

**INQUESTS ARISING FROM THE DEATHS  
IN THE WESTMINSTER TERROR ATTACK OF 22 MARCH 2017**

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**SUBMISSIONS OF COUNSEL TO THE INQUESTS  
FOR PRE-INQUEST HEARING ON 2 JULY 2018**

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**Introduction**

1. These inquests concern the deaths resulting from the terror attack on Westminster Bridge and the Palace of Westminster which took place on 22 March 2017. The events of the attack are summarised in submissions prepared for the last Pre-Inquest Hearing, on 15 January 2018. On that occasion, directions were given on a range of procedural issues, including the structure of the inquest hearings and their scope.<sup>1</sup> As a result of those directions, there are to be two separate inquests hearings: (a) beginning on 10 September 2018, a hearing of the inquests of the victims of the attack, before the Coroner sitting without a jury; and (b) immediately thereafter, a hearing of the inquest concerning the death of the attacker, before the Coroner sitting with a jury.
2. The purpose of this final Pre-Inquest Hearing is to update interested persons (“IPs”) on preparations for the Inquests and to provide an opportunity for any procedural issues to be resolved before the hearings begin. These submissions address the topics on an agenda which is being circulated to IPs.<sup>2</sup>

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<sup>1</sup> The directions may be found on the Inquests website, at:

- <https://westminsterbridgeinquests.independent.gov.uk/wp-content/uploads/2018/03/Directions-from-PIH-15-January-2018-revised.pdf>

Our submissions for the January 2018 hearing may also be found on the website, at:

- <https://westminsterbridgeinquests.independent.gov.uk/wp-content/uploads/2018/03/CTI-Submissions-for-PIH-15.1.18.pdf>

<sup>2</sup> Details of those designated as IPs are given in directions on the Inquests website. Since the last hearing, the Coroner has received and ruled on two further applications for IP status. Pursuant to section 47(2)(m) of the Coroners and Justice Act 2009, he has designated (a) Transport for London as an IP in the inquests concerning the victims of the attack; and (b) the Corporate Officers of the House of Commons and House of Lords as IPs in the inquest concerning the death of PC Palmer.

**(1) Update on Investigations and Disclosure**

3. The investigation of SO15 Counter-Terrorism Command into the terror attack (Operation Classic) is summarised from paragraph 8 of our submissions for the January 2018 hearing. Since then, SO15 has continued to provide further witness statements to the Inquests team and has supplied a large number of investigation documents. In addition, solicitors to the Inquests have obtained material from other public authorities, including the London Ambulance Service (“LAS”), the London Fire Commissioner (formerly the London Fire and Emergency Planning Authority) (“LFC”) and Transport for London (“TfL”).

*Disclosure Generally*

4. As foreshadowed at the last hearing, the Inquests team has arranged for disclosure of this and other relevant material to IPs by means of Opus Magnum, a document management platform which was selected for its good functionality. The disclosure process can be summarised as follows:
- (a) The process is labour-intensive. Statements and other documents have had to be reviewed for potential relevance and to ensure redaction of irrelevant personal or sensitive information. Although a low threshold is set for potential relevance, judgments need to be made about (for example) inclusion of personal details of the attacker’s family members and acquaintances.
  - (b) By early June 2018, the Inquests team had reviewed and uploaded to Opus the great majority of the witness statements, the exceptions being (i) some which required more extensive redaction / ciphering for names of those making anonymity applications and (ii) some for which various questions were holding back disclosure.<sup>3</sup>
  - (c) Also by early June 2018, a set of packages of CCTV images had been uploaded to Opus, and IPs had been given the opportunity to arrange viewings of the original CCTV footage from which the still images had been taken. Disclosed with these packages was a CCTV stills schedule, allowing them to be easily referenced.

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<sup>3</sup> These involved issues such as statements not bearing the witnesses’ names or statements missing exhibits. The Inquests team has generally taken the approach that the copies of statements uploaded onto Opus should include any documentary exhibits, since often the exhibits are important to understanding the statements.

