cooper’s flow because I wasn’t actually going to break in at this point but I am very happy to deal with it.

I just wasn’t entirely clear about one of the questions that you asked me. I’m entirely happy to address it, but I didn’t want to address a point you hadn’t asked me.

SIR JOHN SAUNDERS: I assumed that in that sentence you were suggesting that you were not making or trying to make the point that there were a lot of Libyans within the Manchester community who were extremists or that they were other than, in the vast majority, just ordinary peaceful people going about their business. I just wonder that the way that was phrased, it might look like you were saying the opposite, but I’m sure you weren’t.

I hope I understood the point you were making.

MR WEATHERBY: The point I was trying to make was there’s a tiny minority within the Libyan community. I will put it in writing and I apologise for breaking in again.

SIR JOHN SAUNDERS: Okay, thank you, Mr Weatherby. It’s probably me, not you.

MR WEATHERBY: Not at all.

SIR JOHN SAUNDERS: Mr Cooper.

Closing submissions by MR COOPER

MR COOPER: Sir, thank you.

SIR JOHN SAUNDERS: I’m really sorry for breaking in on your time like that.

MR COOPER: Not at all, sir, if it assists you.

Sir, you’ve had our written submissions. They go to about 68 pages and they will embellish much of what
I have to say today and indeed I listened very carefully to the submissions of my learned friends before me, which has helped me perhaps condense some of the earlier parts of my submissions to short principles now because it won’t help you for me to repeat again the same facts not only that you have heard but that you also now have submissions on. So certainly for the first part of my submissions, I can do it that way.

SIR JOHN SAUNDERS: Thank you.

MR COOPER: Sir, the duty falls on me now to conclude the submissions on behalf of the families in this inquiry and so I would like to go back to something that I submitted to you right at the start of this inquiry. It seems in some ways a long time ago, but sometimes things have moved very quickly in this inquiry and time moves swiftly.

I did pose this question to you, sir, in my opening submissions 2 years or so ago: how could it happen. I asked, that people simply going to a concert in one of the most vibrant and exciting cities in Britain should lose their lives? And there are many more complex questions than that that have been asked in this inquiry and many more complex issues than that that you, sir, will be deliberating on over the next few months. But it really brings it into a nutshell as far as

those we represent are concerned and that is the continuing and reverberating painful, simple question that those we represent ask. You have produced volume 1, which has gone some way to answering that question in relation to those who owned and ran the arena and whether they performed their responsibilities.

Volume 2, we await of course, which will answer certainly in significant part, how the emergency services answered that question that I have just posed and repeated from September 2020.

Perhaps in many respects, volume 3, which is the substance of what we’re submitting about today, certainly primarily in any event, is the most difficult issue to dig deep and expose to public scrutiny, particularly when one is dealing with the secret security services, and more of that later. But it does present a particular problem which was not manifest in any of the earlier issues, which not only is a problem that we, as advocates on behalf of our families, have had to grapple with but clearly also, sir, an issue which your team and, no doubt, you, sir, will also have to grapple with. That is the way the evidence has been presented. More of that, as I’ve already indicated, later.

If I can begin then with chapter 8 and to remind submissions this morning and having reflected upon them and indeed after a cumulative consideration of the evidence, but whatever the intent or otherwise of any individual within this section of the inquiry, we submit that warning should be sounded to any others who find themselves facing similar requests, albeit innocent people, people with no involvement at all in criminality, that perhaps it is not enough simply to sit on those requests, not to question them, and if necessary not report them to the relevant authorities.

Trial Witness 1 and Relative A fall, we submit, into a slightly or significantly different category. On the evidence that has been heard and on the submissions that you heard this morning on the matter, we invite the inquiry to conclude that both had, at the very least, informed suspicions about the purpose of Hashem Abedi’s efforts to buy sulphuric acid. They were both on notice, we submit, of the plan to manufacture explosives, even if they opted not to purchase acid themselves. It is entirely unacceptable, we submit, for TW1 to say he didn’t think himself involved. Circumstances dictated he and Relative A both were. Their failure to raise the alarm is contemptible, we submit. Had they done more, the attack may have been prevented.

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Our third observation, basically the cumulative observations of submissions you’ve heard, is this. The evidence supports a factual finding that Mohamed Soliman purchased acid for Hashem Abedi in the days before he left England, knowing at the very least its purpose was nefarious.

Sir, in many respects that really does encapsulate the first parts of our written submissions as to where we say the evidence should take this inquiry on that matter.

I would just like to touch upon a few more matters in relation to Mr Soliman and, if it helps, sir, I’ll refer to paragraphs as I go to them. That’s our paragraph 3.4 of our written submission. Paragraph 3.4 at the top of page 5.

There you see, sir, what we say. In essence Mr Soliman purchased sulphuric acid for Hashem Abedi, a matter which was admitted during the trial of Hashem Abedi, in part perhaps because the evidence of the purchase and who it was for was clear and unambiguous. The purchase constituted an important element of the case against Hashem Abedi at his trial.

In addition, the relevant mindset material was also obtained from Mr Soliman’s devices.

At paragraph 3.6 of our written submissions, we say this:

“The sequence of events that we outline, if taken at face value, is a clear and unacceptable example of responsibility shunned.”

What do we mean by this in terms of distinguishing between different mens rea or mental intent, if we can put it this way? There is a graph, if we can put it this way, sir, as far as a number of different individuals are concerned here because between those who may or may not pass the threshold of criminality and those who clearly do not cross the threshold of criminality but are also put in the very serious category, certainly in the view of those we represent, of those that shunned their responsibility.

Again, we indicated to you, sir, the category and identification of individuals we submit which may come in that category. We highlight it again in paragraph 3.6.

TW1 and Relative A were both on notice, we submit, of Hashem Abedi’s intentions, if not expressly then implicitly.

If the implausible explanation that Hashem Abedi gave for needing sulphuric acid in large quantities was believed by TW1, that belief should, indeed must, we submit, have been quickly and comprehensively dispelled on TW1’s own account and by the input of Relative A who was apparently, it seems on the evidence, acutely aware of the danger.

As has already been submitted, Hashem Abedi was using proxies to avoid detection and had either TW1 or Relative A contacted the police to report these events, it may have led precisely to that detection. These are important omissions, we submit, as far as individuals are concerned.

I can move on immediately then from precursors for the reasons I indicated and take you, sir, to paragraph 4 of our written document, which is the investigation into the Micra, which has already been touched upon.

Can I submit this, and it is really an accumulation of what we’ve heard this morning from submissions and what we have read in advance of submissions, that we can make two substantive submissions on the Micra.

