

1 Wednesday, 24 September 2008

2 (10.00 am)

3 (In the presence of the jury)

4 SIR MICHAEL WRIGHT: Good morning, ladies and gentlemen.

5 I hope you enjoyed your conducted tour around London  
6 yesterday. You remember I asked you that if you had any  
7 questions, you should save them up for this morning. Do  
8 any of you have any questions you would like to raise  
9 about yesterday's trip? No. Fine, thank you very much.

10 Before we start, can I just make one thing clear:

11 I have the power as all counsel know under rule 37 of  
12 the Coroners' Rules to direct that the evidence of  
13 witnesses who appear to me to give uncontroversial  
14 evidence should be read instead of bringing the  
15 witnesses into the box to give their evidence orally.

16 I propose to take that course with the evidence of  
17 Vivien Menezes, paragraphs 1 to 24, and Patricia Armani  
18 de Silva, paragraphs 1 to 20. I am happy to be able to  
19 say, Mr Mansfield, I understand that the family are  
20 content that I should take that course.

21 MR MANSFIELD: Sir, thank you very much, yes.

22 SIR MICHAEL WRIGHT: Very well. Mr Hilliard.

23 MR HILLIARD: Sir, the first witness is Stephen Reynolds,  
24 please.

25

1 MR STEPHEN REYNOLDS (sworn)

2 Questions from MR HILLIARD

3 MR HILLIARD: With the Coroner's permission, if you want to,  
4 I daresay you may be able to sit down.

5 SIR MICHAEL WRIGHT: I think you may take it that everybody  
6 can sit down.

7 MR HILLIARD: Mr Reynolds, as you know, my name is  
8 Nicholas Hilliard and I am going to ask you questions  
9 first of all on behalf of the Coroner.

10 A. Yes, sir.

11 Q. You have just indicated that you are currently a senior  
12 investigator with the Independent Police Complaints  
13 Commission; is that right?

14 A. That is correct, yes, sir.

15 Q. Did you begin work with what we will call for short the  
16 IPCC on 26 July of 2005?

17 A. That is correct, yes.

18 Q. So very shortly after the events that we are concerned  
19 with?

20 A. Yes, that's correct.

21 Q. Just so we have the background, and I do not want to do  
22 it in more than summary form, but before that, had you  
23 been with Essex Police?

24 A. Yes, I had.

25 Q. Had you retired in the rank of Detective Chief

- 1 Superintendent?
- 2 A. I did, yes.
- 3 Q. Had you held that rank for the last five years of
- 4 31 years' police service?
- 5 A. That is correct, yes.
- 6 Q. Then, as we have heard, the Independent Police
- 7 Complaints Commission began an investigation into the
- 8 death of Mr de Menezes; is that right?
- 9 A. That's correct.
- 10 Q. It follows, does it, that from the time that you joined
- 11 the IPCC, so 26 July of 2005, and thereafter, you were
- 12 involved with their investigation?
- 13 A. I was.
- 14 Q. Now, after the events at Stockwell tube on 22 July of
- 15 2005, were efforts made to retrieve any CCTV film that
- 16 might show relevant events of that day?
- 17 A. Yes, efforts were made.
- 18 Q. Did that include film from the bus on which
- 19 Mr de Menezes had travelled?
- 20 A. Yes, it did.
- 21 Q. And that's film, is this right, from the bus's own CCTV
- 22 system?
- 23 A. That's correct.
- 24 Q. We are going to see all this a little bit later this
- 25 morning, but just so far as that was concerned, is this

- 1 right: it's not a complete picture of film on the bus by  
2 any means, because the bus camera system, did it have  
3 a fault?
- 4 A. There was a fault which we found out was caused by  
5 excessive vibration.
- 6 Q. But what we will see some examples of, we have pictures  
7 of inside the bus on occasions, and also pictures from  
8 a camera that's on the bus pointing out of the bus,  
9 ahead I think in most instances?
- 10 A. That's correct, yes.
- 11 Q. Right. So we have some film from the bus that we will  
12 be looking at. In addition, was film from any cameras  
13 on fixed points on the bus route taken possession of?  
14 So that's outside the bus.
- 15 A. Yes.
- 16 Q. On cameras that we are all familiar with in the street?
- 17 A. Yes, footage was retrieved from those sources.
- 18 Q. Then finally, just on this point, was CCTV film taken  
19 possession of from Stockwell station itself?
- 20 A. Yes, in the area of the ticket hall.
- 21 Q. Right. And the escalators and so on, we are going to  
22 look at that.
- 23 A. Yes.
- 24 Q. So far as film from the platform that we went down to  
25 yesterday is concerned, is the position there that that

1 film was not recording, although there was CCTV film  
2 there which could be viewed, at the time it was not  
3 making a recording?

4 A. That's correct.

5 Q. Then so far as the train's own CCTV is concerned, was  
6 the position this: the system had been removed from that  
7 particular train in common, I think, with just about  
8 every other underground train, after the 7/7 bombings?

9 A. That's correct.

10 Q. Because obviously everybody wanted to look and see what  
11 clues there were on underground film in relation to  
12 those bombings. Is this right: on this particular  
13 train, it had not yet been put back?

14 A. That's correct.

15 Q. All right. We will look at what we have got in a moment  
16 or two.

17 SIR MICHAEL WRIGHT: Do we know, Mr Hilliard, why the system  
18 on the platform wasn't recording?

19 MR HILLIARD: There was a fault, I think, in the signal; is  
20 that right?

21 A. Yes, there was -- it was identified after the incident  
22 that there was a cable which linked the recording part  
23 of the system which it would appear somebody had trodden  
24 on, and we were able to or engineers were able to  
25 ascertain that it had not been recording for a few days

1 prior to the 22nd.

2 Q. Right. Is this right: film that is relevant to the  
3 journey has been put in a presentation side by side with  
4 a representation of the route that Mr de Menezes took on  
5 22 July?

6 A. Yes, that's correct.

7 Q. So you can see the two of them at the same time?

8 A. Yes.

9 Q. As I say, we will look at that in a moment or two. The  
10 first thing that we are going to look at are some  
11 pictures of the Scotia Road area; you are familiar with  
12 those, Mr Reynolds?

13 A. Yes, I am.

14 Q. As you know, it's where we went yesterday. So if we can  
15 just go to the second one, and pause everything there.  
16 Members of the jury, you have a map of the area, as you  
17 know many of them are in the jury bundle, so I will not  
18 cross-reference all the time with those; we can spend so  
19 long cross-referencing we don't actually look at what we  
20 have.

21 Just so that we have our bearings here, Mr Reynolds,  
22 just the overview, we will come to the red flashing  
23 circles in a moment.

24 Scotia Road is marked here, isn't it?

25 A. It is.

- 1 Q. And 17 Scotia Road, that was the address that  
2 Mr de Menezes lived at?
- 3 A. Yes, he did.
- 4 Q. 21 Scotia Road in the same block, that was the address  
5 that the police had become interested in, we will hear,  
6 after the gym card was examined; is that right?
- 7 A. Yes, that is right.
- 8 Q. We will hear all about that later. Then we saw  
9 yesterday that the way out onto Upper Tulse Hill from  
10 Scotia Road is Marnfield Crescent, and that's been  
11 marked here, hasn't it?
- 12 A. It has.
- 13 Q. Then there are three circles flashing, effectively along  
14 Upper Tulse Hill; is that right?
- 15 A. That's right.
- 16 Q. We can see that the TA Centre has been marked, which we  
17 saw yesterday?
- 18 A. Yes, it is.
- 19 Q. Then if you come along Upper Tulse Hill you come to the  
20 junction and there is a red flashing circle there too,  
21 you come to the junction with Tulse Hill itself, don't  
22 you?
- 23 A. That's right.
- 24 Q. In due course we will see the journey, won't we, that  
25 Mr de Menezes took shown on a presentation and then the

- 1 bus that he got on, going off up Tulse Hill itself.
- 2 A. Yes, we will.
- 3 Q. I want to start, please, if we can, at the top right hot  
4 spot, if we can click on that, please. I am sure we are  
5 now all very familiar with that. The porch we can see,  
6 these were obviously taken some time later so the  
7 vehicle there is quite irrelevant, isn't it?
- 8 A. It is irrelevant, yes.
- 9 Q. The porch that we see, that's the porch that's over the  
10 communal door to the flats behind it which include the  
11 flats we have just spoken about, 17 and 21; is that  
12 right?
- 13 A. That's right.
- 14 Q. If you, as it were, go into this photograph, you will  
15 come to Marnfield Crescent, won't you?
- 16 A. Yes, you will.
- 17 Q. And be able to make your way out. I think there is  
18 a facility, will this take us round 360 degrees? If it  
19 will, perhaps we will just pan round. (Pause). So we  
20 will look at this on some film we will see in a minute.  
21 Behind the photographer now are some areas for parking  
22 cars, aren't there?
- 23 A. Yes, there were.
- 24 Q. And we will look at one particular car that was parked  
25 in a moment. All right, so if we can go back to the



- 1           aerial view and then to the second. That's the one.
- 2           Can you help us about this, Mr Reynolds: if we look
- 3           here, we can see closest to the photographer there is
- 4           a lamp post, isn't there?
- 5    A. Yes.
- 6    Q. Is that the area where, on the 22 July of 2005,
- 7           a surveillance officer who we are calling Frank, is that
- 8           where he had parked his van?
- 9    A. Yes, that is where he parked his van.
- 10   Q. Right. In front of him, if he had got out of his van
- 11           and walked on, there is a little turning there on the
- 12           left, isn't there?
- 13   A. Yes.
- 14   Q. Which is called, I think, Leckhampton Place. We may
- 15           lose the definition when we really zoom in. But anyway,
- 16           that's the road that we have zoomed into with the road
- 17           sign.
- 18           Beyond Leckhampton Place is the block of flats,
- 19           isn't it?
- 20   A. Yes, it is.
- 21   Q. On the right-hand side we can see a little insert of
- 22           film, can't we?
- 23   A. Yes, we can.
- 24   Q. If we look at that, we have a date, 22 July 2005; is
- 25           that right?

- 1 A. That's right.
- 2 Q. Then a time, 05.14.01?
- 3 A. Yes.
- 4 Q. Is what we have there -- and we will press the start  
5 button in a moment -- film that was taken by the  
6 surveillance officer Frank?
- 7 A. Yes, it is.
- 8 Q. He took pictures, is this right, of some of those who  
9 left by the communal door of the Scotia Road flats?
- 10 A. Yes, that's correct.
- 11 Q. Not of Mr de Menezes; is that right?
- 12 A. That's right.
- 13 Q. We will hear from Frank in due course, but is this  
14 right: so he explained that he was urinating into  
15 a bottle at the time that Mr de Menezes left the block?
- 16 A. That's correct.
- 17 Q. Right.
- 18 Now, so far as the clock is concerned, is this  
19 right, that it appears to be about an hour and five  
20 minutes slow?
- 21 A. Approximately, yes.
- 22 Q. Approximately, absolutely. I think it varies in its  
23 slowness, is this right, between about an hour and four  
24 minutes slow, and an hour and six minutes, something  
25 like that?

- 1 A. I think the difference is explained from the times on  
2 the logs with the counter on the video.
- 3 Q. All right, but if we worked on the basis of  
4 approximately an hour and five minutes slow, that's  
5 a good working rule, is it?
- 6 A. Yes, it is.
- 7 Q. Again, we will hear obviously from Frank, but just to  
8 put this into some kind of context while we are looking  
9 at it, is this right: according to him, six people came  
10 out before Mr de Menezes; is that right?
- 11 A. That is right.
- 12 Q. Of whom he filmed five; is that right, as you understand  
13 it?
- 14 A. Yes, that is correct.
- 15 Q. When we play the start of this film, we will see -- I'll  
16 mention them when we see them -- the times I think are  
17 6.43, 7.12, 7.21, 7.22, and 7.35. That's the time on  
18 the camera. So we have to add an hour and five minutes  
19 to each of those.
- 20 A. Yes.
- 21 Q. Those are obviously all before Mr de Menezes came out at  
22 shortly after half past nine in the morning?
- 23 A. That is so, yes.
- 24 Q. All right. Just one other thing: the Coroner in his  
25 opening to the jury mentioned a black Nissan Primera

1 car; do you remember?

2 A. I do.

3 Q. Which was registered to somebody called Abdi Omar; do  
4 you remember?

5 A. I do.

6 Q. Who was someone again who the police were interested in,  
7 if I put it that way, in connection with the bombings or  
8 the attempted bombings?

9 A. Yes, that's correct.

10 Q. We heard about that car being seen in the vicinity of  
11 the Scotia Road flats, and when we play this film we  
12 will see that the photographer Frank has sort of zoomed  
13 in and out a bit, for example he will go on to the  
14 Leckhampton Place road sign but I think we will also be  
15 able to see two cars in the distance, and it may be up  
16 to the back and the right is the Nissan Primera; all  
17 right?

18 A. Yes.

19 Q. So we will play that, and members of the jury, just so  
20 you understand, the faces of individuals -- all they did  
21 was happen to walk out of where they lived -- have also  
22 been blanked out, so just to explain that's been done.  
23 No mystery about that.

24 Can we play that, please.

25 Video footage shown

1           Looks like a black car in the distance, on the  
2           right, doesn't it?

3   A.   Yes, it does.

4   Q.   So that's 6.43 according to this clock.  7.12, 7.21,  
5           7.22 and 7.35.  Those are five people, anyway, before  
6           Mr de Menezes had come out that were filmed; is that  
7           right?

8   A.   That's right.

9   Q.   I think what we will then see is after he has come out,  
10          and I have explained that he was not filmed, but we will  
11          play on so we can see the whole of this video recording.

12                           Video footage shown

13          If we can then return, please, to aerial view, and  
14          go to the third of the red circles.  That's showing us  
15          Marnfield Crescent; correct?

16   A.   That is correct, yes.

17   Q.   If it will do the whole view ... so you walk along that  
18          little road, it's now behind the photographer, and then  
19          round this bit to the left of Marnfield Crescent to get  
20          out into Upper Tulse Hill if you have come from  
21          Scotia Road?

22   A.   Yes, that's right.

23   SIR MICHAEL WRIGHT:  I wonder, Mr Hilliard, if Mr Reynolds  
24          could -- I know the jury saw it all yesterday -- just  
25          give us a description for the note of the green area to

- 1 the right of the road. What is it, Mr Reynolds?
- 2 A. I think that's a play area, certainly open space, as  
3 part of the Housing Association estate.
- 4 SIR MICHAEL WRIGHT: Yes, I follow. It's all on the  
5 right-hand side of Marnfield Crescent as one walks round  
6 it, is it?
- 7 A. As you walk round to the left, that is on your right.
- 8 SIR MICHAEL WRIGHT: Thank you.
- 9 MR HILLIARD: Can you help, there is a play area in there,  
10 we can see railings on the outside, I am sure you are  
11 not going to know from your own knowledge unless you  
12 happen to live round there, but can you help us: was the  
13 set-up the same on 22 July of 2005, as far as you know,  
14 or different?
- 15 A. As far as I know it was the same. This was an issue  
16 that cropped up before the trial at the Old Bailey, and  
17 we made some enquiries and our enquiries confirmed that  
18 there had been no changes.
- 19 SIR MICHAEL WRIGHT: No changes since 22 July?
- 20 A. That was the result of our enquiries, yes.
- 21 MR HILLIARD: All right. If we can go back to the aerial  
22 view, and I don't think the fourth one will help us, so  
23 if we can go to that one, please, this is looking back  
24 the other way, isn't it?
- 25 A. Yes, it is.

- 1 Q. So you would have to go into the photograph to turn down  
2 that little road and then make a right into Scotia Road?
- 3 A. Yes.
- 4 Q. Again can we just ... so that is where Marnfield  
5 Crescent comes out onto Upper Tulse Hill, isn't it?
- 6 A. That's correct.
- 7 Q. All right, we can go to the next hot spot, please. We  
8 will go the whole way round.  
9 That's showing us, isn't it, on the right there the  
10 Territorial Army Centre --
- 11 A. Yes, it does.
- 12 Q. -- on Upper Tulse Hill. We can see that's marked just  
13 a little way along the road having come out at Marnfield  
14 Crescent.
- 15 If we can go to the last flashing circle, this is  
16 showing, isn't it, we can see the junction of  
17 Upper Tulse Hill and Tulse Hill itself?
- 18 A. Yes, that's right.
- 19 Q. If, as you now look at it, you have come from the left,  
20 from Upper Tulse Hill, if you turn here and walk into  
21 the photographs towards the roadworks you are on  
22 Tulse Hill and there we have zoomed in a bit so you can  
23 see the bus shelter and the bus stop in front of it,  
24 can't you?
- 25 A. I can, yes.

1 Q. All right. That, I think, is the bus stop at which  
2 Mr de Menezes got on the bus; is that right?

3 A. Yes, that's where the number 2 bus stops.

4 Q. If we look along the top of the screen as we have got  
5 it, one or two other things that we are going to look at  
6 here, but towards the top left, we can see timeline;  
7 yes?

8 A. Yes.

9 Q. Again, sir, can I say the jury obviously have a timeline  
10 of their own in the bundle, but it will make things  
11 I think even more complicated if we try and  
12 cross-reference it, we will just stick to one at a time.

13 So if we can click on timeline, please, and click  
14 thereto, and then if we can just pause straightaway so  
15 that we don't start moving.

16 Again, if we just look at this, now everywhere is  
17 marked, so 21 Scotia Road, the address the police were  
18 interested in, is marked there. JC for Jean Charles  
19 de Menezes is marked in that little blue circle and we  
20 will see that will move, members of the jury, just to  
21 show his route.

22 Frank's position in the van, we looked at the film  
23 that he took, is marked there. Marnfield Crescent,  
24 Upper Tulse Hill, the TA Centre we have looked at,  
25 Tulse Hill itself and then the bus stop too.



- 1           Then along the bottom of the screen, Mr Reynolds, we  
2           can see times are running on, and the one that's  
3           highlighted at the beginning is 9.34 because that is the  
4           time at which Mr de Menezes came out of the communal  
5           door at Scotia Road; is that right?
- 6   A.   That's right, yes.
- 7   Q.   We will see, we will follow this, but it will just give  
8           us an idea of the time at which what we are looking at  
9           is happening; is that right?
- 10   A.   Yes.
- 11   Q.   The screen, just so everybody understands, when the  
12           minute changes, suppose for example when we go from  
13           events at 9.35 rather than 9.34, the screen just goes  
14           blank or black, is that right, to show the minute  
15           change?
- 16   A.   Yeah, I think there is some sort of flicker anyway.
- 17   Q.   Yes.   Just so we know what we are going to see first,  
18           Mr de Menezes's route on foot to the bus stop is shown  
19           by the moving blue square with his first initials in it;  
20           is that right?
- 21   A.   That's correct.
- 22   Q.   Then a moving red rectangle appears which is  
23           representing the number 2 bus that he got on?
- 24   A.   That's -- yes, that's right.
- 25   Q.   I just want your help with this: I think right at the

1 beginning when we see the bus coming along, it shows as  
2 well as Mr de Menezes getting on the bus, Ivor, one of  
3 the surveillance officers, getting on as well. That's  
4 what's shown on this presentation, isn't it?

5 A. It was shown on the -- yeah, originally it was, yes.

6 Q. I see. Has that now been corrected?

7 A. I believe that it has.

8 Q. All right. Just so we have this in mind, members of the  
9 jury, in case you want this at all, if you go to  
10 section 11 in your jury bundles just so you can see what  
11 you are going to see.

12 Mr Reynolds, do you have a copy there?

13 A. I haven't.

14 Q. I don't know whether we have one we can provide you  
15 with. Don't worry, I know you are familiar with what we  
16 have. So what we have here are three plans, you have  
17 seen these before although you do not have them there  
18 now, Mr Reynolds, you know what I am talking about?

19 A. Yes, I do.

20 Q. That shows us that the route, it is marked in it looks  
21 like pink from Scotia Road to Tulse Hill, isn't it,  
22 first of all?

23 A. Yes.

24 Q. And then it's a sort of deeper orange colour, and  
25 members of the jury, if you just go up on, it's got

1 page 23A written on it, the first plan in divider 11, if  
2 you go up right to the top, can you see Morval Road, top  
3 middle, and if you come below that Brixton Water Lane.  
4 Everybody got that? If you come down just below the  
5 "LA", which is the "lane" of Brixton Water Lane, and now  
6 the writing's on its side, can you see Brailsford Road?

7  
8 It's on Tulse Hill but approximately in the vicinity  
9 of Brailsford Road that Ivor, the surveillance officer,  
10 got on. You will see a representation when we look at  
11 the film of him getting on, but just so that you know.

12 If you turn over to the next page, 23B, still in  
13 section 11, you can see that again the route now of the  
14 number 2 bus is shown continuing up Effra Road taking  
15 that little turn up St Matthew's Road, Brixton Hill,  
16 Brixton Road, then going off up to the left, that's  
17 Stockwell Road, and then if you turn over to the last  
18 page in this section, this is the route we are going to  
19 be looking at.

20 Bottom left now, Stockwell Road, highlighted, and  
21 then just going in to the South Lambeth Road beyond  
22 Stockwell tube which is marked with that black circle  
23 into the South Lambeth Road which is where the bus  
24 stopped and Mr de Menezes got off.

25 If we can play, please, and there starts the little

1 square moving. You see that as we move to 9.36 now so  
2 the screen goes blank. (Pause). So there he is at the  
3 bus stop, the representation of the number 2 bus coming  
4 along. Pause if we can.

5 So just to show that he's got on the bus, members of  
6 the jury, his little square will now stay in the red bus  
7 for as long as he is on the bus. As you know, we will  
8 see him getting off near Brixton tube, we will see some  
9 film of that.

10 But what we have on the left are the first of the  
11 pictures, is this right, Mr Reynolds, from the bus's own  
12 camera system?

13 A. Yes, that's from two of their cameras.

14 Q. Right, and if we can just play on slowly, we will get  
15 two more pictures, I think, and I want to just stop  
16 there, please. Those may be, it will be a matter for  
17 the jury to say, about as good as some of the  
18 photographs of Mr de Menezes on the day get; is that  
19 right?

20 A. That is probably the best photos, yes.

21 Q. So we can see him from the front top left, get  
22 an opportunity to see the jacket he had got on there; is  
23 that right?