- (d) Also by early June, pathology evidence in relation to each of the deceased persons had been uploaded and made accessible to IPs in the inquest for that person.
- (e) Disclosure has been received from the LAS and LFC, comprising (i) internal documents associated with the emergency response and (ii) accounts given by staff in pro-formas and internal statements. These documents have been uploaded as they have been received. A further batch of documents from the LAS was received on 15 June, and will be reviewed and disclosed as soon as possible. This batch contains (i) further internal documents and (ii) further witness statements and de-brief reports.
- (f) Over recent weeks, further statements have been uploaded, including some statements of family members of the attacker and others about his personal and family background.
- (g) Detailed police reports on each of the victims of the attack (other than that concerning Aysha Frade) have been uploaded. Each report summarises the evidence of the key witnesses and the main video and physical evidence. The report on Aysha Frade is being reviewed after amendments were suggested by her family, but should be uploaded shortly. We also expect that a similar report on evidence about the attacker will be uploaded very soon.
- (h) A lengthy investigation summary report by DCI Brown has recently been disclosed, giving a comprehensive account of Khalid Masood's life (including his periods in prison) and his preparations for the attack (as now known).
- (i) A number of expert reports have been disclosed, some before June and some over recent weeks. These include: (i) collision investigation report; (ii) vehicle examination report; (iii) vehicle speed report; (iv) psychological post-mortem report on the attacker; (v) toxicology report on the attacker; and (vi) report on PC Palmer's body armour.
- (j) The process of disclosing documents from the police investigation is currently taking place. There are around 5,000 documents, but very many are purely procedural and have no evidential value to the inquests. The categories of

documents have been prioritised for review in accordance with their apparent value.

- (k) The police disclosed 173 recordings of emergency and non-emergency calls received by the MPS control room in relation to the attack. These were reviewed by the Inquests team, and 53 are considered relevant for disclosure. The MPS has recently provided transcripts of those 53 recordings, and the transcripts will be uploaded to Opus very soon.
  
- (l) The police have also obtained a modest number of images and video clips recorded by members of the public, referred to by the MPS as CSIPS material (Crowd Sourced Imagery Processing Software). The majority of this material will be disclosed via Opus in the near future. Some of this material requires pixilation because of witness anonymity issues (notably because some shows the two officers who have been granted anonymity). That work is being carried out by the MPS. Other material is particularly graphic and distressing, and although we consider that it should be disclosed we wish to do so in a way which ensures it is not viewed unintentionally or without knowledge of what it shows. We intend to disclose the particularly graphic material in a dedicated folder on Opus, to which access will be granted to IPs on request.

When important material is uploaded onto Opus, solicitors to the Inquests provide updates to IPs by email, summarising what has been disclosed in the latest batch.

#### *Video Compilations*

- 5. With guidance from the Inquests team, the MPS has produced a master compilation of the most relevant video footage, which runs to 22 minutes. This contains a selection of footage showing (a) the attacker on various occasions before the attack (illustrating his preparations, such as purchasing knives) and (b) the events of the attack, as captured on the best available footage. The MPS has also prepared individual compilations of footage relevant to each of the victims of the attack (showing what happened to that person). These vary between 2 and 8 minutes in length, depending on the amount of useful footage for the individual.

6. The master compilation and the individual compilations of footage will be disclosed to IPs via Opus very soon. The factor delaying disclosure has been the need for the compilations to be shown by family liaison officers to the families of those who died. This has involved arranging personal visits to show the material to the families.

#### *Security Service Material*

7. Both leading and junior counsel to the Inquests (who are Developed Vetted) have spent time reviewing the material held by the Security Service in relation to the attacker; both material generated before the attack (including when he was a subject of interest) and material gathered in the post-attack investigations.
8. Following that review, discussions are being held with counsel and solicitors for the Security Service with a view to ensuring that all relevant material can be deployed. This is to be done primarily through the live evidence of an MI5 officer, whose statement is to be provided to the Inquests team shortly. The statement will attest to the accuracy of the material in the December 2017 report of David Anderson QC on MI5 and policing reviews (paras. 2.11 to 2.29), and it may contain further information arising from the review work summarised above. We hope that it will not be necessary for a public interest immunity application to be considered in this case.

#### *Palace of Westminster Security*

9. The Inquests team has considered a number of sensitive reports reviewing security arrangements at the Palace (reports produced in the years prior to the attack and since it took place). We have held discussions with a senior police officer with responsibility for Palace Security. Arrangements have been made to call witnesses at the Inquests from both police and Parliamentary personnel responsible for physical and other security arrangements at the Palace. To assist in the production of evidence, the Inquests team have provided the police with a detailed list of topics to be addressed in statements. It is hoped that the police statement will be provided shortly before the Pre-Inquest Hearing, and the statement of the Parliamentary authorities in early July.