We submit that the evidence supports a factual finding that Ahmed Taghdi was a trusted member of Salman Abedi’s inner circle, that he shared a violent Islamic extremist mindset, facilitated the attack by way of his purchase of the Micra, was in close contact with Salman Abedi in the week before the attack, was aware of Salman Abedi’s need to avoid detection, repeatedly lied, we submit, when interviewed by the police, and in all the circumstances, notwithstanding his denials, acted knowingly and knowing Salman Abedi was planning an attack. We submit the evidence supports a factual finding to that effect.

We also submit this as our second submission on what the evidence supports and what can support a factual finding as far as you are concerned, sir, in our respectful submission. The evidence supports a factual finding that Mr Elmehdii was a trusted member of Salman Abedi’s inner circle, that again he shared a violent Islamic extremist mindset, knew of the use of the Micra for the purpose of storage of materials, was in telephone contact with Salman Abedi in the week before the attack, and repeatedly lied to the police when interviewed. And in all the circumstances, again, we submit, acted knowing that Salman Abedi was planning an attack and that the evidence supports, we submit, a factual finding to that effect against Mr Elmehdii based upon the submissions, again, you have heard today.
On 21 May 2017, Mr Elmehdi is captured on CCTV footage at Devell House approaching the Micra and apparently looking into it, something he ostensibly had no reason to do, and denied in police interview that he ever did. Why is he so nervous about that, we ask rhetorically.

When he looked, he was likely to have noticed items had been removed. This sequence of evidence, along with other matters that we’ve put in our written submission, constitutes, we submit, a strong circumstantial evidence of knowledge of a plan that was being put into effect.

When Mr Elmehdi was arrested, his devices were seized and interrogated as part of Manteline. He too had material evidencing an extremist mindset, including images of known terrorists, pro-ISIS material, very sadly dead bodies and more.

Mr Elmehdi left the jurisdiction unexpectedly before he could be interviewed, again to answer questions arising from that what you may consider an important call to Salman Abedi on 15 May 2017. When he had the chance to give a full and frank account he did not. Then he left the country, never to be seen again. There are a number of people who have left the country and have avoided their responsibility, many might think, to answer questions of this inquiry, and I’ll come back to that as well, but here is another example of it.

From the perspective of those we represent, it is impossible to believe that Mr Elmehdi, on the evidence, did not know more about the threat that Salman Abedi posed and the plan he was putting into action. It is in our submission, on the face of it, another example of questions unanswered and the avoidance of answering them.

We’ve considered also associates in terms of chapter 8 of the murderer. Again, looking at the evidence, and hearing the submissions that you’ve heard, we suggest that one factual finding can be made, which is clear and apparent, by you, sir, that the evidence supports a factual finding that Ayoub Sadigh and Mohammed Alzoubare, as trusted members, we submit, of Salman Abedi’s inner circle, knew that Salman Abedi posed a real risk of the commission of the terrorist attack and that these two men said nothing and, we submit, that the evidence clearly supports, sir, subject to your adjudication, a factual finding to that effect.

This was a close—knit group of friends that you have heard of, not just these individuals but others as well, a close—knit group of friends who shared an extremist mindset and were sufficiently close to events for there to be a credible inference, we submit, that they knew that Salman Abedi was planning this attack.

sir, and indeed based upon the evidence, perhaps more importantly, that you have heard over the significant period of time we referred to.

Putting the importance of the Micra into context, we touch upon it in paragraph 4.1 of our written submission. Manteline established that Salman Abedi used the Nissan Micra to empty 74 Somerton Court and store materials, including TATP, the crucial precursor ingredient, at Devell House from 15 April 2017 to 18 May 17.

And on his return from Libya, Salman Abedi, it appears, on 19 May 2017, removed that which he’d been storing in the Micra and took it to Granby House. We emphasise that because it is important, although these are matters well—known to you, to highlight the central significance of the Micra and all those who had contact with it. We’ll put it this way if we may, sir: all those who have contact with it, whilst not in the criminal case, have a case to answer, certainly have questions to answer. All those that touched upon the Micra, having answered those questions and given the inquiry answers, you may be of the view, sir, that those questions are —— those answers given to those questions are sufficient to exculpate certain individuals or perhaps not in relation to other individuals. But there is certainly, we submit, using the criminal terminology, without implying criminal liability, a case to answer for anyone connected with that Micra.

We develop our arguments in our written submissions in paragraphs 4.3—4.4. There is no need for me to repeat them, they’re there and we commend them to you in terms of the detail of these submissions. I would like to touch upon another individual now, please, who appears in our written submission at paragraph 4.7, which was Mr Elmehdi. We didn’t hear from him. He was a school friend of Salman Abedi’s who had travelled to and, it appears, fought in Libya.

Mr Elmehdi was the person whose permission Salman Abedi had travelled to and, it appears, fought in Libya. This was a close knit group of friends who shared an extremist mindset and were sufficiently close to events for there a real risk of the commission of the terrorist attack and that these two men said nothing and, we submit, that the evidence clearly supports, sir, subject to your adjudication, a factual finding to that effect.

This was a close—knit group of friends that you have heard of, not just these individuals but others as well, a close—knit group of friends who shared an extremist mindset and were sufficiently close to events for there to be a credible inference, we submit, that they knew that Salman Abedi was planning this attack.
Not only did this group include the individuals  
Sadigh and Alzoubare, as I have already submitted, but  
of course it also included Abdalraouf Abdallah within  
that net.  
Sir, you’ll remember the evidence, for instance, of  
Mr Forjani, Salman Abedi’s uncle, who described  
Abdallah, Salman Abedi and Mr Taghdi attending his  
business premises and sharing extremist pro–ISIS views,  
views that Mr Forjani found so reprehensible he asked  
them all to leave and his relationship with Salman Abedi  
broke down.  

The role of Abdallah in the radicalisation, we  
submit, of Salman Abedi is addressed in more detail  
later, but we submit that radicalisation and the role of  
Abdallah in the radicalisation of Salman Abedi is both  
profound and significant.  
That association, of course, sir, must now be  
considered in the context of some of the most recent  
evidence that you heard, that of PO1, who says that  
Abdallah said to him on 30 December 2021 that  
Salman Abedi had spoken of killing repeatedly to  
Abdallah and others and that Salman Abedi had told  
Abdallah what he planned to do, namely to commit  
a terrorist attack, the last time that the two had  
spoke.

If what Abdallah said to PO1 is consistent with the  
other evidence, it is clear that it has some resonance  
as far as this inquiry is concerned. It was already  
clear that Salman Abedi did not keep his extremist views  
secret. Those we represent find it shocking to hear  
that Salman Abedi was willing to speak openly about  
wanting to kill members of the public, both to Abdallah  
and others, but it is not surprising.

If Salman Abedi was open about his views and what  
he was willing or wanted to do, then the evidence  
Manteline uncovered regarding those he frequented and  
ostensibly trusted takes on new importance. And again,  
we deal with that, sir, at paragraphs which continue in  
our written document, detailing that trusted group.