24 A. That's right, yes.

25 Q. And then a side view, members of the jury, in that

- 1 bottom picture again from the bus's camera system. Can  
2 you just help us: where did he go and sit, just roughly,  
3 on the bus, downstairs or upstairs?
- 4 A. He stayed downstairs and went to the rear of the bus and  
5 sat on the offside of the bus.
- 6 Q. On the offside?
- 7 A. Yes.
- 8 Q. Right. All right, thank you, if we can play on, please.
- 9 A. Sorry, my mistake, it was the nearside, sorry. It was  
10 the nearside.
- 11 Q. Right. (Pause). Just pause a moment. More stills from  
12 the bus but I think not telling us anything but the  
13 bottom one, that is looking ahead, isn't it?
- 14 A. Yes, that's the camera at the front of the bus.
- 15 Q. So pointing in the direction that the bus is going?
- 16 A. Yes, that's correct.
- 17 Q. All right. Thank you, if we play on. (Pause). Pause  
18 again. Just more film from the bus, but again it's not  
19 really telling us anything, is it, but again the one at  
20 the bottom is showing the view out of the front of the  
21 bus; correct?
- 22 A. That's correct.
- 23 Q. Thank you. (Pause). Just go back a bit. Ivor is now  
24 shown, isn't he, as having got on the bus?
- 25 A. Yes, I think he got on the bus at the bus stop that we

- 1           have just seen.
- 2    Q. All right, so that explains what's what happened there.
- 3           Thank you. (Pause). Just pause. Now, we have now got
- 4           some different kind of film; is that right?
- 5    A. That's correct.
- 6    Q. And the camera, this is an outside camera, is this
- 7           right, a Lambeth Council camera?
- 8    A. Yes.
- 9    Q. I think we can see Lambeth Council CCTV?
- 10   A. That's part of their CCTV systems.
- 11   Q. The film that the camera takes is shown top left, isn't
- 12           it?
- 13   A. It is.
- 14   Q. And the purple triangle on the road, Effra Road as it
- 15           now is, that shows the sort of range that the camera
- 16           covers; is that right?
- 17   A. That's correct, yes.
- 18   Q. So if we look at that, we can see that if that's right,
- 19           the bus is about to drive into camera range, because you
- 20           would see if the bus goes on, it is going to go into
- 21           purple and purple is the camera's view. So we will
- 22           actually see, is this right, the very number 2 bus
- 23           itself from the outside coming into this film we have
- 24           top left?
- 25   A. That's correct.

- 1 Q. I think we are also going to see in a moment or two,  
2 just so I can say it all now, some film of Ivor, the  
3 surveillance officer, on the bus sitting downstairs; is  
4 that right?
- 5 A. Yes, he's sat in the area where people with pushchairs  
6 and wheelchairs would sit.
- 7 Q. Again his face has been obscured for obvious reasons?
- 8 A. That's correct.
- 9 Q. Thank you, if we can play, please. There is the bus.  
10 Just pause. Can't quite see it now, maybe you can if  
11 your eyes are good, but we saw it a minute or two ago.  
12 There is the number 2 bus going out of shot and there is  
13 Ivor sitting in that area on the bus but his face has  
14 been obscured?
- 15 A. That's correct.
- 16 Q. Thank you. (Pause). Pause a moment. Just to get our  
17 bearings, we looked at it earlier on the maps, turned  
18 left at St Matthew's Road?
- 19 A. Yes.
- 20 Q. That will be coming up?
- 21 A. That's at the top of the screen, yes.
- 22 Q. Yes. (Pause). Pause, so we are just getting a bit more  
23 film of Ivor at that stage, aren't we?
- 24 A. Yes, that's correct.
- 25 Q. All right.

1 SIR MICHAEL WRIGHT: Can I ask, I think I know where it is,  
2 but the point on the bus where Ivor is sitting is  
3 obviously the offside of the bus.

4 A. Yes.

5 SIR MICHAEL WRIGHT: Right at the front, part way down or  
6 near the back?

7 A. I think it's part way down.

8 SIR MICHAEL WRIGHT: Part way down the bus, thank you.  
9 (Pause).

10 MR HILLIARD: Just to indicate that the bus was held in  
11 traffic; yes?

12 A. That's correct.  
13 (Pause).

14 Q. Again we are going to be coming into a view of  
15 an outside camera, aren't we?

16 A. Yes, another part of Lambeth Council's CCTV.

17 Q. Pause a minute. So we are getting our bearings, we can  
18 see that marked on there is Brixton underground station  
19 on the right-hand side of the road; is that correct?

20 A. That's correct.

21 Q. Do you remember that the Coroner again when he opened  
22 the case said that it looked as if Mr de Menezes had got  
23 off the bus with a view to continuing his journey to  
24 work via Brixton underground station; yes?

25 A. Yes.



- 1 Q. But that station, is this right, was shut because of  
2 a security alert?
- 3 A. That's the case, yes.
- 4 Q. Obviously if he had got off the bus, seen that it was  
5 shut, that would explain why he just got back on the  
6 bus, because the next station up is Stockwell, isn't it?
- 7 A. That's correct.
- 8 Q. So this number 2 bus is going to be coming in, isn't it,  
9 and we will see it in a moment, the very number 2 bus is  
10 coming into the outside Lambeth Council CCTV camera,  
11 isn't it?
- 12 A. Yes, it's just coming into range.
- 13 Q. And again perhaps just to indicate in advance what we  
14 are going to see, the bus comes into view, superimposed  
15 on it, I think at one stage by the person putting the  
16 film together, "number 2 bus in green", I think has been  
17 written on the back just to identify the bus more  
18 clearly; is that right?
- 19 A. Yes, that's right.
- 20 Q. Then Mr de Menezes is shown getting off the bus; is that  
21 right?
- 22 A. That's correct.
- 23 Q. When he can be picked up in the crowd of people who were  
24 on the pavement, I don't think we are going to be able  
25 to do it with our eyes here but if you have special

1 equipment and time on your side, that exercise has been  
2 done, and he has been identified?

3 A. Yes, that's right, there are times when he is identified  
4 during that passage.

5 Q. Lost for a time but back in the vicinity of the bus  
6 again before he gets back on it?

7 A. That's correct.

8 Q. All right. Thank you very much, if we can play on,  
9 please. (Pause). Pause. It's the bus at the back,  
10 isn't it, we can see the number 2 and as I say someone  
11 has put the square sign in green, and then "2" and "bus"  
12 on it?

13 A. Yes.

14 Q. To the left of that we will see that on occasions  
15 I think it's the blue square still with JC on it when  
16 someone managed to pick him up in the people there?

17 A. That's correct.

18 Q. Thank you. (Pause). There?

19 A. Yes.

20 Q. (Pause). Again?

21 A. Yes.

22 Q. (Pause). Just pause a moment. So that's moving back  
23 towards the bus, we can see at 9.49 according to the  
24 timeline on the bottom?

25 A. That's correct.

- 1 Q. And in a minute, we are going to see some film, is this  
2 right, from the bus camera itself showing Mr de Menezes,  
3 he's got to the top of the stairs in the bus and he is  
4 making his way down the bus, I think, on the top deck  
5 this time, but at 9.50 so this is when he is now about  
6 to get back on the bus?
- 7 A. That's right.
- 8 Q. Thank you. If we can play on, please. (Pause). Pause.  
9 So you can just see on the right-hand picture, is this  
10 right, where Mr de Menezes has come up the stairs and  
11 turned round to his right and there is just the back of  
12 his jacket that was caught in the picture; is that  
13 right?
- 14 A. That's the left-hand.
- 15 Q. I think that's the right-hand as I look at it, and if  
16 you go to the left-hand picture, there he is actually  
17 walking down towards the back of the bus?
- 18 A. Yes, sorry.
- 19 Q. Stairs on the right and him just turning and the one on  
20 the left is taken a bit further on, he is now --
- 21 A. That's correct.
- 22 Q. Yes. (Pause). Yes, and Ivor, if we can just pause for  
23 a moment, has got off the bus at this stage; is that  
24 right?
- 25 A. That's right.

- 1 Q. And he is no longer on the bus and he is not shown, it's  
2 just JC shown on the bus?
- 3 A. Yes, and this time he's sat about four rows behind the  
4 stairs on the offside of the bus.
- 5 Q. I think it may be a little bit further back from that,  
6 because we will be going to see some pictures and he  
7 can't be seen in them, can he? Is it towards the back  
8 of the bus?
- 9 A. It's certainly towards the back of the bus but --
- 10 Q. You tell us, if you think you can see him in the  
11 pictures?
- 12 A. No, I am just going on what one of the surveillance  
13 officers had described.
- 14 Q. All right. If we can play, please. (Pause). If we  
15 could hold for a moment, we can see the bus is moving  
16 off, isn't it?
- 17 A. Yes.
- 18 Q. And you really can't make out anybody in those pictures,  
19 can you?
- 20 A. You can't, no.
- 21 Q. All right, thank you. Can we just go back, or even in  
22 that one?
- 23 A. No, I don't believe there is any footage now of him sat  
24 in that position.
- 25 Q. Right. Thank you. (Pause). So on goes the bus, it will

- 1           turn left in a minute into Stockwell Road?
- 2    A.   That's correct.
- 3    Q.   We will see some onboard film from the cameras on the
- 4           bus, but they don't show anything of significance, so we
- 5           will just play on through those, the next few. (Pause).
- 6           The Stockwell Road is now marked so we will see the
- 7           left turn. (Pause).
- 8           Just pause there. Look ahead, we can see a bus stop
- 9           is coming up, and there is a yellow rectangle there with
- 10          "Lawrence" in it; correct?
- 11   A.   That's correct.
- 12   Q.   Lawrence was another surveillance officer who was
- 13          waiting at that bus stop to get on the bus; is that
- 14          right?
- 15   A.   That's right.
- 16   Q.   He did that; is that right?
- 17   A.   Yes, he did.
- 18   Q.   In due course we will see a picture from the bus's
- 19          onboard camera that shows him getting on, I think.
- 20   A.   I believe that's right, yes.
- 21   Q.   Thank you. (Pause). Just pause. So there we have,
- 22          bottom left, Lawrence and again his face has been
- 23          obscured, hasn't it?
- 24   A.   It has.
- 25   Q.   I think these times, efforts have been made to

- 1 synchronise them but we can see the time, just on taking  
2 this bit of film, for example, 09.55.58?
- 3 A. Yes.
- 4 Q. Yes?
- 5 A. Yes.
- 6 Q. 09.55 on the timeline. So play on, please. (Pause).  
7 Again, nothing of relevance for us on the onboard  
8 camera?
- 9 A. No, nothing.
- 10 SIR MICHAEL WRIGHT: Do we know where Lawrence was sitting?
- 11 A. Yes, he was sitting about three rows behind  
12 Mr de Menezes.
- 13 SIR MICHAEL WRIGHT: On the top deck?
- 14 A. On the top deck.
- 15 SIR MICHAEL WRIGHT: Thank you.  
16 (Pause).
- 17 MR HILLIARD: The bus is going to bear right, isn't it, in  
18 due course up into the South Lambeth Road where the bus  
19 stop is marked.
- 20 A. That's correct.
- 21 Q. And you have to walk back down the road, Stockwell tube  
22 is just below the bus stop, isn't it, it will come up as  
23 marked in a moment?
- 24 A. Yes.
- 25 Q. But that's what's going to happen, isn't it?

- 1 A. Yes, it is.
- 2 Q. (Pause). So the station is now marked, isn't it?
- 3 A. Yes.
- 4 Q. (Pause). If we can just pause there while the bus has,  
5 because we have not looked at these.  
6 If we can turn perhaps to divider 22, because they  
7 may be useful in due course, of our jury files. These  
8 were taken very recently, I think you are aware of this,  
9 Mr Reynolds, last week or something of that sort, the  
10 photographs of the station?
- 11 A. Yes.
- 12 Q. We can just see as we look at the first one, which  
13 bottom left on its side is page 34A, that's showing  
14 a recent view into the station at the front, isn't it?
- 15 A. I believe it is, I haven't actually got a photo in front  
16 of me.
- 17 Q. You haven't, can you just about make that out  
18 (indicated)?
- 19 A. Yes.
- 20 Q. If we turn over to the next picture, 34B, that's again  
21 you can see the station on the left. Beyond it, where  
22 there is the NatWest Bank on the corner -- oh, there we  
23 are, thank you very much.
- 24 A. Yes.
- 25 Q. Beyond the corner where the underground sign is, if you

- 1 go to the next corner, that building there is a NatWest  
2 Bank, isn't it?
- 3 A. That's correct.
- 4 Q. On which, if you are very eagle eyed, you can make out,  
5 if you go from the tube towards the bank, there is what  
6 looks like a statue or fountain or something; do you see  
7 that?
- 8 A. Yes, I do.
- 9 Q. Just over to the left of that is mounted on the wall of  
10 the NatWest Bank is a security camera. You might just  
11 be able to make out what looks like a little white  
12 cylinder there, it's not easy.
- 13 A. I can see it, and I do know of its location.
- 14 Q. Yes, can we put a cursor on that?
- 15 (Pause). You are either going to have seen it or  
16 you are not, I am afraid. We are going to see some film  
17 taken from that camera.
- 18 A. Yes, we are.
- 19 Q. That's Binfield Road, isn't it, that road?
- 20 A. It is.
- 21 Q. If we turn over to the next picture, 34C, we can see the  
22 corner with the bank a bit more clearly; is that right?
- 23 A. That's right.
- 24 Q. 34D, looking back along the Stockwell Road but we will  
25 not trouble with that one. 34E is more helpful to us at



1 the moment. There is the station on the left, bank now  
2 obscured by the bus, but the bus is just going to turn  
3 round there, and go up -- this is a number 2 bus as it  
4 happens -- into South Lambeth Road and stop?

5 A. That's correct.

6 Q. If we go to the next picture, 34F, that's looking the  
7 other way, isn't it, the bus is now coming towards  
8 rather than going away?

9 A. That's correct.

10 Q. There is that statue on the right. Then if we turn over  
11 to picture 34G, now you can actually see, we could have  
12 gone, you can see that camera a bit more clearly, can't  
13 you, on the NatWest Bank. It looks as if it's coming  
14 out of the bottom of a traffic light, isn't it, but it's  
15 not?

16 A. Yes.

17 Q. There is the bus just pulling into the South  
18 Lambeth Road where it's going to stop?

19 A. Yes.

20 Q. Last picture there, you can make out the bus stop just  
21 to the left of a road sign, can't you?

22 A. Yes, you can.

23 Q. All right, thank you very much.

24 If we can then just go back to the route of the bus  
25 as we said, it's going to go past the station and then

1 park up at the stop in South Lambeth Road. We are 9.58  
2 or thereabouts. (Pause).

3 Just pause. So as before, when it was purple,  
4 I think, when it was a Lambeth one, this is from the  
5 NatWest camera, isn't it, it's showing as a blue  
6 triangle the sort of approximate area view of the  
7 camera; is that right?

8 A. That's correct.

9 Q. And we can see that shown top right, and we can see from  
10 looking at the plan that the bus is going to drive  
11 through the area of the camera, isn't it?

12 A. Yeah, in fact I think you can just spot it on the top  
13 right-hand corner.

14 Q. We will see it more clearly on its way into South  
15 Lambeth Road if we watch there. Thank you. You can see  
16 it much more clearly. There it comes. Yes?

17 A. Yes.

18 Q. (Pause). There is green number 2 bus someone has just  
19 written on top again.

20 A. Yes.

21 Q. (Pause). So the bus, still with Mr de Menezes and  
22 Lawrence the surveillance officer, it's making its way,  
23 isn't it, towards the bus stop?

24 A. That's right.

25 Q. (Pause). We have some idea of the traffic there, it's

1 obviously quite heavy, isn't it?

2 A. It was.

3 Q. Yes. (Pause). Just pause. On the graphic at least

4 Mr de Menezes is shown as off the bus there, isn't he?

5 A. Yes, he is.

6 Q. All right, play on. (Pause). Just pause. Lawrence is

7 now shown, if we look as the graphic, as off the bus,

8 isn't he?

9 A. Yes, he is.

10 Q. Mr de Menezes appears to be moving towards the blue

11 triangle which is part of the area or the area that's

12 being shown in the camera, isn't he?

13 A. He is.

14 Q. The film. All right. (Pause). Pause. Now, what's then

15 shown coming into the film, again face is obscured, but

16 it's Ken, who was a surveillance officer; is that right?

17 A. That's correct.

18 Q. We can see that he is in the blue triangle so he should

19 be in the area of the film that we can see and sure

20 enough he is; is that right?

21 A. That is right.

22 Q. Yes, please, play on. (Pause). Just pause. There is

23 quite a lot going on in a sense to look at from now on,

24 both in terms of what's shown on the graphic and what is

25 shown on the film?

- 1 A. Yes.
- 2 Q. But we have another camera that's been introduced here;  
3 is that right? We can see the purple triangle that is  
4 pointing towards Stockwell station; is that right?
- 5 A. That is right.
- 6 Q. And we can see that Ivor, a surveillance officer, is now  
7 shown in the purple triangle range, and so he should  
8 appear, and does appear, in the film from that camera on  
9 the right-hand side?
- 10 A. That's correct.
- 11 Q. All right. Pause a moment. You have another camera  
12 view, it's the pale blue one at the top here and if we  
13 go to the screen, we can see "Ken" in a square and "JC"  
14 in a square in about that area, can't we?
- 15 A. Yes, that's right.
- 16 Q. Right. (Pause). Pause a minute, there was Ken, just  
17 coming through that pale blue one; correct?
- 18 A. That's correct.
- 19 Q. (Pause). Pause. And then from the back, Mr de Menezes  
20 as well?
- 21 A. That's correct.
- 22 SIR MICHAEL WRIGHT: That's all walking along the wall of  
23 the NatWest Bank, isn't it?
- 24 A. Yes, that's the blue square which depicts the camera  
25 from the bank, sir.

1 SIR MICHAEL WRIGHT: So the two gentlemen we can see  
2 standing facing the wall are presumably using the holes  
3 in the wall, the cash machines?  
4 A. Yes.  
5 MR HILLIARD: We have Mr de Menezes as we know making his  
6 way to Stockwell station and then three surveillance  
7 officers shown at the moment in the area, Lawrence, Ken  
8 and Ivor.  
9 A. That's correct.  
10 Q. Thank you. (Pause). Pause. Another camera to contend  
11 with, which is the purple triangle right in front of the  
12 station; yes?  
13 A. Yes.  
14 Q. Ivor is shown as being within the range of that?  
15 A. Yes, he is.  
16 Q. And sure enough, there he is, bottom right, with "Ivor"  
17 on his back. Mr de Menezes is seen in the vicinity of  
18 the bank on the corner of Binfield Road, JC is shown in  
19 the blue shaded triangle and then sure enough, there he  
20 is on the film from that camera top right; correct?  
21 A. That is correct.  
22 Q. All right. (Pause). Pause. The station is on the  
23 right-hand of the picture, so we have our bearings,  
24 bottom right, isn't it?  
25 A. Yes, it is.

- 1 Q. You might think that camera was looking the other way  
2 and that the narrow end is the way it's looking. In  
3 fact, it's looking down with the station on the right,  
4 isn't it?
- 5 A. Yes, it is.
- 6 Q. Thank you. (Pause). Pause. So Ivor at the bottom, Ken  
7 we can see at the top, surveillance officers?
- 8 A. Yes, that's correct.
- 9 Q. Yes, please. (Pause). Pause. There is Mr de Menezes,  
10 bottom right, going towards the station, now picked up  
11 on a different camera?
- 12 A. Yes, that's right.
- 13 Q. (Pause). Pause. Now, we have a camera view now, a new  
14 one for us, that is looking down the Stockwell Road; is  
15 that right?
- 16 A. That's right.
- 17 SIR MICHAEL WRIGHT: In the direction from which the bus had  
18 come?
- 19 A. Yes.
- 20 MR HILLIARD: In this picture, in due course, do we see  
21 footage of the arrival of police firearms officers in  
22 cars?
- 23 A. Yes, we do.
- 24 Q. Unmarked cars, so we are not expecting to see  
25 traditional colours on them or anything of that sort?

- 1 A. No.
- 2 Q. If we just look at that, we have seen it already  
3 I think, but we have some idea of the traffic flow we  
4 can see in that picture, can't we?
- 5 A. Yes.
- 6 Q. And does there come a point where the first in the  
7 convoy of unmarked police officers containing specialist  
8 firearms officers tries to pull out of that queue of  
9 traffic and come round it?
- 10 A. Yes, the video shows that, yes.
- 11 Q. So we understand, and again I repeat, this is in the  
12 timeline, so no-one needs to worry about trying to  
13 remember it all, but we have Mr de Menezes, haven't we,  
14 Mr Reynolds, at Stockwell station?
- 15 A. Yes.
- 16 Q. Surveillance officers there?
- 17 A. Yes.
- 18 Q. After his arrival there is the arrival of specialist  
19 firearms officers, isn't it?
- 20 A. That's correct.
- 21 Q. All right, if we can play on, please. (Pause). Just  
22 pause. I may be wrong but is this one of the cars we  
23 can see beginning to pull out there?
- 24 A. That is the lead car in the convoy beginning to make  
25 it's manoeuvre.

- 1 Q. Right, can everybody just see that, just beyond the  
2 traffic lights? It will probably become a bit clearer  
3 if we just play on, thank you. (Pause). There it comes.  
4 Yes?
- 5 A. Yes.
- 6 Q. Just pause a moment. So effectively we have now three  
7 lanes of traffic but the one on the left as we look is  
8 the lead firearms car; is that right?
- 9 A. That's right.
- 10 Q. Then we just have, again we can see Lawrence as one of  
11 the surveillance officers, in the area of the blue  
12 triangle and sure enough we pick him up on the film from  
13 that camera?
- 14 A. Yes.
- 15 Q. Play on, please. (Pause). Pause. We have Lawrence now  
16 in this purple triangle, appears to be on the graphic at  
17 least walking down towards the front of the station and  
18 sure enough that's him on the film, isn't it, being  
19 picked up?
- 20 A. That's correct, yes.
- 21 Q. Thank you. Pause. We are going to see some other  
22 names, again no-one needs to try to remember all these,  
23 but Malcolm, Geoff and I think Graham is going to come,  
24 all surveillance officers; is that right?
- 25 A. All surveillance officers, yes.



