

Coroner's Inquests into the London Bombings of 7 July 2005

Hearing transcripts - 15 February 2011 - Morning session

1 Tuesday, 15 February 2011

2 (10.00 am)

3 LADY JUSTICE HALLETT: I see an empty chair, Mr Keith.

4 MR KEITH: My Lady, yes, indeed. My Lady, a great deal of
5 work, as my Lady knows, has gone on behind the scenes to
6 try to ensure the attendance of some of the background
7 witnesses for today and tomorrow.

8 The first witness on my Lady's list today was meant
9 to be a lady by the name of Nicki Blackmore who was to
10 give evidence in relation to her memories and
11 recollections of a man she knew to be "Tyrone" or
12 "Jamal", Jermaine Lindsay of course.

13 She had made arrangements, through your team, to
14 attend a particular video conferencing suite in England,
15 but, last night, information was received that her phone
16 was no longer working and the latest information is that
17 she hasn't attended the video suite. So it may well be
18 that she has, after all, and despite the indications
19 she's given to the team, decided not to attend.

20 It may well be that I'll make an application in due
21 course for my Lady to give consent to have her statement
22 read, although hitherto, in relation to those statements
23 that I've read, my Lady has given generic consent for
24 those statements to be read and has generically invited
25 anybody to indicate their objections to such a course

1 being adopted, but I think in view of the fact that she
2 was expected to attend to give evidence and there may be
3 people here who were intending to ask her questions,
4 I may invite my Lady later to ask whether or not there
5 are any objections to such an application to be made
6 under rule 37 of the Coroners Rules.
7 But may I make that application later, lest there is
8 any chance that she does intend to attend the suite but
9 is simply running late?
10 The next witness on my Lady's list for today is
11 Detective Constable Maxted from Bedfordshire police,
12 who's due to give evidence by way of video link at
13 11.30. We then have a Witness A at 2.00 pm. Her
14 evidence cannot be brought forward and, although we have
15 a little bit of reading to do and some tapes to play,
16 I would prefer if my Lady agreed to read those
17 statements and to play those tapes this afternoon,
18 because there are one or two technical issues that we
19 need to resolve before we can get there.
20 So in those circumstances, I'm afraid I've no option
21 but to invite my Lady to rise until 11.30, when we hope
22 to hear from Detective Constable Maxted. If, of course,
23 the position changes, then we'll let you know
24 immediately, and that will allow us a little more time
25 to get on with resolving some technical issues with the

1 tapes of Mohammed Sidique Khan, in particular, which we
2 propose to play during the course of the day.

3 LADY JUSTICE HALLETT: Very well.

4 Mr Taylor, I see you're here today. Had you
5 intended, do you know, to ask Nicki Blackmore any
6 questions?

7 MR TAYLOR: Not Nicki Blackmore, no.

8 LADY JUSTICE HALLETT: Don't worry. You've heard what's
9 happened. She may or may not be available to give
10 evidence. So I will at some stage have to decide
11 whether or not to allow her statement to be read and,
12 therefore, I'll need to know from people like you, and
13 indeed the lawyers, whether anybody has any objection to
14 that course. So I just thought I'd mention it now so
15 that if, when I adjourn, you want to discuss it with
16 Mr Suter or Mr Keith, you can do so.

17 I will wait to hear when we're ready, if we are,
18 before 11.30.

19 MR KEITH: Thank you, my Lady.

20 (10.10 am)

21 (A short break)

22 (11.30 am)

23 MR KEITH: My Lady, may I return to the issue of Ms Pike
24 later and invite you to call first Detective
25 Sergeant Maxted who is on a video link from Luton,

1 please?

2 Good morning.

3 THE WITNESS: Good morning.

4 MR KEITH: You can hear me?

5 THE WITNESS: I can, yes.

6 MR KEITH: Detective Sergeant, my name is Hugo Keith, I'm
7 Counsel to the Inquests and I'm going to ask you some
8 questions, if I may, on behalf of her Ladyship,
9 Lady Justice Hallett, who is the coroner in these
10 proceedings.

11 Before I do so, could I invite you, please, to be
12 sworn?

13 THE WITNESS: Certainly.

14 DETECTIVE SERGEANT GRANT MAXTED (sworn)

15 Questions by MR KEITH

16 MR KEITH: Detective Sergeant, could you give us your full
17 name, please?

18 A. My name's Grant Maxted, I'm currently a detective
19 sergeant in Bedfordshire police working with (break in
20 connection).

21 Q. Mr Maxted, it's going to be quite hard to hear you and
22 you might have some difficulty hearing us, so we'll take
23 some care, if we may, in always pausing after asking
24 a question and responding, so that we don't talk across
25 each other.

1 You have kindly made yourself available, Mr Maxted,
2 because you are a detective with the Bedfordshire police
3 who investigated an incident that occurred on
4 27 May 2005. Is that right?

5 A. Yes, that's correct.

6 Q. During the course of the evening on that day, did
7 Bedfordshire police receive a call, a 999 call, which
8 referred to the fact, or stated that there was a male in
9 a house with a gun and, because of this person with
10 a gun, a neighbour or somebody in the building called
11 the police by way of a 999 call and reported it?

12 A. Yes, I believe the person that was calling was actually
13 calling the person that was in the house, rather than
14 a neighbour.

15 Q. The address which concerned this call was a building
16 with a number of flats in it, was it not?

17 A. Yes.

18 Q. We'll look at it a bit later, but there was some
19 confusion, was there not, as to who had made the call
20 and where the call was coming from. Do you recall that?

21 A. Yes.

22 Q. I know that you've got some documents in front of you.
23 Could I ask you, please, to look at a document that we
24 know to be INQ10015 [INQ10015-2]? You might know it as exhibit
25 GJCM1. It's an extract --

1 A. Is there a cipher for it?

2 Q. No, what it is, it's a printout of URN399, which you
3 asked, or one of your colleagues asked, to be printed
4 out for the purposes of these proceedings. The original
5 report is dated 18.31 on 27 May. It's the CAD printout
6 in essence. It's the first exhibit that you attached to
7 your witness statement.

8 A. URN399?

9 Q. URN399.

10 A. Yes, I've got that.

11 Q. All right, if we could have that, then, please on our
12 screen, there we are. At the top of the page on the
13 right-hand side, Mr Maxted, you will see there: time,
14 18.31; date, 27 May 2005.

15 A. Yes.

16 Q. Is this printout the record of the information received
17 by the police operator who took the call and of the
18 subsequent steps taken that day by Bedfordshire police?

19 A. It certainly records some of them, yes.

20 Q. A little further down the page from the time and date we
21 can see:

22 "Brief incident details, male shouting 'There is
23 a gun man in the house' -- he said he is calling from
24 next door."

25 So the maker of the 999 call appeared to be calling

1 from next door and was talking about a man with a gun in
2 his house?

3 A. Yes.

4 Q. If we look further down the page, we can see the
5 address. It's been blanked out on our copy, but it was
6 an address in Luton, and then further down the page
7 there is then a list of the officers who, in their
8 various ways, addressed the incident and dealt with it.
9 So the document gives a list of the resources made
10 available.

11 A. That's correct, yes.

12 Q. Could you then turn over the page to page 4 [INQ10015-4] of the
13 document, our page 4? At 18.32 at the top of the page,
14 so a minute after the call was received, the document
15 shows what further information is received and what
16 steps were taken by the operator to deal with the
17 information as it came in.

18 If we could start in detail, at 18.32, five or six
19 entries down from the top of the page, we can see the
20 operator has said:

21 "Still on the phone to the inf", the informant.

22 That's to say the person who called in; is that right?

23 A. That's correct, yes.

24 Q. The operator says:

25 "All I can hear is lots of people shouting."

1 There is then a reference to a conversation or
2 a piece of information from the BT operator concerning
3 the location from where the call came and a reference to
4 the possibility of the location being a car wash, and,
5 Officer, is this right, because the informant, the
6 caller, had made reference to a gun, Bedfordshire police
7 authorised an armed response vehicle to attend the
8 scene?

9 If you go down the page to 18.34, three or four
10 minutes --

11 A. Yes.

12 Q. -- further down, if we can move down the page, please,
13 18.34 at 1269:

14 "ARVs have authority to arm. Inf [that's the
15 caller] is apparently at number 203."

16 So the incident was treated seriously by
17 Bedfordshire police because of the reference to a gun
18 and an armed response vehicle was tasked to go to the
19 address?

20 A. Yes.

21 Q. The operator, if we go further down the page, please, to
22 18.38, continued to speak to somebody at the address and
23 the person who made the call provided some further
24 information, did he not, to the effect that three IC3
25 males had run into the house of the person who'd made

1 the call, the 999 call, and he'd seen, the caller,
2 a small black handgun in their possession. Do you see
3 that?