We touch upon family members as well and, again,  
there are two propositions which we would submit, on the  
basis of what you’ve heard today and upon the evidence,  
upon which you can make certain factual findings.  
We submit, as far as the fact-finding is concerned,  
that on family members, the evidence supports a factual  
finding that Ramadan Abedi indoctrinated his children,  
shaped their worldview and hardened them to killing.

We also submit, as far as family members are  
concerned, that the evidence supports a factual finding  
that Ismail Abedi, like his brothers, had fully embraced  
a violent Islamic extremist mindset and knew that  
Salman Abedi and Hashem Abedi posed a real danger and  
did nothing.

We develop our submissions, of course, in chapter 6  
of our written submissions, which are on page 12, which  
give graphic details, for instance, of the facts upon  
which we predicate those submissions.

When 21 Elsmore Road, for instance, Abedi’s home  
address, was searched, devices were seized and  
interrogated, a trove of material which evidenced  
Ramadan Abedi’s own conduct and its impact on his sons  
was found: a video of Ramadan Abedi travelling with  
heavy machinery was found together with photographs of  
Salman Abedi and Hashem Abedi carrying firearms and  
participating in military training, a photograph of  
Ismail Abedi holding up an AK47 with his father was also  
found. These photographs and videos, coupled with  
extremist propaganda, are evidence, we submit, of  
Ramadan Abedi’s role in shaping the ideology of his sons  
by exposing them to war in adolescence and early  
adulthood. He also hardened them to death and we  
develop that within our chapter 6.

Unfortunately, again, here is another individual,  
Ismail Abedi, who has decided not to assist you or  
indeed the families in this inquiry. The families had  
hoped that Ismail Abedi would be required, and comply,  
to give a full and frank account of events, but the fact  
that Ismail Abedi has avoided doing so speaks volumes in  
our submission.

His apparent contempt, not just for the work of this  
inquiry but also for the families and their loss, must  
be judged together, we submit, with the materials found  
in his possession on 3 September 2015 and referable to  
him at 21 Elsmore Road after the attack.

When Ismail Abedi was stopped in 2015 at  
Heathrow Airport, his iPhone was interrogated and on it  
were images of his brothers holding weapons, including  
a rocket launcher, propaganda videos, images and  
literature relating to Al-Qaeda and Islamic State in  
Iraq.

In our submission, Ismail Abedi has questions to  
answer and the cowardice of those who ran away from  
answering those questions is not only indicative perhaps  
of their mindset but of their cowardice.

Chapter 13, sir, deals with the background and  
radicalisation of Salman Abedi. Within that section  
comes Abdalraouf Abdallah. We submit this in short,  
that the evidence supports a factual finding that  
Abdallah was a powerful, conscious radicalising  
influence on Salman Abedi, that he groomed Salman Abedi
controlling and understanding radicalisation was and that their stance and attitude towards combating, their general stance, their general stance towards we criticise and make submissions to you, sir, about their unwillingness and a continuing unwillingness to this day we suggest. As far as our submissions are predicated upon. We say in paragraph 10.3: "Dr Wilkinson notes that: developing and insidious relationship that the two men had, as we lay out in our paragraph 8.5 onwards. It now falls to me, sir, to address you on Didsbury Mosque, the Manchester Islamic Centre, which begins in our chapter 9 in our document. Let me make, if I may, sir, something absolutely crystal clear. In our submission, there is no suggestion that can be made, and we do not make it, that Didsbury Mosque was involved in any way with this heinous attack on 22 May 2017 or indeed with the radicalisation of Salman Abedi. We want to make that crystal clear, not just in our submissions to you, sir, but in case the reporting of them is in any doubt what our submissions are predicated upon. Also, sir, in the spirit of emphasising what we are not, certainly not, suggesting is to emphasise what we are suggesting. What we suggest, as far as Didsbury Mosque is concerned, is that they had an unwillingness and a continuing unwillingness to this day to condemn terrorism and clearly condemn terrorism, and we criticise and make submissions to you, sir, about their general stance, their general stance towards radicalisation, both inside and outside of the mosque and that their stance and attitude towards combating, controlling and understanding radicalisation was deficient. Those are our submissions in essence as far as the Didsbury Mosque is concerned. The evidence that was presented to you, sir —— and I’ll deal with this in a little more detail now because it was a matter upon which we were seized by the family teams to lead and it’s a matter that perhaps needs to be developed a little more before you now given the emphasis on other sections. The consideration of Didsbury Mosque perhaps must focus upon the evidence of Mr Haffar. His evidence, whichever way you take it, sir, really is an important, and may well be definitive, aspect of how you ultimately conclude matters relating to Didsbury Mosque. He is the current chair of trustees at the mosque —— and from Mohammed El—Saeiti, who until recently took over —— who was originally from —— the imam at Didsbury Mosque. These two men provided conflicting accounts, and there is an ongoing employment issue of course, between Mr El—Saeiti at the mosque. But we focus here on Mr Haffar’s evidence which we submit was implausible, disingenuous and self—contradictory and, from the perspective of public protection, very concerning. We say in paragraph 10.3: "Manchester Islamic Centre/Didsbury Mosque has a reputation for having a connection to the Islamist organisation the Muslim Brotherhood. My view is that the official channels of the Manchester Islamic Centre/Didsbury Mosque propagate what is basically a mainstream Islamic worldview which lends itself to an activist/Islamist flavour."

Whilst noting that the account of Islam given on the mosque website is a part of the mainstream, Wilkinson also notes that the description of Islamic law provided is typical of the comprehensive idea of the Islamic Sharia that underpins organisations such as the Muslim Brotherhood and the teachings of its ideologues, such as Al—Banna and Maududi, in that it asserts that: "Islam provides complete guidance for all aspects of human life. Islamic law is not confined to civil and criminal matters, but also deals with administrative, socio—economic, national and international affairs."

Thus we submit the mosque by its own self—description aligns with what Dr Wilkinson in his topology of different Islamic worldviews should characterise as activist Islam blending into non—violent ideological Islamism. In Dr Wilkinson’s topology, the concept of Islam providing a complete guidance for all aspects of human
distance himself from the reality this could lead to criticism or further questions and we still really didn’t make much progress during the course of this inquiry, I pressed him on the matter and we still really didn’t make much progress on that. And we are still, we submit, in the very, very troubling that the mosque still appears to be unwilling to include an explicit condemnation of violence on its website, still to the day.

We deal with the stance regarding violence as far as Didsbury Mosque are concerned, and as I indicated to you a moment ago, sir, we submit that this general stance is abiding and totally opposed to terrorism. We know that. I know that. Every right-minded person knows that. Where pockets of extremism and violent ideology exist though it is imperative that those who seek silence upon it is equally of profound significance, we submit.

We submit in the light of the concerns about the activities at the mosque and the content of sermons, the mosque’s connections with the Abedi family and controversy generally about the mosque’s relationship with the arena bombing, it is extraordinary and troubling that the mosque still appears to be unwilling to include an explicit condemnation of violence on its website, still to the day.