- 1 Q. All right. And then just pause a moment, so we will see  
2 Malcolm, Geoff and Graham, so other surveillance  
3 officers in the vicinity of Stockwell station, and then  
4 we will see a number of letters and names indicating  
5 firearms officers, is that right, where they can be  
6 seen?
- 7 A. That's correct.
- 8 Q. So surveillance officers first, then we will see some  
9 firearms officers' designations: C2, C12, C6, C7, D9,  
10 Terry, C3, William, and I think another surveillance  
11 officer, H11, Hotel 11; is that right?
- 12 A. That's right, yes.
- 13 Q. Then D4 and C3 firearms officers, so there will be lots  
14 of initials, but they are all written for you elsewhere,  
15 flying around. That's the arrival of the firearms  
16 officers shown on the film and on the graphic. Please.  
17 (Pause). Surveillance officer Geoff going towards the  
18 station. (Pause).
- 19 Surveillance officer Graham. (Pause). Just pause.  
20 Just below, that's I think some uniform police officers  
21 who just happened to be there, shown on the film; is  
22 that right?
- 23 A. Absolutely, yes.
- 24 Q. All right. Yes, please. Now pause. So this is the  
25 start, members of the jury, of the firearms officers who

1           you will see obviously on the graphic, but it's probably  
2           as well to watch one or the other, otherwise it's even  
3           more confusing. If you concentrate either on the  
4           graphic or on the film, you will see these designations  
5           arriving. I think with the exception of H11, Hotel 11,  
6           I think they are all firearms officers, the new ones  
7           that you are going to see. Thank you. (Pause). C7.  
8           (Pause). D9 and Terry. (Pause). C5, William. Also  
9           H11, so another surveillance officer. (Pause). C3,  
10          firearms officer. (Pause). Right, so Mr Reynolds, that  
11          shows us the arrival, doesn't it, of a number of  
12          individuals at and then making their way into the  
13          station?

14        A. Yes, it does.

15        Q. Then you told us that film had also been recovered from  
16          inside the station?

17        A. It was.

18        Q. So if we can get back the screen, and if we can go,  
19          please, to CCTV on the top, at the top, and then right  
20          down the bottom there will be CC3, camera 6 is where  
21          I would like to start, please.

22                Can we just pause a moment. Mr Reynolds, you can  
23          see what this is, CCTV from the station, it's the  
24          entrance hall camera, and it's obviously a view now from  
25          inside the station.

1           If I can just tell you so you have an idea what's  
2           coming, you will see on the film Mr de Menezes is  
3           marked, then a number of surveillance officers, Ivor,  
4           Ken, Lawrence, Malcolm and Geoff. Then from C2 onwards,  
5           I think with the exception -- if I have this right -- of  
6           Graham and H11, those are two surveillance officers,  
7           otherwise they are all firearms officers and in some of  
8           them, it may not be in these pictures, it may be later  
9           ones, some of them are wearing those caps with the check  
10          round them, and pretty obvious firearms in due course in  
11          some of the film we are going to look at.

12       SIR MICHAEL WRIGHT: Mr Hilliard, I heard you asking the  
13          LiveNote lady how she was getting on, but just before we  
14          enter the station would that be a convenient moment for  
15          a break?

16       MR HILLIARD: By all means.

17       SIR MICHAEL WRIGHT: Can I just say something about the  
18          breaks? There is a terrible tendency whenever we let  
19          anybody get out of the courtroom that they disappear and  
20          it takes about half an hour to get them back, and that,  
21          I may say, applies to counsel and solicitors with equal  
22          force. I make it 25 to, we still do not have a clock,  
23          can we all be back, please, ready to go on by five to?  
24          That should give you plenty of time.

25       (11.35 am)

1 (A short break)

2 (11.55 am)

3 (In the presence of the jury)

4 SIR MICHAEL WRIGHT: Before you go on, Mr Hilliard, I have  
5 a question which I think is fairly easily dealt with.  
6 But I just want to talk round it a little bit.

7 Mr Reynolds, when Ivor was on the bus, he was on  
8 which floor?

9 A. He was on the lower deck as well.

10 SIR MICHAEL WRIGHT: And at that time, Mr de Menezes was  
11 also on the lower deck?

12 A. That's correct, yes.

13 SIR MICHAEL WRIGHT: Where were they in relation to each  
14 other?

15 A. Mr de Menezes was at the extreme rear of the bus, and  
16 Ivor was about halfway along.

17 SIR MICHAEL WRIGHT: On the pull-down seats.

18 A. Yes.

19 SIR MICHAEL WRIGHT: Could you give the jury an estimate of  
20 the distance between Ivor and Mr de Menezes?

21 A. I would have trouble doing that, sir, and perhaps when  
22 Ivor gives evidence, he may be able to answer.

23 SIR MICHAEL WRIGHT: We will ask Ivor.

24 Looking at the timeline, Ivor was in the bus in that  
25 position relative to Mr de Menezes for about six

1           minutes?

2    A.   Yes, I believe it would be that sort of --

3    SIR MICHAEL WRIGHT:  Something like that, we can check on

4           the timeline.

5           Lawrence was on the bus; it wasn't Ivor, it was

6           Lawrence who was on the top deck sitting three rows

7           behind Mr de Menezes?

8    A.   That's correct.

9    SIR MICHAEL WRIGHT:  The specific question is: directly

10          behind or on the other side of the bus?  You know what

11          I mean, at an angle.

12   A.   I believe it was directly behind.

13   SIR MICHAEL WRIGHT:  Thank you very much.

14   MR HILLIARD:  Right.  So we are on the CCTV from the

15          station, the entrance hall camera, so if we can start

16          that, please.  (Pause).  Just pause.  Mr de Menezes

17          obviously has gone forward and then turned right and

18          that's where I think the free Metro newspapers are,

19          which he picked up one of them; is that right?

20   A.   That's correct, yes.

21   Q.   All right, so that's in the entrance hall, so it's going

22          towards the ticket barrier, isn't it?

23   A.   Towards the ticket barrier and then turning right.

24   Q.   Left, I think, but anyway?

25   SIR MICHAEL WRIGHT:  Left, yes.

1 A. Left, sorry.

2 MR HILLIARD: (Pause). So these are surveillance officers  
3 who are shown, aren't they, on the film too?

4 A. Yes.

5 Q. You see Lawrence rather than Geoff, I think, in due  
6 course. (Pause). Then we are going to see firearms  
7 officers, aren't we?

8 A. Yes.

9 Q. Another surveillance officer, Geoff.

10 SIR MICHAEL WRIGHT: Can we pause a moment, Mr Hilliard,  
11 before we start going down the escalator or through the  
12 barriers anyway.

13 On the two occasions that Mr de Menezes was on the  
14 bus, before Brixton station and after Brixton station,  
15 was the bus crowded?

16 A. I think it was relatively crowded, I don't think it was  
17 like a rush hour but I think there was a significant  
18 number of people on the bus.

19 SIR MICHAEL WRIGHT: Significant number of people.

20 A. Yes.

21 SIR MICHAEL WRIGHT: Thank you.

22 MR HILLIARD: Obviously as you appreciate we are going to  
23 hear from the very witnesses themselves about distances  
24 and so on. We can get some idea of volume of people  
25 when we look at some of the bus film, particularly on

1           the top deck. That's probably the best we can do,  
2           I suspect, isn't it?

3   SIR MICHAEL WRIGHT: Yes, it is.

4   MR HILLIARD: All right.

5           That was Geoff, then, we had seen, and as I say, we  
6           are going to see firearms officers arriving. (Pause).  
7           Go back to the menu, and please next go to CC3, but  
8           camera 8, please. (Pause). Pause a minute, so we are  
9           the same side of the barrier, aren't we, but we are much  
10          closer to the barrier than we were in the ticket hall  
11          film?

12   A. That's correct, yes.

13   Q. There is the place you take luggage through if you have  
14          got that as well as the ordinary barriers?

15   A. Yes.

16   Q. Again we will see Mr de Menezes, Ivor, Lawrence,  
17          Malcolm, I think Hotel 9 and Geoff, surveillance  
18          officers, and then firearms officers for the most part  
19          after that, making their way through?

20   A. Yes.

21   Q. Thank you. Mr de Menezes and Ivor. (Pause). So that's  
22          the surveillance officers. Then we will see the  
23          firearms officers, won't we, in a minute or two?

24   A. Yes, we will.

25   Q. (Pause).

1 SIR MICHAEL WRIGHT: This is where the question of vaulting  
2 the barriers comes in.

3 MR HILLIARD: We can see for ourselves Mr de Menezes passes  
4 through in the usual way, some of the officers have  
5 jumped over, as the Coroner has pointed out.

6 A. That's correct, yes.

7 Q. Right if we can then go, please, to CC3, camera 4. So  
8 we have now come the other side, haven't we, of the  
9 ticket barrier?

10 A. Yes, we have.

11 SIR MICHAEL WRIGHT: Have we gone back in time?

12 MR HILLIARD: Yes, we are going back to the beginning, so we  
13 will see here Mr de Menezes come forward, go and get his  
14 Metro newspaper, then go through the barrier in the  
15 normal way, followed by the surveillance officers, and  
16 then we will see the firearms officers coming through  
17 too. (Pause). If we can go back to the menu, CC3,  
18 camera 7, please. This is now on the way to the  
19 escalators, so back, as it were, in time a little at  
20 least after you have come through the barriers. So you  
21 will come through the barriers and come round here.  
22 Here again is Mr de Menezes. Pause here and just go  
23 back a shot. There. Just pause there. So we have  
24 a view of him, some idea of his clothing, we can see in  
25 that picture.



1 SIR MICHAEL WRIGHT: That's about the best picture we have  
2 had of Mr de Menezes so far.

3 MR HILLIARD: The face perhaps is not as good perhaps as the  
4 close-ups on the bus, but in terms of clothing, we have  
5 some idea. I think his jacket is available, we will see  
6 it in due course.

7 A. It will be, yes.

8 Q. Thank you very much, play on. (Pause). Pause there.  
9 Just go back a couple. There, for example, we can see  
10 a very obvious firearm being carried, can't we?

11 A. Yes, we can.

12 Q. Yes. (Pause). Then, please, if we can go to CC3,  
13 camera 5. We are now going to see the escalator area,  
14 and that's moving -- an escalator on the left-hand side  
15 going down, isn't it?

16 A. That's right.

17 Q. It's stairs on the right for coming up, isn't it?

18 A. Yes.

19 Q. So there is Mr de Menezes going down, Ivor, Ken.  
20 (Pause). Malcolm, Lawrence, Geoff. (Pause). People are  
21 beginning to look behind themselves, you can see why.  
22 (Pause). People coming up this side and indeed I think  
23 we can see them starting to come up the down escalator  
24 on the other side?

25 A. That's correct, yes.

- 1 Q. Thank you. Then just one last piece of film just for  
2 a particular reason, if you go please to Stockwell tube  
3 station you see SOCO Scenes of Crime Officer video  
4 recording, obviously I am not going to play all of this,  
5 just pause a moment.
- 6 This is a walk through, isn't it, with a camera that  
7 was done by a Scenes of Crimes Officer, we will see the  
8 time I think on a clock inside the station, 11.57; do  
9 you remember that?
- 10 A. Yes, I do.
- 11 Q. On the 22nd, I think?
- 12 A. Yes, it was.
- 13 Q. We will just see that, we are obviously not going to go  
14 on to the train but it will enable us to see the  
15 position of the train as it was, so it will not take  
16 a moment. If we can now just play this, please, it's  
17 obviously all been shut off now. (Pause). There is the  
18 newspapers on the right; is that right?
- 19 A. That's correct.
- 20 Q. (Pause). Just going to look along the up stairs before  
21 we look at the down escalator on the left.
- 22 A. Yes.
- 23 Q. (Pause). The cameraman is now at the bottom, isn't he?
- 24 A. That's correct.
- 25 Q. (Pause). Showing the passage, isn't it, towards the

1 train, there is obviously some discarded items left on  
2 the ground?

3 A. Yes, there was phones, wallets, luggage left by people  
4 making away from the station.

5 Q. That's the way into the station on the left there?

6 A. Yes, that's correct.

7 SIR MICHAEL WRIGHT: The platform.

8 MR HILLIARD: Sorry, the platform.

9 That's a green paramedics bag I think on the ground,  
10 isn't it?

11 A. Yes, I believe it is.

12 Q. Pause there, please. That's the train in the station,  
13 isn't it, which would have been going out, as it were,  
14 to the left of the picture as we look?

15 A. That's correct.

16 Q. I am just doing this so we can see where those open  
17 doors are there in relation to that entrance on to the  
18 platform?

19 A. Yes.

20 Q. Yes, thank you, we will not need to see any more of  
21 that, so we can stop that there.

22 Then Mr Reynolds, just finally this: obviously what  
23 you are attempting to do or we have attempted to do with  
24 this exercise is just to provide an overview, isn't it,  
25 as you appreciate individual witnesses will come and

1           give the details of all of this?

2    A.   That's correct.

3    Q.   And in this exercise you are largely dependent, is this

4           right, upon the accounts of others?

5    A.   Yes, we are.

6    Q.   Which in due course those others will be giving

7           evidence?

8    A.   That's entirely correct, yes, sir.

9    Q.   Again so far as the times on this are concerned, I think

10           an amount of work, a large amount of work, has been done

11           in trying to synchronise times from different cameras

12           with different times on them, different people's notes

13           of times and so on, to try to get one accurate timeline,

14           it's probably impossible to do, isn't it?

15   A.   Absolutely, because there is a range of different

16           opinions as to what the time was.

17   Q.   Again, this is a guide, isn't it, and in addition

18           I think you know, and I have referred to it, in

19           divider 1 of the jury bundle we have, as you know, got

20           a timeline, and with, so far as I am aware, one

21           exception, I am not going to spell it out because there

22           will probably be more, I think there is one error I'm

23           aware of. Those I think are agreed times so far as

24           that's possible, so if there is any difference between

25           that and the presentation, the timeline in the bundle is

1           probably the one to go with, isn't it?

2    A.   That's correct, yes.

3    MR HILLIARD:   Thank you very much indeed.

4    SIR MICHAEL WRIGHT:   Yes, Mr Mansfield.

5                               Questions from MR MANSFIELD

6    MR MANSFIELD:   Sir, would it be appropriate at least in the  
7                    early stages for counsel to identify themselves?

8    SIR MICHAEL WRIGHT:   That would be very helpful.

9                    I am Michael Mansfield and I represent the  
10                   de Menezes family who are here today.

11                   Mr Reynolds, not very much but I want to go back to  
12                   the beginning, if we may?

13   A.   Yes, sir.

14   Q.   I will take it slowly as one is getting used to the  
15            facilities.  If the jury would be kind enough to turn to  
16            the timeline, it's divider 1 in the bundle, you will see  
17            several entries down on the left, half a dozen, the time  
18            6.04 is in there, and that is the time approximately  
19            when the surveillance team that are known as the red  
20            team arrive in the Scotia Road area; in other words,  
21            it's therefore from then on there is a filming facility  
22            and there is an observation post and so on.

23                   Now, I want to just, keeping that page open for the  
24            moment, some time after 6.04, is this right,

25            Mr Reynolds, going back to the black car, the Primera

1 Nissan, was spotted by a surveillance officer parked  
2 opposite the front door?

3 A. That is correct, yes, sir.

4 Q. I am only putting an approximate time because times may  
5 vary, but approximately 6.20, an officer called Tango 3,  
6 he is also called Edward -- what he will be called here  
7 we will await, one of those two one presumes -- saw the  
8 car.

9 I want to, so the jury -- because it's all been  
10 happening very recently, if we could go to, and I have  
11 asked, sir, for the operator very kindly to go back,  
12 I don't need it on the aerial photograph, to the first  
13 hot spot, and then if it could kindly revolve so we can  
14 see what's behind the camera, as it were.

15 Now, as we go round, I'll ask it to stop now,  
16 please. I don't know whether you can help, but we saw  
17 a black car in the distance on Frank's film which, as  
18 far as I recall, was roughly in the position of the  
19 distant car which is now going to be the -- if the  
20 cursor could go on it, that one, yes. Was that the  
21 place, as you understood it, that the black Nissan was  
22 parked?

23 A. That's my understanding now. When we did the  
24 investigation, I think all the surveillance officers  
25 just referred to it as the vicinity of 21 Scotia Road,

1           having looked at the video again in preparation for  
2           today I did note that that position which is identified  
3           is where I now believe it to have been.

4   Q.   So if, recalling yesterday, somebody were to come out of  
5           the front door -- I don't ask to revolve back -- you  
6           just turn slightly to your left and go back up to that  
7           parking space; that's where it would be?

8   A.   It would be, yes.

9   Q.   So it would take you less than a minute to get that  
10          distance.

11           I want to just travel with the car, and I can do it  
12          without the aid of the photographs, if we turn to  
13          divider 11, if the jury do this, please, divider 11,  
14          I think you can help with this: that if a car were to  
15          leave that parking space, there is in fact for the car  
16          only one way out of Scotia Road if it's wanting to get  
17          to the main roads, I am leaving aside the smaller little  
18          roads that go into cul-de-sacs on the estate; do you  
19          follow?

20   A.   I do, yes.

21   Q.   If you come out of Scotia Road?

22   A.   Yes.

23   Q.   When you get to the next Crescent, Marnfield, which we  
24          went round yesterday, you have to turn left as you come  
25          out of the Scotia Road?

- 1 A. Yes, that's correct.
- 2 Q. And then you get on to Upper Tulse Hill where of course  
3 you can either turn left or right to go to whichever  
4 main road you really want to go to?
- 5 A. That's correct.
- 6 Q. Right, now, that's in terms of if you are coming out in  
7 a car. Now, in terms of walking from the front door, if  
8 the jury kindly turn to divider number 4, that gives  
9 a shot back towards the front door with somebody walking  
10 towards what I am going to call the next hot spot, which  
11 is just where you come into Marnfield Crescent, please.
- 12 I think there is a hot spot where you come into the  
13 Crescent from Scotia Road. Yes, there, that's right.
- 14 Now, that's a shot looking at the road to the left  
15 as you come out of Scotia Road, that's the route the car  
16 would have to take; is that right?
- 17 A. That's correct.
- 18 Q. If we could pan to the right, please, just slightly,  
19 pause, thank you very much. Right opposite, if you are  
20 on foot, of course you can follow the route that the car  
21 uses, but if you wanted to go to a bus stop, you could  
22 go straight across the play area and the path is marked  
23 just in front there; is that right?
- 24 A. That's right.
- 25 Q. If it could pan to the right again, if you walk up that



- 1 road there, I don't know how much further the panning  
2 goes up the road but in the distance beyond that dark  
3 car, there is another path that leads across the grassed  
4 play area?
- 5 A. That's correct.
- 6 Q. That also comes out, none of this is actually marked on  
7 a plan, but going back to the plan on divider 11, you  
8 can see roughly where all those three exits come out  
9 onto Upper Tulse Hill?
- 10 A. Yes.
- 11 Q. We can see on the plan, divider 11, and yesterday we  
12 didn't go particularly down this road, opposite there is  
13 in fact Roupell Road, I am looking at the plan for the  
14 moment, not the actual photographs, divider 11, there is  
15 a plan, and we can see there that's the route marked  
16 that obviously Mr de Menezes followed. You see  
17 Roupell Road opposite?
- 18 A. Yes.
- 19 Q. From Roupell Road you can in fact see the exit that has  
20 crossed the Crescent onto Tulse Hill, two of them in  
21 fact, in the entrance to the road as well.
- 22 A. I would think so, looking at the map, yes.
- 23 Q. Can we go to the next hot spot, please, because I think  
24 it's the one -- yes -- which, there is the bus -- that's  
25 the bus stop. It's not the one he went to, but it is

1 another access to public transport and that's the  
2 closest bus stop to Scotia Road, isn't it?

3 A. That is correct, yes.

4 Q. Just beyond the bus stand or shelter, sorry, there is  
5 the path that comes across the middle from the Crescent;  
6 is that right?

7 A. That's right.

8 Q. So in fact, if someone was walking and wanted to go to  
9 that bus stop, they just come out of Scotia Road,  
10 straight up the path opposite and come out at that bus  
11 stop?

12 A. Correct.

13 Q. Then there is a bus stop, the same bus route on the  
14 other side of the road, I don't think it's shown?

15 A. You could actually see it just then.

16 Q. There it is, and Roupell Road is just a bit further up  
17 on the left. Now, as far as the walking times are  
18 concerned, I am only going to put to you so we have the  
19 context approximately, Mr de Menezes himself, and if we  
20 turn over on the timeline, sorry it's back to the  
21 different divider or on screen if you wish, divider 1,  
22 page 3, it's clear that Mr de Menezes took, in fact,  
23 somewhere between five or six minutes to get to the  
24 number 2 bus stop. You see that at the top of page 3,  
25 do you see that?

- 1 A. Yes, I do.
- 2 Q. In fact, I think one of you actually did the walk as  
3 well at some point?
- 4 A. A colleague of mine, yes.
- 5 Q. It's roughly that space of time?
- 6 A. Yes.
- 7 Q. Plainly to get to the closer bus stop, we are talking  
8 far less a period, possibly three minutes, to get to the  
9 other one we have just seen?
- 10 A. Yes, I would estimate that, yes.
- 11 MR MANSFIELD: Thank you very much indeed.
- 12 SIR MICHAEL WRIGHT: Yes, who's next, yes, Mr Gibbs?
- 13 MR GIBBS: Sir, I think in the order of questioning it falls  
14 to me next, I hope you can hear me from the back.
- 15 SIR MICHAEL WRIGHT: I can.
- 16 MR GIBBS: My name is Patrick Gibbs and I represent the  
17 specialist surveillance officers. I will not ask this  
18 witness any questions at all, I will let the specialist  
19 officers speak for themselves about their specialism  
20 when they come to give evidence, if I may, and direct  
21 surveillance questions at that stage.
- 22 SIR MICHAEL WRIGHT: Thank you very much. Mr Stern?
- 23 MR STERN: Sir, I represent the firearms officers C2 and  
24 C12. I have no questions, thank you.
- 25 SIR MICHAEL WRIGHT: Thank you.

1 MS LEEK: Sir, I have no questions.

2 SIR MICHAEL WRIGHT: Yes.

3 MR PERRY: Sir, I do have a few questions of Mr Reynolds.

4 SIR MICHAEL WRIGHT: Yes.

5 Questions from MR PERRY

6 MR PERRY: I wonder if the ladies and gentlemen of the jury  
7 could take the jury bundle, please, and just go to  
8 divider 2. I hope you can hear me.

9 I am just going to indicate the people I represent  
10 by reference to this document so that it's easier for  
11 you to remember. If you look at page 3 of the list of  
12 relevant people, which is page 6 using the page numbers  
13 in the bottom right-hand corner, I hope you can see on  
14 the left-hand side the second entry  
15 "Commander McDowell". He is someone I represent. As  
16 too is Detective Chief Superintendent Greg Purser on  
17 that same page.