4 A. Yes.

5 Q. He went on to say, however, 18.39, that the men who had
6 run into the house with the handgun had left the
7 location, and so, Bedfordshire police, having authorised
8 an armed response vehicle, decided the best thing to do
9 was to send officers to the property to see what had
10 happened and to try to identify who had made the call
11 and what the complaint was?

12 A. Yes.

13 Q. If we can then turn over the page to your page 5 [INQ10015-5], it
14 became clear from the conversation with the caller --
15 18.42 at the top of the page -- that there wasn't much
16 by way of description available of the men who had gone
17 into the premises with the gun and who had fled, but
18 there was a reference, was there not, to three females
19 and a young child in the house who appeared to have been
20 the victim, or the victims, of whatever had occurred in
21 the address, and they left the address in a taxi?

22 A. That's correct, yes.

23 Q. So was this the position, Officer, that from the
24 viewpoint of Bedfordshire police, they were required to
25 identify both the caller to see whether or not he'd been

1 the victim of a crime, as well as the victims, the three
2 females and the child, to see whether they also had been
3 the victim of a crime, as well as, of course, the
4 suspected offenders?

5 A. Yes.

6 Q. But officers went to the address -- and we can see at
7 the bottom of the page, 18.54, "arrived at incident" --
8 and a number of detectives also went, did they not, to
9 the address as well as the armed response vehicle?

10 A. Yes, later on, yes.

11 Q. Then turning over the page, please, to page 6 [INQ10015-6], and
12 summarising the position, there was a report around
13 about 18.56, the details of which have been redacted on
14 our version, but in essence, police received a report to
15 the effect that there had been a witness in the near
16 locality of the address -- or there were a number of
17 witnesses -- who had seen the men come out of the
18 premises but knew nothing more of them or were unable to
19 provide any sort of description of them.

20 But further down the page, at 19.03, police spoke in
21 some detail again to the people at the car wash opposite
22 the premises and they reported how they'd seen somebody
23 come out of the address and the person had screamed,
24 "Someone's got a gun to my baby" and then they'd left in
25 a taxi.

1 So that appeared to be a reference to the same
2 people of whom a report had been made earlier who had
3 left the address in a taxi, three females and a baby?

4 A. Yes.

5 Q. At 7.05, or thereabouts, did Bedfordshire police receive
6 another call from a witness outside in the street who
7 had also seen a group of males -- two IC3s; that is to
8 say two black males -- running down the road where the
9 address was, one of whom had a balaclava on and, as they
10 ran away, she had been able to see that they were
11 holding a gun or one of them was holding a gun. Do you
12 recall that?

13 A. Sorry, is that a different document?

14 Q. If you can't remember, I'll refer you to the document.
15 It's the second document in the witness statement that
16 you produced, Mr Maxted. It's our INQ10543. For
17 my Lady at the top of the page, your second document.

18 A. Yes, yes.

19 Q. We can see there that there's a time, 19.05, a 999 call
20 again:

21 "Inf [that's the informant, the caller] states
22 approximately half an hour ago she witnessed two IC3
23 males and one XIC4 male running down the road from the
24 direction of [that particular address]. When the males
25 saw the police vehicles, they took off their balaclavas

1 and gloves. Males got into a Fiat Brava."

2 That caller was able to provide the registration
3 number of the Fiat Brava into which those men had got?

4 A. That's correct, yes.

5 Q. So from the beginning of the incident, Mr Maxted,
6 Bedfordshire police had a good lead, did they not, which
7 was that there was a link between whatever had happened
8 in this address and the men who had left the address and
9 this car, the Fiat Brava?

10 A. Certainly a hypothesis, yes.

11 Q. Well, Mr Maxted, perhaps I can ask you what your role
12 was at the time. I think you were a trainee
13 investigator at the time.

14 A. Yes.

15 Q. You prepared for my Lady a witness statement setting out
16 the chronology of the events and producing for us all
17 the paperwork in Bedfordshire police's possession.

18 A. That's correct, yes.

19 Q. Do you recall these events at all?

20 A. Vaguely, yes.

21 Q. Can I ask you this: have you taken any steps to refresh
22 your memory based on the documents that you helped
23 prepare at the time?

24 A. Only from the documents that you've got a copy of, yes.

25 Q. But you've read them through before today and tried to

1 refresh your memory as to what you recall of this
2 particular attempted robbery?

3 A. Yes.

4 Q. Right. So there was that second informant, and if we
5 stay with that document, INQ10543 [INQ10543-2], and we look at the
6 second page, this is your second exhibit, we can see at
7 the top of the page some further details or, in fact,
8 what exactly was said by the caller:

9 "When the males saw the police vehicles, they took
10 off their balaclavas and gloves. Males got into
11 a Fiat Brava, registration R662 DSF."

12 Now, four minutes after that witness called,
13 Bedfordshire police appreciated that this was a good
14 lead because, did they decide to contact Thames Valley
15 police and ask for an immediate check to be done on the
16 address of the keeper, the registered owner, of that
17 Fiat Brava car?

18 A. Yes, they did.

19 Q. It appears to have been quite an urgent call, Mr Maxted.

20 A. A standard call, I would suggest.

21 Q. Well, within four minutes of the caller calling in with
22 a 999 call, Bedfordshire police contacted Thames Valley
23 police to say, "Please do a check on the address
24 registered to this car". So it was plainly something
25 significant.

1 A. Yes, the vehicle is potentially involved, yes.

2 Q. At 19.21, Thames Valley police responded, did they
3 not -- you can see it halfway down the page -- that
4 they're going to do "RO". Is that registered keeper or
5 registered owner?

6 A. Registered owner, yes.

7 Q. "... registered owner queries as soon as possible
8 against the registered owner details."

9 They then provide a reference number for this
10 enquiry made with Thames Valley police and the name of
11 the person who was going to deal with the enquiry, and
12 they told your colleagues that they were going to call
13 back?

14 A. Yes.

15 Q. Within a few minutes after that, at 19.41, Thames Valley
16 police called back to say they had been unable to get
17 hold of the registered owner but they would be sending
18 a unit around to make enquiries. That's to say they
19 were going to send a car to the address of the
20 Fiat Brava. Is that right?

21 A. Yes.

22 Q. But they were already able to tell Bedfordshire police
23 that, according to their information, the registered
24 owner was a man called Jermaine Lindsay, who had
25 a previous -- we'll come to this in a moment -- for

1 cannabis possession and importing controlled drugs.

2 A. Yes.

3 Q. You, as we'll see in a moment, took over the
4 investigation, the practical day-to-day investigation of
5 this case, under a senior investigating officer,
6 Mr Ellson. So perhaps you can help us with this: in the
7 course of your investigation, Mr Maxted, you knew from
8 the very start that you had a name, Jermaine Lindsay,
9 and an address to which the car seemed to be leaving the
10 crime, if it was a crime, was registered?

11 A. Yes.

12 Q. You asked, or rather your colleagues asked, at the same
13 time, did they not, for a marker to be placed on the
14 vehicle. You can see that at 19.26. What is a marker?

15 A. Yes. It's just a note against the vehicle that, should
16 it be run through the police national computer, will
17 indicate some information on that vehicle.

18 Q. Do we take it, therefore, that the marker was asked to
19 be placed on the vehicle because Bedfordshire police
20 were concerned to find out more about the vehicle and
21 who was using it?

22 A. Yes.

23 Q. In addition, was something called a trace enquiry asked
24 to be done on the vehicle?

25 A. Yes.

1 Q. What is a trace enquiry?

2 A. It's basically to see if the vehicle has been run

3 through the police national computer over a period of

4 time.

5 Q. If you look at the bottom of the page, at 20.02, so

6 again not long after, about 50 minutes after the

7 incident, somebody at Bedfordshire police says:

8 "Please can a TE ..."

9 A trace enquiry.

10 "... enquiry be completed on the above vehicle?"

11 A. Yes.

12 Q. Was that enquiry carried out, do you know?

13 A. It was, yes.

14 Q. If you go over the page to page 3 [INQ10543-3] of this document, at

15 our 21.24, do you see there that the trace enquiry was

16 completed and then sent back to Bedfordshire police?

17 A. Yes.

18 Q. There was, I think, some issue as to whether or not the

19 fax had been received by CID, the Criminal Investigation

20 Department of Bedfordshire police, but at 22.27 we can

21 see that it had arrived, and you should have a copy of

22 that trace enquiry request in your paperwork there

23 because you provided it to us, Mr Maxted. It's our

24 INQ10544 [INQ10544-1], please.

25 A. Can I just say it says the fax was sent. It doesn't say

1 it was received.

2 Q. Well, you gave us the copy of the fax, Mr Maxted, in
3 your witness statement, and so it must have been
4 received. You should have it --

5 A. But not necessarily on the 27th (break in connection).

6 Q. It's dated 27 May, 21.35 and you provided it to us, so
7 I think we can be confident that you did receive it.

8 My Lady, it's at your INQ10544.

9 A. Thank you.

10 Q. Is that a trace enquiry?

11 A. Yes.

12 Q. Did the trace enquiry show that the vehicle had come to
13 the attention of the police for a variety of different
14 reasons over a number of months?