We emphasise again, again and again, our suggestions are not that the mosque was involved in any way whatsoever with the atrocity or indeed with the radicalisation of Salman Abedi. But the issues we raise here about the general condemnation of violence is a significant, we submit, and worrying, continuing turn of events.

We repeat here, as we have stated publicly, that we have absolutely no doubt that the vast majority of Muslim people in this country are peace-loving and law-abiding and totally opposed to terrorism. We know that. I know that. Every right-minded person knows that.

Concerning situation where a condemnation of violence in a manner would one expect to be given is still lacking. When asked whether Didsbury Mosque is opposed to violence, Mr Haffar was unable to identify any such condemnation on the mosque website. His explanation for this was: “There’s no need for us to state it because the Koran says it.”

This explanation, we submit, ignores the undeniable fact that some self-described Muslims, including some such as the Abedis, who have been involved with this mosque, support violence and extremism and heinously use the Koran to justify it. He went on: “Why would I talk about a negative? We are a positive—driven mosque, we are a positive—driven religion. We would say positive things. Why would we say a negative or negate a negative? We are not negative, we are positive.” And there we repeat and report an aspect of questions I put to him. I asked Mr Haffar what could be negative to say he was opposed to violence to pursue a religious or political end in order to make this clear to people and he was unable, we submit, to answer that question, a simple question and one of profound significance. His answer concerning. Although Dr Wilkinson’s conclusions suggests the mosque is orientated towards non-violent activist Islam, its unwillingness, we submit, to clearly articulate a condemnation of violence is both surprising and concerning.

When I was examining Mr Haffar at the appropriate time during the course of this inquiry, I pressed him on the matter and we still really didn’t make much progress on that. And we are still, we submit, in the very, very
community leadership confront and combat this extremism without hesitation or equivocation.

Libyan connections, travel to Libya and Mr Graf’s activities in Libya, still within the context, sir, of the issue relating to Didsbury Mosque. And again without repeating those paragraphs, in essence it is clear that the facts are that there were connections to Libya, individuals going to Libya, but despite this,

Mr Haffar was at pains to play down the mosque’s connections with Libya and we submit that such evidence is again, I’m afraid, unreliable.

Paragraph 12.4. Mr Haffar was questioned repeatedly during his oral evidence about whether the mosque had any knowledge of individuals who had gone to Libya to fight. There was a passage of evidence there where he indicated he did not and we submit the evidence is clearly wrong since the issue had arisen directly in our written submissions and you recall.

Sadly, when Mr Haffar was asked whether he or other trustees were aware in 2017 of any particular issues with extremism or radicalisation within the South Manchester Libyan community, Mr Haffar denied this entirely:

"I wasn’t at all, sir, I didn’t even think it existed until the papers and the bombing happened."

He said. We submit this statement is wrong given that the mosque trustees had themselves to deal with the fallout from the Graf sermon in 2016. Further and continuing examples of, putting it at its best, equivocation from Mr Haffar.

He was then asked whether in the period leading up to 2017 from 2011 he was aware of young men and some older men travelling from the community to Libya to fight against Gaddafi. Again, indicating that his knowledge was perhaps weak on this and he simply was picking up information from the national news and the national media, he said:

“I am a businessman, so I don’t really have time to look at everything, but I was aware of what was going on, absolutely.”

He’d read in the papers people were travelling, he even went on to suggest, sir, that the police should have been informing him.

We invite the inquiry, sir, to treat the statement of Mr Haffar that he was unaware of any particular issue of people fighting in Libya and coming back to Manchester, to the United Kingdom, as frankly implausible. As he has conceded in evidence, the issue had arisen in relation to Syria, it arose specifically in relation to Graf, an imam at the mosque, and it was being widely discussed in the national press and other circles.

You’ll be aware, sir, of the Graf passage of evidence, Mr Graf giving his evidence — giving his sermon, I should say. Mr Graf in military fatigues, images of him in military fatigues, you will take all that, I know, sir, into account when you consider the gravitas of our submissions that we’re making to you.

We deal at paragraph 13 with political activities in the mosque. Mr Haffar in his evidence confirmed that the mosque is not just a place to come and worship, it’s a place where you can come and meet people and get educated about Islam:

“We have lots of activities [he says] that go on and have been going on for many years.”

He was questioned on the use of the mosque by outside groups and he responded by claiming:

“We do not allow groups to come and hijack the mosque”, as he put it.

He further claimed that the mosque has a formal policy that:

“We forbid any meetings of any groups, it is not allowed.”

Again, sir, yet another example of a witness who, we submit, in many respects, in terms of the evidence he gives, if not discredited, should at least be dealt with with a degree of suspicion.

Here again, Mr Haffar’s evidence directly contradicts the evidence given by Mr El–Saeiti who stated in his evidence that in the period 2015–2016 regular meetings in fact were held at the Manchester Islamic Centre by supporters of the Islamist Coalition for Libya, something which would also be consistent with the mosque’s activist Islamist orientation that we touched upon above.

Mr El–Saeiti fact, you’ll remember, sir, stated that when he discussed the issue with Mr Khayat, another trustee, his response was that:

“The brothers had asked for a venue for activities and we allowed it.”

Mr Haffar’s evidence is clearly contradicted again in a wealth of contradictions by pictorial and video evidence shown to the inquiry. Paragraph 14, again relating to the mosque’s sermons and control of preaching.

Mr Haffar was questioned about two particular sermons, one in 2014 by Mr El–Saeiti and one in December 2016, already referred to, by Mr Graf.

He responded:
Mr Haffar was asked whether it would be a fair observation to say that the Didsbury Mosque was not doing enough to assess whether members of its congregation were being radicalised, and his response was to assert that: “We were all doing our best. We were always working to make sure that we were in the middle of the road. We made sure over the years radicalism and radical people have no place in our mosque.”

We submit that evidence is refuted by the evidence we have already referred to and have put in our written submissions. It is notable, sir, that Mr Haffar was unable to identify any initiative or action undertaken by the mosque to generally prevent radicalism. Indeed, his evidence on the subject was contradictory. He confirmed that the mosque had no formal policy dealing with the risk of and how to address radicalisation and extremism, no policy at all, and we submit that again is remiss, to

blind eye, to such sentiment rather than to choose to address it head-on.

The general approach to radicalisation is dealt with within our chapter 15 and that falls for us also to criticise the behaviour of the Didsbury Mosque as far as that general approach to radicalisation is concerned. Mr Haffar was asked whether it would be a fair observation to say that the Didsbury Mosque was not doing enough to assess whether members of its congregation were being radicalised, and his response was to assert that: “We were all doing our best. We were always working to make sure that we were in the middle of the road. We made sure over the years radicalism and radical people have no place in our mosque.”