18 Then just going through to page 11, using the page  
19 numbers in the bottom right-hand corner, Chief  
20 Inspector Esposito, Trojan 80. Going on to page 13,  
21 Commander Cressida Dick.

22 So, ladies and gentlemen, my name is David Perry,  
23 and those are the people I represent. Don't worry too  
24 much because it's going to become very, very clear as we  
25 go on, you are going to hear an awful lot about them but

1 that's just by way of introduction, just trying to help.

2 Mr Reynolds, may I just ask you just some very short  
3 points, please, using the jury bundle again and going to  
4 divider 11, I just want to ask you, please, about two  
5 locations that we will come to hear about in due course,  
6 and I just want to orientate ourselves with them using  
7 you, if I may, Mr Reynolds, to assist.

8 If we go to divider 11, page 23C, which is the A to  
9 Z plan which shows Stockwell tube station towards the  
10 left-hand side, South Lambeth Road, Kennington Road and  
11 we have seen the number 2 bus as it came up into  
12 Stockwell tube station.

13 I just want to ask about two locations. First of  
14 all, and perhaps we can use the cursor on the screen as  
15 well, just to the right of Stockwell tube station and  
16 just down a bit, can we see Blair House? It's just to  
17 the right of the "O" in Stockwell. The cursor comes  
18 across from Stockwell tube station -- sorry, Stockwell  
19 in Stockwell Road. There it is. You have just got it.

20 A. Yes, I can see that.

21 Q. That's Blair House. Just so we know, it was later  
22 discovered that a premises within Blair House had been  
23 one of the addresses at which one of those who tried to  
24 set off an explosive device on 21 July had actually been  
25 staying?

1 A. I believe I learned that at the Health and Safety trial,  
2 I didn't know that before.

3 Q. This is just trying to assist us with some of the  
4 locations and without going into too much detail. But  
5 the other address that I just want to ask you about, if  
6 we carry on down the South Lambeth Road, which is the  
7 main arterial route from Stockwell, as everyone probably  
8 knows, up to Vauxhall, and just by the B of Lambeth in  
9 South Lambeth Road and off to the right, we see, I hope  
10 everyone can see and again using the cursor,  
11 Dorset Road. Thank you very much.

12 Dorset Road, that was another location at which  
13 there was a premises about which we will hear in due  
14 course called Corfe House and that too was also linked  
15 to the rucksack that had been found at the  
16 Shepherd's Bush attempted bomb site?

17 A. Yes, sir, I was aware of that.

18 Q. Now, if we just put this in context, we saw on the film  
19 the number 2 bus comes up from Brixton, it turns across  
20 the A3 as we see which is Kennington Road on this map,  
21 and it moves into the South Lambeth Road, and if we had  
22 followed it on its journey, it carries on down the  
23 South Lambeth Road, so it passes very close to  
24 Dorset Road?

25 A. That's correct, sir.

1 Q. Yes, thank you.

2 Mr Reynolds, that's all I am going to ask you about  
3 that, so we don't need to get into any more detail on  
4 the locations but I just want to ask you one other piece  
5 of information if I may, just to have it recorded at  
6 this stage.

7 On 21 July 2005, that is the day before the incident  
8 with which we are principally concerned, we know that  
9 there were the attempted explosions in London, the  
10 attempt to detonate explosive devices at the Oval,  
11 Warren Street, and Shepherd's Bush, the tube stations,  
12 and also the attempt to detonate a bomb on a bus in  
13 Hackney.

14 A. Yes, sir.

15 Q. I just want to ask you one thing about that: it  
16 transpired, didn't it, that three of the individuals who  
17 had attempted to detonate explosive devices had entered  
18 the transport system at Stockwell tube station?

19 A. That's as I understand it, yes.

20 Q. And it was in fact known, before the events with which  
21 we are concerned, from CCTV cameras that had been  
22 recovered from the station, that that was in fact the  
23 case?

24 A. Yes, as I said, that's as I understand it, yes, sir.

25 Q. Or at least in the case of one of them?

- 1 SIR MICHAEL WRIGHT: Sorry, Mr Perry, at what point was that  
2 known?
- 3 MR PERRY: During the night of the 21st and the 22nd, camera  
4 footage had been recovered, and some of it had shown  
5 footage at Stockwell tube station, and there was a link  
6 with some of the other footage, at least from the Oval  
7 attempted detonation, to show that at least one of the  
8 would-be bombers had entered the transport system at  
9 Stockwell.
- 10 A. Yes, sir.
- 11 Q. Finally, Mr Reynolds, just this: we saw, when we were  
12 watching the screen and the film at Stockwell tube  
13 station, the two uniformed police officers who appear to  
14 be speaking to a young female at the front of the  
15 station. You were asked some questions about those.  
16 I just want to clarify something. They were on duty at  
17 the station on security patrol at the time, because  
18 there was a heightened police presence on the 22nd  
19 because of the events of the previous day?
- 20 A. That's correct, yes.
- 21 Q. I think, you may not be able to assist with this,  
22 Mr Reynolds, in fact there was concern at about  
23 10 o'clock at the station when a report was received  
24 about possible suspicious packages?
- 25 A. I can't remember that, but --



1 MR PERRY: We have further information and we can go into  
2 that to the extent that it's relevant, but Mr Reynolds  
3 thank you very much indeed, I am very grateful.

4 SIR MICHAEL WRIGHT: Thank you, Mr Perry. Mr Horwell.

5 MR HORWELL: Sir, my name is Richard Horwell and I appear on  
6 behalf of the Commissioner of the Metropolis, I have no  
7 questions of this witness.

8 SIR MICHAEL WRIGHT: Thank you. Mr King. Let me repair  
9 an unforgivable omission that I made on the first day,  
10 I omitted to introduce you, so perhaps you would care to  
11 introduce yourself.

12 Questions from MR KING

13 MR KING: Yes, I am Simon King and I represent the  
14 Independent Police Complaints Commission, sir.

15 Can I deal with one matter, please, Mr Reynolds?

16 I wonder if we could have page 23C up on the screen? We  
17 had it a moment ago. This is from the jury bundle. Do  
18 you have that picture on the screen, Mr Reynolds?

19 A. I have the map, yes.

20 Q. The red markings which we understand show the route of  
21 the number 2 bus, we can see heading off to the right up  
22 the Kennington Road, the A3 on the shot on the screen.

23 Is that in fact the correct depiction of the route  
24 for the number 2 bus?

25 A. No, it isn't, it should actually be showing what is

1 almost straight on along the South Lambeth Road.

2 Q. When a few moments ago Mr Perry was asking you questions  
3 which took the bus on up the South Lambeth Road and near  
4 to Dorset Road, for example, he had it right, did he?

5 A. He had it right, the graphic is incorrect.

6 SIR MICHAEL WRIGHT: I think in fact, Mr King, the jury's  
7 copies of the plan have been corrected.

8 MR HILLIARD: We have all got the right ones, the screen has  
9 not caught up with us.

10 MR KING: I thought that might be the case but I thought it  
11 best to clarify that the screen is incorrect at the  
12 moment.

13 Thank you, Mr Reynolds.

14 SIR MICHAEL WRIGHT: Mr Hilliard?

15 MR HILLIARD: Unless you have any questions, sir.

16 Questions from THE CORONER

17 SIR MICHAEL WRIGHT: This is probably to satisfy the jury's  
18 curiosity.

19 I don't know that it will take us very much further.  
20 I don't know whether you can answer these questions,  
21 Mr Reynolds, if you can't, you will say so, but from the  
22 course of your investigations have you been able to  
23 establish whether either Osman or Omar were in fact in  
24 21 Scotia Road on the night of the 21st/22nd?

25 A. I don't think I'm the best person to ask that.

1 SIR MICHAEL WRIGHT: You don't know. Very well, we will ask  
2 somebody else.

3 MR HILLIARD: Thank you.

4 SIR MICHAEL WRIGHT: Thank you very much.

5 (The witness withdrew)

6 MR HILLIARD: Sir, the next witness is Alex Pereira, please.

7 MR ALEX ALVES PEREIRA (sworn)

8 Questions from MR HILLIARD

9 SIR MICHAEL WRIGHT: Thank you. Would you like to sit down,  
10 Mr Pereira. Yes, Mr Hilliard.

11 MR HILLIARD: Is your name Alex Pereira?

12 A. Yes.

13 Q. Mr Pereira, can you start by telling us what your  
14 relationship was to Jean Charles de Menezes?

15 A. My mother is his -- she is his first cousin, his father  
16 is my mother's uncle.

17 Q. I am going to go into his upbringing and time you had  
18 spent together over the years in a moment, but is this  
19 right in summary: he was just five months younger than  
20 you?

21 A. Yeah.

22 Q. Do I have that right?

23 A. Yeah, I was.

24 Q. How old are you now?

25 A. Thirty-one.

- 1 Q. He was five months younger than you. I think you had  
2 both lived in your early years, we will go into the  
3 detail in a minute, but in the same part of Brazil; is  
4 that right?
- 5 A. Yes.
- 6 Q. Then in due course, I'll ask you again about this, he  
7 had come to London, hadn't he?
- 8 A. Yes.
- 9 Q. In July of 2005, were you living in London as well?
- 10 A. Yes.
- 11 Q. Right. I'll ask you about how all that came about in  
12 a moment. Before we go into the details, can you just  
13 start, it's probably a difficult question, by just  
14 telling us what sort of a person Jean Charles was? What  
15 was he like?
- 16 A. He was a guy who liked to learn a lot and he want to  
17 fight to make life better because he came from a place  
18 where everything is very difficult, it has become better  
19 now but at the time it was very, very poor. Since was  
20 a little boy he start to, he became an electrician, when  
21 he was ten years old because he like electronics,  
22 microwaves, something like that, and for us at that time  
23 we had no electricity. Everything was very difficult.  
24 And he was very interested for that, and he is dream  
25 about the United States and England, and I just quite

- 1           knew that in a place like this it could bring back  
2           a better life for everybody, for his family and for  
3           himself and for everybody around him.
- 4   Q.   All right.  So I think you were born and brought up  
5           first of all in the southeast of Brazil; is that right?
- 6   A.   Yes.
- 7   Q.   Did Jean Charles's family live a very short distance,  
8           couple of hundred metres or so from your family?
- 9   A.   Yes, yes.
- 10  Q.   Did the two of you go to the local school together?
- 11  A.   Yes.
- 12  Q.   I have the benefit of a statement you made, so that's  
13           how I can ask you this question, I think that was ten  
14           minutes' walk or so from your home; is that right?
- 15  A.   Yes, yes.
- 16  Q.   Then you told us just now that even as a child he was  
17           always keen to be an electrician?
- 18  A.   Yes.
- 19  Q.   You describe in your statement how he used to play as  
20           a child, trying to make lights from batteries?
- 21  A.   Yes, yes, we got to arrange battery that people throw  
22           away and make lights and buy little bulb like this and  
23           make some lights.
- 24  Q.   You said that at that time, there was in fact no  
25           electricity in your village and that that only arrived

- 1           about ten years or so ago?
- 2    A.   Yes, it was about ten years ago.
- 3    Q.   I think you both stayed on at school until you were
- 4           about 14?
- 5    A.   Yes, 13 to 14.
- 6    Q.   He went to Sao Paulo for a few years; is that right?
- 7    A.   Yeah, I think that age of 14 he went to Belo Horizonte
- 8           and then came back in the age of 16 he moved to
- 9           Sao Paulo.
- 10   Q.   What was he doing there?
- 11   A.   He work in, I think, the place where they grow chicken
- 12           at that time, he went to Sao Paulo -- not Sao Paulo the
- 13           capital, Sao Paulo State -- about 280 kilometres from
- 14           Sao Paulo, and then moved back to Minais Gerais to
- 15           finish his high school.
- 16   Q.   Then I think you explained that he was thinking of
- 17           leaving Brazil for a time and contemplated perhaps the
- 18           United States or perhaps this country; is that right?
- 19   A.   This kind of dream is everybody's dream in that place,
- 20           but before it was very difficult to make, to raise the
- 21           money to go, so lots of things you can plan a month or
- 22           a day, years to plan, and I think it was always his plan
- 23           but took many years to come to here, so before tried
- 24           America, when got the money, but they refused him
- 25           a visa.

- 1           He went back 15 days later and asked what was the  
2           reason, because they refuse him a visa and they said no,  
3           I won't give you a reason. They he said no, I will go  
4           back to London, I don't care about America. About  
5           a month later he came to me and said let me go in, my  
6           girlfriend has a brother who lives there, he will help  
7           me there, and then he decided that we all help him could  
8           come here.
- 9    Q.   He had been very keen to come to England for some time  
10       but it was a plan that took some time for him actually  
11       to make it happen?
- 12   A.   Yeah, because in Brazil what I say about takes long  
13       because it costs around ú800. To raise that money takes  
14       time because you have a lot of bills like everybody  
15       here. So the money you save to make this amount of  
16       money in Brazil takes a long time.
- 17   Q.   You say in your statement that he came to the  
18       United Kingdom in 2002?
- 19   A.   Yes.
- 20   Q.   And that you joined him about six months or so --
- 21   A.   Six months.
- 22   Q.   -- after that. Is this right: when you first came  
23       here, you moved into a flat, in fact not far from  
24       Scotia Road with him?
- 25   A.   Yes, when I go to Scotia Road, you will leave

- 1           Tulse Hill, so up Tulse Hill, this flat it was on the  
2           left right in front of the pub(?) Tulse Hill.
- 3   Q.   Was that with Jean Charles and some other Brazilian  
4           friends?
- 5   A.   Yes, one friend.
- 6   Q.   He, is this right, was working as an electrician and  
7           studying English?
- 8   A.   Yes.
- 9   Q.   Did he send money on occasions back to Brazil to help  
10           support his family?
- 11   A.   Yes.
- 12   Q.   And the girlfriend he had there?
- 13   A.   Yes, his parents, brother, and the girlfriend.
- 14   Q.   Was her name Adriana?
- 15   A.   Yes.
- 16   Q.   And I think she had a little child from another  
17           relationship; is that right?
- 18   A.   Yes.
- 19   Q.   Mr Pereira, I think he stayed in London first of all for  
20           something like nine months before the end of 2002 going  
21           back to Brazil?
- 22   A.   I think he flew to Brazil the night of 2002 to 2003.
- 23   Q.   So New Year's Eve, New Years Day, that kind of time?
- 24   A.   Yeah.
- 25   Q.   Did he then come back to London with Adriana, his



- 1           girlfriend, for a little time?
- 2    A.  No, he came alone and she joined him around two or three  
3           months later.
- 4    Q.  After a time, I think she went back to Brazil because  
5           her mother was looking after the child?
- 6    A.  Yes, yes.
- 7    Q.  And not long after she had gone back to Brazil to look  
8           after the child, did Jean Charles go back to Brazil to  
9           be with her?
- 10   A.  Yes, about a month later.
- 11   Q.  Right.  Then I think he came back to London in about  
12           April 2005?
- 13   A.  Yes.
- 14   Q.  Then you say in your witness statement this, that he  
15           studied hard and learned English quickly?
- 16   A.  Yes.
- 17   Q.  He was prepared to do any work initially, but was  
18           pleased when he found work as an electrician, he was  
19           very ambitious and worked very hard, but he also enjoyed  
20           life?
- 21   A.  Yes.
- 22   Q.  You say that he was very happy in England, and you  
23           thought that he would like to have settled here  
24           permanently eventually?
- 25   A.  Yes, yes.

- 1 Q. Then just two matters, you may have heard mention of it  
2 already, but I just want to ask you about, so far as  
3 cocaine is concerned, is this right, you weren't aware  
4 before his death that he had tried it and you were quite  
5 sure that he was not a regular user of it?
- 6 A. A friend of mine was told me about, but I said: oh my  
7 God, it's very strange, I am very embarrassed, we don't  
8 talk about that any more. And after he died, when they  
9 came with this, I spoke to my boss and they said: Jean  
10 would never buy or never bring anything like that with  
11 him, and I think my boss was telling the truth.
- 12 Q. I am really only asking just to clear it out of the way,  
13 I am sure you understand, so don't trouble about that.
- 14 The second matter, if you can just help us with  
15 this: you say in your statement that you don't think  
16 that he would have had any reason to have feared the  
17 police on 22 July 2005, and you explain that you knew,  
18 in connection with things like riding his motorbike and  
19 so on, that he had been stopped by the police three or  
20 four times in this country?
- 21 A. Yeah, his motorbike twice and off of the motorbike once.
- 22 Q. No-one is suggesting there is anything untoward or bad  
23 about it, it happens to loads of people, but what was  
24 his reaction to it, do you know?
- 25 A. I said was normal. First time was plainclothes police

1           and Park Lane, Mayfair, and he said got the answer all  
2           the questions, and they gave him some advice and let him  
3           go.

4    Q.   You say in your statement that he had been stopped when  
5           he was driving down Park Lane, spoke to the police  
6           officers, and he told you that they were very polite?

7    A.   Yes, yes.

8    Q.   He mentioned another occasion when he had been stopped  
9           and searched and had his correspondence checked by the  
10          police?

11   A.   Yeah, as one month the officer was searching his bag,  
12          another one was asking him questions, and all the  
13          questions he answered, connected some letter he did not  
14          think it was in his bag, but it was there.

15   Q.   You explain in your statement that he said that the  
16          police were being very reasonable and that he certainly  
17          wasn't worried or scared of them for any reason at all?

18   A.   No, because we come from Brazil and very common for  
19          police to stop people there, and even police carry a gun  
20          in Brazil, it doesn't scare us, so why would he be  
21          scared of the police without guns?

22   MR HILLIARD:   Thank you very much indeed, Mr Pereira, thank  
23          you.

24   SIR MICHAEL WRIGHT:   Thank you.

25   MR MANSFIELD:   No questions.

1 MR GIBBS: No questions.

2 MR STERN: No questions.

3 MS LEEK: No questions.

4 MR PERRY: No questions.

5 MR HORWELL: No questions.

6 MR KING: No questions.

7 MR HILLIARD: No questions, thank you very much indeed.

8 SIR MICHAEL WRIGHT: That might be a convenient moment.

9 MR HILLIARD: Yes, certainly.

10 SIR MICHAEL WRIGHT: Would this be a convenient moment to

11 deal with the question about any sensitive questions of

12 Commander McDowell?

13 MR HILLIARD: I think that might be when Commander McDowell

14 can hear it.

15 SIR MICHAEL WRIGHT: Very well. 2 o'clock, please, ladies

16 and gentlemen.

17 (12.56 pm)

18 (The short adjournment)

19 (2.00 pm)

20 (In the presence of the jury)

21 MR HILLIARD: The next witness, sir, is going to come via

22 a videolink. Can we just keep that off the screen for

23 the moment, we wanted to make sure the connection was

24 there.

25 SIR MICHAEL WRIGHT: I didn't think I was going to be the

1 next witness.

2 MR HILLIARD: We are releasing you before we are going to  
3 see him.

4 Mr McDowall, we will come to you in a minute, if you  
5 don't mind, I am just going to read two statements which  
6 were left over from this morning which will just fit in  
7 from where we were. Is that all right?

8 A. Absolutely, yes.

9 MR HILLIARD: We will just take everybody off the screen for  
10 a moment.

11 A. Thank you, sir.

12 MR HILLIARD: Members of the jury, you may remember that the  
13 Coroner indicated this morning that he was minded to  
14 have two statements read that looked to him as if they  
15 were not controversial and, sure enough, they are agreed  
16 so I am going to read those to you now.

17 Statement of PATRICIA DE SILVA ARMANI (read)

18 MR HILLIARD: The first is the statement of Patricia Armani  
19 De Silva, and she says this:

20 "I was born in Sao Paulo. I am the first cousin of  
21 Jean Charles de Menezes. My mother is the sister of  
22 Jean Charles's father. Jean Charles was born and grew  
23 up in Gonzaga, a small town in remote hills in Brazil.  
24 From early childhood, we always visited Gonzaga for our  
25 holidays and spent at least a month each year during

1 school holidays there.

2 "Jean Charles was three and a half years younger  
3 than me, but we were always very close, even as  
4 children, and played and fought together.

5 "When Jean Charles was about 16, he came to  
6 Sao Paulo and stayed for about a year in our house. He  
7 found employment and trained to be an electrician. Then  
8 he returned to Gonzaga to complete his high school  
9 before returning to Sao Paulo.

10 "He and I had discussed possibly setting up  
11 a business together, we thought we might open a shop  
12 dealing with electronics and telephones. I would run  
13 the shop and he would do the repairs. This never came  
14 to fruition.

15 "He started talking about going to the United States  
16 when he was about 22. Going to the US was a common  
17 dream for many young Brazilians, it was an opportunity  
18 to earn a good living but it was difficult to get to  
19 America. Many people tried to go illegally, crossing  
20 through the border at Mexico. Jean Charles didn't want  
21 to do it, he wanted to try and get there legally. He  
22 applied for a visa at the US Consulate in Sao Paulo in  
23 2001 but was refused and it was after this that he  
24 started thinking about going to the United Kingdom  
25 instead. At the time, 2002, you didn't need a visa from

1 Brazil to get into England, you could enter as  
2 a tourist. His intention was to come to London to see  
3 if he liked it and if he did, he would apply for  
4 a student visa to stay longer.

5 "2 March 2002 I met him at our mutual grandfather's  
6 funeral. He told me that he was going to London in two  
7 weeks' time. I was surprised. He said 'As soon as  
8 I get settled in London I would like you to join me'.  
9 I had always dreamt of coming to Europe, and so  
10 I started to save money. He travelled to the  
11 United Kingdom for the first time on 13 March 2002. We  
12 remained in regular contact, he phoned at least once  
13 a fortnight, and kept saying 'You must come and join  
14 me'.

15 "When he first arrived in London he found it quite  
16 difficult, particularly as he didn't have very good  
17 English. Then he started studying and as he learnt more  
18 English, he became more enthusiastic. He had  
19 a girlfriend in Sao Paulo, Adriana. He used to call her  
20 every day. He also tried to persuade her to join him in  
21 the United Kingdom. She had a little girl from her  
22 first marriage. She was a little older than him. He  
23 was very keen on her and I think he wanted to marry her  
24 eventually. In August 2003 she went to London to join  
25 him and stayed for some months. She eventually returned

1 because of her daughter, who at that time was being  
2 looked after by her mother.