15 A. It showed that it had been requested (break in
16 connection) computer, yes.

17 Q. Do you recall whether any steps were taken subsequently
18 to pursue any of the links revealed by that trace
19 enquiry?

20 A. Not that I recall, no.

21 Q. Do you know why not?

22 A. No.

23 Q. Could we go back, please, to the document at INQ10543 [INQ10543-3]?
24 We've just looked at the trace enquiry.

25 In addition, Bedfordshire police asked for a PNC

1 check -- that's to say a police national computer
2 check -- to be done, did they not? We can see that on
3 our --

4 A. (Break in connection), yes.

5 Q. Yes. The document is the crime report sheet, the CAD
6 printout, rather, INQ10543, your second exhibit. The
7 document we were looking at before the trace enquiry.

8 A. Okay.

9 Q. If you could look at the second page, please, of that
10 document, our INQ10543-2 [INQ10543-2], at 19.08, you will see there
11 a reference to PNC. Can you see that, Mr Maxted?

12 A. Yes.

13 Q. Is that a reference to a check done by Bedfordshire
14 police on the police national computer?

15 A. Yes.

16 Q. Turn forward in that document, then, please, to page 4,
17 our page [INQ10543-4]. Is that the PNC enquiry result
18 that came back from the check on the police national
19 computer?

20 A. Yes.

21 Q. The PNC check -- the date of which we can see in the top
22 right-hand corner, was 27 May, at 19.05, so very soon
23 after the incident, if not instantaneously with the
24 report, to Bedfordshire police -- revealed the name of
25 the keeper, Mr Jermaine Lindsay, for that Fiat Brava

1 car, R662 DSF.

2 It showed, further down the page, information about
3 when the DVLA registration document V5 had been issued
4 and how long he'd been the keeper of the car, and over
5 the page, on page 5 [INQ10543-5], did it provide information to the
6 effect that he had come to the attention of the police
7 for possession of controlled drugs and importing
8 controlled drugs, yes?

9 A. (Inaudible) check that he was the person on the vehicle.

10 Q. Yes, this all related to the registered keeper of the
11 vehicle, Jermaine Lindsay, did it not?

12 A. Yes.

13 Q. It also provided, didn't it, his last known address
14 according to the police national computer, which was an
15 address in Denmark Road in London?

16 A. Yes.

17 Q. We can't see it on our document because it's personal
18 information and has been redacted, but, my Lady, the
19 address was on the original document and is on the
20 original document before Mr Maxted under the words "Last
21 known address as at 25/04/02", in the middle of the
22 page.

23 Do you know whether any enquiries were made by
24 Bedfordshire police of that last known address, which
25 was an address in --

1 A. I'm afraid I don't.

2 Q. -- Denmark Road?

3 A. Sorry, I don't know.

4 Q. Have you taken any steps now, in light of the
5 significance of Jermaine Lindsay, to find out why no
6 steps were taken to see whether he could be traced
7 through that last known address?

8 A. I haven't, no.

9 Q. Could we turn back, please, to the main CAD sheet, which
10 is our INQ10015, the first exhibit in your bundle of
11 documents, Mr Maxted, please. Do you have that in front
12 of you?

13 A. Yes.

14 Q. We departed on page 6 [INQ10015-6] of the document at 19.05 to look
15 at the second CAD, which was the CAD generated by the
16 second caller, the witness who had seen the males in the
17 street with the gun. So perhaps we can go back to
18 page 6 at 19.05.

19 Turn over the page, please, to page 7 [INQ10015-7].

20 While these enquiries were going on to find the
21 registered keeper of the Fiat Brava that had been seen
22 outside in the street, the police officers at the
23 address, which concerned the original alleged crime,
24 were trying to find the exact location in the building,
25 weren't they?

1 A. I believe so, yes.

2 Q. We can see at 19.16 and 19.17, the police found the
3 address where the incident, whatever it was, had
4 occurred, because they found that a door had been ripped
5 off the hinges of one of the flats in the building, and
6 if we look down the page to 19.24, enquiries then
7 developed as to who the landlord was and steps were
8 taken to try to find out who lived in the building, who
9 might be a witness and who could tell the police what
10 had happened, is that right?

11 A. Yes, yes.

12 Q. At 19.25, it appears that the police who had attended
13 the scene, perhaps the armed response vehicle, realised
14 that one way of identifying the victim and perhaps the
15 suspect, if there had been a crime, was to ask the
16 scenes of crime officer, SOCO, to attend perhaps to take
17 fingerprints.

18 Do you see that the SOCO was asked --

19 A. (Break in connection) to examine the scene, yes.

20 Q. -- to examine the scene. If you go over the page to
21 page 8 [INQ10015-8], at 19.29 -- so about an hour after the original
22 call -- the police at the scene asked for the CID, the
23 Criminal Investigation Department, the department of
24 which you are a member, to be called out to start
25 investigating whatever had happened. Do you see?

1 A. Yes.

2 Q. DS Ellson is referred to there because he was called
3 out, perhaps because he was the duty officer, and he
4 said he would start looking at what was going on from
5 whichever police station he was in at the time. Is that
6 right?

7 A. Yes, he would have been on that evening, that would have
8 been a late CID.

9 Q. He was on duty somewhere and he probably told the
10 operator that he would review the paperwork or review
11 what was going on and take appropriate decisions?

12 A. Yes.

13 Q. Another officer, at 19.33, DI Postawa, appears also to
14 have been contacted, do you agree?

15 A. Yes.

16 Q. There was, however, a delay in getting the scenes of
17 crime officer, the SOCO, to go to the scene, wasn't
18 there?

19 A. There was, yes.

20 Q. If we look at page 9 [INQ10015-9], right at the bottom, at 20.30, we
21 can see a reference to the SOCO expressing concern as to
22 whether or not the safety of the scenes of crime officer
23 and his or her staff could be assured if he went to the
24 scene and, as a result, if you go over the page, there
25 appears to have been some debate as to whether or not

1 the SOCO could be made to attend that evening as opposed
2 to going to the address the following day on 28 May. Is
3 that right?

4 A. Yes.

5 Q. The officers who attended the scene, as well as one of
6 the officers in the Criminal Investigation Department,
7 expressed concern, we can see at 21.11, as to whether or
8 not, if the SOCO didn't attend, there was the potential
9 to lose forensic evidence. This was one of the leads
10 which was required to be followed if you were going to
11 identify who the victim was and who the assailant was,
12 if there was an assailant. Do you agree?

13 A. Yes, yes.

14 Q. But in the event, the SOCO didn't attend until the
15 following day?

16 A. No.

17 Q. Meanwhile, the enquiries through Thames Valley police
18 were proceeding and if you could go to page 14 [INQ10015-14] at 15.15,
19 the following day, 28 May, Thames Valley police
20 called --

21 A. Sorry, my pages aren't numbered, so will you bear with
22 me?

23 Q. It's the page that commences 14.05, 28 May at the top.

24 A. Thank you.

25 Q. In the second block of entries, you will see 15.15:

1 "Further call from Thames Valley police to state
2 that they have tried the registered owner address of the
3 red Fiat Brava -- 10 Meadow Way ... several times today
4 without success."

5 A. That's correct, yes.

6 Q. Do we take it, Mr Maxted, that because Thames Valley
7 police were still pursuing their enquiries as to who the
8 owner was of the Fiat Brava and where he was the
9 following day, this was still regarded as a significant
10 lead by Bedfordshire police?

11 A. It certainly is (inaudible).

12 Q. In fact, would it be fair to say, because you had
13 difficulties in finding the person who had run out of
14 the premises saying that they had been attacked by a man
15 with a gun, and because you had no leads on the identity
16 of the people who had run out of the premises, the
17 Fiat Brava was the best lead that you had?

18 A. It was, yes, it certainly was a lead.

19 Q. Was it the best lead, Mr Maxted, would you assess?

20 A. I couldn't tell you that, looking back now with all the
21 information, that that could be, at the time, as to
22 whether it was the best lead or not. It was certainly
23 a lead.

24 Q. Let's have a look, then, at the other enquiries that
25 were made. You became the officer in charge of the

1 investigation, didn't you?

2 A. I was nominated, yes.

3 Q. Were you the officer in charge of the investigation?

4 A. Yes.

5 Q. You operated under the supervision of another officer,

6 Mr Ellson, to whom we've seen reference in the

7 paperwork, who became the senior investigating officer

8 and you reported to him?

9 A. Yes.

10 Q. Were you given an operational title, so was this

11 investigation given a name?

12 A. I believe so, yes.

13 Q. It was Operation Bugle; does that ring a bell?

14 A. Yes, I believe so, yes.

15 Q. All right. Now, you did your best, did you not, over

16 the coming days, to try to pursue a number of leads that

17 you hoped would lead you to find the victim so that the

18 victim could tell what you had happened in the flat and

19 no doubt tell you whether or not he or she wanted to

20 press charges?