#### *Westminster Bridge Physical Security*

10. Enquiries have been made with all those having any responsibility for physical security on Westminster Bridge and surrounding roads, including: Westminster City Council; Lambeth Borough Council; TfL; and the MPS. In each case, questions have been asked

about (a) their responsibilities for physical security measures; (b) the measures in place as at 22 March 2017; (c) whether further measures were considered before 22 March 2017; and (d) what has been done since the attack. The correspondence and statements provided in response are being disclosed via the Opus system.

#### *Further Police Reports*

11. As can be seen from the draft Witness Lists, it is intended that a number of police officers should be called to give evidence on matters of background. Reports containing their evidence are being obtained and disclosed, including (beyond those identified above): (a) a report from Det Supt Crossley on the events of the attack and the SO15 investigation in outline; (b) a report from Det Supt Holdcroft on the investigations into the attack and what information they yielded (notably to explain the conclusion that the attacker acted alone); (c) a report from DC Mcloughlin on the results of digital media investigations; and (d) a report from Supt Morris on police training relevant to the events of the attack.

#### **(2) Selection of Witnesses and Organisation / Timetabling of Inquest Hearings**

12. The Inquests team prepared draft Witness Lists giving their provisional views on witnesses to be called and order of evidence in each of the two hearings. Those lists were circulated to IPs on 18 May 2018. A deadline was later set for any representations on the witnesses to be called to be made in writing by 15 June 2018. LAS and Barts Health NHS Trust have made short submissions that a couple of witnesses should be replaced by more suitable individuals, and those submissions have been accepted. Revised versions of the Lists are attached to these Submissions.

#### *First Hearing*

13. As can be seen from the draft Lists, it is proposed that the first hearing (concerning the victims of the attack) be organised in the following way:
  - (a) The hearing will begin with the Coroner's short opening, followed by the reading of "pen portrait" statements (see below). Next, the SO15 Senior Investigating Officer (Det Supt Crossley) will be called to give overview evidence of the attack. During his evidence, the master video compilation will be played and a computer model of the scene (prepared by the Computer Aided Modelling Bureau ("CAMB")) will be shown.

- (b) Evidence will then be heard about the events of the attack, with a group of witnesses called to give evidence concerning the circumstances in which each of the victims was fatally injured. This evidence will also provide a chronological narrative of the attack. Before the evidence relating to each particular victim is heard, DC Osland will be called in order to help present the individual video compilation for that person. The evidence towards the end of this part of the hearing will address the attack on PC Palmer and the subsequent fatal shooting of the attacker.
- (c) The police collision reconstruction experts will be called, to give evidence of the speed and movements of the attacker's vehicle.
- (d) The three forensic pathologists will be called, to give evidence as to the cause of death of each of the victims of the attack.
- (e) Witnesses will then give evidence addressing Khalid Masood's personal background and his planning / preparation for the attack. It is currently planned that this will include three police officers involved in the Operation Classific investigation; an MI5 officer; Khalid Masood's partner; his mother; and a police officer who can give evidence as to his criminal activities prior to 2003.
- (f) Witnesses will be called to give evidence concerning security arrangements on Westminster Bridge, in the environs of the Palace of Westminster and in the grounds of the Palace.
- (g) Additional expert witnesses will be called to address issues concerning (i) PC Palmer's body armour; (ii) police training; (iii) findings of anabolic steroids in the attacker's body samples; and (iv) the "psychological autopsy" carried out on the attacker.
- (h) Det Supt Crossley will be recalled at the end of the hearing if any points raised by the evidence need to be clarified or if further evidence from the investigation team is needed to complete the inquiry into the deaths.

Based on the existing list of witnesses, it is expected that the hearing will last up to three weeks.

### *Second Hearing*

14. It is proposed that the second hearing, concerning the death of the attacker, be structured as follows:

- (a) The hearing will begin with the Coroner's opening to the jury, followed by introductory evidence from a member of the SO15 investigation team. That evidence will provide an overview of the events of the attack and a summary of evidence given at the hearing concerning the victims. The master video compilation will be played again at this stage.
- (b) A series of witnesses will then be called to describe Khalid Masood's entry into New Palace Yard, his attack upon PC Palmer and the confrontation with the armed officers. In this section of the hearing, the two armed officers themselves will be called.
- (c) Evidence will be heard from witnesses involved in the medical treatment given to the attacker after he had been shot.
- (d) Dr Poole, the pathologist who conducted the post-mortem examination on Khalid Masood, will give evidence of the examination and cause of death.
- (e) An SO15 officer will give evidence concerning the life and background of Khalid Masood; what the authorities knew of him before the attack; his planning and preparation; and what was discovered by the police investigation. This will, in essence, be a summary of the more detailed accounts on these matters given in the first hearing.
- (f) Again, an officer from the Operation Classific team will be called at the end of the hearing to address any matters which have arisen during the evidence.

