

J7 Response to the Provisional Index of Factual Issues – Provisional Index of Factual Issues – Issue 9

Forensic issues regarding the bombs and the bodies of MSK, Tanweer, Hussain and Lindsay

9. The likely components, manner of construction and mode of operation of the explosive devices.

THE IDENTITIES OF THE ALLEGED BOMBERS

The names of the alleged bombers were released by the Metropolitan Police on the following dates: Tanweer & Hussain on 14th July 2005¹, Khan & Lindsay on 16th July 2005². It should be noted that the name of 'Mohammed Sadique Khan' was being mentioned as being a 'suspect' in newspaper reports on 13th July 2005

We would request upon what information was the identity of the 'alleged bombers' proven.

It is noted that Metropolitan Police statements announcing the identities of the 'alleged bombers' confirmed that (for instance with respect to Shehzad Tanweer) the MPS "have not yet been able to gather forensic evidence to confirm that he died in any of the explosions".

It is noted that on 18 July 2005 a Freedom of Information request (Reference: FS50097905)³ was submitted to the Cabinet Office, requesting whether they held information of the following description:

- Information concerning the identification of Mohammad Sidique Khan, Shezad Tanweer, Hasib Hussain and Jermaine Lindsay as among the dead of the London bombings of July 7 2005, including any documents from the Identification Commission.

The FOI submission further requested, if available:

- A copy of the information

1 Press conference - pictures of Hasib Hussain released - Metropolitan Police Service - <http://cms.met.police.uk/met/layout/set/print/content/view/full/1320>

2 Police investigation continues into the 7/7 bombings - Metropolitan Police Service - http://cms.met.police.uk/news/major_operational_announcements/terrorist_attacks/police_investigation_continues_into_the_7_7_bombings

3 FOI Reference FS50097905, Information Commissioner's Office - http://www.ico.gov.uk/upload/documents/decisionnotices/2009/fs_50097905.pdf

- An opportunity to inspect the record
- A summary of the information'

On 26 August 2005 the Cabinet Office responded to the complainant and informed him that it held information related to the subject of his request but refused to disclose the information. However, it did not hold any information or documents from the Identification Commission.

From paragraph 18 of the FOI response (of 9th March 2009):

18. Disclosure of the requested information would reveal the **exact nature of the evidence collected** about the bombers along with when, and how, this evidence was collected. **If this information were disclosed, this could highlight the strengths and weaknesses of police and the security services investigatory efforts** into combating terrorist activities. This information could be used by perpetrators, facilitators and supporters of terrorist acts in the future leading to the authorities' ability to both prevent and detect crime, and apprehend potential terrorists, being harmed.

We would suggest that the exact nature of the evidence collected about the bombers along with when, and how, this evidence was collected requires to be known/ investigated by the current Coroner's Proceedings.

In paragraph 27 of the FOI response:

27. The Commissioner also believes that **the public interest in relation to securing the correct identification of the four bombers had been met by** the due process of **the Identification Commission and the Coroner's Court.**

We would suggest that the Coroner should confirm in the current Coroner's Proceedings to all assembled/interested parties whether she believes that the 'nature of the evidence collected' and 'how the evidence was collected' and any evidence/information from the Identification Commission does satisfy the following criteria:

- a) The due coroners process applicable at the time⁴ the revised process enacted under recent legislation⁵.
- b) The assigned Properly Interested Persons within the current Inquest Proceedings.
- c) The Public Interest.

4 Coroners Act 1988 (c. 13) - http://www.opsi.gov.uk/acts/acts1988/Ukpga_19880013_en_1.htm

5 Coroners and Justice Act 2009 (c. 25) - http://www.opsi.gov.uk/acts/acts2009/ukpga_20090025_en_1

Furthermore we would request an explanation of the term 'securing the correct identification', and whether this term is usual inquest terminology.

We would request that the Coroner confirms the dates on which the Inquests into the four 'alleged bombers' were opened.

We would request that the Coroner considers the investigation relating to the Travelcard in the name of 'Tyrone Smith' (MPS Evidence article RJB 179), including determining where/when it was found.

We would request that the Coroner investigates why the name of 'Germaine Lindsay' was apparently publicly identified⁶ by the French minister Nicolas Sarkozy at a briefing given by the British government in Brussels on 14th July 2005. Sarkozy also remarked to the effect that the 'alleged bomber[s]' were "a part of the team" arrested in march 2004, under the Crevice operation⁷. See also the notes below relating specifically to the identification of Lindsay.

We would request that the Coroner confirms the date on which DNA analysis was completed with respect to each of the 4 'alleged bombers'. Was the assigned coroner contemporaneously informed of the results of this DNA analysis?

We would request that the Coroner investigates the process whereby the DNA of the 4 'alleged bombers' was reportedly separated from the other deceased at the scenes, and given priority in DNA analysis. How did the forensic scene investigators determine which samples were to be taken and segregated at each of the incident scenes?

Early in the investigation it was reported⁸ that:

Meanwhile experts at QinetiQ, the government's former research agency, are to begin creating computer simulations that will show the locations of where the bombs were planted and the directions of the blast.

Were these computer simulations ever carried out and will they be available to the Inquest?