21 A. Yes.

22 Q. You made enquiries of a taxi company, a local taxi

23 company, because one of their drivers had reported to

24 the police that they'd picked up a male who had run out

25 of the flat with a child. So you went to the taxi

1 company to try to see whether or not they could identify
2 who that person was and where, perhaps, they'd been
3 dropped off so you could find them.

4 A. We spoke to the taxi driver, yes.

5 Q. Yes. If we could look at INQ10015 again, which is the
6 main CAD printout that you have, at page 15 [INQ10015-15], on 28 May,
7 the following day, a member of that taxi company called
8 CID stating that one of his drivers had picked up one of
9 the males concerned and he asked police to give him
10 a call.

11 A. Yes.

12 Q. In your witness statement, which you prepared for
13 her Ladyship, Lady Justice Hallett, you recount how, on
14 29 May, you spoke to the taxi driver and he told you how
15 he'd driven the victims, if victims they were, to an
16 address in Luton, but he hadn't seen where they'd gone
17 precisely.

18 A. That's correct, yes.

19 Q. But someone decided that it was worth taking a witness
20 statement from that taxi driver, didn't they?

21 A. Yes.

22 Q. Could we look, please, at INQ10545, it's your tab F, our
23 page 19 of INQ10545.

24 This is a printout, Mr Maxted, of the crime
25 management system compiled by Bedfordshire police, which

1 sets out all the investigative steps taken on this
2 enquiry from the beginning to the end.
3 Could you look --
4 A. (Break in connection).
5 Q. I'm sorry?
6 A. I'm sorry, it might not be necessarily all of the
7 enquiries that were undertaken. My recollection is
8 (break in connection).
9 Q. All right, well, we'll see which enquiries were on the
10 document and which were not. Could you look at page 19?
11 A. Yes.
12 Q. You'll see at the bottom of the page, 31 May, either
13 yourself or one of your colleagues asked an officer to
14 go and visit the taxi company and take a statement from
15 them setting out what had happened on the night of
16 27 May and when and where they had dropped off the
17 people who had run from the flat. You can see "Action
18 report".
19 A. Yes, that request -- as I say, the request was made by
20 DS Ellson, "officer assigning" it says at the bottom.
21 Q. Thank you very much. It was action, because we see
22 "Action report":
23 "I have taken a statement from the gentleman and put
24 it in your in-tray", date completed 15 June.
25 A. Yes.

1 Q. You, I think, had gone on leave on 30 May -- so three or
2 four days after this incident -- and hadn't returned
3 until 6 June?

4 A. That's correct, yes.

5 Q. But after you came back, therefore, this witness
6 statement appears to have been taken from the taxi
7 driver?

8 A. Yes.

9 Q. You also tried, or your colleagues tried, to identify
10 the group of females who had left the flat by making
11 enquiries as to whether or not anybody matching their
12 description had been rehoused in the area. Do you
13 remember that?

14 A. Yes.

15 Q. Could we have INQ10547, please, your tab H?

16 A. Thank you.

17 Q. Mr Ellson contacted a department called "Force
18 Intelligence Bureau", subject matter "Operation Bugle",
19 with a view to them trying to liaise with other forces
20 concerning the housing of a family unit in your area;
21 that is to say he was trying to see whether or not they
22 might have some details of who these people were who had
23 fled the flat in fear from some incident. Do you agree?

24 A. Yes.

25 Q. You also, according to your witness statement, went to

1 the petrol station where the taxi had stopped. Do you
2 recall that?

3 A. Yes.

4 Q. To see whether or not the CCTV there recorded the people
5 going through the petrol station. Do you remember that?

6 A. That's correct, yes.

7 Q. Why were you not able to pursue that enquiry, do you
8 remember?

9 A. Yes. Unfortunately, there was a poster on the window
10 which was obscuring the view.

11 Q. The poster had been put on the window of the petrol
12 station and obscured the view of the forecourt from the
13 CCTV camera?

14 A. Unfortunately, yes.

15 Q. What was the poster, Mr Maxted, do you remember?

16 A. It was a Bedfordshire police poster (inaudible) crime,
17 I'm not sure.

18 Q. The Bedfordshire police poster had been placed on the
19 window directly obscuring the CCTV camera footage of the
20 forecourt, do you recall?

21 A. Unfortunately, yes.

22 Q. So that enquiry led nowhere. You and your fellow
23 officer went to the locality of the address where the
24 taxi had dropped off these people to see whether or not
25 you could make some enquiries there, do you remember

1 that?

2 A. Yes.

3 Q. I think you put a request for witnesses to come forward
4 in the local newspaper?

5 A. Yes.

6 Q. You also made enquiries of the landlord of the address
7 with a view to taking a statement from him as to who
8 lived in the address and what damage had been done to
9 the particular flat. Do you remember that?

10 A. I believe so, yes.

11 Q. If we could have, please, [INQ10545-20], your tab F,
12 towards the back of the document --

13 LADY JUSTICE HALLETT: Mr Keith, I'm sorry to interrupt, I'm
14 just not sure if we need this amount of information,
15 given that we never get to the stage of a crime even
16 being reported.

17 MR KEITH: Yes, we'll get there in a moment, my Lady. Of
18 course, the position was this: that although no crime
19 was reported, there was still plainly a witness who had
20 reported three men, one of whom had a gun, and that
21 they'd entered a car for which they had a registration
22 plate number and a registered owner.

23 As you will see in a moment, unfortunately Mr Maxted
24 went away on leave and then attended a residential
25 training course and all enquiries stopped for four

1 months until after 7/7 when the significance of
2 Jermaine Lindsay became rather more apparent.

3 So it's important to see what enquiries were taken,
4 lest there be any criticism of Bedfordshire police for
5 not having pursued enquiries between June and September.

6 LADY JUSTICE HALLETT: Well, I just wonder whether we need
7 this level of detail, because plainly enquiries were
8 made in some detail.

9 MR KEITH: Well, they were certainly for a matter of a week,
10 my Lady.

11 Perhaps I can deal with it fairly shortly. You made
12 enquiries of the landlord and you also tried to contact
13 the witness who had made the second 999 call, did you
14 not?

15 A. Yes.

16 Q. I think, finally, you endeavoured, before you went away
17 on leave, to see whether or not the Fiat Brava had
18 appeared on any Bedfordshire police speed cameras?

19 A. Yes.

20 Q. But there came a time, didn't there, Mr Maxted, where,
21 having gone on leave and then having returned, you went
22 off on a residential training course?

23 A. Yes.

24 Q. Were any enquiries at all pursued by Bedfordshire police
25 after you had effectively ceased doing those enquiries

1 which I've drawn your attention to in the week after
2 27 May?

3 A. I can find no record of those.

4 Q. Have you looked through Bedfordshire police files?

5 A. I have, yes.

6 Q. It transpires, does it not, from the crime report
7 sheet -- INQ10545 at page 21 [INQ10545-21], which is the document that
8 we were looking at a moment or two ago -- that, at the
9 bottom of that page, on 6 June, a chaser had been
10 entered into the system whereby Bedfordshire police were
11 asked by another member of the police to speak with the
12 scenes of crime officer, SOCO, in attempt to establish
13 the identity of the victims, because a number of
14 exhibits had been taken from the address and sent to the
15 lab for fingerprint analysis.

16 But nothing was done, was it, until September, when
17 the Metropolitan Police, having discovered the red
18 Fiat Brava at Luton railway station, contacted
19 Bedfordshire police to say, "You have put a marker down
20 on this car, we've got it, or rather, it is at Luton
21 railway station, what happened to your own enquiries?"

22 A. Sorry, I wasn't around at that time. I couldn't comment
23 in relation to the vehicle being found at Luton train
24 station. I wasn't actually part of the (break in
25 connection).

1 Q. Who took over the investigation in June when you went on
2 your residential training course?

3 A. I would imagine it would be supervised by my sergeant at
4 the time.

5 Q. Have you found any paperwork to suggest that any
6 enquiries were made after around about 7 or 8 June?

7 A. I can't find any, no, but I do believe that some
8 paperwork was sent to the Metropolitan Police and it may
9 well be in that, I don't know.

10 LADY JUSTICE HALLETT: Wait a minute, Mr Keith. As far as
11 I can see, at this stage, in case anybody is intending
12 to criticise Bedfordshire police, we don't know whether
13 a crime was committed, we don't know whether the reports
14 of a gun were accurate, we don't know whether there were
15 any victims, so making references to "no further steps
16 were taken to identify the victims" is not quite right.
17 So as far as the police were concerned, they'd
18 carried out very detailed enquiries, maybe only over
19 a period of a week, and they still didn't know whether
20 there was even a crime to be investigated. They still
21 didn't know whether there was a gun to be found.

22 MR KEITH: My Lady, it is right that enquiries were made
23 during the course of the week of 27 May, but three or
24 four enquiries were left outstanding. One, the checks
25 with the laboratory in the -- the SOCO to see whether or

1 not they could be identified.