Based on the current list, it is expected that the second hearing will last a little over one week.

### *Changes to Lists*

15. It may be that some changes will need to be made to the Witness Lists because of the unavailability of particular witnesses for the hearings. Because of the numbers of people who saw many of the critical events, it should in many cases be possible to substitute a witness with another who can provide substantially the same account.

#### **(3) Expert Evidence**

16. Details of the main expert reports obtained and of the experts to be called at the hearings are set out in the draft Witness Lists and above. No IP has made any representation that additional expert evidence is required.

17. The first report of the body armour expert, Mr Fenne, was provided early to the representatives of the Palmer family because his evidence is of particular concern to them. Solicitors for PC Palmer's widow then posed questions by letter. Mr Fenne has recently provided a further report which answers those questions and addresses other subjects he was asked by the Inquests team to research. A copy of that further report has recently been uploaded to Opus, as has the letter posing the questions.

#### **(4) Pen Portraits of the Victims of the Attack**

18. In major inquest hearings and inquiries into disasters, the practice has developed of inviting the family of each person who died to prepare a "pen portrait" statement which they, their lawyer or counsel to the inquiry will read early in the hearing. Such a statement will provide a short account of the life and character of the person, and its presentation at the hearing will help ensure that the person is not just regarded as a name or an anonymous victim. At the hearing in January 2018, we said that that practice would be followed for the victims of this attack. The families have since been invited to submit statements, and we would repeat that request now. It would be appreciated if those statements could be provided soon.

#### **(5) Audio-Visual Materials**

19. The master video compilation of the events of the attack and the individual video compilations for the victims will be played at the times set out in the Witness Lists. In addition, they can be used in the examination of witnesses (by advocates giving tape counter references to the operator).

20. The CAMB model of the scene is based on high-resolution laser scan surveys of the relevant areas: Westminster Bridge (the road and sides); New Palace Yard; Palace of Westminster grounds; and Westminster Pier. It was used by the SO15 team in various aspects of their investigations (including collision reconstruction, determination of fall distances, etc.). It also provides a full three-dimensional model of the areas of the attacks which can be used during the hearings to illustrate events and to locate individuals.

## **(6) Remaining Anonymity Applications**

### *Background and Procedure*

21. At the last hearing, the Court heard applications for anonymity and special measures by the two officers involved in the final confrontation with the attacker. No IP resisted the applications. Following that hearing, media organisations were given the opportunity to make representations, and none did. By a ruling dated 12 March 2018, the Coroner granted the applications and made a series of orders.<sup>4</sup>
22. Since that hearing, the following further applications for anonymity and special measures have been received (some in the form of statements by unrepresented persons, which are plainly to be treated as applications):
- (a) an application dated 22 February 2018 by the widowed partner of Khalid Masood (“RH”) in respect of herself and her children (“M” and “MM”);
  - (b) an application dated 7 May 2018 by the eldest daughter of Khalid Masood (“DDD”) in respect of herself and her husband (“DF”);
  - (c) an application dated 3 May 2018 by the former partner of Khalid Masood (who was with him from 1990/91 to 2000/1) (“DE”), in respect of herself and her two youngest children (“DD” and “D”);
  - (d) an application dated 4 May 2018 by the mother of Khalid Masood (“MP”);

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<sup>4</sup> The ruling can be found on the Inquests website at the following link:

- <https://westminsterbridgeinquests.independent.gov.uk/wp-content/uploads/2018/03/Chief-Coroners-Ruling-on-Anonymity-re-SA74-and-SB73-12.03.18.pdf>

The orders made are detailed at para. 27 of the ruling, and the attention of reporters is drawn to those orders.