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put it mildly, of those involved with the governance of
the mosque.

We put it to him, and it’s a word that hasedevilled this inquiry, the word passive, that the
attitude of the mosque to the issue of radicalisation
generally was passive. And of course, again, that was
not accepted.

The families, as we lay out in our paragraph 15.8,
have some concerns as to how effective or proactive the
Muslim Council of Britain and any other national bodies
are in relation to governance and best practices of
mosques throughout the country. We respectfully request
you, sir, to consider whether recommendations should be
made to these bodies to provide clearer guidance and, in
certain cases, directives as to the conduct and
governance of mosques.

In paragraph 16 of our document we deal with the
mosque’s knowledge, alleged or otherwise, of the Abedi
family. Mr Haffar stated that he’d never encountered
Ramadan Abedi making the call to prayer and he denied
that he was aware of the activities of Ismail Abedi
at the mosque either in relation to teaching or in
relation to IT.

In evidence Mr Haffar was asked about the fact that
in 2015 Ismail Abedi es downloaded details of attendees
at the mosque. Mr Haffar stated that hearing this from
the chair in evidence was the first time he had heard
it. I really, in our submission, can’t underplay the
concern and the worry that that has given those we
represent and indeed us on their behalf.

If someone like Ismail Abedi, in 2015, could have
details of attendees at the mosque, we have no evidence
as to what attempts he made, if any, to influence any on
that list, but if that isn’t an invitation to treat, for
want of a better expression, and laying it on a plate,
and I’ll stop there with the metaphors, to a man of the
temperament of Ismail Abedi, allowing him to have the
details of attendees such as this, some who may or may
not be vulnerable individuals, is, in our submission,
reprehensible. There needs to be a stronger and more
willing approach by the mosque to prevent this
happening.

And if Mr Haffar is right in what he says that
he wasn’t even aware of that, that makes it even more
concerning.

We deal in the later paragraphs within our document
about attendees of other members of the Abedi family and
there was contrasting evidence, you’ll remember, sir,
between those who said Salman Abedi attended the mosque
and those who said they didn’t see him there. Mr Haffar
chose perhaps to take the line of more positive
resistance and say he wasn’t there.

Governance, Charity Commission, action plan. In our
chapter 17 --- we dealt with that in some detail with
Mr Haffar. The material there indicates, we submit,
a number of concerns, and we touch upon very briefly now
about the governance of the mosque.

How open and how diverse the electoral opportunity
is for those to get on the mosque committees may be
a matter of conjecture, and without, sir, even the
inquiry having to delve into that, we submit positive
observations by this inquiry of inclusivity in relation
to committees of the mosque without necessarily
suggesting anything particular may be of assistance in
the future that there should be an inclusive attitude to
those who wish to serve with a diverse application to
those who wish to serve on the mosque.

The families we represent are concerned as to the
diversity of individuals given realistic access to serve
on committees and have some concerns that the membership
of the committees remains a closed shop. We certainly
do not know that there are no women on the committee and
the families are anxious to be reassured that equal
opportunity is provided of itself presenting that
diversity of views.

In summing-up, as far as the mosques are concerned,
can I emphasise some key points which arise from our
analysis, certainly, of the evidence in relation to the
mosque.

Our submissions on the evidence and on the issues of
fact are these: Mr Haffar was an unreliable witness who,
we submit, dishonestly sought to play down, minimise or
deny altogether, firstly, the mosque’s Islamist
orientation. Secondly, the mosque’s knowledge of the
risks of radicalisation, including the risks associated
with individuals travelling to Libya during the civil
war. Thirdly, the presence of extremist sentiment
amongst some attendees at the mosque. Fourthly, the
involvement in the mosque of members of the Abedi
family, particularly Ramadan and Ismail Abedi, and the
dangers arising. Fifthly, the dangers of inflammatory
language, for instance the specific use of the term
jihadi in the Graf sermon. Sixthly, the mosque’s
involvement in facilitating meetings of extremist views.
Seventh, the mosque’s failure to support El-Saeiti when
he sought to challenge violent ideology. Eight, the
inadequacies and failings of governance in the mosque.
Nine, the mosque’s own responsibility as an
organisation, claiming community leadership and
challenge were all the above, which we submit failed.
We secondly submit this, sir, on the evidence: the mosque’s continued unwillingness to include an explicit condemnation of violence on its website is profoundly troubling and, for the families, completely unacceptable as is the mosque’s unwillingness to learn from its failings as were listed 1 to 9 above.

While there is no direct evidence that the mosque played any direct role in Abedi’s radicalisation — direct or indirect, I might add — its failings, which are continuing, constitute, we submit, a serious and unforgivable dereliction of duty.

Taken in combination with references in the gist to the mosque’s failure to cooperate with the authorities, a matter which we asked further questions of in our most recent document, for instance. Counter-terrorism Police did engage with mosques in South Manchester and involve them in STOP messaging campaigns, aimed at preventing travel to Syria for extremist purposes amongst other activities. Specific evidence was given by DCS Scally in relation to the reaction from the three mosques to this approach, Al-Furquan, El-Noor and Didsbury Mosques.

DCS Scally said: “There was a less positive response from Didsbury Mosque.”

This failure is deeply concerning.

Fourthly, Mr Haffar’s evidence and the families’ submissions about it should be referred, we submit, by you, sir, in our respectful submission to the Charity Commission for further investigation regarding the appropriateness of continued charitable status. We do not make that submission lightly, but the cumulative effect, we submit, of what we say is made out on the evidence is clearly a matter for consideration by the Charity Commission.

We submit that mosques, for instance, and the Imams Advisory Board, and any other umbrella body that you feel appropriate, need to be encouraged to engage with issues of training and governance of mosques throughout the country and have some understanding of what is going on across the country and to so advise.

The inquiry should make recommendations, we submit, to address the issues evident from Mr Haffar’s evidence regarding the governance of mosques and the failure to tackle general extremism.

Those are our submissions on the Didsbury Mosque.

The submissions we have in our document in relation to education, again, have been dealt with by others, but let me take you immediately if I may to paragraph 19.7 of our written submissions where we try to encapsulate the issue.

The picture which emerged in evidence with regards to information sharing, which we submit is one of the crux issues in relation to education — the picture which emerged in relation to information sharing between educational institutions is that the current system, whilst it may have been improved since 2017, is hit and miss. Sometimes information is shared, sometimes more often it is not. It seems clear, we submit, that the current efforts to improve information sharing between schools and colleges, whilst commendable, is happening on an ad hoc basis across the sector with no overarching plan, direction or mandation.

Different views have been expressed about whether effective information sharing between educational institutions about behaviour/risk of radicalisation/safeguarding may have made a difference as far as Abedi is concerned. We’ll never know because that information was not necessarily shared, but it should have been. It’s a little of an echo of a matter I will deal with a little later when the security services say he wasn’t referred to Prevent but anyway Prevent wouldn’t have made any difference. It’s that same sort of unhelpful, we submit, genre of response: well, it wouldn’t have mattered anyway.