3 "Eventually, I saved enough money and came to London  
4 to join Jean, arriving on 25 June 2004. He collected me  
5 from the airport and brought me back to his flat in  
6 Scotia Road, Brixton, where he was living with two  
7 friends who were sharing the flat. When I first arrived  
8 in London he was working as an electrician in North  
9 London. It was casual work on different projects,  
10 sometimes just for the odd day, sometimes for  
11 a few weeks or even months.

12 "By that time, he had stopped attending college or  
13 school but was studying English at home. He had worked  
14 very hard and was able to send money home to his parents  
15 as well as working hard he also liked to party, even  
16 when he was tired. Often it was round to friends'  
17 houses and sometimes clubs. Most of his social circle  
18 were Brazilian, but he had other friends too. I suspect  
19 he had the occasional girlfriend but he didn't bring any  
20 back home.

21 "When he returned to the United Kingdom in  
22 April 2005, he brought our cousin Vivien with him. She  
23 moved into the flat and the two girls who had been  
24 staying there moved out. We lived at number  
25 17 Scotia Road which was a part of a block of about



1           eight flats, two on each floor. We were on the first  
2           floor.

3           "I believe 21 Scotia Road was the flat above us. On  
4           one occasion I spoke to somebody who lived in that flat  
5           when a parcel was left. It was a man but it certainly  
6           wasn't either of the bombing suspects we have seen in  
7           the photographs. I have never seen either of those two  
8           men in the flats.

9           "When Jean returned to the United Kingdom, he had no  
10          work, but a friend of ours at the time was about to go  
11          to Brazil for several weeks, and asked if Jean wanted to  
12          take over his job whilst he was away. This involved  
13          washing dishes in a restaurant in the West End working  
14          evenings. He did this job and also got occasional bits  
15          of casual work as an electrician. Towards the end of  
16          this period, shortly before he died, he was getting more  
17          and more work during the day, although continuing to  
18          cover for his friend. He was getting quite tired and  
19          was really looking forward to his friend's return.

20          "I used to see Jean most days. Usually I saw him at  
21          home in the afternoon and the occasional evening when he  
22          had the day off. I would be working and studying from  
23          the early morning. The last time I saw him was on  
24          Wednesday, 20 July at around lunchtime at home. I had  
25          returned from college, and he told me about a new

1 project he was about to start which would last for about  
2 six months. He was very excited about it. It involved  
3 doing the electrical work for a block of offices, it was  
4 a great opportunity. Then he had left, leaving some  
5 money for the rent which I was to give to the landlord.  
6 That evening I didn't stay at home but overnight at  
7 a friend's house.

8 "The following day Jean called me to check how I was  
9 after the attempted bombings on 21 July. We spoke over  
10 the phone and he told me to be careful. That was the  
11 last time I spoke to him.

12 "On the morning of 22 July I left home at about 5.50  
13 to go to Bromley, where I had a cleaning job.  
14 Everything seemed to be as normal when I left the flat.  
15 I remember in the afternoon I heard news about  
16 a terrorist being shot on the tube. I actually met up  
17 with my cousin Alex and I remember we talked about the  
18 shooting but never connected it to Jean. That night  
19 I went to work in Charing Cross and I arrived late as  
20 the traffic was diverted because of Stockwell tube being  
21 closed. On my return home, there was a diversion on the  
22 bus route. I remember being quite surprised that  
23 Stockwell tube was closed all day long.

24 On Friday evening, Vivien asked me if I had heard  
25 from Jean and I reminded her that he had swapped his

1 evening off so he would be at the restaurant. I didn't  
2 hear him come back that evening and in the morning  
3 I went to work as usual.

4 Later that day, when I returned home, I was on the  
5 phone to a friend. Vivien seemed to be quite nervous  
6 and I saw that Jean Charles's bedroom was the same as it  
7 had been the day before. I realised something bad had  
8 happened and then I saw Gesio and Valentine. Gesio  
9 explained that the police had been round and we all  
10 thought that Jean might be in police custody. Gesio  
11 mentioned the police had asked if Jean had anything to  
12 do with Al Qaeda. We all thought that was completely  
13 crazy and laughable. We all had to go to the police  
14 station in Brixton, joined by Alex and Alessandra.  
15 I remember we were all sitting in a small room with a  
16 long table. Everyone was waiting. I felt really angry  
17 with Jean, I thought he had done something really bad,  
18 I didn't know what had happened. I thought he was in  
19 police custody and didn't realise it was connected with  
20 the Stockwell shooting.

21 "We had to wait until everybody had arrived before  
22 they would tell us what happened. Gesio, the guy Jean  
23 worked with, was sitting next to me. When the police  
24 were speaking I couldn't understand a lot of what was  
25 being said and then I heard a police officer say that he

1 was dead. Gesio had to explain to me and said he had  
2 been killed, he had been confused with a terrorist.  
3 Then I made the connection with the news. My head  
4 started spinning and my stomach was turning. Later we  
5 had to go and see his body in the mortuary, the news  
6 hadn't really sunk in, when I saw his body, I fainted.

7 "The following days were horrific, we were staying  
8 at a hotel in Kingston, arranged for by the police.  
9 I spent three completely sleepless nights. There were  
10 large numbers of news crews around and the story was  
11 constantly on the news.

12 "I am sure that Jean Charles had nothing to fear  
13 from the police on 22 July, and there was no reason at  
14 all why he would have behaved in a way that would have  
15 aroused suspicion. He had been stopped by the police  
16 a few times in England. In fact, he used to praise the  
17 British police. He mentioned they were always polite  
18 and did a good job, particularly in comparison with the  
19 Brazilian police. He also remarked on how good it was  
20 that they didn't carry weapons on them. I remember him  
21 also commenting about seeing other people being stopped  
22 by the police and getting angry. He was surprised that  
23 the police didn't react because in Brazil people would  
24 have been locked up straightaway.

25 "I am sure he had nothing to fear from the police.

1 He had never actually discussed his immigration status  
2 with me, but I assumed that it was regular. He  
3 certainly never expressed any anxiety about it, if there  
4 was something out of order I never heard any comments  
5 from him.

6 "I was very surprised to learn that he had some  
7 cocaine in his bloodstream as I wasn't aware that he had  
8 ever taken drugs, although he may not have told me  
9 everything. He liked the occasional beer but that was  
10 it."

11 She says that she believes the facts stated in that  
12 statement I have read are true and that's dated  
13 21 January of this year.

14 Next, the statement of Vivien Menezes.

15 Statement of VIVIEN MENEZES (read)

16 MR HILLIARD: She says:

17 "I was born in Sao Paulo but grew up from the age of  
18 four or five in the municipality of Gonzaga. From the  
19 age of 11, we moved into Gonzaga town. I am  
20 Jean Charles's first cousin. I was not particularly  
21 close to him as a child, I was quite a lot younger than  
22 him, but I knew him very well and saw him often as I was  
23 growing up.

24 "He left Gonzaga at the age of about 16 to go to  
25 Sao Paulo, and initially started doing some training to

1           become an electrician. He also studied English. He  
2           returned at about the age of 19 to complete his high  
3           school as they were offering an intensive course and he  
4           had not completed high school, so he decided to do that  
5           so he could get the qualification.

6           "It was at this time that he came back and stayed at  
7           my family's house rather than going back to his parents,  
8           who lived further out of town. He stayed with us for  
9           about a year and a half before he went back to Sao Paulo  
10          and it was at that time that I got to know him quite  
11          well and we became close.

12          "Jean Charles was an adventurer who always wanted to  
13          push himself. He first thought about going to the  
14          United States. A lot of Brazilians from our village  
15          were trying to get to America, and we heard how good  
16          things were there. When he couldn't manage to travel to  
17          America, he decided he would try London instead. He  
18          loved languages, and really wanted to go abroad, he  
19          wanted something different. Life in Gonzaga was quite  
20          boring and he wanted new experiences.

21          "When he came back to Gonzaga after he had spent  
22          a couple of years in London, he talked very positively  
23          about his experiences there. He said there were lots of  
24          opportunities for people who had the will to succeed or  
25          who were ambitious. There were obviously difficulties

1 in relation to immigration and language problems, but he  
2 said that if you are prepared to push yourself, there  
3 was a lot to be gained.

4 "I was at this time about 20 or 21 and feeling  
5 fairly disappointed about my life in Gonzaga. There  
6 really weren't any opportunities to develop or go  
7 anywhere. Shortly before Jean was due to return to  
8 London, he persuaded me to join him. He told me it  
9 would give me more opportunities in life and I suddenly  
10 had to make a decision within ten days to travel to  
11 London. I was only 21 and it seemed like such  
12 an opportunity, probably not something I would have done  
13 without Jean Charles's persuasion. He helped me  
14 purchase tickets and get a passport. His return flight  
15 to London had been booked for 6 April, but because he  
16 was encouraging me to join him in London and it took  
17 longer to make all the necessary arrangements for my  
18 travelling with him, he gave up the return flight and  
19 booked new tickets to travel via Paris.

20 "I left Gonzaga on 9 April 2005, and travelled to  
21 Sao Paulo with Jean Charles. Jean had to arrange  
22 everything for me for the trip but he really looked  
23 after me. We took a flight to Paris and stayed for  
24 about a day and a half and he took me to the  
25 Eiffel Tower and other sites. Then we flew to Dublin

1 and stayed a day and a night before taking a ferry to  
2 England. He showed me a letter that said he had  
3 residency in the UK which I understood was together with  
4 his passport .

5 "When we arrived in the UK they gave us both visa  
6 stamps in our passports saying we could stay for three  
7 months. Jean went through passport control first, then  
8 he told them that I was his cousin and would be staying  
9 with him.

10 "23 April we arrived in London and went to the flat  
11 in Scotia Road where Patricia was staying. Two female  
12 friends of Jean's were living at the flat, he had  
13 arranged from them to stay there so they could pay the  
14 rent whilst he was away.

15 "The flat itself was in a small block and had  
16 a common entrance with intercom. I didn't really know  
17 any of the other people who lived in the block and  
18 having seen the photographs of Osman Hussain following  
19 Jean Charles' death, I certainly never saw him in the  
20 block. If Jean had returned to London on 6 April as  
21 originally planned he, would have had some work waiting  
22 for him but he lost that job because of his late  
23 arrival. So when he got back to London, he just took up  
24 bits and pieces of casual work.

25 "A friend who was going back to Brazil asked him if



1 he could take over his job washing dishes in  
2 a restaurant. The job involved working evenings.  
3 Jean Charles kept up this job right up until just before  
4 he died and also did bits and pieces of casual work as  
5 an electrician. He continued studying English at home,  
6 he really loved English grammar and often used to talk  
7 to himself in English when he was in the bathroom.

8 "Our lives as immigrants in the UK were not easy.  
9 It's a struggle because you need to work hard to study  
10 and earn a living, and save money to send back home.  
11 However, some aspects of life here are much better.

12 "Most of us come to the UK with the intention of  
13 studying English, staying for as long as we are able to,  
14 earning enough money to survive and send a little back  
15 home. Others just want to try to enjoy the city life.  
16 I think Jean wanted both. He wanted to earn money and  
17 educate himself further but he also wanted to have  
18 a good time.

19 "I was not aware that Jean had ever taken drugs. If  
20 he took cocaine, I am fairly certain it was only  
21 occasionally, perhaps something he experimented with  
22 once or twice.

23 The last time I saw Jean was on the evening of  
24 20 July. He told me that he had just been given  
25 a really good job; it was an opportunity to do all the

1           electrical work in a block of flats and he would  
2           probably have up to six months' work. He was very  
3           excited about the new opportunity. He told me that the  
4           work was for a friend called Gesio. Jean was very happy  
5           and we had a really deep conversation about life. Jean  
6           talked about how he was nearly 28-year old, and needed  
7           to think about the future.

8           "The next day, Thursday 21 July, was the day when  
9           there were the four attempted explosions. Jean  
10          telephoned me at about 1.30 and told me he was on his  
11          way to meet Gesio in North London. He phoned to check  
12          that I was okay. We were all feeling a little bit shaky  
13          after the 7 July bombings. After the second lot of  
14          attempted bombings on the 21st, I felt quite scared. It  
15          was feeling as though London was beginning to become  
16          a dangerous place to live and I was wondering whether we  
17          should leave. Jean said: we need to pray and hope not  
18          to be at the wrong place at the wrong time. That was in  
19          fact the last conversation I had with him. He went to  
20          work at the restaurant on the evening of the 21st.  
21          I didn't see him that night.

22          "On the morning of 22 July I left home about 7 am,  
23          travelled as usual to Surbiton to do my job as  
24          a cleaner. At 12 or 12.30 that day, I remember somebody  
25          told me that they had shot one of the terrorists at

1 Stockwell tube. It made me feel scared again because  
2 there had been another incident on the tube. I was  
3 planning to call Jean to check if he was all right but  
4 didn't get round to it.

5 "On the afternoon of the 22nd, as I saw Patricia, we  
6 arrived home together, I asked if she had heard from  
7 Jean. She explained that he had swapped his day off and  
8 he was starting a new job so we weren't that bothered  
9 that he wasn't home.

10 "The following day, Patricia was out in the morning,  
11 I got up at 9 am and noticed there was no sound coming  
12 from Jean's bedroom. I went into his room, and noticed  
13 that his bed was made up and it didn't look as though he  
14 had come home the night before. Then at about 12 midday  
15 Gesio and a friend of his turned up at the flat and  
16 asked if Jean was at home or if I knew where he was.  
17 I said I was a bit worried as he hadn't been home. He  
18 asked if I was his cousin, and when I said yes, he said  
19 could he come in. He told me that some police officers  
20 had come round to his house in the early hours."

21 She then explains that Gesio told them all what the  
22 police had said at that meeting and I don't think we  
23 need to go into all of that.

24 Finally she says this:

25 "Jean never had any problems with the police or

1 authorities. He wasn't scared of anything. He had been  
2 stopped by the police on a few occasions. I remember  
3 there was one occasion he talked about which was about  
4 a month before his death. He said he had been stopped  
5 by the police at Brixton tube. He had a rucksack with  
6 tools in it. He had been licked by a sniffer dog and  
7 the police then asked him some questions. He actually  
8 praised the way the police had dealt with him.  
9 I remember him saying you should always tell the truth.  
10 I am sure if the police had stopped Jean on the morning  
11 of the 22nd he would have fully co-operated with them.  
12 I am certain that I would not have behaved in any way  
13 that would have caused serious concern. He was a calm  
14 individual and always behaved reasonably and was polite  
15 to the police."

16 She too says that she believes the facts stated in  
17 that statement are true and that statement is dated  
18 21 February of this year.

19 So we are now turning please to the next witness,  
20 John McDowall.

21 SIR MICHAEL WRIGHT: Thank you, Mr Hilliard. First of all,  
22 is Mr McDowall in communication at the moment? Yes, he  
23 is, I can see that he is there. Before we embark on  
24 this evidence, because we are now coming to evidence  
25 given by senior police officers, I want to say a few

1 words about questioning witnesses on sensitive matters.

2 Everyone will appreciate, I am sure, that the  
3 training and tactical documents used by the police in  
4 dealing with suicide terrorists are kept confidential to  
5 prevent terrorists knowing how to counter police  
6 tactics.

7 Nevertheless, all the interested persons in this  
8 inquest have received disclosure of sensitive material  
9 on terms of confidence and it's inevitable that, as this  
10 inquest develops, questions will be asked about police  
11 strategy and tactics as they relate and related to the  
12 operation on 22 July.

13 I wish to adopt a procedure that ensures that all  
14 relevant evidence is given, but also ensures that the  
15 operational effectiveness of the police is not  
16 compromised.

17 If at all possible, I wish to avoid hearing sections  
18 of evidence in private for reasons that everyone will  
19 understand. It may be that a question will be asked of  
20 a police witness, and that that witness will feel that  
21 he cannot answer the question without revealing  
22 sensitive information in public.

23 If that happens, and I wish this direction please to  
24 be passed on, the witness should not hesitate to  
25 indicate his concern to me. I may ask him to write the

1 answer or information on a note, and pass it to me and  
2 I can then decide whether or not the information should  
3 be revealed.

4 Coming now to Deputy Assistant Commissioner  
5 McDowell, I can't ask him to write me a note as he is  
6 not here and is giving evidence via videolink. As far  
7 as Mr McDowell is concerned, if you, sir, have any  
8 concerns of this kind you should say so and we will ask  
9 for the information that is troubling you to be  
10 communicated to my staff during a break in the  
11 proceedings.

12 A. Thank you, sir.

13 SIR MICHAEL WRIGHT: Ladies and gentlemen, I think you ought  
14 to know why it is that Mr McDowall is giving evidence  
15 through --

16 MR HILLIARD: Sir, perhaps we might just deal with that,  
17 only because he and I have discussed it and I know  
18 exactly what the position is.

19 SIR MICHAEL WRIGHT: By all means.

20 MR HILLIARD: We will get you sworn or affirmed first of  
21 all, Mr McDowall, and then we will embark.

22 DEPUTY ASSISTANT COMMISSIONER JOHN MCDOWALL (sworn)

23 Questions from MR HILLIARD

24 MR HILLIARD: Is your name John McDowall?

25 A. It is, yes.

1 MR HILLIARD: My name is Nicholas Hilliard and I will ask  
2 you some questions first of all on behalf of the  
3 Coroner, and then you will be asked questions by others  
4 in due course.

5 A. Yes.

6 SIR MICHAEL WRIGHT: Could I just say, please, Mr Hilliard,  
7 sorry to interrupt, Mr McDowall, it's quite likely that  
8 you are going to be -- I think it's very likely -- in  
9 the witness box for more than the rest of today. I know  
10 what Mr Hilliard is about to tell the jury and what I do  
11 want to say to you is that if at any point you require  
12 a break, you are not to hesitate to say so and you will  
13 get one.

14 A. Thank you very much, sir.

15 MR HILLIARD: Mr McDowall, you are now, is this right,  
16 a Deputy Assistant Commissioner in the  
17 Metropolitan Police?

18 A. That's correct, sir.

19 Q. So there is no mystery, I think you are content for me  
20 to indicate that you have a serious illness which means  
21 that you are confined to a wheelchair, and so you are  
22 giving evidence remotely, as it were, and in addition  
23 I think you may need some help having documents passed  
24 and so if we see a hand coming into picture, that's  
25 what's going on.

- 1 A. That's correct, sir, and if I may just very briefly  
2 thank everyone concerned for allowing me to give my  
3 evidence in this way due to my somewhat altered  
4 circumstances.
- 5 Q. Yes. Before you became a Deputy Assistant Commissioner,  
6 and at the time that we are principally concerned with,  
7 July of 2005, were you a commander in the  
8 Metropolitan Police?
- 9 A. Yes, I was, sir, I was a commander in the then  
10 Anti-Terrorist Branch and prior to that in the Covert  
11 Policing Branch.
- 12 Q. I think you have a copy of our jury bundle there; is  
13 that right? If you have, I would be grateful if it  
14 could just be opened for you and passed to you at our  
15 divider 2.
- 16 A. Yes, sir.
- 17 Q. Will you forgive me, Mr McDowall, for asking you about  
18 what will seem to you, I am sure, very basic matters,  
19 but you are the first Metropolitan Police officer  
20 witness we have had and you know the inquest is at  
21 a very early stage, so it's obviously a good time to get  
22 our heads around some of the terms?
- 23 A. Absolutely, sir, yes.
- 24 Q. Can you see that at the beginning of our divider 2 we  
25 have a document that says: "Guide to Metropolitan Police



- 1           Structure and Officers"?
- 2    A.   Yes.
- 3    Q.   Then various of SO or Specialist Operation branches are
- 4           dealt with there; do you see, SO followed by a number?
- 5    A.   Yes.
- 6    Q.   In the course of your evidence, you will undoubtedly be
- 7           referring to some of those.  If you can remember to give
- 8           us the letters and the number, and then the translation
- 9           afterwards, as it is early days for us, it would be very
- 10          helpful.
- 11   A.   Yes, sir.
- 12   Q.   Then Mr McDowall, over the page, which is really why
- 13          I have come to this document with you, so we can get
- 14          an idea of the structure, your page I hope is headed
- 15          "Metropolitan Police Service Ranks"?
- 16   A.   Yes, sir.
- 17   Q.   Then the very first subheading is "ACPO Ranks"?
- 18   A.   Yes.
- 19   Q.   We will come to what follows in a minute.  Can you tell
- 20          us what that means?
- 21   A.   It means Association of Chief Police Officers.
- 22   Q.   Is that a grouping that officers of a certain seniority
- 23          automatically belong to, to that association?
- 24   A.   Yes, it is.  Above the rank of commander in London or
- 25          Assistant Chief Constable outside of London.

- 1 Q. So if you are an Assistant Chief Constable or above  
2 outside of London, or a commander or above in London,  
3 you will have -- is this right -- what's called ACPO  
4 rank?
- 5 A. That's correct, sir, yes.
- 6 Q. Right.
- 7 A. Could I also, if it may be helpful, just point out that  
8 on the previous page it is stated there under "notes, B"  
9 just to avoid confusion, I hope, SO19, the firearms  
10 branch, was designated thus in 2005. It has since  
11 become CO19, but they are one and the same branch, sir.
- 12 Q. Right. So CO19 and SO19 for all practical purposes,  
13 interchangeable, different ways of referring to the same  
14 thing?
- 15 A. That's correct, sir, yes.
- 16 Q. All right.
- 17 Then just looking at the Metropolitan Police,  
18 Commissioner at the top, Deputy Commissioner, one of  
19 those?
- 20 A. Yes.
- 21 Q. Assistant Commissioner, how many of those?
- 22 A. Four of those.
- 23 Q. And then Deputy Assistant Commissioner, of which you are  
24 now one?
- 25 A. Correct.

- 1 Q. And can you just give us an idea how many of those are  
2 there?
- 3 A. I am ashamed to say I think it is around ten.
- 4 Q. Right. Then the rank below that, the rank that you held  
5 in July of 2005, commander?
- 6 A. That's correct.
- 7 Q. Can you give us any idea then, and if you can't, it  
8 really doesn't matter, in July of 2005, how many  
9 commanders there would have been?
- 10 A. It would have been in the order of 25 or so, but the  
11 number does fluctuate.
- 12 SIR MICHAEL WRIGHT: Simply to get it into context,  
13 Mr Hilliard, what's the overall strength of the  
14 Metropolitan Police force?
- 15 MR HILLIARD: Can you help us with that?
- 16 A. Yes, it's currently around 31,000 police officers and  
17 something like 15,000 police staff, civilians.
- 18 SIR MICHAEL WRIGHT: Thank you.
- 19 MR HILLIARD: Then, Mr McDowall, just because this might be  
20 a useful document for you, if you turn on in this  
21 divider to, numbers in the bottom right-hand, page 6.
- 22 A. Yes.
- 23 Q. Can you see Metropolitan Police officers, and then there  
24 are names and descriptions of roles?
- 25 A. Yes.