- (e) an application dated 25 May 2018 by a former partner of Khalid Masood (who was in a relationship with him in 2002) (“JE”) in respect of herself, her child and her partner; and
  - (f) an application dated 14 June 2018 by the former wife of Khalid Masood (who was married to him for a short time from 2004 to 2005) (“FF”) in respect of herself and her husband.
23. Those applications have been circulated among IPs for comment. The MPS made representations on 1 June 2018 regarding some of the applications it had by then received (those of DE, DDD and MP). Those representations pointed out that the applicants had all been identified in press reports and that the images of DE and DDD had appeared. They questioned the justification for making orders to anonymise these individuals or protect their images from publication, since such orders may not be practically effective. They proposed options for protecting associated children and young persons. The MPS has also more recently provided representations by letter on the application of JE, raising no objection to it.
24. It is intended that the applications be considered at this hearing and that media organisations then be given a period to make any written representations to the Coroner. We propose that the period be 14 days from the hearing (i.e. by 16 July), and that the applicants be given a further seven days to answer any such representations (i.e. by 23 July). After that point, the Coroner’s ruling will be delivered in writing.
25. Pending the resolution of these applications, the names of the subjects of the applications have been redacted from disclosed documents and ciphers have been used to identify the individuals. Sheets explaining the ciphers have been supplied to all IPs.

*Legal principles*

26. The legal principles governing these applications are the same as those which governed the previous application. As explained in the Coroner’s first anonymity ruling, the key principles are as follows:

- (a) As part of the general case-management powers of a coroner, he/she may make an order anonymising witnesses or other persons within an inquest (i.e. prohibiting reference to persons by their true names). There is no inconsistency between that power and requirements for inquests to be held in public. See: *R v HM Coroner for Newcastle upon Tyne, Ex Parte A* (1998) 162 JP 387. Courts give effect to and balance relevant ECHR rights (notably rights under Articles 2, 3, 8 and 10) by exercising this power.
- (b) In deciding whether to make such orders, a coroner usually applies a common law test, making an “excursion” if appropriate into the territory of Article 2 of the ECHR. See *Re Officer L* [2007] 1 WLR 2135 at [29]. This involves a two-stage process:
- (i) If the refusal of the orders would create or materially increase a risk to the life of the person, such that the risk would be “real and immediate”, then the state in the person of the coroner would owe a positive duty under Article 2 to protect the witness by reasonable means. In those circumstances, as it was put in the *Officer L* case, the coroner “would ordinarily have little difficulty in determining that it would be reasonable in all the circumstances to give the witness a degree of anonymity”. The threshold of “real and immediate risk” derives from the decision of the ECtHR in *Osman v UK* (1998) 29 EHRR 245. A risk is “real” if it is substantial and significant, rather than remote. It is “immediate” if it is present and continuing. See *Rabone v Pennine Care NHS Trust* [2012] 2 AC 72 at [37]-[40].
- (ii) If the refusal of the orders would not result in the person being exposed to a real and immediate risk of death, then the coroner should “decide the matter as one governed by common law principles”, balancing the factors for and against the orders sought.
- (c) When applying the common law test referred to above, it is relevant for the court to consider the subjective fears of the person concerned, whatever their degree of objective justification: see *Re Officer L*, at [22]. Risks of harm falling short of real and immediate risk of death (or of serious harm such as might engage Article 3 rights) may be relevant to the balancing exercise: see *Sunday Newspaper Ltd’s Application (Judgment No. 2)* (2012) NIQB at [17].

- (d) When seeking to strike the right balance under the common law test, the coroner may consider all the consequences of granting and of refusing the orders sought. For example, in an application for anonymity by a police officer who does specialist work, a relevant factor may be that identification of the officer would prevent him/her continuing in his/her current role and would deprive the force of a valuable resource. See *R v Bedfordshire Coroner, Ex Parte Local Sunday Newspapers* (2000) 164 JP 283.
- (e) When applying the common law test, a coroner is also required to take proper account of the fundamental principle of open justice, which applies to coroners' courts: see *R (A) v Inner South London Coroner* [2005] UKHRR 44 at [20]. The open justice principle holds that the administration of justice should generally take place in the open, as a safeguard and to maintain public confidence. See *Scott v Scott* [1913] AC 417 at 437-39 and 476-78; *A-G v Leveller Magazine Ltd* [1979] AC 440 at 449-50. In more recent times, courts applying this principle have recognised that giving names and personalities to witnesses is an important aspect of openness in the justice system: see *In re Guardian News and Media Ltd* [2010] 2 AC 697 at [63].
- (f) Where a witness seeks to justify anonymity by reference to his/her rights under Article 8 of the Convention, the Court usually has to perform a balancing exercise which weighs those rights against the rights of media organisations under Article 10. See *In re S (A Child)* [2005] 1 AC 593 at [16]-[17]; *In re Guardian News and Media* (cited above); *SSHD v AP (No. 2)* [2010] 1 WLR 1652 at [7]. This balancing exercise is "highly fact-specific" and "must take into account the evaluation of the purpose of the principle of open justice as applied to the facts of the case and the potential value of the information in question in advancing that purpose, as against the harm the disclosure might cause the maintenance of an effective judicial process or to the legitimate interests of others": see *R (T) v West Yorkshire (Western Area) Coroner* [2018] 2 WLR 211 at [63].
- (g) It should be noted that some of the considerations which apply to applications for special measures in criminal cases do not apply to inquests (e.g. the point that the defendant has a right to confront his accuser, including by investigating the

accuser's background). See *R v Davis* [2008] 1 AC 1128 at [21]. However, in general terms the open justice principle applies with full force to inquests: *Re LM (Reporting Restrictions: Coroner's Inquest)* [2007] CP Rep 48 at [26]-[40].