2 LADY JUSTICE HALLETT: I'm sorry, rewind. Enquiries were
3 outstanding. We don't know whether a crime has been
4 committed.

5 MR KEITH: My Lady, two crimes possibly could have been
6 committed: an attempted robbery or burglary, whichever
7 it was, if there was one, on the victims, and obviously
8 all the enquiries conducted in the first week in June
9 were directed towards trying to find who the victims
10 were to see whether they could make a statement and
11 press the matter, but also --

12 LADY JUSTICE HALLETT: No, whether there were any victims --
13 you keep saying "trying to make enquiries as to who the
14 victims were". We don't know there were any.

15 MR KEITH: My Lady, we do, because the original 999 call
16 referred to people fleeing the premises in fear, pursued
17 by a group of males with a gun, and it's quite plain
18 from Bedfordshire police, from the crime report sheet --
19 although I've not gone into it in detail to preserve the
20 confidentiality of the people to whom reference is
21 made -- that there was a named victim and they took
22 steps to try to find him during the course of the week
23 of 8 June. His initials were RC, and I won't read out
24 the full name.

25 But in any event, my Lady, what they had was a car

1 with a registration plate and plain evidence from
2 a witness that one of the members of those cars was
3 holding a gun. So on any view, even if there was no
4 robbery or burglary, there was a serious matter
5 concerning possession of a firearm and a witness who
6 could speak to the possession of the firearm and could
7 speak to the identity of the registration of the car.

8 LADY JUSTICE HALLETT: Did they have a witness statement
9 from someone saying they saw a gun?

10 MR KEITH: My Lady, the second 999 call was from that
11 complainant. As I was about to address the officer,
12 they took steps to try to find that complainant and to
13 take a statement from her, but the paperwork shows that,
14 after 7 July, when the car turned up at Luton, it became
15 apparent that no steps were taken whether to pursue the
16 Thames Valley police enquiry through the address or the
17 complainant or any of the witnesses outside the premises
18 where this original incident had occurred.

19 LADY JUSTICE HALLETT: I'm concerned, Mr Keith, because (a)
20 I am concerned that I haven't had any submissions on
21 whether or not this is stretching matters a little, if
22 this is going to be said to be a lost opportunity. I'm
23 also concerned: are Bedfordshire police represented?

24 MR KEITH: My Lady, they're not. But I think it must be
25 said that we have made enquiries of Bedfordshire police,

1 or my Lady directed enquiries be made, and they have
2 been aware for quite some time of the nature of
3 my Lady's interest in this matter. Of course, that is
4 why Mr Maxted has been put forward, as the officer in
5 the case, to provide his account and to assemble the
6 relevant documentation for these proceedings.

7 LADY JUSTICE HALLETT: Right, well, what we have, then, is
8 these enquiries were carried out and we have no evidence
9 of any other enquiries until after the bombings, is that
10 right?

11 MR KEITH: My Lady, that is the essence of it.

12 LADY JUSTICE HALLETT: Right.

13 MR KEITH: Enquiries were left outstanding when Mr Maxted
14 left to go on a residential course in June. The
15 notebooks of the CID officers which have been disclosed
16 show that they have no notes in them at all after that
17 date. There is an entry after 12 July, on 27 July,
18 which calls itself a retrospective entry into the major
19 incident handbook kept by the investigating officer and,
20 when a report is prepared after 12 July, it makes plain
21 that enquiries were taken nowhere after Mr Maxted
22 departed.

23 Thames Valley police were left with an outstanding
24 query as to who the registered owner of that address
25 was. They did a drive-by, as you will have seen from

1 the CAD report, in the day or two after 27 May, but no
2 steps were taken to either send anybody around to that
3 address to speak to the registered owner or to attend in
4 any other way at all. But information was received to
5 the effect that that car -- the Fiat Brava -- was being
6 used at that address, so it was plain that the
7 registered owner details were current.

8 Perhaps in view of my Lady's concerns and the fact
9 that Bedfordshire police are not represented, I could
10 confine myself to asking one or two questions to bring
11 the enquiry to an end, if I may?

12 Officer, have you been able to find any notes of any
13 investigative steps taken after that first week in June?

14 A. No, although I do need to clarify one point you just
15 raised.

16 Q. Certainly.

17 A. You talked about a witness and taking a statement, and
18 you said that arrangements were made to take a statement
19 from her on numerous occasions and she failed to
20 respond, failed to return to the letters and to calls.
21 In relation to the firearm, there was no statement in
22 relation to any firearm.

23 Q. The enquiry made of Thames Valley police, was that
24 followed up? Were any steps taken after 8 June to go to
25 the registered owner's address or to pursue any

1 enquiries in relation to the name given for that car:
2 namely, Jermaine Lindsay?
3 A. I didn't, no. I can't find any other information.
4 Q. No checks were taken, or no further steps were taken in
5 relation to the SOCO examination. Were you able to find
6 out why the request to SOCO had been left outstanding
7 and had not been actioned until after 7/7?
8 A. I believe that was in DS Ellson's report.
9 Q. We have his report --
10 A. I believe.
11 Q. -- which is dated 12 July at INQ10540, your tab B.
12 After the events of 7 July, it seems that DS Ellson
13 was asked by his detective chief inspector to prepare
14 a report on the investigation, and he sets out on that
15 first page what the original allegations had been and
16 what the information was that was available to
17 Bedfordshire police, and over the page , on the second
18 page [INQ10540-2], halfway down the page, there is a reference to the
19 forensic examination and the storage of items taken from
20 the address, but also to the fact that they had not been
21 examined.
22 Halfway down the page, by the second hole-punch,
23 there's a reference to the trace enquiry which revealed
24 14 checks on the vehicle, but those further steps, or
25 further steps had not been actioned.

1 At the bottom of the page, a police interest marker
2 was placed on the car requesting that it be preserved
3 for a full forensic examination, but no steps were
4 taken, through Thames Valley police or otherwise, to
5 trace the car.

6 Then right at the bottom, although those initial
7 steps were taken by Thames Valley police to do a silent
8 check, a drive-by, no follow-up has been made by the
9 officer in charge regarding current ownership.

10 That was where the matter lay. It wasn't
11 a question, Officer, of a decision being taken to cease
12 the investigation because there was an insufficient
13 amount of information or that it should be no further
14 actioned. The enquiries were logged on the Bedfordshire
15 police system as being outstanding and chased, but they
16 were not until after 7 July. Isn't that the position?

17 A. I can only comment on when I was there, I'm afraid.

18 Q. My Lady has made the point, if I may say so
19 respectfully, correctly. It might have been open to
20 Bedfordshire police to conclude that, because there was
21 no victim, there was no prospect of ever being able to
22 investigate an offence of burglary or robbery, whatever
23 it was. But that didn't occur, the investigation was
24 still outstanding, but no steps were being taken to
25 pursue it as at 7 July.

1 A. Sorry, was that a question?
2 Q. That is a question.
3 A. Sorry, you're going to have to repeat the question,
4 I don't understand what you're asking.
5 LADY JUSTICE HALLETT: I think it's more a comment,
6 Mr Keith, I have the point.
7 MR KEITH: I've made the point. My Lady, that is where I'll
8 leave the matter, then.
9 LADY JUSTICE HALLETT: Thank you. Any questions?
10 Mr Patterson, you've heard what I've said.
11 MR PATTERSON: I have, yes.
12 LADY JUSTICE HALLETT: I think this is something that is
13 going nowhere and if this is reported as a lost
14 opportunity to stop the bombings in London, I think that
15 would be totally misrepresenting the situation.
16 MR PATTERSON: Yes, yes. My Lady, I've obviously heard your
17 Lady's observations. May I ask one or two brief
18 questions of this officer in relation to the
19 investigation?
20 Questions by MR PATTERSON
21 MR PATTERSON: Officer, you've been asked questions and
22 you've provided answers in relation to your part in the
23 investigation. I think you were on duty that Friday
24 night, 27 May, when the two 999 calls were received by
25 the Bedfordshire police. Is that right?

1 A. Yes.

2 Q. I think it's right, isn't it, that you were involved in
3 that investigation both on the Friday night, the 27th,
4 and on the Saturday the 28th, and on the Sunday, the
5 29th. Is that right?

6 A. Yes.

7 Q. You've already indicated that you were appointed
8 nominated officer in charge of the investigation. As
9 has been observed already, of course, at that stage,
10 there were no actual witness statements that had been
11 obtained either by the possible victim -- namely, the
12 occupier of the flat -- or of any of the females, who,
13 it may have been, were present with a child at the time
14 of the incident, if there was an incident?

15 A. That's correct.

16 Q. But did you regard it as your duty, nevertheless, at
17 that early stage, having received two 999 calls
18 complaining of an alleged criminal offence, to
19 investigate it?