And when one generally hears any individual say that, whether it’s in the context of this inquiry or in the context simply of trying to explain why something was not done, “Well, it wouldn’t have mattered anyway”, it never has an impressive chime to it.

In education, we submit this, if I may. Three propositions.

Different views have been expressed about whether effective information sharing between educational institutions about behaviour, risk of radicalisation and safeguarding may have made a difference in Abedi’s case.

The issue also cannot be looked at in isolation.

From the wider information available to the police and security services about Abedi we will never know because the information was not effectively shared. This cannot, we submit, be allowed to happen again.

Secondly, we submit that the evidence heard by the inquiry justifies a comprehensive overhaul of the system for information sharing across the educational sector both schools and colleges. Mr Fenn’s suggestion regarding consistent use of unique pupil numbers through all of education, including further education, should be adopted.

And thirdly, we endorse the concerns raised by you, sir, in this inquiry regarding the use of the definition of vulnerable adult, namely that the standard...
safeguarding definition of vulnerable adult, a person of
18 years or over who has some kind of physical, mental
or sensory disability and who is consequently unable to
protect themselves from harm or exploitation, may be too
narrow to capture the range of people who may be
vulnerable to radicalisation.

Finally and this is a very important aspect of our
submissions to you, sir, which we highlight in our
paragraph 19.10 of our document, we encapsulate in this
way: given the events at Manchester College, we urge the
inquiry to explicitly recognize the significance of
misogynistic violence as an important marker of the
likelihood of involvement in extremism and then
terrorism if the person is concerned is already exposed
to extremist worldviews.

Joan Smith’s conclusions have been validated by
Project Starlight. If Salman Abedi’s case of the
incident of misogynistic violence at Manchester College
had been considered in common with his later SOI status,
it could have and should have been treated as a strong
marker of his being under the influence of
a particularly misogynistic species of Islamic
radicalization.

The inquiry, we respectfully submit, should
recommend that this issue be approached accordingly.

We, of course, are not suggesting that every single
individual that engages in such violence is
automatically a terrorist. Of course that would be
trite. What we are suggesting is that taken in
a combination with other factors, it should be a factor
taken into account. Almost 40% of adult Prevent
referrals, almost 40% of adult Prevent referrals, had
a history of domestic abuse, either as perpetrator,
witness or victims or a combination of all three.

This is likely to be an underestimate given that
domestic violence is one of the most under-reported
crimes, but it provides some idea of prevalence. The
comparable figure for children is 30%, another likely
underestimate because under-16s were not routinely
questioned about domestic abuse in the home.

From the families’ perspective, the failure to
properly assess the risk of radicalization of
Mr Abdallah also, particularly in relation to those
visiting him, and who might have been “vulnerable”,
another troubling aspect of this case.

Sir, that deals to some extent with education.
We have made submissions on prisons and again we don’t
need to repeat them. They appear in paragraph 20 of our
written submissions, and in many respects we rely upon
the evidence given by Paul Mott.

In paragraph 23, for instance, there appears to be
no question in Mr Mott’s mind that in 2017 resources
represented an acute problem in the prison system across
the counter — terrorism (sic) as a whole. Nevertheless,
the lack of resources appears to have been coupled with
the failure to properly consider the risks posed by
imprisoned extremists to visitors.

You will have firmly in mind, sir, all the evidence
relating to the visits to Abdallah and, of course, our
previous submissions in relation to the insidious
influence that Abdallah had upon Salman Abedi.

The problem is, in our submission, and as we lay out
in paragraph 24, systemic. The prison categorisation
system does not consider the risk of radicalisation
a prisoner poses to those who visit him. The approved
visitor scheme, potentially applicable to prisoners of
any category, is concerned with the risks visitors pose
rather than mitigating any risk they may face.

In short, we submit this: on the evidence, as far as
your team, the inquiry legal team, also represents
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any category, is concerned with the risks visitors pose
rather than mitigating any risk they may face.
I emphasise again, I am not suggesting and neither way you, sir, could get material from the security services on the basis that it was the only way you, sir, could get material from the security services because, as a matter of law, to be fair to them, they weren’t obliged to provide it within the inquest. And one would have hoped, sir, once this was transformed into an inquiry, the security services would have taken full advantage of that opportunity.

But on top of other matters, we submit, in relation to the processes which have been enforced upon this inquiry, by which I refer to the PII processes, the families have also had to accept and do their best with the secret closed sessions that even family lawyers have not been allowed to enter.

I emphasise again, I am not suggesting and neither have I during the course of this inquiry ever suggested that there aren’t particularly appropriate times and places for that to happen. What we are submitting, sir, is that, firstly, the security services have been overusing that as an excuse to obtain secrecy and on other occasions that you have been obliged, by the law and procedure incumbent upon you, as it is upon us, to effectively accede to such submissions. These secret sessions have been an immense source of frustration to those we represent and now we most recently have been dealing with the replies of the security service, MI5 and Counter-terrorism Police, to the gist questions that were put to them.

We have, in the short period of time we have been allotted — and that is not down to you, sir, or indeed your inquiry team, but is utterly down to the security services — been given very little time to closely analyse and correlate — I think I do them an exaggeration to call them answers — the responses given by MI5 and the security services most recently to the questions we raised and that you put to them. They were provided to us at 6.30 on Friday night, approximately, 6.30.

Now, we have had little time given our preparation to address you, sir, and indeed we’ve had a number of conferences and my most recent conference my, I might add, professional clients was this morning on this issue. That’s how pressed we have been. But given that we were provided with some cursory answers from Witness J and indeed Mr Scally, relatively late in the working day on Friday, those answers being, in our submission, paltry in many respects, concerning the questions they were asked, represents a stark contrast between the virtue signalling we’ve had from the security services and what in reality has resulted in a process whereby the families feel effectively deprived of information and question whether the material being given to us is material which all necessarily has to be in closed.

What do I mean by that? I mean simply this on behalf of those we represent: that there is some concern, significant concern, that the security services have not been as transparent and forthcoming with the information they have. Part of it is their inclination, the other part of it, sir, is because your hands are tied.

And if one of submissions we can make to you, sir, during the course of this aspect of the case, if you feel it is in any way in scope within what you have to do, is that there perhaps needs to be some review at a later date, not necessarily as part of this inquiry, of course, as to exactly how PII and these issues are dealt with because there is certainly a perception, if I may put it that way, whilst accepting all the goodwill in the world as far as this inquiry is concerned, a perception that the law and the process plays very heavily against the individual and the citizen seeking transparency.

I have tried to couch this as carefully as I can, but it is an important matter which I felt it is important to raise.