### *Submissions*

27. Based on the written applications, and subject to further representations made by IPs before and at the hearing, we would make the following submissions:

- (a) On the evidence they have provided, none of the applicants has established that she would face a real and immediate risk of death (or serious harm) if the requested orders were not granted. None gives any evidence of direct violence or threats made to her, and there is no suggestion from the police that they are aware of any. Some of Khalid Masood's closest family members have been named and pictured in national newspaper reports (still available online), yet there is no positive evidence of any reprisals being planned or attempted.
- (b) Each of the applicants gives evidence that she has been the subject of highly intrusive press attention. Each also says that, if she is named in reports of the Inquests or her face appears in such reports, that unwelcome attention is likely to be repeated. Each expresses concern or fears about possible reprisal attacks. These accounts are plainly sincere, and they show that the Article 8 rights of the applicants are engaged.
- (c) If all these applicants are granted anonymity and orders are made prohibiting identifying details (including images) being published in connection with the Inquests, that would have a material effect on reporting. In those circumstances, the Article 10 rights of media organisations covering the Inquests are engaged.
- (d) As regards applications for anonymity by and for adults, an important consideration in this case is whether the individuals have already been named and discussed in press reports (especially prominent reports that remain available online in response to internet searches). Making an order which required such a person to be referred to by a pseudonym in the Inquests would provide only limited protection for the person's identity. It would not provide any practical

deterrent to any revenge attack. Compare the approach of the Court of Appeal in the case of *R (T) v West Yorkshire (Western Area) Coroner* (cited above).

- (e) In the circumstances, we are not persuaded that anonymity should be granted to any of the adult applicants with the exception of JE.
  - (i) First, each of those applicants has been named and her connection with Khalid Masood has been discussed in detail in major media reports which remain accessible online. Those reports respond to a simple search referencing Khalid Masood and the family relationship.
  - (ii) Secondly, if these applications were allowed, they would result in the account of Khalid Masood's life being almost entirely anonymised, even though his life story has been told with full names and pictures in the press.
  - (iii) Overall, while we acknowledge that refusal of anonymity could generate additional and unwelcome interest in these individuals (especially press interest) for a short time, we do not consider that this risk justifies the making of anonymity orders.
  
- (f) By contrast, JE's application for anonymity strikes us as well-founded. She has not to our knowledge been named in press reports (certainly not in widely available reports). Her relevance to the story of Khalid Masood's life is very limited, and anonymising her would have very little impact on the clarity of the evidence or reporting of the Inquests. She has a clear interest in preventing public discussion of her brief relationship with Masood.
  
- (g) The fact that some of the applicants have children, and the names and ages of those children, are generally irrelevant to the scope of inquiry, except that it will be necessary to have some evidence about Khalid Masood's two eldest children and that it may be appropriate to hear one piece of evidence about his younger children. Accordingly, we would propose that the Coroner makes an order that no advocate should make reference to any children of RH, DDD, JE or FF, or to the two younger children of DE, save with prior notice and application to the Court. If any such application is made, orders can be made at the time to give appropriate protection to the child(ren) in question.

(h) The question of special measures for witnesses is separate from that of anonymising the applicants, and raises different considerations. We submit that any of these applicants who are called to give evidence should do so in such a way that their faces are not seen by public or reporters; and that arrangements should be made to help them arrive at and leave Court without being identified or photographed. The statement of each applicant demonstrates that she is anxious about the prospect of giving evidence. It is likely that the measures summarised above would help any of these individuals to give their best evidence. Consideration can also be given to hearing evidence by video link if necessary.

28. It is anticipated that a further application for anonymity and special measures will be made in respect of the MI5 officer who is expected to give evidence, and that another application for anonymity and/or special measures will be made by a police officer who will give evidence about Masood's criminal background. We hope that those applications too can be addressed at the hearing.