20 A. Yes.

21 Q. Is it generally the case that, in the early stages of an
22 investigation, there will not be any witness statements,
23 but that, nevertheless, a police officer regards it as
24 his duty to take immediate action to preserve and find
25 any evidence that might be available?

1 A. Yes.

2 Q. You've explained in answer to the questions different
3 leads that may or may not have been available and
4 different steps that could have been taken.

5 Looking at things globally now, do you accept that
6 there were steps that could have been taken,
7 particularly in those early days, to follow up the leads
8 that were available?

9 A. In hindsight, that's a difficult question to answer, I'm
10 afraid.

11 Q. In particular, the suggestion that the group of gunmen,
12 one of whom at least had a gun, who made off in
13 balaclavas and gloves and escaped in this Fiat Brava,
14 the suggestion that they made off in a getaway car, the
15 Fiat Brava, for which you had a name and an address, do
16 you feel that more could have been done by pursuing that
17 lead, in particular by having the Thames Valley police
18 attend again at that address in Aylesbury?

19 A. There were a number of attempts made to locate that
20 vehicle.

21 Q. But none after the Saturday afternoon, 28 May?

22 A. I can't comment on what Thames Valley did after that.
23 There is no report of an attempt, but whether or not
24 they still kept their case open and continuing, I do not
25 know.

1 Q. But you, yourself, caused no further attempt to be made
2 to follow up that lead at that particular address?

3 A. No.

4 Q. Do you say now that there were no failings in the
5 investigation into this allegation of a crime?

6 A. No.

7 Q. You accept that there were some failings?

8 A. No, I'm saying there were no failings.

9 MR PATTERSON: You say there were no failings. My Lady, the
10 various potential leads have been covered. I don't
11 think I can pursue it any further.

12 LADY JUSTICE HALLETT: Thank you very much. Any other
13 questions?

14 Thank you very much, Detective Sergeant Maxted.

15 Those are all the questions that we have for you.

16 A. Thank you.

17 MR KEITH: My Lady, may I say one more matter in relation to
18 this issue?

19 I opened the facts of this issue in some detail
20 in October, as my Lady will recall, and Bedfordshire
21 police have been good enough to provide us with this
22 information. It has been on our system and available to
23 all now for some time. So I do hope that Bedfordshire
24 police don't feel that there is an issue here that they
25 were unaware of.

1 LADY JUSTICE HALLETT: As I understood it, it was going to
2 be an issue, as it were, that was going to be put to bed
3 rather than any hares set running.

4 MR KEITH: Well, my Lady, that is not actually, I think, the
5 position, because the material showed from the very
6 first time that it was made available to us that the
7 enquiries of Thames Valley police went nowhere and, of
8 course, it was, as you heard from the witness, the best
9 lead that they had.

10 LADY JUSTICE HALLETT: Very well.

11 MR KEITH: My Lady, may I now return to the position
12 concerning the first witness who was scheduled to give
13 evidence this morning at 10.00 am?

14 There's been no contact from her, as far as
15 I understand it. The phone remains unavailable, and in
16 the absence of any further information as to her
17 whereabouts, could I invite my Lady to ask both my
18 learned friends and those members of the bereaved
19 families who are in attendance today whether they would
20 object to her statement being read, given that they
21 anticipated that they would have the opportunity of
22 asking questions of her today?

23 LADY JUSTICE HALLETT: Can I just check, did we ask the
24 relevant constabulary?

25 MR KEITH: There is an update.

1 LADY JUSTICE HALLETT: Ah, there is an update. (Pause).

2 MR KEITH: I'm very grateful to Mr Suter. So that there's

3 no confusion about it, my Lady directed that further

4 checks be taken to see whether or not the witness was

5 unwell or in any other way indisposed, and it does seem

6 that she has been in contact now and may be available

7 tomorrow. So perhaps I could adjourn any application

8 and we'll see whether we can put the appropriate

9 arrangements in place for a video link tomorrow.

10 LADY JUSTICE HALLETT: Well, it seemed to me that we needed

11 to check that she was all right, apart from anything

12 else.

13 MR KEITH: Certainly.

14 LADY JUSTICE HALLETT: So, if that message has come from

15 the -- whatever police force is responsible for checking

16 for me, could you thank them for making the enquiries?

17 Thank you.

18 MR KEITH: My Lady, may I then turn instead to the

19 statements of Sara Aziz and of Wajid Hussain.

20 My Lady, Sara Aziz deals with her recollections of

21 the activities at Lees Holm and her statement is dated

22 14 July. I'm going to summarise parts of it, my Lady,

23 because a great deal of it isn't required to be adduced

24 into the evidence in these proceedings.

25 LADY JUSTICE HALLETT: Thank you.

1 Statement of MS SARA AZIZ read

2 "My house is a two-storey, two-bedroomed house owned
3 by the council. It is in a row of three at the end of
4 a cul de sac. I have lived on Lees Holm for eleven
5 years."

6 Lees Holm was, of course, the address of
7 Mohammed Sidique Khan and Hasina Patel.

8 Going over the page:

9 "I know most of the neighbours in our cul de sac as
10 I have lived here for so long. I generally get on well
11 with everybody. In summer, 2004, I first noticed some
12 activity at number 69 Lees Holm. The house had been
13 empty and I noticed people coming and going as if they
14 were decorating the house to move in. This went on for
15 at least two months.

16 "Before anyone had moved in, I was in my front
17 garden gardening when I looked over and noticed an Asian
18 female at the front window of number 69. She was inside
19 the house putting up curtains. As I saw her, I spoke to
20 a neighbour, an elderly man who helps me with my garden.
21 I pointed to number 69 and said something like, 'Look,
22 we've got new neighbours'. The woman I saw in the house
23 is the female who went on to live in the house. She is
24 called Hasina.

25 "About two to three weeks afterwards, I saw the same

1 male and female actually move in to number 69. They had
2 a silver car, I think a large shape Honda. It had
3 a baby seat in the back so I presumed they had a child.
4 After they moved in, they both talked to me if I saw
5 them in passing."
6 Then over the page, my Lady she then refers to an
7 occasion where she spoke to them and she says:
8 "On this occasion I have just mentioned, I think
9 they had actually moved everything in but they weren't
10 actually staying the night there. I did not know where
11 they were staying. I would see them arrive in the
12 morning and give an Indian man a key to the house. He
13 would come and go in and out of the house during the
14 day. I saw him carrying tools and wood, but I never
15 actually saw him doing any work.
16 "I think it might have been winter-time when
17 I realised the male and female had actually moved in..."
18 So my Lady that would be the winter of 2004.
19 "... and were staying at number 69. I would see
20 female friends of Hasina come into the house to visit
21 her. One was white who wore Muslim clothes, others were
22 Asian and one wore a full veil. I saw the male come and
23 go. Sometimes he would drop his wife off then drive
24 away in the car. Other times I would see him leaving at
25 7.00 in the morning. I would see him, sometimes, every

1 day, every few days, or, other times, every few weeks.
2 There were never times when I did not see him for
3 months.
4 "They were friendly when they saw me with the baby,
5 but about this time, which is March 2005, I saw the male
6 from number 69 less. He did not seem to bother much
7 with his wife. When he came to the house, he had a key.
8 In about April, I saw the male quite a lot coming in and
9 out of the house carrying a rucksack. I think he had
10 two different ones. He would always leave the house and
11 come back with it. He also had a sports bag, I think it
12 was either blue or black. He would leave in the morning
13 with the bags. I remember thinking he was going to the
14 gym a lot and not spending any time with his wife.
15 "Around this time, there was a neighbour dispute.
16 It was about parking. The front windows in number 69
17 were open, and I saw the Asian man who lived there come
18 in and out of the house about five times."
19 My Lady, she makes reference to the fact that one of
20 the neighbours said she was going to call the police:
21 "He was taking bags out of the car boot and into the
22 house. I thought this was strange because he was making
23 too many trips. I saw him carrying a toolbox on one of
24 the trips. I cannot remember the colour. He kept
25 opening and shutting the boot like he had something to

1 hide. No police did come on that day, however. They
2 came the day after and his car was gone. It was the
3 silver car that he had been taking things out of.
4 "On the occasion I have just mentioned, the man's
5 friends were all in the house. There were three of
6 them, all Asian males, and the man from number 69 making
7 four altogether. I have since seen newspapers and
8 photographs of one of the men who was there. I have
9 read that his name is Shehzad Tanweer. I did not know
10 his name then. The other two males I have not
11 recognised from the papers."

12 My Lady, the witness gives a description, she gives
13 a description of those males, which I needn't trouble
14 you with.

15 "On this occasion, the males had come in a red
16 Mercedes which the tall Asian [plainly a reference to
17 Tanweer] would drive. The car had a silver badge that
18 stuck up off the bonnet. I think it had a sunroof. It
19 looked like a big car. It had a boot on the back like
20 a saloon. It had alloy wheels and four doors. It was
21 a new model. It looked new, not like it had just come
22 out of the showroom, but it was not a banger.