- 1 Q. As you turn on, page 8 is a good example. 8, 9, 10, 11  
2 and 12, indeed.
- 3 A. Yes.
- 4 Q. You will see that on a number of occasions, witnesses  
5 are referred to either simply by a first name or by  
6 a letter and a number?
- 7 A. Yes.
- 8 Q. Those are witnesses, I am sure you appreciate, in  
9 respect of whom anonymity has been granted and you might  
10 find it useful to have this by your side, if you are in  
11 any doubt, this will indicate to you whether somebody is  
12 to be referred to by their full identity or by the  
13 pseudonym.
- 14 A. Yes, sir. Thank you.
- 15 Q. Finally, just before coming a little bit down to the  
16 detail of the facts, Mr McDowall, so there is no mystery  
17 and again no difficulty about this, do you have access  
18 to the two witness statements that you have made?
- 19 A. Yes, sir.
- 20 Q. And I'm going to ask so far as those are concerned that  
21 you have those not just access but right in front of you  
22 now.
- 23 A. Yes, sir.
- 24 Q. Do you have a book that contains notes that you made in  
25 July of 2005, handwritten notes?

- 1 A. Yes, sir.
- 2 Q. Do you have a transcript of evidence that you gave at  
3 the criminal trial, the one we have heard about,  
4 a Health and Safety at Work Act prosecution against the  
5 Office of the Commissioner for Metropolitan Police? Do  
6 you have that?
- 7 A. Yes, I have, sir.
- 8 Q. Then in addition, I think you heard the Coroner make  
9 reference to documents that deal with  
10 Metropolitan Police tactics so far as suicide bombers  
11 are concerned, and do you have a copy of material that  
12 relates to that?
- 13 A. I have, sir, yes.
- 14 Q. All right. Just by way of background so far as you are  
15 concerned, did you join the Metropolitan Police Service  
16 in 1980?
- 17 A. Yes, I did.
- 18 Q. Thereafter, did you work in a variety of locations, both  
19 as a uniformed officer and a plainclothes one?
- 20 A. That's correct, sir, yes.
- 21 Q. And plainclothes, does that mean, I don't know if it's  
22 still called it, the CID, the Criminal Investigation  
23 Department?
- 24 A. That's correct, sir, yes.
- 25 Q. Then in 1998, did you receive a promotion in the

- 1 Criminal Intelligence Branch?
- 2 A. Yes, sir.
- 3 Q. What job did you take on then?
- 4 A. I became Detective Chief Superintendent in charge of the  
5 then SO11, as it was known, which is the Criminal  
6 Intelligence Branch.
- 7 Q. Right. Were you appointed a commander in the  
8 Metropolitan Police Service in November of 2002?
- 9 A. Yes, that's correct.
- 10 Q. When you got that appointment, did you have any  
11 particular area of responsibility?
- 12 A. Yes, structures had changed once again slightly as they  
13 are wont to do in this organisation, and I became  
14 commander with responsibility for covert policing.
- 15 Q. Does that mean undercover policing?
- 16 A. It includes undercover policing, it includes  
17 intelligence at a service level, that is a pan-London  
18 level and a variety of other functions that belong to  
19 the world of covert policing such as prison intelligence  
20 and so on.
- 21 Q. I will come to 2005 in a minute, but just to move ahead,  
22 were you made a Member of the Order of the British  
23 Empire in 2007 for services to the police?
- 24 A. Yes, sir, I was.
- 25 Q. When were you promoted to Deputy Assistant Commissioner?

- 1 A. I was promoted to my current rank in December of last  
2 year, 19 December.
- 3 Q. All right. Can you just give us a little bit of detail  
4 about the job that in July of 2005 you held, please?
- 5 A. Yes, the job that I held in July 2005 was commander of  
6 the then anti-terrorist branch or S013 as I think it has  
7 been referred to in some documents. As well as that  
8 I had a dual responsibility which was to be the deputy  
9 national co-ordinator for terrorist investigations.  
10 I was working to my boss, Deputy Assistant Commissioner  
11 Peter Clarke, and that role entailed the management and  
12 co-ordination of terrorist investigations in England and  
13 Wales.
- 14 Q. Given that job description, after the events on  
15 7 July 2005, I will ask you a little bit about that in  
16 a minute, but after those events, given what your job  
17 was, did you become involved in that operation?
- 18 A. Yes, I immediately became involved in the operation to  
19 establish who was responsible for those attacks, and  
20 whether there were other perpetrators at large.
- 21 Q. Just so we have some evidence about it, we have heard  
22 about it, but on 7 July of 2005, is this right, three  
23 bombs were exploded on the tube network, and one on  
24 a bus?
- 25 A. Yes, that's correct, between the hours of roughly

1 8.50 am and 9.50 am in the morning, and those explosions  
2 very unfortunately caused the four terrorists concerned  
3 to lose their lives and 52 other innocent people, and in  
4 addition to that more than 900 people were injured in  
5 those attacks, many extremely seriously.

6 Q. Was that the first experience in this country of suicide  
7 bombing?

8 A. Yes, yes, it was, sir. There had been an instance of  
9 two UK nationals travelling to Israel prior to that to  
10 conduct a suicide attack but nothing at all by way of  
11 suicide attack in this country.

12 Q. Did your investigation into those events take you to  
13 West Yorkshire?

14 A. Yes, they did, on 10 July 2005, I went to West Yorkshire  
15 to lead the Yorkshire end of the investigation, since  
16 that's where the investigation we had acquired to that  
17 point had taken us.

18 Q. Can you just, again no-one is asking for anything more  
19 than is in the public domain, spell that out for us to  
20 a bit?

21 A. Yes. As a result of documentation found at the scenes  
22 of the attacks, particularly at the tube sites, we were  
23 led to a number of addresses in West Yorkshire, and  
24 these were searched over the course of the days  
25 following the 10th. And ultimately this led us to the



1           discovery of a, what we colloquially describe as a bomb  
2           factory, simply because its purpose was to construct  
3           explosive devices, bombs, and at those premises, we  
4           discovered a very, very substantial amount of explosive  
5           that had been left behind by those attackers.

6    Q.   Can you give us some idea, both in terms of the  
7           investigation into those events, and in terms of steps  
8           that were being taken with a view to a possible  
9           recurrence of something of that kind happening again;  
10          what was the commitment in terms of police officers,  
11          police officer time, effort and so on? Can you just try  
12          and sketch that in for us a bit, please?

13   A.   Yes, I'll certainly try. I think it's very difficult to  
14          recapture the circumstances of the time, but certainly  
15          this was the largest investigation that I think any  
16          police service in the UK had conducted. It consumed  
17          massive resources because of the scale of the atrocity  
18          that had been perpetrated. There were extremely long  
19          working days, I recall at one point working a stretch of  
20          44 hours, and I don't believe I was in any way alone in  
21          that. We were extremely anxious to try to discover  
22          whether there were other perpetrators that we had no  
23          knowledge of. We were surprised, I have to say, by the  
24          attack in the sense that there was no intelligence to  
25          pre-warn us of the existence of the plot. And we were

1           extraordinarily anxious about the prospect of any kind  
2           of recurrence or any further attack upon us, although  
3           again we had no intelligence to suggest that that was  
4           going to be the case.

5           But, for example, I recall a statistic, we have the  
6           national -- sorry, we have the hotline, the  
7           anti-terrorist hotline which receives calls from the  
8           public, and ordinarily its workload is some region of  
9           tens a week, tens of calls. I recall that at that  
10          period certainly between the 7 July and the 21 July, we  
11          had had something in the order of 3,900 calls to the  
12          hotline. Each of those calls ordinarily we feel it is  
13          our duty to chase down to ascertain exactly whether  
14          there is any veracity in what is being passed to us by  
15          way of intelligence or information.

16          Perhaps that might serve to illustrate the enormous  
17          strain that we were under.

18         Q. Right. If I can move on, then, to 21 July of 2005?

19         A. Yes, sir.

20         Q. When did you become aware of the attempts that had been  
21          made to detonate further devices on that day?

22         A. I became aware during the course of the morning, or late  
23          morning I suppose, lunchtime-ish, I was actually on my  
24          way back from West Yorkshire where I had still been  
25          conducting the investigation into 7 July, when

1 I received a phone call to that effect.

2 Q. What was your understanding of what had happened on this  
3 occasion?

4 A. My understanding was that we had suffered an attempt,  
5 another attack that bore worrying similarities to the  
6 attack on 7 July. In other words, the intended targets  
7 had been three tube trains and a bus, and as I later  
8 discovered, it appeared that the explosive devices that  
9 were used appeared to be very similar, if not the same,  
10 to those used on 7 July. And again at that time we had  
11 never seen explosive devices of that type.

12 SIR MICHAEL WRIGHT: Forgive me for interrupting,  
13 Mr Hilliard.

14 I told the jury in opening, Mr McDowall, that there  
15 was in fact a fifth device which was not either on  
16 a tube or a bus. Could you just tell us very briefly  
17 about that?

18 A. Yes, sir, that's quite correct. It was found some days  
19 after the 21st, abandoned in an area of parkland in,  
20 I think it was Shepherd's Bush, where it had been left  
21 by an individual who has since been I believe convicted  
22 for his role. But he was, we believe, a co-conspirator  
23 who had second thoughts at the last moment.

24 SIR MICHAEL WRIGHT: Was that a device of similar design and  
25 construction to the ones found on the trains and the

- 1 bus?
- 2 A. Yes, sir, but we were not aware of it on the 21st, we  
3 only found it a day or so later, I believe.
- 4 SIR MICHAEL WRIGHT: Thank you, I understand.
- 5 MR HILLIARD: You spoke of worrying similarities between the  
6 two events. Just so we can follow that through a bit.  
7 Obviously the events of 21 July are way beyond worrying  
8 in themselves. Can you just help us, the fact that  
9 there might be a connection between the two of them,  
10 what was the specific worry there, if it's not obvious?
- 11 A. We were obviously extremely concerned after the  
12 attempted attack on the 21st that this may not be the  
13 only other cell that was intending to attack us in this  
14 form and frankly at that point we had no knowledge at  
15 all of how many terrorists were intending to use this  
16 method of attack or over what time period. That was the  
17 specific further anxiety, if I can put it that way, that  
18 came to us on the 21st.
- 19 Q. Right. I don't know whether you can remember  
20 approximately or whether if you look at any of your  
21 documents it will help, but do you know what time you  
22 got to New Scotland Yard on 21st?
- 23 A. May I just refer to my statement, please?
- 24 Q. Of course. Paragraph 5 may help you.
- 25 A. Yes. I arrived -- it doesn't actually state the time,

1 I don't recollect, but I immediately set about drawing  
2 together those that had the facts as we knew them to  
3 hand, in order to try to make some sense and give some  
4 direction to this new further investigation. To that  
5 end, I was joined by a number of fellow senior officers  
6 from the anti-terrorist branch, S013, in the conference  
7 room here, and at about 3 o'clock in the afternoon,  
8 I went to brief on, to give a briefing of what I was  
9 then aware of, to my boss, the Assistant Commissioner of  
10 Specialist Operations.

11 At 3.35 in the afternoon, I then joined a video  
12 conference between senior officers from S013 or the  
13 anti-terrorist branch, and the senior investigating  
14 officer, Detective Superintendent Richard Gething, who  
15 is a Metropolitan Police officer who I had left in  
16 Leeds, together with other officers from the West  
17 Yorkshire Police, and we then, during the course of the  
18 conference, discussed the events of the day and reviewed  
19 whether we thought there were any linkages to the  
20 earlier attacks and whether we may have missed some,  
21 whether we needed to re-examine things we had already  
22 discovered as a result of the 14 days of investigation,  
23 and whether there were any additional lines of inquiry  
24 that we should be pursuing.

25 Q. So that's an example of how, amongst other things, one

1 of the things you are considering is the topic you have  
2 told us about, is this question of was there a linkage  
3 between the two events, is the same team or members of  
4 the same team around what was going on, involved in the  
5 second incident?

6 A. That is correct. That's quite so. And in addition, we  
7 had become concerned that one of the sites of one of the  
8 attacks on the 21st at the Oval may have had an aspect  
9 to it of chemical, biological, radiological or nuclear  
10 threat, what's known as CBRN threat, and that arose  
11 because of an early report that there was some  
12 suspicious readings being emitted or being received at  
13 that scene. And there was also -- there were a number  
14 of other things going on, but I have recorded one in  
15 particular about possible suspect being sighted at  
16 University College Hospital, and that in itself then led  
17 to a fairly large scale police deployment to surround  
18 and search the hospital.

19 Q. We heard a little bit from the Coroner in his opening  
20 and we will hear in due course from witnesses about  
21 Gold, Silver, and Bronze levels of authority or  
22 leadership, however one wants to put it. Are you  
23 familiar with the topic?

24 A. Yes, sir.

25 Q. In respect of these events, did you have any

1 responsibility on a Gold, Silver or Bronze level?

2 A. Yes. I became Gold for the investigation into the  
3 attacks on the 21st. I was already Gold for the attacks  
4 on the 7 July because Deputy Assistant Commissioner  
5 Clarke had left for his annual leave. I think it was on  
6 the 21st. So I had that role. Would it help if I tried  
7 to describe the roles more fully?

8 Q. Yes. Could you do this for us, just first of all, and  
9 if you want to go into detail so far as the  
10 investigation into events on the 21st is concerned, then  
11 by all means do so.

12 But could you just start, Mr McDowall, with Gold,  
13 Silver, Bronze, just in principle how you would describe  
14 those levels?

15 A. Yes. The Gold role is really setting a direction,  
16 a strategy, it's the responsibility of that individual  
17 to establish what in broad terms we are seeking to  
18 achieve, and that can take the form -- well, according  
19 to who the Gold is, that can be an extremely detailed or  
20 it can be an extremely brief strategy. I have known it,  
21 in a former incarnation for a football Gold, for  
22 example, there is a Gold whenever there is a large  
23 football match, for example, to simply set a strategy  
24 that two sets of fans be kept apart before, during and  
25 after the match.

1           The role of Silver is more concerned with the  
2           tactics, the implementation of the Gold strategy.

3           The role of Bronze is generally to be in charge of  
4           an aspect of an operation, so it may be that there is --  
5           again just using the football analogy, there may be  
6           a Bronze for the away supporters, and another one for  
7           the home support, another one for outside the ground and  
8           so on.

9           In the circumstances pertaining to the 21 and  
10          22 July, there were a number of Silvers concerned, and  
11          there may also -- I hope this clarifies rather than  
12          confuses -- there is a requirement when there is  
13          a firearms operation for a Silver firearms to be  
14          deployed with the firearms teams.

15          But effectively that might be construed as a Bronze  
16          role. So there is a degree of flexibility and  
17          interchangeability between the appellations, if that  
18          assists rather than confuses.

19        Q. So if we have it clear, Gold will be setting what the  
20          direction is or the aim or strategy it might be called;  
21          Silver you have explained how to implement that?

22        A. Yes.

23        Q. Or tactics, as that's sometimes called; and then Bronze,  
24          as it were, at ground floor level, could be in charge of  
25          one particular aspect of the tactics?



1 A. Yes, that's correct.

2 Q. Is that roughly it?

3 A. Yes.

4 Q. Thank you.

5 So you were Gold for the investigation into the 21/7  
6 bombings?

7 A. Yes.

8 Q. Right, or attempted bombings, I should say. Thank you.

9 We looked this morning in a different context at  
10 some CCTV film, but it was principally to do with  
11 Mr de Menezes's journey from Scotia Road to Stockwell  
12 tube, and then what we could see of events there on such  
13 CCTV film as there was; all right?

14 A. Yes.

15 Q. On the 21st, were you, as Gold, concerned at all with  
16 the question of retrieval of CCTV film insofar as it  
17 might help identify those who had been responsible?

18 A. Yes. That was one of the priority lines for us, lines  
19 of enquiries, to seize and capture whatever  
20 closed-circuit television there was available to us,  
21 primarily and obviously for purposes of trying to  
22 identify who was responsible.

23 Q. Can you just give us an idea: how does the process go  
24 for getting hold of it? Do you as Gold say: I think  
25 this is a good idea, we must get hold of it, and pass it

1 down the chain; how does it work?

2 A. We -- as I have said, I think, we convened a conference  
3 as soon as I got back to London, with all of the senior  
4 managers from the anti-terrorist branch present, and  
5 an SIO, a Senior Investigating Officer, was appointed  
6 for the attack, the events of the 21st, and we discussed  
7 what our priorities would be.

8 We had found unusually that on 7 July, in the  
9 aftermath of 7 July, that we convened a management  
10 structure that allowed all of the senior managers, that  
11 is Detective Superintendents, and Detective Chief  
12 Inspectors, primarily, to have a role, a part to play,  
13 supporting a lead Senior Investigating Officer, almost  
14 a first among equals.

15 We adopted a very similar approach on 21st and 22nd,  
16 and the Senior Investigating Officer, the initial Senior  
17 Investigating Officer I believe was an individual by the  
18 name of John Prunty for the events of the 21st, and  
19 among the priorities raised at that meeting was the  
20 seizure of CCTV footage, and he then took that forward.  
21 So he would have deputed a Detective Inspector to go and  
22 arrange for that.

23 In fact, I think we had formed a team specifically  
24 and solely after 7 July to deal with CCTV issues, and  
25 from recollection, I believe that they were tasked with

1           that.

2           We also called upon support from detectives  
3           elsewhere in the Metropolitan Police, something like 100  
4           I believe that I briefed on the evening of the 21st, and  
5           many of those were deputed to -- we obviously organised  
6           them into teams to go and collect or seize whatever CCTV  
7           footage we could.

8   Q.   I am sure it's obvious, but one of the priority tasks  
9           then is to try to get the best pictures you can, if  
10          possible, of those who were responsible for trying to  
11          set these bombs off, for obvious reasons so far as  
12          catching them is concerned?

13  A.   That's correct, sir, yes.

14  MR HILLIARD:  Sir, I am mindful of the time, I don't know  
15          whether we will have a break or whether the LiveNote  
16          recording or you would like a break?

17  SIR MICHAEL WRIGHT:  How are you getting on, Mr McDowall?

18  A.   Sir, I am fine, I don't know what time you will sit to,  
19          but I am happy to -- without knowing that, I am  
20          committing myself to saying I'm happy for the moment,  
21          sir.

22  SIR MICHAEL WRIGHT:  That's all right.  There are two people  
23          I have to worry about, you are one and the LiveNote lady  
24          is the other.

25          Go on for another half hour, Mr Hilliard.

1 MR HILLIARD: All right.

2           So far as the bombs themselves were concerned on  
3           21st, had you or did you receive information about  
4           whether or not those devices were viable by which I mean  
5           did they actually have the potential ever to go off? Do  
6           you follow what I am asking?

7 A. Yes. We did discuss this. This I think came up in  
8           a meeting at 5.15 that afternoon, again in the  
9           conference room at the anti-terrorist branch, where  
10          explosives officers, and these are individuals employed  
11          by the Metropolitan Police Service, specifically for  
12          their skills in dealing with explosive devices, suspect  
13          packages and so on, all of whom have currently at least  
14          significant experience of theatres of military activity.  
15          They were briefing the command in detail following their  
16          arrival back from the scenes that they had been deployed  
17          to.

18          The messages and the opinion provided was that the  
19          attacks had involved viable explosive devices, but they  
20          were not at that point able to say with certainty why  
21          they had not detonated. A 90 per cent assessment was  
22          given that they were peroxide-based explosives on the  
23          basis of burns tests that were carried out, and  
24          obviously this further raised fears of a link to the  
25          7 July.

1 Q. Just explain why, because?

2 A. Sorry, because the 7 July had involved peroxide-based  
3 explosive.

4 Q. Right.

5 A. As we know, on that occasion, an extreme viability.

6 The booster charge also contained peroxide-based  
7 explosives and the booster had, on these occasions, on  
8 the 21st, detonated very effectively. This was felt to  
9 be clearly either a home produced triacetone triperoxide  
10 known as TATP, or a hexamethylene triperoxide, HMTD,  
11 both extremely, extremely dangerous and volatile  
12 explosives. In the bomb factory in Leeds that was  
13 discovered, we found TATP literally sprayed around the  
14 premises and on the floor. If I can say that that  
15 explosive will detonate if trodden on, for example, so  
16 again the use of a peroxide-based, it's a reduction of  
17 peroxides to produce these two explosives, that again  
18 seems to link possibly anyway the two attacks.

19 Linkage was also discussed with devices that had  
20 been discovered in the boot of a car left at Luton  
21 station by one of the 7/7 bombers. In that, objects  
22 that I can best describe possibly as being almost like  
23 hand grenades, almost capable of instant detonation once  
24 lit had been left in the vehicle, aside from the loaded  
25 firearm. And shrapnel has also been found in the

1 vehicle.

2 So it was felt that the devices that had been  
3 recovered on the 21st would probably have been viable  
4 with a larger boosting element.

5 Q. Right. Then I want to go on, please, to a meeting that  
6 I think you chaired that took place at 6.15, and if it  
7 helps it's paragraph 16 in your statement, if you have  
8 that all right.

9 A. Yes, thank you, sir.

10 Q. Briefly, who was at that meeting?

11 A. It was a full meeting with the SO13 command team and  
12 it's also --

13 Q. So that's the anti-terrorist command team?

14 A. Yes, sir, I apologise.

15 Q. No, no.

16 A. And also SO12, Special Branch officers, together with  
17 again West Yorkshire officers via a videolink, and  
18 I believe at that time -- no, that's a later meeting.  
19 I was going to say I believe there were representatives  
20 from other agencies present but they came later that  
21 evening.

22 Q. All right. With those who were there at the 6.15  
23 meeting, did you discuss what your priority tasks were?

24 A. Yes, we did. We discussed those, which included  
25 obviously ensuring that the scenes were being exploited

1 as fully as possible and perhaps I should explain what  
2 I mean by that. As a result of the highly methodical  
3 and quite unusual method of examining scenes that has  
4 been used by this branch or this command for many years,  
5 it is a sort of fingertip approach to gathering minute  
6 quantities of trace evidence. We wanted to ensure that  
7 that process was being adopted and that process was the  
8 process that had led us to the first clues after the  
9 attacks on the 7th.