SIR JOHN SAUNDERS: Mr Cooper, I said I wasn’t going to interrupt anyone; forgive me therefore for giving you just some views at the moment.
I well understand the concern. I also found some of the answers given to the questions which I had drafted to be as open-ended as they could be to be somewhat shorter than it seemed to they needed to be and perhaps not as helpful as they might be and I intend to investigate that during the closed hearing that we will have. And certainly in relation to some of the answers where PII is persisted in, at least one of them at the moment I find difficulty in understanding it and I will pursue that, and if I get answers then I will make sure you have them.

I’m not sure I’m going to give any recommendations you have them.
pursue that, and if I get answers then I will make sure could be held conclude as other inquiries could that a proper inquiry be a proper inquest could be held without — just ignoring all the material which was PII then I would certainly have done it. But I believe that to have been genuinely impossible in this case.

Therefore I do believe, and I am grateful for the information that the Supreme Court has given a great deal of attention to it and they are, by definition and in fact, much wiser than I am but I quite agree, and I understand the frustration, as I always have.

All I can say is that if we hadn’t had a closed hearing and if we hadn’t had PII or I had been able to conclude as other inquiries could that a proper inquiry could be held — a proper inquest could be held without — just ignoring all the material which was PII then I would certainly have done it. But I believe that to have been genuinely impossible in this case.

Therefore I do believe, and I am grateful for the extensive work done in trying to gist material out to the parties. I do think that a good deal more has come out to the families than otherwise they would have got if that system hadn’t been operated.

I am actually also conscious that the system can actually lead to misunderstandings and people getting wrong impressions and I will do my best in my report to correct that. But that is part of the system which worries me most, that because we give you all we can, but it’s not everything, that can actually lead to people joining the dots together but not perhaps getting the right picture at the end.

So I do understand the concerns about it, I do also understand — and I’m sorry to go on — but as well as taking into account, which I will certainly do, I have to take into account, and have taken into account, in all parts of this inquiry, after the event justification, which is perhaps almost an instinctive reaction of almost any organisation which may find itself being blamed or considered for blame for some terrible tragedy that happened.

But I will take into account both the pictures. I can’t say, I think at this stage, more than that. All I can say to the families is I really do understand your concerns, I really do wish I could tell you everything, but I am — the law binds me as well as everybody else.

MR COOPER: We’re grateful for that, sir. That was extremely timely, if I may say so.

Let me also emphasise this: nothing that I have submitted on this point and nothing I’m about to submit in the time available to me on the security services’ work takes away the fact there are very some very brave men and women out there who do a tremendous amount of work keeping the country safe and neither are my submissions meant — they may sound, as it were, at first blush to be negative. They’re not. We’re all, to use a trite expression, in this together. We all want to live in a safe country and if, for instance, what we have to submit is challenging, it’s meant to be, but it’s meant also to have a positive impact, to try and tease out where the problems are and that they can be solved in the future and not — not just — and primarily for the families and for members of the public but also for those, I emphasise again, brave men and women who do the job that they do. I wouldn’t want to be misinterpreted.

SIR JOHN SAUNDERS: Okay, thank you very much.

MR COOPER: Can I take us then, sir, to our document on page 47 of our written submission.

It just deals with some of the information that we have most recently been given. There seems to be, we submit, a bit of a mismatch between the evidence given by Witness J in open session, that although MI5 was stretched they had the resources they needed to do the job and the evidence of more junior MI5 witnesses, whose identities are unknown to us for reasons of national security, who gave evidence in closed session.

For example, we read in the gist that one of the MI5 witnesses in the north—west investigative team stated in evidence that he and his colleagues were struggling to cope with the significant increase and change in workload. We have contra evidence.

Again, the difficulty we all have is that we have heard more of the evidence, as you have indicated, than we have, but it’s certainly a matter that causes us concern.

Also perhaps one of the most important issues that causes us concern, as I try to precis our submissions here — this appears at paragraph 28.1 — and the families were, and I use the advisedly, horrified to hear that in April 2017 the north—west investigative team went into amber on its workload dashboard and that this was not an abnormal situation to be in in the period after 2017.

We asked the question in our post—gist questions as 233

234

235

236
I just say as well, and this is... 17

SIR JOHN SAUNDERS: I will press it and I will ask for the... 18

We further learn from reading... 19

whether it’s a question you can develop for us. 20

We press that question, sir, it’s a matter for you... 21

catastrophe? 22

amber alerts in the period leading up to the 2017... 23

The threat we submit should have been appreciated in... 24

2014 following the declaration of the caliphate. They... 25

had time to build up a resource but on what we’ve seen,... 26

I can safely put it no further than that, failed to build up that resource. 27

On that point as well, the north—west in particular, we submit, the north—west in particular had serious resource issues going into amber, for instance, prior to the attack.

(f), the inability to effectively monitor closed SOIs and/or react to new and emerging intelligence. The Clematis system was simply too slow, we submit.

We also submit this, and invite you to find, that the attack could have been prevented by MI5 had they appreciated the intelligence available to them: (a), they had the intelligence available to them; (b), they had received the intelligence in time but due to inadequate systems and practices, the dots were not joined up and MI5 were slow to react; (c), simply this, MI5 were reactive rather than proactive.

We ask you to find this, sir, as well: MI5 took their eye off the ball and focused on Syria rather than the emerging threat from Libya, despite being made aware of potential issues of radicalisation within the community of Manchester as early as the 2010 JTAC regional assessment.

Regional assessment was a missed opportunity to recognise the threat and do more, we submit. For instance Salman Abedi ticked every box, we submit, every box, in the JTAC report and an opportunity was missed in identifying the Abedi family and the wider network at an earlier stage.

The whole system we submit of SOIs closed and open, and the process has caused obviously considerable concern as far as those representing the families are concerned.

The families we represent consider it a failing on the part of the security services that Salman Abedi was known to be in connection with a number of SOIs who posed real threats to national security without the cumulative risk of those multiple connections being truly appreciated by MI5 and others as to the threat posed by Salman Abedi himself.

This is a particular, we submit, blind spot of MI5. No joining of the dots to identify an individual who was appearing as a low—level SOI within multiple, multiple investigations, and having connection with a number of Tier 1 SOIs or individuals who were on the periphery of a lot of investigations.

We lay out in significant detail those matters at paragraph 23.5 onwards where we emphasise again the
evidence upon which we predicate those submissions.

At paragraph 23.9 we emphasise this: it is not a situation where MI5 is effectively managing limited resources without impacting national security, but a situation where, due to resources not matching an increasing workload, MI5 were not able to manage the intelligence they had in a way that adequately kept members of the public as safe as they should have been.

We learn from the gist that all intelligence would be reviewed within 2 weeks and that if intelligence required urgent action, it was expected that the person sending it would flag it to the north—west investigative team for urgent attention. This system of triaging unsolicited intelligence was admitted to be "a bit haphazard".