23 "I have seen the car on many occasions. The man
24 from number 69 would get picked up in it. I did not see
25 it during the day. It was either early in the morning

1 or late at night. More or less every time I saw the
2 car, the males were the same three Asians I have
3 described. They always carried rucksacks into the
4 house. I would then see the man from number 69 leave
5 with the bags in the morning.

6 "I also saw an Afro-Caribbean male go to the house
7 three or four times. He was with the Asian males and
8 the man from number 69. He was how I would describe
9 Jamaican, not really dark-skinned. He had short, black
10 hair which was not plaited or in an Afro style. I think
11 he had a bit of a goatee beard. He was between 29 and
12 mid-30s and he wore tracksuits. I thought he was either
13 married or with a white girl who wore Muslim clothes,
14 who was friends with Hasina, the wife in number 69.
15 This is because, when the girl was there, he was there.

16 "I have seen television footage of a car being towed
17 away from Luton train station. This was a blue Micra."
18 My Lady, plainly a reference to the blue Nissan:

19 "I can recall seeing the same car parked on
20 Lees Holm on either Tuesday, the 5th, or Wednesday
21 6 July. I think it was mostly likely to be the
22 Wednesday, because Tuesday was my birthday and I was not
23 around at home much. I was driving to school [her
24 daughter's school] when I noticed the car parked along
25 Lees Holm on the right in a parking bay. There was

1 nobody in the car or about it. I noticed it because it
2 looked brand new and I had not seen it on the street
3 before. When I returned from dropping my daughter off,
4 it was about 9.30. I parked my car outside my house and
5 noticed the blue Nissan Micra again. It was parked next
6 to the silver Honda.

7 "I saw the man from number 69 come out of his house
8 and put things in it. I think he was putting them into
9 the boot in the back seat. He made two trips and was
10 carrying a rucksack and a holdall on one trip. I saw
11 him put them into the boot. He also had some carrier
12 bags. I did not see where from, and he put these into
13 the back of the car. The man was on his own at this
14 time. I then saw him go back into his house. I could
15 not see what was in the bags. I saw this from my front
16 upstairs bedroom window. This was no more than
17 20 metres away. There were no obstructions to my view,
18 and it was a sunny, clear day. I did not see the man
19 from number 69 again.

20 "I think it was later that morning or the day after
21 I saw the wife. She left number 69 with the baby in
22 a buggy. I saw her speak to a neighbour. She came back
23 in the evening in a two-seater sports car with a male
24 driving. I think he was her brother. I am not sure.
25 The car they were in looked brand new and I think it was

1 silver. I saw the wife and the male taking carrier bags
2 out of the house. I could not see what was in them.
3 They then drove off."
4 She then describes how, my Lady, the lights were on
5 on Monday, the 11th, and then, on Tuesday, the 12th, the
6 police came to number 69 and carried out their
7 investigations:
8 "I presumed that the police had come to do with her
9 husband, although I didn't know what. The man from
10 number 69 I have since found out was called
11 Mohammed Sidique Khan."
12 LADY JUSTICE HALLETT: Thank you.
13 MR KEITH: The second statement, or rather series of
14 statements, is from a witness called Wajid Hussain.
15 My Lady, he prepared three statements because, as he
16 explains in his statements, in each of those statements
17 he had failed to give a full account of his recollection
18 of the hiring out or rental out by him of
19 Chapeltown Road.
20 So, with my Lady's permission, I will summarise
21 those parts of the statement where he gives differing
22 accounts and give my Lady the most accurate account of
23 the three that he provided.
24 Statement of MR WAJID HUSSAIN read
25 "I am Wajid Hussain."

1 The first statement is dated 5 December 2005:
2 "I make this statement in regard of a room which
3 I rented out to Mohammed Sidique Khan and Hasib Hussain,
4 though I did not know their full names at the time, the
5 full reasons for which I will explain later in this
6 statement."
7 Turning over the page:
8 "I am a businessman myself and own a number of
9 different companies. My main line of work is the
10 ownership and running of two supermarkets. I also own
11 a building located at 109-111 Chapeltown Road. The
12 building houses two other businesses that I own,
13 a sandwich bar and a restaurant. Both are family-owned.
14 "Above the two restaurants are five self-contained
15 rooms, bedsits, which are rented out to people. They
16 are often rented by staff and students. Currently
17 living in the rooms are three students and another man.
18 I only know the first names of these people.
19 "I am aware of the bombings which took place in
20 London on 7 July. The media has published photographs
21 of the people said to be responsible for these acts.
22 I am able to say that I recognise three of the people
23 that the media state are responsible as people that
24 I have seen or dealt with in the past.
25 "Mohammed Sidique Khan was an infrequent visitor to

1 the Francis Street mosque and I would sometimes see him
2 praying there. I did not know his name at the time but
3 would say hello to him.

4 "I travelled to Pakistan on Monday, 18 April, and
5 returned to the United Kingdom on Wednesday, 11 May.

6 A couple of weeks before I left the country, I was
7 approached by Mohammed Sidique Khan, who asked me if I
8 had any accommodation he could rent for a friend.

9 I remember that I was working at the Islamic Centre,
10 which is in Francis Street in Leeds, on a Sunday when he
11 approached me. I therefore believe the date would have
12 been Sunday, 3 April, but it is possible it could have
13 been the following week, 10 April, but most likely the
14 3rd.

15 "I explained that I had a room to rent and agreed to
16 show him round the property at 5.00 pm. I have no idea
17 how he came to be aware that I rented rooms, though this
18 is common knowledge at the Islamic Centre.

19 "At 5.00, I took him to the vacant room, room 2, at
20 111 Chapeltown Road. The room had been empty for about
21 two months since the previous occupant had moved out.

22 I took him to look at the room and was present when he
23 did so. He asked a number of questions about who else
24 was living in other rooms in the building. He said that
25 his friend [because, my Lady, to paraphrase, he said he

1 was carrying out the rental on behalf of a friend] would
2 not like loud music and things like that disturbing him.
3 He said that he would most likely rent the room but
4 would need to show it to his friend. Sidique took my
5 mobile telephone number and said that he would contact
6 me.

7 "The following day, Sidique contacted me and asked
8 to view the room with his friend. We met up that
9 evening and he was with a man I now know to be
10 Hasib Hussain. However, at this time, Hasib was
11 introduced to me and called himself Imran Mirza, saying
12 he was a student at Leeds Met University. They agreed
13 to rent the room immediately and Hasib paid me £360 to
14 cover the deposit and one month's rent in advance. He
15 paid in cash.

16 "Hasib also provided me with a contact telephone
17 number and I handed over the keys. I am unable to
18 remember the phone number that he provided to me now and
19 I have no record of it, though I believe I have called
20 him from my mobile phone.

21 "On my arrival back from holiday, on 11 May,
22 I became aware that Hasib had paid for a further month's
23 rent for the room. He had paid this to one of the staff
24 in the shop and this would have been either Wali or one
25 of the other staff who work there. I also became aware

1 of an electrical problem that was afflicting the five
2 bedsits at Chapeltown Road. The main fuse box switch
3 kept switching itself off, indicating an overload or
4 a fault in the system. I had an electrician look at the
5 fuse box and he told me there was an overload in the
6 system and this was the reason for the problem.
7 "I then went to speak with all of the other people
8 living in the rooms. I collected the spare keys for the
9 rooms that I held downstairs in the main shop.
10 I intended to knock on the doors, speak with the
11 occupants present and look in the rooms of those that
12 were not. My intention was to find the cause of the
13 problem and the person causing the overload.
14 "I knocked on room 2 and was not able to raise any
15 response from inside. I attempted to open the door but
16 could not get the key in because of a key in the lock
17 from the inside. This indicated someone was inside but
18 they did not answer the door. I did not hear any noises
19 from inside. I thought this was strange, but went on to
20 speak with some of the other occupants in order to get
21 them to reduce the load on the electricity.
22 "A short time after this, I spoke with Hasib on the
23 telephone about the problem with the electricity and he
24 did not seem to be bothered about it and that he did not
25 have anything that would cause a problem in his room.

1 It was during this conversation that he said something
2 very strange to me. He said that he had a 'Gin' inside
3 him and this affected behaviour. In our culture, that
4 is ghost that can get inside your body. He said if
5 I came into the room, the Gin might cause him to attack
6 me. I believe he was threatening me and attempting to
7 intimidate me into not attempting to enter the room
8 again, indicating that he had been in the room when
9 I could not get in because of the key on the other side.
10 "My reply to him was rude and went along the lines
11 off 'As long as you pay me my fucking rent on time and
12 don't upset the other residents, we won't have any
13 trouble'. He said nothing in response to this.
14 "My intention was to speak to Sidique about this and
15 tell him it was not an appropriate remark for Hasib to
16 have made. Although Hasib was the tenant, it was
17 through Sidique that I had rented Hasib the room and
18 I do not normally rent rooms to strangers, but on this
19 occasion I had. I never saw Sidique again after this.
20 "At some stage in the next month, Hasib contacted me
21 by telephone and said that he was going to move out of
22 the room and that he wanted to give notice to leave. He
23 explained that the accommodation was no longer what he
24 was looking for. This was the last conversation that
25 I ever had with him.