10 We also wanted to make sure that we were seeking  
11 witnesses as quickly as we could, and as widely as we  
12 could, and that the operations room had been set up to  
13 co-ordinate what, by virtue of the fact that this was  
14 a failed attack, we now regarded as a manhunt.

15 Q. Can I get you to pause there. I am going to look at  
16 other priorities in a moment, but you say that one of  
17 them was to make sure that the operations room had been  
18 set up to co-ordinate a manhunt. Was that an operations  
19 room that was going to be set up at New Scotland Yard?

20 A. Yes, it was, sir, yes.

21 Q. And was an appropriate, in your view, operations room  
22 selected?

23 A. Yes. I decided that we would use the operations room  
24 housed within Special Branch as it then was on the 16th  
25 floor of New Scotland Yard. There were some alternative

- 1 venues that could have been used, but I weighed the  
2 potential benefit of using those other locations. There  
3 are two locations that are within the public order  
4 world, and both of those for a variety of reasons, size,  
5 interoperability and linkage to other agencies, and the  
6 communications facilities they have, were not felt,  
7 I didn't feel, to be at all suitable.
- 8 Q. Pause a minute. When you say in the public order world,  
9 do you mean, suppose for example there was a large  
10 demonstration or something of that sort in London, is  
11 this the kind of room that might be used to deal with  
12 an incident like that?
- 13 A. Yes, that's correct, I believe it's known as GT, and for  
14 once, the acronym defeats me, I am afraid.
- 15 Q. You rejected that, because you thought the  
16 communications from that room to other agencies weren't  
17 really what you wanted, weren't good enough?
- 18 A. That's correct, and the physical layout as well, and the  
19 location would not have been ideal.
- 20 Q. All right. So that's one that you rejected. We don't  
21 need a lot of detail, but did you say there was another  
22 that you rejected as well?
- 23 A. Yes, there was -- there is a control room known as  
24 Central 3000, C3000, which is a room that is used by  
25 Specialist Operations as then was, it's now used by the



1 specialist crime directorate and that is primarily used  
2 to co-ordinate kidnap investigations, crimes in action.

3 I was minded to consider that alternative location,  
4 but as a result of our attempt at using it for  
5 an unrelated but a terrorist issue, after the 7 July,  
6 where we were looking for another individual, that also  
7 proved to be unsuitable.

8 I have to say that I had some considerable  
9 familiarity with that room because of my previous work,  
10 so on the face of it I would have been quite keen to use  
11 it. When I discovered that it wasn't ideal for our use,  
12 I went downstairs, it's located on the 4th floor, just  
13 to satisfy myself that the reasons for its non-use were  
14 valid. I was told then that again it was a problem with  
15 connecting the Cougar, that is the covert radio channels  
16 in sufficient quantity to it, and also that there was no  
17 facility there for what is known as a forward  
18 intelligence cell, which is a secure area used by the  
19 security service when they are working in a partnership  
20 with us.

21 So again the physical and the technological  
22 difficulties had been outlined to me, so that's why  
23 I decided on the 16th floor.

24 Q. Having enough facilities to be able to receive  
25 communications from the Cougar covert radios, that was

1           important, is this right, because that's the system that  
2           the surveillance officers use?

3   A.   Yes, that's correct, sir.

4   Q.   Right.  Then the room that you did settle upon, if you  
5           have the jury bundle there, and you turn first of all,  
6           please, to behind divider 20?

7   A.   Yes.

8   Q.   It's not the best plan in the world but do you recognise  
9           the room?

10  A.   Yes, sir.

11  Q.   What's that room?

12  A.   That is the 16th floor operations room.

13  Q.   Right.  Is that the room you selected?

14  A.   Yes, it is.  Commonly the room which is towards the  
15           right which is noted as intelligence cell --

16  Q.   Yes?

17  A.   -- is the forward intelligence cell or FIC as it's  
18           known, which would be used by colleagues from the  
19           security service.

20  Q.   So that if they are involved in an operation, as you  
21           have indicated, they will have an area of their own that  
22           they can go to if they want to?

23  A.   Yes, it's a secure area but as you will see it has swipe  
24           card access so it is connectable to the control room and  
25           that clearly that is felt to be advantageous.

- 1 Q. Left-hand edge of the plan is one end of the room;  
2 correct?
- 3 A. That's correct, sir, yes.
- 4 Q. And then if we come up, as you say, it's got number 12  
5 at the top, if we come down that line, that's a solid  
6 wall or partition, is this right, with a swipe card door  
7 that you can go through in the middle of it?
- 8 A. Yes, sir.
- 9 Q. Then, as you say, into the forward intelligence cell  
10 room and beyond that there is another room simply called  
11 a briefing room?
- 12 A. That's correct, and if you look in the operations room  
13 itself, the front row of desks there, you will see are  
14 marked as being equipped for Cougar radio. It has  
15 "Cougar desktop".
- 16 Q. Absolutely, so that's what that refers to?
- 17 A. Yes, and also just to the left there is another one.
- 18 Q. Yes, yes, I am sure we all have those along the top,  
19 thank you.
- 20 Then, Mr McDowall, if you would be kind enough just,  
21 if we look, if you go behind divider 21 --
- 22 A. Yes, sir.
- 23 Q. -- we have some photographs here, and if we just look  
24 at the first one, if you have it on its side, you will  
25 be able to make out 33A bottom left?

1 A. Yes, yes, I have it.

2 Q. Just so we understand, that brown door we can see at the  
3 back of the room as we look, is that the door into the  
4 forward intelligence cell?

5 A. Yes, sir.

6 Q. The desks, as it were, to the front left as we look,  
7 those are the ones that had the reference, is this  
8 right, to the Cougar positions?

9 A. That's correct, sir, yes.

10 Q. Then if you turn over, please, to 33B --

11 A. Sorry, and also the desk immediately in front of you.

12 Q. Absolutely right, that's the other one.

13 A. Yes.

14 Q. Then if you turn over the picture, that's just showing  
15 rather more of the back of the room, isn't it?

16 A. Yes, sir.

17 Q. If you turn over to 33C, that's taken, is this right,  
18 from the other end of the room, so the brown door is now  
19 behind the photographer?

20 A. That's correct, sir, yes.

21 Q. On the walls, I don't know if I am looking at it right,  
22 but are those, as it were, boards that you can mark  
23 things on? I am looking at the back left corner, back  
24 right corner, as we look at these pictures. Can you  
25 see?

- 1 A. Yes, that's correct, they are white boards for marker  
2 pens and there are screens. If you can just see them,  
3 a bit more to the right at the top, there are a number  
4 of flat panel screens as well which also display  
5 a variety of things according to what the person in  
6 charge of the control room wants to display there. Some  
7 of those are CCTV feeds and so on.
- 8 Q. What are we looking at if we go over to 33D, on the wall  
9 there?
- 10 A. I think that's -- not actually clear, but I think it is  
11 a close-up of those marker boards.
- 12 Q. It is, but those are marker boards, are they, rather  
13 than anything else?
- 14 A. Yes.
- 15 Q. All right. So far as that room was concerned, did you  
16 have any anxieties or doubts about its suitability as  
17 the room from which you were going to be co-ordinating  
18 a manhunt of this scale?
- 19 A. I felt that it was the best option that we had available  
20 to us, so I suppose I would say that one always has some  
21 concerns about what you are going to be confronted by  
22 and the scale that it will achieve and whether the room  
23 will be large enough, but for the reasons I think I have  
24 outlined, I felt this was our best option.
- 25 Q. Right. Then I am just going back to your statement.

1 SIR MICHAEL WRIGHT: Forgive me for interrupting again. If  
2 the room on the 4th floor was not suitable for the  
3 reasons that you have told us about, was this  
4 effectively the next largest room?

5 A. Yes, sir, I believe it is, with the exception of the  
6 public order room GT, but it's not configured for people  
7 to be familiar with and to easily go into. There is of  
8 course another reason why the other room, Central 3000,  
9 would have been a concern to me to use and that's simply  
10 that, despite what had befallen us, policing in London  
11 was continuing or trying to continue, and Central 3000  
12 is dedicated to kidnap investigations, in other words  
13 life at risk. And given the number of kidnaps that we  
14 now and even in 2005 experience on a yearly basis, if we  
15 had taken that room, it would have meant that we would  
16 have been extremely -- well, it would have been  
17 extremely difficult for us to run a live kidnap  
18 operation.

19 SIR MICHAEL WRIGHT: I understand.

20 MR HILLIARD: I am going back, Mr McDowall, to paragraph 16  
21 of your witness statement. Do you remember we were  
22 looking at priorities in the 6.15 meeting on the 21st?  
23 Do you remember you told us you about making sure that  
24 everybody was finding all the clues they could at the  
25 scenes, that witnesses were being sought, we spoke about

1 CCTV film, and you have just dealt with the question of  
2 a control room.

3 A. Yes.

4 Q. And just other priorities, please?

5 A. Yes, the other priorities were to make sure that other  
6 branches that we may need to support us were fully aware  
7 of what was going on and what had happened that day,  
8 specifically obviously firearms officers and technical  
9 and surveillance specialists who, in the general run of  
10 things in connection with a manhunt, would most likely  
11 be required. We also needed to ensure that --

12 Q. Can we just pause with those for the moment? Does the  
13 concern, then, with firearms and technical and  
14 surveillance specialists, does the concern with them  
15 include the concern that, as it were, they are on  
16 standby and are as available as they can be?

17 A. At this time, it would be to make them aware, if they  
18 were not already aware, of everything that we knew and  
19 just to say to them that, although we had nothing at  
20 that time specifically to ask them to deploy against or  
21 to ask them to do for us, that it was likely that at  
22 some point we might be calling on their services, and  
23 obviously these are specialist officers of whom there  
24 are a finite number, so the purpose of that being placed  
25 on standby, as it were, is to say, "Look, make sure you

1 are available if you can be, look at who's around, look  
2 at what officers are on leave, look at what your  
3 resilience is and so on, just in case we need you".

4 Q. You will understand, I am sure, that one of the issues  
5 that we will be attempting to grapple with in the course  
6 of this inquest is, as it were, the time it took for  
7 SO19 officers, for these purposes, I will say, to arrive  
8 at Stockwell underground station. All right?

9 A. Yes.

10 Q. That's putting it very shortly. So I just want to  
11 explore this with you a bit, please, if I can.

12 You have decided, as Gold, that that is a priority  
13 task; yes?

14 A. Yes.

15 Q. Can you help us: what will happen after that to ensure  
16 that somebody is finding out who, of surveillance  
17 officers, technical officers and firearms officers are  
18 around, who's on leave? What's available? What's the  
19 mechanism? After you have said at the meeting "this is  
20 a priority task", whose job is it to take this on and do  
21 something about it?

22 A. It could be one of a variety of individuals, it could be  
23 the Senior Investigating Officer, who is present at that  
24 conference or meeting, it could be that he or she  
25 delegates that task to a Detective Inspector or



1 a Detective Chief Inspector. It may have been decided  
2 that the operations room co-ordinator would attend to  
3 that task. There is no hard and fast rule, as it were,  
4 as to who will take that task on, but generally what  
5 happens is after a meeting of that ilk, those present  
6 will stay and just work out between themselves who is  
7 going to do what, who's going to ensure that a task is  
8 actually fulfilled.

9 Q. Does anybody tell you who it is who has decided they are  
10 going to take on a particular job?

11 A. No, that wouldn't be usual.

12 Q. Right. Does anybody report back to you, you having set  
13 a priority, in due course what has happened about the  
14 particular priorities that you have set? Just so we  
15 understand how it worked.

16 A. Yes, there will be a point usually at the discretion of  
17 the Silver, as to when to give Gold an update as to  
18 what's happening. That depends upon all sorts of  
19 things, for example how busy they are, what's happening,  
20 whether the circumstances are busy or quiet and so on.  
21 The reverting back to Gold, as it were, would tend to be  
22 done more in the case that we had come up against  
23 an obstacle, so, for example, we had agreed that we were  
24 going to warn surveillance teams and no-one could get  
25 hold of them on the phone or they were all committed or

1           they were all wherever. That would then obviously  
2           require further decision-making as to how we were going  
3           to overcome that particular difficulty.

4   Q. Does it really work like this: you spell out the  
5       priorities and you really work on the basis, given where  
6       you are in the chain, that --

7   A. Yes.

8   Q. -- somebody doesn't understand them they will ask you,  
9       but assuming you have set them out and nobody has said  
10       they don't understand, that it will only come back to  
11       you if there is some difficulty or obstacle in carrying  
12       out really the order you have given, if I can put it  
13       that way?

14   A. Absolutely, and of course a further reason why it  
15       happens that way is also because, in the role that I had  
16       of being Gold for this attack and also for that of the  
17       7 July, there was so much else also occurring at the  
18       time, that sort of constantly reverting to me for minor  
19       adjustments or alterations probably wouldn't have been  
20       feasible physically anyway.

21   Q. Did you, at any time, get a report back about the  
22       availability of firearms or surveillance or technical  
23       resources, either perhaps unusually for somebody just to  
24       happen to tell you what was going on or for anybody to  
25       come and say that there was a problem?

- 1 A. Not that I recall, no. Certainly as the investigation  
2 continued through I think it was the next seven or eight  
3 days, there were occasions when people reverted to me  
4 for precisely that reason but at this point, no.
- 5 Q. Presumably, I don't know, is this right, that if  
6 somebody comes back to you with a problem, is part of it  
7 that you may be able to use your seniority, your  
8 authority, to unblock the problem?
- 9 A. That's correct, or alternatively suggest an alternative.
- 10 Q. Then, Mr McDowall, I think I interrupted you, just  
11 because I wanted to dwell on that one for a moment, you  
12 were just going on to help us with other priorities in  
13 the 6.15 meeting that you set?
- 14 A. Yes, one of the other priorities was to ensure that our  
15 intelligence unit was reinforced. I don't think it's  
16 an exaggeration to say that we were swamped at that time  
17 with assistance being offered, information coming in,  
18 and also different lines or theories being developed by  
19 our partner agencies as to what may have befallen us.  
20 We had to reinvigorate the anti-terrorist branch, as it  
21 was then, hotline, which is the public phone number  
22 I referred to earlier, simply because of also those  
23 massive numbers of calls that were coming in that  
24 I referred to.
- 25 We also needed to set ourselves fair in the event

1           that we arrested the suspects, and that for terrorism  
2           prisoners is quite a task in its own right, with sterile  
3           facilities for prison reception. So we have to make  
4           sure that we have sufficient vehicles and cells set up  
5           in a sterile way to receive prisoners.

6           We also wanted to ensure that as many people as  
7           could be briefed who needed to be briefed were briefed  
8           and among those were ports officers who work for the  
9           police service, are generally attached to Special  
10          Branches up and down the country, and who work in  
11          various numbers at the large and indeed the smaller  
12          ports because we were concerned that one possibility was  
13          that those responsible might try to flee the  
14          jurisdiction.

15       SIR MICHAEL WRIGHT: If I may interrupt, Mr Hilliard, there  
16          is a question I have been asked to put to you,  
17          Mr McDowall, but I also suspect you may answer it  
18          a little later on, but I'll give you the question.

19          Did you at any point get a feedback either from your  
20          Silver, the next man down, or anybody of the ranks you  
21          have been talking about, Chief Inspectors or DIs, on the  
22          general progress of the priorities that you had been  
23          setting at this meeting?

24       A. I think during the evening, and there were other  
25          meetings as we went on into the early hours of the

1 morning, those tasks would have been updated to me  
2 because we -- I would have been asking, others would  
3 have been asking: where are we with this or that. So  
4 yes, there would have been some feedback coming in as we  
5 went along.

6 SIR MICHAEL WRIGHT: How would it get to you?

7 A. It would get to me personally round a conference table  
8 as we worked our way through whatever problems we were  
9 discussing or the issues or the priorities and how far  
10 they were progressing, sir.

11 SIR MICHAEL WRIGHT: Thank you.

12 MR HILLIARD: But just so I am clear, because I think you  
13 were dealing with this earlier, do I have it right, that  
14 certainly so far as firearms or technical or  
15 surveillance matters are concerned, any update that you  
16 are getting is not indicating that there is  
17 a difficulty?

18 A. That's correct.

19 SIR MICHAEL WRIGHT: It's a progress report?

20 A. Yes, sir.

21 SIR MICHAEL WRIGHT: Yes.

22 MR HILLIARD: All right.

23 Now, I don't think we need to go into this in great  
24 detail, but one issue was whether or not you were going  
25 to go public with an appeal to the public through the

1           media; is that right?

2    A.   That's correct, sir, yes.

3    Q.   Was that exercising a fair amount of thought? Was that

4           a difficult judgment to make at the time?

5    A.   It was an extremely difficult judgment to make. Clearly

6           both courses of action had advantages and disadvantages.

7           And as the hours progressed, this was a matter that

8           I was constantly thinking about. When I left New

9           Scotland Yard in the early hours of the 22nd, we had --

10          I had made a decision that we would be conducting

11          an overt investigation, in other words using the images

12          or the CCTV footage that we had by way of public appeal.

13   Q.   Can I just pause to interrupt. I should have made it

14          clear. Was that at the heart of this decision you had

15          to make, that if you had images of those responsible,

16          whether you broadcast those and sought help from the

17          public, anybody who knew them, or could say where they

18          were, or whether you kept those to yourself, as it were,

19          and sought to try to find the people by your own

20          methods, for fear of scaring them off if there was

21          a picture in the newspaper, something of that sort?

22   A.   That's correct, and I recall noting the sort of pluses

23          and minuses to the options in my red book, my log book,

24          on the evening of the 21st, and noting down those

25          advantages and disadvantages. I don't know whether you

1           want me to go into detail, if you don't, then --

2   Q.   I don't particularly at the moment, others might do, we  
3        are going to look at particular aspect of your red book,  
4        but that's the book you are actually making your notes  
5        in as you go along?

6   A.   That's correct, sir, yes.

7   Q.   I am going on to your paragraph 20, please, and I just  
8        want you to help us with this topic.  At about 8.15 in  
9        the meeting, did you have a meeting with somebody called  
10       Superintendent Swain?

11  A.   Yes.  Yes, sir, I did.

12  Q.   I just want you to help us, please, with the first topic  
13        that you have indicated in your witness statement that  
14        I have, the first topic that you met to discuss with  
15        him?

16  A.   Yes, the first topic we discussed was the  
17        Operation Kratos, as I think it was then known, that  
18        scenario which effectively is the scenario where the  
19        public or police are confronted by suicide operatives.  
20        It was at that time in 2005 a very much less well  
21        developed and less well considered topic than it is now.  
22        Superintendent Swain was one of the very few people that  
23        had some particular knowledge, I think having been asked  
24        to research this subject by another senior officer in  
25        the Met.  So he seemed to be a good source of potential

1 knowledge and advice.

2 Q. So this was reference to strategies that the  
3 Metropolitan Police had devised, as you say, to deal  
4 with suicide bombers; is that right?

5 A. That's correct.

6 Q. You will appreciate it's a topic I'm just going to ask  
7 you a little bit about, but we obviously have to be  
8 careful, I am sure you understand that?

9 A. Yes.

10 Q. But it's a topic, you remember the Coroner mentioned  
11 earlier, that information has been provided about it to  
12 all interested persons?

13 A. Yes.

14 Q. In addition to Operation Kratos, was there also  
15 something called Clydesdale?

16 A. Yes, there was. There were two scenarios, I suppose,  
17 for want of a better expression, that had been catered  
18 for. One was I think known as, it's full name was  
19 Operation Kratos People at the time, which was  
20 a scenario where there was a spontaneous threat, in  
21 other words, for example, someone rang up and said  
22 I think there is a suicide bomber at Euston station or  
23 something, and how police would respond to that.  
24 Operation Clydesdale was a -- some guidance around  
25 a scenario where intelligence, either intelligence had



1           been received or it was felt that there may have been  
2           the likelihood that some pre-planned event might attract  
3           a suicide bomber. So I don't know whether some State  
4           occasion or something like that.

5           But there was no other -- there was no eventuality  
6           or no contingency, no scenario that had been developed  
7           to fit the circumstances that were confronting us on the  
8           21st. In other words, the failed attack, not knowing  
9           what the intentions of the would-be attackers were.

10        Q. So the one you say Operation Kratos People, somebody  
11        rings in and says: I think there is a suicide bomber  
12        about to do this, that or the other, Clydesdale, where  
13        there is a pre-planned event going to happen, as you say  
14        some State occasion of some kind and you have  
15        intelligence that that maybe be the subject of an attack  
16        by a suicide bomber or bombers; yes?

17        A. That's correct, yes.

18        Q. So Superintendent Swain, as you understood it, was  
19        familiar with the theory and the learning behind that;  
20        is that right?

21        A. That's correct, sir, yes.

22        Q. So that's one of the reasons, is this right, why you  
23        wanted a meeting with him?

24        A. Yes.

25        Q. Did you have that meeting with him?

- 1 A. I did, sir, yes.
- 2 Q. And amongst other things -- we are going to come back to  
3 one aspect later -- did you discuss this question of  
4 Operation Kratos People with him?
- 5 A. Yes, I did.
- 6 Q. Then in the course of the rest of the evening, did you  
7 have -- I am not going to go through all of them --  
8 inevitably a number of other meetings involving these  
9 events that were going on?
- 10 A. Yes, that's correct. I think virtually back-to-back  
11 until I left.
- 12 Q. Yes. Did you consider the question of something called  
13 a Designated Senior Officer or a DSO?
- 14 A. Yes, yes, we did.
- 15 Q. Was that at a meeting that took place at 10.10 in the  
16 evening?
- 17 A. That's correct, yes.
- 18 Q. Deputy Assistant Commissioner McDowall, I am just going  
19 to carry on. If you tell me that you are tired and you  
20 need a break, you will just say, won't you?
- 21 A. Yes.
- 22 Q. We will probably go on for another half hour, and if you  
23 did want a break, I am told you would not be alone in  
24 it.
- 25 SIR MICHAEL WRIGHT: That sounds like a reproof to me,

1 Mr McDowall.

2 A. I think it's what we call a clue, sir.

3 SIR MICHAEL WRIGHT: In that case, 20 minutes.

4 A. Thank you, sir.

5 SIR MICHAEL WRIGHT: Very well. I have 20 to; 4 o'clock,  
6 please, ladies and gentlemen.

7 (3.40 pm)

8 (A short break)

9 (4.00 pm)

10 (In the presence of the jury)

11 SIR MICHAEL WRIGHT: Mr Hilliard, another 30, 40 minutes?

12 MR HILLIARD: Certainly, yes.

13 SIR MICHAEL WRIGHT: Pick your own time as a convenient  
14 moment.

15 MR HILLIARD: Thank you very much.

16 Mr McDowall, we were just at a ten past 10 pm  
17 meeting on 21 July of 2005, and you said that there was  
18 discussion at that meeting of something called  
19 a Designated Senior Officer, or a DSO?