Another question we asked, sir, in the gist was for perhaps a little more information from the security services as to what they meant by "a bit haphazard" and we would invite you, sir, if you haven’t already asked them the question, to develop a little more, hopefully in open for us, what they mean by "a bit haphazard".

This haphazard system is of concern to those we represent and whilst we notice that the system has apparently changed, of course, and we cannot have detail of that change, so we have no way of assessing whether it’s fit for purpose, but you do, sir.

The families submit this: that there was a failure to link Salman Abedi any sooner than 2015 to a telephone number that has been in the possession of MI5 since 2013. This is a failing that MI5 took no investigative steps to identify that connection, and again, sir, we submit a finding of fact which you can safely make and you’ve already heard submissions upon as far as that aspect is concerned.

You are and have been addressed in some detail about information that the security services had in relation to a number of individuals. You’ve been addressed on Clematis and Daffodil. We endorse those submissions, as we have, in fact, in writing.

We also submit in paragraph 24 of our written submissions the dysfunctional, I think that’s the best expression I can use at this hour, relationship between MI5 and Counter-terrorism Police, particularly with the exchange of information.

At paragraph 24.1, the families we represent were again horrified to read certain paragraphs of the gist, describing IT structures and communication tools that existed between MI5 and counter-terrorism police which were nothing short, we submit, of amateurish. This is just not the level of operation that the public should express.

That the IT system for both Counter-terrorism Police and MI5 were described by a witness in closed session as “clunky” and “hit and miss” is startling and again we would ask perhaps if there is little more information we can have about what they mean by the system was “clunky” and “hit and miss”, which is all the families have at the moment. We would appreciate that because again within the statements we’ve seen, reference is made to the sharing of information being bureaucratic and process—heavy. We ask you, sir, so far as you can, to put more pressure on the security services to explain why it is that their IT system, which failed, we submit, in this situation, and indeed the failure of that system contributed to the fact that Salman Abedi could perpetrate these heinous crimes, why is it that a clunky IT system should be in place? Surely the 22 families here should have a little more information about that.

We referred to the expression an intelligence community. This was not a community, and if it was, they weren’t talking to each other. A community needs to talk to each other, a community needs to understand what each other are doing and a community needs to work in harmony with each other. We submit that the intelligence community in the United Kingdom can presently not call themselves a community on the evidence that we have heard during the course of this inquiry.

We have seen the responses by the intelligence services. We have read their documents. We ask you when considering the written and oral submissions of MI5 to look upon them with a degree, we submit of scepticism. We see — and I’ll just deal with it because of pressure of time this way — — one paragraph within the written submissions of my learned friend for MI5:

“A policy [he says] of automatic sharing of all information between CTP and MI5 would inevitably result in the blurring of lines of accountability and a lack of clarity as to what was needed to be done with the information in question. It would raise obvious capacity issues.”

To call, with the greatest of respect to my learned friend, that to be worthy of Sir Humphrey in "Yes, Prime Minister" would be apt. We ask you to look carefully at my learned friend for MI5’s conclusions, how they’re expressed and what little they really say. You’ll hear them, it’s not a matter that we can take any further, but we submit a lot of the submissions being made, particularly in their concluding paragraphs within
You will be aware, sir, of that. On 26 July 2021, a Section 21 notice, 2021, was served upon Ismail Abedi. The reason it was not done so was incompetence, and we ask you, sir, to address that issue.

MR COOPER: I’m grateful for that. I think I’m there or going to put a guillotine down on you.

SIR JOHN SAUNDERS: Let me interrupt you for a minute. I am not going to hold you precisely to 5 minutes. That’s not an encouragement to go on indefinitely, but I’m not going to put a guillotine down on you.

MR COOPER: I’m grateful for that. I think I’m there or thereabouts anyway, but the issue of the 2021 port stop as far as Ismail Abedi is concerned has been, to put it mildly, rankling with (sic) those we represent are concerned for your analysis. That’s the port stop of Ismail Abedi in 2021.

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You will be aware, sir, of that. On 26 July — —

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reasons for it, simply citing the Human Rights Act like
some sprig of garlic to avoid responsibility. There is
no embargo, there’s no problem for them in notification.
It is their mistake, it is their fault this inquiry were
not notified of it, and we ask the inquiry to deal with
that point.
Sir, we conclude. In our opening submissions
in September 2020, we said this:
“How can a man who is known to the security services
and has been under surveillance leave the country to get
to Libya and is then known to return to the UK and not
be either interviewed or apprehended?”
It’s a question we asked at the start of this
inquiry and still, as it were, we’ve either got the
answer, which is chilling, or we haven’t got much of an
answer.
Elaine McIver. They will never be forgotten, sir, and
we hope that some of their legacy will live on through
this inquiry. Thank you.
SIR JOHN SAUNDERS: Mr Cooper, thank you very much. That’s
a very appropriate way to end, if I may say so, but
do you mind if I just do mention one thing about

Ismail Abedi?

I well understand that we may need to look at and
see or invite other people to look at how we keep
witnesses who we wish to have at this inquiry and make
sure they attend. I just want to say this about
Ismail Abedi. There was another hurdle to be overcome
to answering the questions, even if we’d got him here,
and that is that he had made it entirely clear that
he was going to claim the right to silence against
incriminating himself.

Of course, the procedures would have been gone
through extremely thoroughly, he would not have been
allowed to just generally say, “I’m not going to answer
questions”, he would have to say in relation to any
question he’d been asked how he claimed that right to
silence. He had already indicated that that’s what he
would be doing:
You and I know some of the matters that he would
have had to deal with in evidence from the things we’ve
heard, from what Operation Manteline discovered, and
there would have been a number of matters, difficult
questions to answer, which he may well have been,
looking at the material we have — he may successfully
have argued that he didn’t have to answer because he
might incriminate himself. I think that was something
we were going to have to deal with.
So I am disappointed that we didn’t get him.
I understand the families’ anger. I would like to hear
his answers, what he has to say to a number of
questions. But it may have been that even if we’d kept
him, we may not have been entitled as a matter of law to
get the answers to a number of those questions. I just
put that in for just a feeling of balance, it’s
something which I have thought about considerably since
that time happened.
So I hope that helps. But I’m very grateful for
your submissions, a great deal of work has gone into
them, I fully recognise, and I’m grateful for them and
will fully take them into account. Thank you.
MR COOPER: Thank you, sir.
SIR JOHN SAUNDERS: Right. Is that the end?
MR GREANEY: Sir, yes, that concludes the closing
submissions for today. We’ll resume at 10.00 tomorrow
morning when we will hear from Mr Browne on behalf of
Salford University.
SIR JOHN SAUNDERS: Thank you. I’m very grateful.
Thank you.
(5.15 pm)
(The inquiry adjourned until 10.00 am
on Tuesday, 15 March 2022)