1 "By late May/early June, I had not seen or heard
2 anything from Hasib and he had not returned his keys.
3 I went to his room and knocked on the door, receiving no
4 reply. I attempted to open the door with the spare keys
5 and found that the key no longer fitted the lock and the
6 lock had been changed. I immediately made a phone call
7 to the number that had been provided to me and I found
8 that the phone was switched off.

9 "I decided to enter the room and I kicked open the
10 door breaking the lock. Inside, I found the room in
11 a mess but empty. I looked around and saw the floor was
12 littered with rubbish and boxes. I noticed that one of
13 the boxes was for a gas mask and one of them was for
14 a double-ring, portable electric hob, similar to the
15 ones you can buy from Argos. I also noticed that they
16 had put up a curtain pole, curtains and net curtains in
17 the room, none of which had been there when they rented
18 the room."

19 My Lady will recall DS Stuart giving evidence about
20 text messages between the men concerning the exact
21 length and requirements of the pole and the curtains
22 around about the time of the rental of Chapeltown Road:

23 "I also saw a large TV that had been placed in the
24 room. The floor was littered with rubbish and had black
25 bin liners on the floor. I assumed that they contained

1 rubbish and did not look inside them. I collected up
2 all of the rubbish, bin liners and boxes and threw them
3 in the box downstairs. Nothing now remains of anything
4 that I disposed of as these have been taken away by the
5 refuse collectors. I have never seen or spoken to
6 either Hasib or Sidique again. When I did see them,
7 they were in a red Mercedes E Class vehicle that was
8 about a G or H reg."

9 My Lady, he then goes on to describe how, after the
10 London bombings on 7 July, he received a call on his
11 phone from somebody who was asking where Hasib was and
12 he established that this was a call to do with the
13 tenant Hasib and he told the caller to go to the police
14 and tell them that Hasib was missing:

15 "I have been asked if I know anything about the Iqra
16 bookshop in Beeston. I am aware of this place and have
17 heard people talk about the shop, but only in that it is
18 a supply of Islamic material. I had no idea Sidique was
19 involved in Iqra and I have never visited it."

20 My Lady, that concludes his first statement, with
21 one exception. On the very last page, there is one
22 paragraph that states this:

23 "Although I have referred to the two individuals by
24 their true names, I have only become aware of their
25 names subsequently through media coverage. I did not

1 know Sidique by name and I knew Hasib as 'Imran' at the
2 time."
3 But in his subsequent statements, my Lady, he
4 clarifies certain aspects of that account as follows, in
5 his second statement, dated 20 July, he says:
6 "I have been untruthful with the police in my
7 dealings with them to date and shall explain the reason
8 why and how. I have been allowed the opportunity of
9 telling my version of events again. I understand that
10 I do not have to change what I have already said, but
11 I do wish to do so.
12 "Most of what I have said in my last statement is
13 correct but I deliberately altered certain facts and
14 made omissions from the version of events that I gave to
15 police because I was attempting to cover my own actions,
16 actions I knew to be wrong.
17 "They were designed to prevent the police from
18 establishing what I had done wrong. In hindsight,
19 I wish I had not done the original things wrong which
20 led me to not telling the truth and making omissions."
21 He then goes on to describe how he met Sidique Khan
22 through a mutual friend:
23 "I have already stated that I did not know
24 Mohammed Sidique Khan by name. That is the truth.
25 I did not know his name until after the bombings,

1 although I knew his name before it was released by the
2 media. I have actually met him properly on two
3 occasions I am able to remember.

4 "I did not think the first occasion was relevant at
5 the time of my original interview with the police.
6 I now realise it may be. I met him some years ago.
7 I cannot recall when or where, but I remember he was
8 with our mutual friend. They were working together and
9 doing some form of collection fund. This may have been
10 at a mosque, but I cannot recall. I remember meeting
11 Sidique, but that is all. I do not remember being told
12 his name, but over the course of time, I may have seen
13 him a number of times in different places, though this
14 would not have been more than casual glances and saying
15 'Hello'. The second proper occasion I met with him was
16 what I described in my last statement when he approached
17 me at the Islamic Centre. I am positive that the second
18 time I met him was on a Sunday in April. This is
19 because I was doing youth work at the centre and I only
20 do this on a Thursday and Sunday. I said the date was
21 either the 3rd or the 10th April, the date I have worked
22 out from my own dates of travel to Pakistan. The facts
23 I gave in the last statement about the meeting are
24 correct."

25 My Lady, if you go over the page, he was able then

1 to give further detail about their arrival at the
2 address:
3 "I said in my last statement I was handed money by
4 Hussain. This is correct. The following day I remember
5 Sidique and Hasib arrive at Chapeltown. They were with
6 a third male and arrived in a red E Class Mercedes. The
7 third male was Shehzad Tanweer. I know they unloaded
8 property from the car and took this inside but I cannot
9 remember what this was at the time. They parked at the
10 rear. I therefore must have been in the kitchen of the
11 restaurant and saw them out of the back of the
12 property."

13 He then goes on, on page 4 of the statement:

14 "In my last statement I said I was aware that
15 a further month's rent had been paid upon my return from
16 Pakistan. This is correct and it meant that I had
17 received three months' rent. In my last statement,
18 though, I described how I had broken into the room about
19 the early part of June. This is incorrect. The bombs
20 took place on Thursday, 7 July. I was aware of them
21 because I had seen them on the news. I was aware that
22 Hasib's rent was due around this period and I had not
23 seen him or the others for some time. Over the course
24 of the following weekend, I attempted to contact Hasib
25 on a number of occasions but his mobile phone, of which

1 I had the number, was turned off. I tried calling him
2 a number of times. I was aware that I could contact
3 Hasib through Sidique. Though I did not have a number
4 for Sidique, I was aware that our mutual friend knew him
5 as described above.

6 "At this time, I did not have his number but was
7 aware that my friend knew him. I asked my brother for
8 the number of the friend, which he gave me, and
9 I believe that I told him why I wanted that friend's
10 number at the time.

11 "On Monday, 11 July, I called him in order to get
12 Sidique's number. I resorted to having to describe
13 Sidique over the phone to him because I did not know his
14 name. I attempted to describe Sidique, I described him
15 because I had seen them together and I told him why he
16 wanted to trace him, because he had a friend who rented
17 a flat from me, but he could not help me."

18 Then, my Lady, turning to 12 July, on the following
19 page, he was contacted by his friend and they then
20 discussed the fact that there had been police raids in
21 Beeston and he was told that he should contact the
22 police:

23 "I decided I would see what had been going on in the
24 room before I did anything else. It was at this point
25 I kicked open the door and forced entry to the room.

1 Inside, I found the room as described in my last
2 statement, though I said on the last occasion I had
3 entered it in June 2005. It was a lie. I actually did
4 it as described on 12 July. I disposed of the items
5 into the bins at the rear of the shop. I did not want
6 to implicate myself in what had gone on.
7 "Things began to make sense in my head about why
8 they had changed the locks, the story about the Gin and
9 things like that. I was convinced that the group had
10 had something to do with the bombings, but could not see
11 anything dangerous in the room. I decided I would clear
12 out the room, therefore, and dispose of what I classed
13 as rubbish."
14 He then describes how he saw photographs of them on
15 the news and was too scared to contact the police.
16 The relevant part of the final statement, my Lady,
17 is on page 4 of that statement:
18 "In a previous statement [at the top of the page]
19 I explained that I attempted to speak to all of the
20 tenants about the problem with the electricity.
21 I described how I knocked on room 2 and was unable to
22 obtain any response. I attempted to open the door but
23 could not get the key in because of a key in the lock
24 from the inside. This is all true and I stand by it.
25 "However, I also indicated that I eventually spoke

1 with Imran (Hasib) on the telephone about the problem
2 with the electricity. This, in fact, was not entirely
3 true. I did speak to him about this issue on the phone,
4 but I also met him in person when he came down from the
5 room and spoke to me outside the shop face-to-face.

6 "He told me that he was boiling water in the room on
7 a portable stove. I asked why he was not using the
8 kitchen, and he said it was not as effective as the
9 stove he had in his room. He did not seem to be
10 bothered about it and he said he did not have anything
11 that would cause a problem in his room other than the
12 stove."

13 So, my Lady, that was the final correction that he
14 made to his original statement.

15 LADY JUSTICE HALLETT: Thank you.

16 MR KEITH: My Lady, that concludes the evidence for this
17 morning and we have Witness A at 2.00 on a further video
18 link.

19 LADY JUSTICE HALLETT: Thank you very much.

20 (12.55 pm)

21 (The short adjournment)

22