6 rmfr.com: July 2005 Archives - <http://www.rmfr.com/archives/2005/07/index.html#000255>

7 Security services 'failed to arrest bomber last year' – The Scotsman - <http://tinyurl.com/38onsq2>

8 Massive global manhunt builds picture of killers | UK news | The Observer - <http://www.guardian.co.uk/uk/2005/jul/10/july7.uksecurity1>

ISSUES RELATING TO “APPARENT BOMBER” LINDSAY GERMAINE

Despite Tanweer and Hussain being identified by the 14 July, Lindsay's name is not released until the 16 July:

After continued forensic work we now believe we have identified the four men who travelled from Luton and were later seen on CCTV at King's Cross **shortly before 8:30am** on Thursday 7th July.

We can also now confirm the identity of a fourth man who arrived in London with the three men from West Yorkshire and then died in the explosion between King's Cross and Russell Square underground stations. He was Germaine Lindsay, aged 19. We believe that he was responsible for carrying out that attack⁹.

Before Lindsay was named, newspaper reports were carrying stories of a very different suspect, Ejaz Fiaz, in connection with this explosion. It was not until after his wife, Samantha Lewthwaite, contacted the police on 13th July to report her husband missing and a subsequent police search carried out on her home, that Lindsay's property is reportedly found at the scene and his name is given to the press:

13 July Jermaine Lindsay's wife informs police that he is missing. Police search Lindsay's home in Aylesbury.

15 July Property belonging to Lindsay found at Russell Square.

16 July The police publicly confirm the names of Khan and Lindsay.¹⁰

The Home Office report claims that on the 12th July police were aware of two cars at Luton via an eye-witness report, which is how the journey from Luton to King's Cross was apparently discovered. A controlled explosion is carried out on one of the cars and it's claimed that the red Fiat Brava, towed away through lack of a parking ticket¹¹, was registered to Lindsay and being sought from an earlier aggravated burglary in which a hand-gun had been used. Yet Lindsay is not identified on the 12th July:

12 July By lunchtime, police working on the theory that there is a King's Cross link to the 3 train bombs, all being broadly equidistant from there at the time of the explosions, **identify a CCTV image of 4 men with rucksacks at King's Cross**. They recognise Tanweer first from a DVLA photograph.

9 Police investigation continues into the 7/7 bombings - Metropolitan Police Service - http://cms.met.police.uk/news/major_operational_announcements/terrorist_attacks/police_investigation_continues_into_the_7_7_bombings

10 p.11 Report of the official account of the bombings in London on 7th July 2005 - <http://www.official-documents.gov.uk/document/hc0506/hc10/1087/1087.asp>

11 J7: Mind the Gaps - Part 2 - Documenting the catalogue of inconsistencies in the story so far - <http://www.julyseventh.co.uk/july-7-mind-the-gaps-part-2.html#lindsaydna>

The police identify CCTV images of the same 4 at Luton Station. The Micra is found at Luton and examined. 9 controlled explosions were carried out on material found in it. The Brava, which had been towed away because it did not have a parking ticket is later traced to Lindsay. There had been a report on the Police National Computer that the Brava may have been used in an aggravated burglary (see paragraph 69) and Lindsay was named as the registered keeper for the car.

Nor was the CCTV of Lindsay arriving in Luton Station car park and collected by the MPS on 11th July used to identify Lindsay:

73. The next that is known of Khan, Tanweer and Hussain is the CCTV image of the Nissan Micra leaving Leeds on the morning of 7 July; **and of Lindsay, the CCTV image of the Fiat Brava arriving at Luton Station car park an hour or so later.**

As newspapers reported¹² on 15th July 2005:

Alone among European media outlets, Libération identified Germaine as the fourth bomber yesterday morning. At that time, most British newspapers and even many police officers believed the fourth bomber to have been another Leeds man of Asian origin.

Germaine's identity was only established yesterday afternoon after forensic experts matched DNA samples from a house in Aylesbury, Buckinghamshire, to shreds of tissue retrieved from the Piccadilly Line train that exploded near Russell Square.

The Home Office report claims that he was identified on 15th July by property found at the scene. One of these was apparently this travel card in the name, not of Germaine Lindsay, but instead Tyrone Smith:

12 Security services 'failed to arrest bomber last year' - Scotsman.com News - <http://news.scotsman.com/terrorismintheuk/Security-services-failed-to-arrest.2643196.jp>



An identity document that Forensics expert Clifford Todd described, during the so called “7/7 helpers” trial of three men that were acquitted of any involvement in the events of 7th July:

"It is, in the opinion of Mr Todd, noteworthy that at each scene, some personal materials and documents, such as ID cards, were found relating to the bombers.

"Although they were damaged to some extent, they did not show the damage that would be expected if they were on the body of the bomber or in the rucksack, suggesting that in each case they had been *deliberately separated* by some distance from the actual explosion."¹³

What remains unexplained and deeply disturbing in the case of the identity of Germaine Lindsay as a 'suicide-bomber' responsible for the explosion on the Piccadilly Line train is: How was it remotely possible for him to enter a crush-capacity train and, within seconds, scatter his ID “some distance” away around the carriage, and then manoeuvre a large rucksack to the floor in order to detonate it?

13 July 7 bombers 'left clues to martyrdom' - Telegraph - <http://www.telegraph.co.uk/news/uknews/1895690/July-7-bombers-left-clues-to-martyrdom.html>