**(7) Hearing Logistics**

29. We can provide the following information about the practicalities of the hearings:

(a) The first hearing will take place in Court 1 of the Old Bailey. The second hearing will also take place at the Old Bailey, and probably in Court 1. Proceedings will be live-streamed to another Court in the Old Bailey, where members of the press will be able to watch proceedings if they would prefer or if the public gallery for Court 1 is full.

(b) During any evidence by witnesses whose faces are not to be seen by public or reporters, the public gallery of Court 1 will be closed or screened. The proceedings will be relayed by audio for the press (and for the public as well if the gallery is closed).

(c) Video screens will be visible to all in Court for the purpose of displaying documents, images and videos. Any IP wishing to make reference to a document should give its individual Opus reference number, and the operator will bring up the document.

- (d) The proceedings will be transcribed, and transcripts will be posted on the Inquests website either once or twice a day. During the jury hearing, only the parts relating to proceedings before the jury will be posted. If any IP wishes to raise a concern about a piece of evidence, and to suggest that a reference be redacted before the transcript is posted online, they should raise that concern with solicitors or counsel to the Inquests immediately the issue arises.

**(8) Jury Summoning for Second Hearing**

30. Arrangements will be made to summon jurors for the second hearing through the Inner West London Coroner's Office. If there is any lack of jurors at the start of the hearing, it is legitimate to draw on jurors summoned for criminal cases at the Old Bailey: see rule 30 of the Coroners (Inquests) Rules 2013. If any IP has any particular submissions to make about jury summoning arrangements, they are requested to make those submissions at this stage.

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26 June 2018

**INQUESTS ARISING FROM THE DEATHS  
IN THE WESTMINSTER TERROR ATTACK OF 22 MARCH 2017**

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**SECOND DRAFT WITNESS LIST  
INQUESTS CONCERNING THE VICTIMS OF THE ATTACK**

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	<b>Name</b>	<b>Summary of Evidence</b>
	<b>Introductory evidence</b>	
	Pen portraits	For each of those who died, a statement briefly summarising their life and character will be read by a family member or lawyer.
	SO15 officer	Evidence summarising the events of the attack, using the general video compilation and the CAMB scene model.
	<b>Witnesses concerning Kurt Cochran</b>	
	MPS officer	Commentary on the individual video compilation for Kurt Cochran.
	Melissa Cochran	Kurt Cochran's wife: evidence of their visit to London and being with Kurt on the bridge at the time of the attack.
		Pedestrian at south end of Westminster bridge: sees the vehicle mount the kerb and sees Kurt struck (including his effort to protect Melissa).
		Pedestrian on the south side of Thames embankment: sees Kurt struck by the vehicle and goes to his assistance.
		Nurse at St Thomas's Hospital who goes to the scene and assists in the care and treatment

		of Kurt.
		LAS paramedic who attends the scene and attempts resuscitation on Kurt.
		Physician at St Thomas's Hospital who attempts resuscitation on Kurt and pronounces him dead at the scene.
<b>Witnesses concerning Leslie Rhodes</b>		
	MPS officer	Commentary on the individual video compilation for Leslie Rhodes.
		Hospital registrar walking on the bridge who sees Leslie struck by the vehicle, goes to his assistance and has him taken to hospital.
		LAS Paramedic who attends to and assesses Leslie.
		Doctor involved in Leslie's care at King's College Hospital.
<b>Witnesses concerning Aysha Frade</b>		
	MPS officer	Commentary on the individual video compilation for Aysha Frade.
		Pedestrian on the bridge: sees the vehicle mount the kerb and strike Aysha; sees her go under the bus.
		Passenger on the no. 53 bus which struck Aysha; gives evidence of seeing her struck, getting out of the bus and attempting to help her.
		LAS paramedic who attends the scene, assesses Aysha's condition and pronounces her dead at the scene.
		MPS officer who sees Aysha being attended to and identifies her from cards in her purse.
		Fire officer who describes the lifting of the bus to free Aysha's body.
<b>Witnesses concerning Andreea Cristea</b>		