20 A. Yes, that's correct.

21 Q. First of all, can you just tell us, who was at the 10.10  
22 in the evening meeting? I don't need necessarily  
23 particular names but what sort of a meeting was it?

24 A. Again it was a meeting of senior management from the  
25 anti-terrorist branch, and Special Branch, and I believe

1 from one or two other parts of the Metropolitan Police  
2 Service. I don't recall now whether there were  
3 representatives from other agencies there or not, but  
4 I don't believe so. But it was one of those meetings  
5 where we were reviewing where we had got to, and it was  
6 at that meeting, as you quite rightly point out, that  
7 the discussion around the Designated Senior Officer was  
8 raised.

9 A Designated Senior Officer was something that was  
10 envisaged for the Operation Clydesdale scenario. It  
11 wasn't envisaged in the event of a spontaneous suicide  
12 bombing threat --

13 Q. So the spontaneous one, that's Kratos People, if we get  
14 the terminology right. Clydesdale is for a pre-planned  
15 event and you get some intelligence that someone might  
16 be going to suicide bomb it. That's Clydesdale.

17 For Clydesdale, you say something called  
18 a Designated Senior Officer was envisaged but not for  
19 Kratos People, not for a Kratos incident?

20 A. That's correct, and primarily I believe because in the  
21 event of a Kratos People incident, it's virtually  
22 impossible to get that person holding that role to the  
23 command suite anyway in time, or that's the theory  
24 behind that response to that scenario, whereas clearly  
25 obviously in a pre-planned operation you have the time

- 1 to appoint and find a Designated Senior Officer.
- 2 Q. So what you mean is, to give the example you gave, if  
3 somebody rings in and says: I think there is a suicide  
4 bomber at a station, you are saying in that event, we  
5 will come on to it in a minute, but selecting the  
6 Designated Senior Officer may be very difficult in the  
7 time available. If, on the other hand, somebody says in  
8 two weeks' time at this or that event --
- 9 A. Yes.
- 10 Q. -- it's going to be the subject of an attack by  
11 a suicide bomber, then you proceed a bit differently?
- 12 A. Yes, correct.
- 13 Q. All right. Can you help us: what is a Designated Senior  
14 Officer?
- 15 A. A Designated Senior Officer in the context of Clydesdale  
16 is the senior officer and at that time it was  
17 a requirement that it should be a trained officer of  
18 ACPO rank -- again that acronym, Association of Chief  
19 Police Officer rank --
- 20 Q. You were telling us about at the start.
- 21 A. Yes. So therefore it would be a commander in London, or  
22 above, to perform the role of that Designated Senior  
23 Officer, and the role of that person is to take charge  
24 of the critical decisions of how to deal with a suicide  
25 bomber threat when that has become apparent.

- 1 Q. Does that include, as it were, what one might describe  
2 as the most critical decision of all, for example about  
3 opening fire, does that include that in an operation  
4 Clydesdale situation with a Designated Senior Officer?
- 5 A. Yes, sir. Yes.
- 6 Q. Now, can you just help, in what context did then the  
7 Designated Senior Officer arise at this meeting and with  
8 the events that you were facing as you understood them  
9 at 10.10 in the evening?
- 10 A. As I recall, a decision had been made or was being made  
11 at that time by those in other parts of the Metropolitan  
12 Police Service, I think more likely the public order  
13 side of things, that it would be sensible to have  
14 a Designated Senior Officer on continual standby for any  
15 type of event or threat that came in by way of emergency  
16 call. So in other words, I guess they were altering the  
17 Kratos People document on the basis that we had now had  
18 our second suicide attack, as we believed at the time,  
19 and in the context of appointing that person,  
20 a discussion took place about having a dedicated  
21 Designated Senior Officer for this investigation because  
22 of the potential threat from suicide bombers contained  
23 within that specific investigation as well.
- 24 Q. Just to spell it out, because you had four people who,  
25 on the face of it, had tried to set off what you thought

1           were viable devices and to kill themselves in the  
2           process, but they had escaped?

3    A.   That's correct, yes.

4    Q.   At that meeting, the 10.10 meeting, you had discussed  
5           you told us the question of appointing a Designated  
6           Senior Officer for these purposes. Did you get so far  
7           as identifying an individual or not at that stage?

8    A.   I don't believe that, at that meeting, an individual was  
9           identified, but I do believe that some point shortly  
10          thereafterwards, if not at that meeting, then  
11          an individual was identified.

12   Q.   Right. Was that in both contexts, so, as it were,  
13          a Designated Senior Officer generally for the  
14          Metropolitan Police and then one specifically for this  
15          investigation?

16   A.   Yes. Yes.

17   Q.   Whenever they were identified, can you help us, please,  
18          in each instance with who they were?

19   A.   Yes. I believe -- in fact, I am not now certain who was  
20          identified for what was, what I described as the generic  
21          Designated Senior Officer role for London, but Commander  
22          Cressida Dick was identified as the DSO or Designated  
23          Senior Officer for our investigation. In fact, those  
24          decisions were made by those who held a list of fully  
25          qualified individuals and who would have known their

1 availability and so on.

2 Q. Does either Commander Carter or Allison, I think the  
3 other name, do those ring a bell?

4 A. Yes, they do. I know that at that time both of them  
5 were dealing with this issue, and I believe on the  
6 morning of the 22nd, one of those individuals --  
7 I believe it may have been Commander Carter -- was  
8 fulfilling the role of Designated Senior Officer for  
9 London, as it were.

10 Q. All right. Also at this meeting, and if it helps I am  
11 looking at paragraph 26 of your statement, did you  
12 consider who you would begin to show CCTV images of the  
13 suspects to, so people who might be able to help  
14 identify them?

15 A. Yes, that's correct.

16 Q. I asked you whether the firearms question came back to  
17 you at any stage, or certainly the topic. If you look  
18 at your paragraph 27, does that help?

19 A. Yes. We agreed that there was a need for a firearms  
20 authorisation because, if we were successful in our  
21 objective of discovering those that had tried to attack  
22 us on the 21st, then clearly it was highly likely that  
23 there may have been some form of confrontation between  
24 ourselves and them, at which point clearly we would have  
25 required to have been armed to ensure public safety and



- 1           our own safety, our own officers' safety.
- 2   Q.   What happened about getting an authority so far as  
3       firearms were concerned?
- 4   A.   At 10 to midnight, Detective Chief Superintendent White  
5       from the anti-terrorist branch gave authorisation for  
6       firearms to be deployed, after we had had a discussion  
7       over the need for them or likely requirement for them.
- 8   Q.   Is the position this, we don't need to go into the  
9       detail, I think, that an officer of a certain rank or  
10      above needs to give permission for firearms to be  
11      deployed or used in a particular operation; it's not  
12      down to --
- 13  A.   Yes.
- 14  Q.   In a planned operation, not down simply to the officer  
15      who has the gun simply to decide whether or not he goes  
16      out with it?
- 17  A.   That's absolutely correct.
- 18  Q.   Again I am not going through, you understand,  
19      Mr McDowall, everything that you dealt with, but at  
20      2 o'clock in the morning or so, did you go, did you  
21      leave New Scotland Yard and go to a hotel to get some  
22      rest?
- 23  A.   Yes, I did.
- 24  Q.   Did you indicate that you would be back at about  
25      4 o'clock in the morning?

1 A. I did, yes, because I needed to review the decision that  
2 we had taken or I had taken before leaving, that this  
3 was going to be an overt appeal for public assistance,  
4 specifically because I was informed that the newspaper  
5 print run was around 4.30 in the morning, so if we  
6 wanted to get it out through that medium, then clearly  
7 a decision needed to be taken.

8 Q. Right. Did you come back on or come back to New  
9 Scotland Yard at about 4 o'clock in the morning as you  
10 had indicated?

11 A. Yes, I came back at 4 am.

12 Q. At about 20 past 4 in the morning, were you provided  
13 with some particular information?

14 A. Yes, I was. I should say that at 4 am I gave my staff  
15 officer, a Detective Inspector Michael Forteath, I gave  
16 him permission to leave and get some sleep. He had been  
17 performing the role of a dedicated loggist for me since  
18 events of the 7th, and that period in time is probably  
19 the only time in this period that we were separated, but  
20 he had had no sleep since goodness knows when, so he  
21 then left, which meant that I then reverted to trying  
22 and making my own notes, which is why I have some in my  
23 red book. So just to explain that.

24 At 4.20 --

25 Q. Just pausing, so we have a dedicated loggist, someone

1           who has the specific task of making notes of key  
2           decisions that are made and the reasons for them, that  
3           kind of thing.

4   A.   Yes.

5   Q.   Make a log of those?

6   A.   Events that take place, meetings that are held, who  
7           tends to be present, decisions made, it's that sort of  
8           thing, sort of capture the progress of events.

9   Q.   All right. You were just going on to 4.20 and some  
10          particular information?

11   A.   Yes, at 4.20 I was approached in my office by Detective  
12          Chief Inspector Pat Mellody, and other officers from  
13          Special Branch who told me about the discovery of  
14          a South Bank club gym card in the name of  
15          Mr Hussain Osman in a rucksack containing the bomb at  
16          the Shepherd's Bush scene, and membership of gyms,  
17          again, appeared at that time to be a potential common  
18          factor between these individuals and the cell involved  
19          in the bombings of 7 July. It was something that  
20          clearly they were keen on.

21                This club or gym had been visited in the intervening  
22          hours, the early hours of the morning, and an address  
23          had been acquired for Hussain Osman at 21 Scotia Road,  
24          SW2. According to records, this was an address shared  
25          with an individual by the name of Abdi Samad Omar, and

1           this name was of significant interest because it linked  
2           to another confidential counter-terrorist inquiry that  
3           had been ongoing prior to this time.

4    Q.   So in a rucksack that the Shepherd's Bush bomb had been  
5           in, there is a gym card in the name of Hussain Osman?

6    A.   Yes.

7    Q.   Enquiries are made at the gym, and there an address for  
8           Hussain Osman appears as 21 Scotia Road. Also, as you  
9           have said, the link to somebody called Abdi Omar?

10   A.   Yes.

11   Q.   Did the gym card have a picture that, certainly if the  
12           card was accurate, was a picture of Mr Hussain Osman on  
13           it?

14   A.   Yes.

15   Q.   It was a gym card with a picture?

16   A.   It was. But we had gym records as well, so by that  
17           time, just after 4, I suppose, in the morning, we had  
18           analysed closed-circuit television images of the  
19           suspected bombers from the scenes and identified four  
20           suspects. When we examined the gym records, we had  
21           photographs for Osman and Omar which were felt to be  
22           good likenesses, good comparisons to the CCTV images  
23           that we had. And I examined those likenesses personally  
24           because I was obviously thinking about making a major  
25           change to the strategy at this point. So I wanted to be

1 as clear as I could be that we had something to work  
2 with.

3 Q. Just so we followed, so what you were thinking was: if  
4 you had identified this person, and you were on their  
5 trail, that rather than what you called the overt  
6 approach, so giving the press the pictures from the CCTV  
7 and seeking the public's help in finding these people,  
8 that you might in fact be able, as it were, to make your  
9 own enquiries without alerting anybody rather than going  
10 through the media? Is that the change you were thinking  
11 of?

12 A. That's correct. It was a hugely significant decision to  
13 have to make, and as I think I pointed out earlier,  
14 there were a number of advantages or disadvantages to  
15 taking a particular course of action, either keeping it  
16 as an overt issue or trying to now mount a covert  
17 investigation, and having weighed up those  
18 considerations, I decided that we had a very good  
19 prospect of mounting a covert investigation with the  
20 identification of this address; not just this address  
21 but also some of the other information that was  
22 available to us around Omar, that, as is very often the  
23 case with these investigations, as soon as you have  
24 a certain amount of information, other information  
25 starts falling in as well, and before you know it, it

1 becomes a quite broad amount of intelligence that you  
2 can put together.

3 Crucially for me, we had potentially the opportunity  
4 to identify an address where potentially two of these  
5 suspects may be located, but also by virtue of  
6 conducting surveillance on those premises, we had again  
7 the possibility of linking them to their fellow  
8 suspects. But certainly perhaps mounting an arrest in  
9 due course in which we had some control, and the chief  
10 disbenefit of going overt in the media was that I was  
11 fearful that if we did that, we might provoke these  
12 individuals to go out and try and bomb London again.  
13 Or, if it was felt that they were about to be  
14 discovered, they may become desperate and we had example  
15 of Madrid to follow. There aren't, or there weren't  
16 certainly at that time, too many learning experiences  
17 but that was clearly one of them.

18 Q. You say you have the example of Madrid, to everybody  
19 that may not be, as it were, easy to recall. Just in  
20 a sentence or two, what had happened there?

21 A. After the attacks on the trains in Madrid, which were  
22 detonated remotely by telephones and explosive devices,  
23 the bombers were tracked to an address in a suburb of  
24 Madrid called Legan, and to cut a long story short, they  
25 were alerted to police presence, police attempted to

1 stop an individual outside those premises, who managed  
2 to escape, and as a result of that obviously  
3 communication was relayed back into the premises and  
4 an individual lent out of the window and started firing  
5 a submachine gun at police.

6 Police then decided to mount what is known  
7 technically as a dynamic entry; in other words very  
8 rapid entry, probably with a small charge on the door,  
9 maybe not, but in any event a raid conducted on the flat  
10 to try to get the element of surprise, and they had  
11 constructed other explosive devices which they then  
12 detonated, killing themselves and the lead police  
13 officer going through that particular door.

14 That in a nutshell is what happened in Madrid.

15 SIR MICHAEL WRIGHT: And that, as I understand it, was made  
16 possible from the point of view of those particular  
17 people because the information had gone public as to  
18 what the police were doing?

19 A. I believe, sir, that possibly the suspect that made good  
20 his escape alerted them, or police activity around and  
21 outside the premises, they may have seen it themselves  
22 and obviously divined what was happening.

23 SIR MICHAEL WRIGHT: I follow, and hence the need for  
24 undercover operation as far as you were concerned.

25 A. It was certainly a major consideration, yes.

1 SIR MICHAEL WRIGHT: Thank you.

2 A. I mean, crucially, I should say in Madrid, they had  
3 a substantial amount of explosives left in the flat,  
4 which was also our experience in Leeds after the 7 July,  
5 as I said earlier.

6 SIR MICHAEL WRIGHT: Thank you.

7 MR HILLIARD: All right.

8 Can you help us with this: had you yourself had the  
9 opportunity to compare the photograph on the gym card in  
10 the name of Hussain Osman and the CCTV film taken from  
11 the tube?

12 A. Yes, as I say, I looked at those images personally  
13 because I wanted to be reassured before I made a major  
14 change of decision.

15 Q. Right. Did they appear to you to be one and the same  
16 person?

17 A. They did.

18 Q. And if the gym card was accurate, he was called  
19 Hussain Osman?

20 A. Yes.

21 Q. As you understood it, in the rucksack, apart from the  
22 picture on the gym card, had there been any other  
23 photographs, did you understand, of Hussain Osman in the  
24 rucksack?

25 A. In that rucksack I don't recall.



- 1 Q. I have no idea how it worked, but was the rucksack and  
2 it's contents brought to you at New Scotland Yard or was  
3 that not how it happened at all?
- 4 A. No, I had -- the closed-circuit television images  
5 obviously had been downloaded and printed.
- 6 Q. Yes?
- 7 A. And also I had the gym records which I believe showed  
8 photographs for both Osman and Omar.
- 9 Q. Again, I do not want to necessarily go into the  
10 specifics, but can you help us: did you have available  
11 to you, or did the Metropolitan Police have available to  
12 them, any images of their own of Hussain Osman? Do you  
13 see? So aside from the question of anything in the  
14 rucksack, aside from the question of anything in the  
15 CCTV film, once you had a name Hussain Osman. Do you  
16 follow the question?
- 17 A. I do. At that time, I was not aware of any other  
18 photographs in our possession, I have subsequently  
19 learnt that we did have images available which had not  
20 been, I think, identified as those individuals.
- 21 Q. So you mean later you discovered you did not have  
22 pictures of him, but at that time no-one had put a name  
23 to them; is that it?
- 24 A. Yes, there was, as I briefly alluded to, another  
25 counter-terrorist inquiry that had been ongoing, and

1 a number of photographs had been taken during the course  
2 of that surveillance. Those photographs certainly  
3 included Omar as far as I am aware now, but at the time  
4 he had obviously not been assigned an identity as far as  
5 I am aware.

6 Q. But did they also include Hussain Osman?

7 A. I believe so.

8 Q. Do you think in his instance too, not a name attached to  
9 him?

10 A. No, absolutely not. I may say in the course of that  
11 inquiry, a very substantial number of photographs were  
12 taken.

13 Q. So we are not talking about five or six or seven, you  
14 mean an enormous number?

15 A. Yes.

16 Q. Hundreds?

17 A. Not hundreds, but pushing up to tens and tens and tens  
18 of people, many of whom we had not been able to  
19 identify.

20 Q. Just two other pieces of information I want to ask you  
21 about. First of all, a Nissan Primera motor car. Can  
22 you say anything about that, please, a black one?

23 A. Yes. This vehicle was discovered in the vicinity, the  
24 near vicinity of Scotia Road. This was a vehicle, along  
25 with a number of other vehicles, that had also emerged

1 as a result of the inquiry I have just referred to. And  
2 it was linked -- I believe it was linked at that time to  
3 Abdi Omar.

4 Q. Had you given any instructions or did you give any  
5 instructions about a search for relevant vehicles that  
6 might be in the area of Scotia Road?

7 A. Yes, having I think been made aware of the intelligence  
8 that we had about this other inquiry, I asked for  
9 a search, a quick search, a sweep of the vicinity of the  
10 location, just to see whether we could firm up what we  
11 already had, with sightings of any of the vehicles that  
12 were concerned. And that was what, I think, turned up  
13 the vehicle you have just alluded to.

14 Q. Do you know when that was done?

15 A. I am not sure of the precise time, but I think it was  
16 pretty soon after that, after obviously sort of, I guess  
17 it would be between 4.15, 4.30 -- no, it would have been  
18 later than that, probably after 5 am, I guess.

19 Q. So a car I wanted to ask you about; another piece of  
20 information, an address, 61 Portnall Road?

21 A. Yes, I was told also of a possible further address for  
22 Abdi Omar at 61A Portnall Road, which had been uncovered  
23 from the Department for Work and Pensions records.  
24 I think this was Jobseeker Allowance correspondence that  
25 was recovered.

1 SIR MICHAEL WRIGHT: That's in a different part of London,  
2 isn't it?

3 A. Yes, sir, sorry, that's in West 9.

4 SIR MICHAEL WRIGHT: Thank you.

5 MR HILLIARD: And --

6 A. Sorry, I should also say that the Nissan Primera vehicle  
7 I believe we had intelligence at the time that it was  
8 registered to that address in West 9.

9 SIR MICHAEL WRIGHT: Yes, and to Omar?

10 A. Yes, sir.

11 MR HILLIARD: Now, at 4.55 in the morning, did you make  
12 a particular decision and record it?

13 A. Yes, I did. I made a decision and recorded it at the  
14 same time that an operation should be mounted around the  
15 address that we discovered in Scotia Road, and it was  
16 that, at that time, that I set a Gold firearms strategy,  
17 and I made that decision after discussing it with others  
18 who were present at the time, and the tactical options  
19 that were open to us. These included Detective Chief  
20 Inspector Pat Mellody, who I have mentioned previously,  
21 and I also recall Detective Superintendent  
22 John Macbrayne from the Anti-Terrorist Branch and the  
23 essence of that strategy was to try to control the  
24 premises at Scotia Road through covert surveillance,  
25 follow any persons leaving them until it was felt safe

1 to challenge them, and then stop them. I should clarify  
2 that when I say --

3 Q. I am going to stop you there. So to control the  
4 premises through covert surveillance, follow any person  
5 leaving the premises until it was felt safe to challenge  
6 them, and then to stop them. That's the Gold strategy,  
7 firearms strategy that you set; is that right?

8 A. That's correct.

9 Q. At 5 to 5 in the morning?

10 A. That's correct.

11 Q. I am only stopping you, Mr McDowall, because tomorrow  
12 you will be able to find I'm sure the passage in your  
13 red book, we will hand out copies of the note and it  
14 will be much easier if we examine that strategy when we  
15 all have the document in front of us, if that's all  
16 right?

17 A. Yes, sir.

18 MR HILLIARD: Would that be a convenient moment, sir?

19 SIR MICHAEL WRIGHT: Certainly. Just one question,  
20 Mr McDowall, if I may, if only to satisfy both mine and  
21 the jury's curiosity, although it doesn't actually  
22 advance the investigation that much further.

23 A. Yes.

24 SIR MICHAEL WRIGHT: Was Osman in fact in 21 Scotia Road  
25 that night?

1 A. From recollection, I don't believe so, but I would have  
2 to check that for you, sir.

3 SIR MICHAEL WRIGHT: That's all right, I think the answer  
4 may well be that he was not. But he was subsequently  
5 tracked down, was he not?

6 A. He was sir, he was tracked down and eventually arrested  
7 in Rome on 29 July having been assisted and facilitated  
8 out of the country by a variety of individuals. As you  
9 know, there were eventually 16 people convicted for  
10 a variety of offences. I think now you prompt my  
11 memory, sir, that he had gone elsewhere to one of those  
12 other addresses where someone assisted him.

13 SIR MICHAEL WRIGHT: Just to cut a long story short, because  
14 he fled abroad, he was eventually brought back and put  
15 on trial for, presumably, conspiracy to cause  
16 explosions?

17 A. Yes, sir.

18 SIR MICHAEL WRIGHT: And convicted?

19 A. Yes, sir.

20 SIR MICHAEL WRIGHT: And sentenced?

21 A. Yes, indeed, to a minimum 40 years, I believe.

22 SIR MICHAEL WRIGHT: That at least completes the other half  
23 of the story, as it were. Thank you very much,  
24 Mr McDowall.

25 10 o'clock tomorrow, please.

1 (4.30 pm)  
2 (The court adjourned until 10.00 am on  
3 Thursday, 25 September 2008)  
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