	MPS officer	Commentary on the individual video compilation for Andreea Cristea.
		Partner of Andreea: gives evidence of being on the bridge with her, the vehicle coming towards them and his efforts to locate Andreea.
		Driver going south on the bridge: sees Andreea thrown into the air and fall into the water.
		City Cruises boat captain: describes locating Andreea in the Thames and efforts to remove her from the water.
		London Fire Brigade Watch Manager: gives evidence of helping to bring Andreea aboard Fireflash and of assisting with her care.
		London Fire Brigade firefighter: gives evidence of retrieval of Andreea from the water.
		Ambulance technician for Specialist Ambulance Service: gives evidence of Andreea being assessed and taken by ambulance to the Royal London Hospital
		Trauma team leader at the Royal London Hospital: gives evidence of overseeing her care there.
		Consultant in critical care at St Bartholomew's Hospital who gives evidence of specialist care provided at that hospital.
<b>Witnesses concerning PC Keith Palmer</b>		
	MPS officer	Commentary on the individual video compilation for PC Keith Palmer.
		Parliamentary assistant working in Portcullis House: sees events from a high viewpoint; gives evidence of Khalid Masood leaving the

		vehicle and attacking PC Palmer.
		Upper deck passenger in bus at the junction of Westminster Bridge Road and Parliament Square; gives evidence of seeing the attack by Khalid Masood on PC Palmer.
		Visitor to Parliament: gives evidence of being in New Palace Yard and witnessing the attack on PC Palmer.
		MPS officer stationed with PC Palmer: gives evidence of the attack on him and the shooting of Khalid Masood.
		MPS officer stationed on the south Carriage Gate: gives evidence of seeing the attack and summoning armed support.
		Armed MPS officer patrolling New Palace Yard: gives evidence of hearing vehicle collision and going to investigate; then going to the area where PC Palmer had been attacked and Khalid Masood shot.
		Armed MPS officer patrolling New Palace Yard: gives evidence of hearing vehicle collision and going to investigate; then going to the area where PC Palmer had been attacked and Khalid Masood shot.
		Visitor to Parliament: gives evidence of going to PC Palmer's assistance and an account of the medical care given to him at the scene.
		Member of Parliament: gives evidence of assisting in resuscitation and care efforts on PC Palmer.
		Lead HEMS consultant in emergency medicine: gives evidence of leading the medical team rendering care to PC Palmer,

		and of pronouncing him dead at the scene.
	<b>Collision reconstruction experts</b>	
		Collision investigation officer: wrote general collision reconstruction report. [Note: related evidence on vehicle examination to be read / adduced.]
		Collision investigation officer: wrote CCTV speed analysis report.
	<b>Pathologists</b>	
		Pathologist: gives evidence of post-mortem examinations and cause of death regarding Kurt Cochran.
		Pathologist: gives evidence of post-mortem examinations and cause of death regarding Leslie Rhodes, Aysha Frade and Andreea Cristea.
		Pathologist: gives evidence of post-mortem examinations and cause of death regarding PC Keith Palmer.
	<b>Witnesses concerning Khalid Masood's background and his preparation / planning for the attack</b>	
	SO15 officer	Evidence of Khalid Masood's life story and background (including his criminal record).
	SO15 officer	Evidence of Khalid Masood's planning and preparation for the attacks.
	SO15 officer	Evidence of the investigations after the attack and what was discovered about Khalid Masood.
		Evidence of what was known to the authorities about Khalid Masood prior to the attack (to include the information in the report of David Anderson QC).
	[Khalid Masood's partner] – possible	Khalid Masood's partner at the time of his

	anonymity	death: to give evidence concerning her knowledge of him and his movements / intentions in the period before his death.
	[Khalid Masood's mother] – possible anonymity	Khalid Masood's mother: to give evidence concerning her knowledge of him and his movements / intentions in the period before his death.
		Evidence of Khalid Masood's criminal activities in the period up to 2003.
<b>Witnesses on security arrangements</b>		
	Eric Hepburn	Director of Parliamentary Security: to give evidence concerning Parliamentary security arrangements.
	Commander Adrian Usher	MPS Protection Command: to give evidence concerning physical security and MPS officers at the Palace of Westminster.
		Head of Transport Policing for Transport for London: to give evidence concerning physical security on Westminster Bridge.
		Witness to give evidence concerning physical security on Westminster Bridge and surrounding area.
<b>Additional expert witnesses</b>		
		MPS body armour expert.
	Supt Morris	Senior MPS officer to give evidence on relevant features of police training, including training of officers in responding to a marauding terrorist attack.
		Pharmaceutical toxicologist: evidence concerning findings of anabolic steroids in Khalid Masood's urine sample, and the effect of steroids on him.
		Clinical psychologist: evidence concerning "psychological autopsy" on Khalid Masood.

	<b>Concluding evidence</b>	
	SO15 officer	Evidence to clarify any points raised by previous evidence and/or to address any remaining points not covered by previous evidence.