

Mr Adam Chapman
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Your Ref

Our Ref
SMJ/166829.0001

Date
17 September 2018

By Email AChapman@kingsleynapley.co.uk

Dear Mr Chapman

Westminster Bridge Inquests

I am writing following the list of further enquiries and consequential disclosure which your Counsel sent by email to Counsel to the Inquests dated 13 September 2018.

Since then, this list has been the subject of some discussion in open court and Counsel to the Inquests have discussed the matter with the Chief Coroner. At the request of the Chief Coroner (see transcript at pp25-26, 14 September), the Inquests Team has considered the requests in detail, and this letter is provided by way of response. A copy of this letter will be circulated to IPs.

The Chief Coroner has a wide discretion as to the scope and breadth of his investigation, and as to the enquiries to be pursued in that investigation. As a precursor to considering each of the requests, we note the following:

These requests are in the main not requests for disclosure of documents which the Chief Coroner holds.

Many of the requests are for documents which are not already in existence, in the possession of any interested person or otherwise.

The Inquest hearings are well underway, witnesses have been warned, and often extensive arrangements have been made to enable IPs from all over the world to attend and participate. The majority of the requests relate to Commander Usher's first witness statement, which your team had had for four weeks at the time of your requests.

In respect of each request, we respond as follows (using your paragraph numbering for reference):

- 1 You refer to the detailed list of topics of evidence requested from the Metropolitan Police Service and the Parliamentary Authorities in the note of the Inquests Team (see DC5263). Paragraphs 4(h) and 4(i) of that note requested evidence of "the training, briefing and post notes" concerning security in New Palace Yard, and "observations/recommendations in security reviews over the

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years prior to 22 March 2017". We note that Commander Usher's first statement ("U1") at §57-77 is headed "Training, briefing and post notes". U1 at §78-83 is headed "Pre-attack recommendations". It is wrong to say "no material as to the programmes of testing, exercises and/or lessons learnt has been disclosed" as your Counsel writes. We are satisfied that relevant material has been disclosed.

- 2 The security position upon the review in December 2013 is explained in U1 at §78. Commander Usher notes that "pedestrian entrances to the estate remained vulnerable to determined and hostile attack" among other comments. There is no further disclosure required.
- 3 Request 3 is largely a repetition of request 1. Commander Usher is clear that the survey of a Security Coordinator is one stage of the assessment of security systems (U1, at §7-10). The relevant material has been disclosed.
- 4 You have had disclosure of the relevant Tactical Firearms Assessment, which is based on an Assessment first written on 1 June 2015. We consider this to be the relevant assessment. We can see that the previous review, dated January 2015, is of some but limited relevance and will ask the Metropolitan Police Service to consider providing it in redacted form. The queries which you raise as to the numbers of AFOs in New Palace Yard can be asked of Commander Usher in his evidence; following circulation of your list, he is now on notice of your interest in these matters.
- 5 We consider that the emails from Chief Superintendent Aldworth in Commander Usher's second statements ("U2") at p13ff are self-explanatory, fully explaining the nature of the officer's concerns. Furthermore, Commander Usher has commented on those concerns at U1 §79, which we note is not footnoted in your list of requests. Any further exploration of these issues can take place through questions to Commander Usher.
- 6 The issues raised at request 6 can appropriately be raised through questions of Commander Usher. By circulation of your list of requests, the Metropolitan Police Service is now on notice of your interest in these matters.
- 7 We understand the relevance of the "binder" to be that it contained post notes and briefings. Our understanding of the evidence (without having yet explored this issue with PC Ashby and PC Sanders in oral evidence) is that those officers followed the sector maps which were upon the wall (see WS1633) and that the relevant post notes are at U1 §67.
- 8 We do not understand your eighth request, which is not footnoted with any reference.



- 9 As Leading Counsel to the Inquests said in submissions on 13 September (see transcript at p211), these Inquests are not an investigation into Operation Classific or into the police misconduct investigation carried out by the DPS.
- 10 We would expect the Metropolitan Police Service to have disclosed any such notes insofar as they exist. We shall make immediate enquiries to confirm that this is the case.
- 11 We do not believe that there is any further relevant material in the December 2013 report.
- 12 We have not been made aware of any such communications. We shall ask the Metropolitan Police Service and the Parliamentary Authorities to confirm that this is correct.
- 13 We are satisfied that U1 at §78 contains the relevant material extracted from the May 2015 review.
- 14 As with point 12, we are not aware of any such communications but will ask the question.
- 15 We consider this to be a matter to raise in questioning of Commander Usher. We understand that the Metropolitan Police Service has disclosed all relevant material in this regard and that Commander Usher will be able to confirm this should you wish.
- 16 You make four requests:
 - a. The Post-Note for December 2015 has already been disclosed at U1 §67.
 - b. This is dealt with in the quoted §71 at the top of U1 p16.
 - c. You ask for disclosure of the 2012 map. It has already been disclosed in various formats (see WS1633/5 and WS1237B/7). Any questions about responsibility for updating the map can be put to Commander Usher.
 - d. We are not aware of any notes of such verbal briefings. These issues can be explored with PC Ashby and PC Sanders.
- 17 This has already been disclosed in U1 at §57-77.
- 18 Each of the reports to which you make reference are highly sensitive. We are satisfied that the relevant material has been disclosed in gist to all IPs.
- 19 You make two requests:



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- a. Before the meeting to which you refer in the Summer of 2017, both PC Ashby and PC Sanders had given detailed accounts of their actions. There is no reason to doubt the accuracy of the summary of the meeting which Commander Usher provides (U1 at §70-71).
 - b. As we have said above, this is not an investigation into Operation Classific. This is not a request for relevant evidence.
- 20 As we have said above, this is not an investigation into Operation Classific or the DPS investigation.
- 21 The DPS report repeats the material evidence that has been considered as part of the investigation and we understand that we and IPs have had access to all relevant material that we used to compile the report. However, we repeat that these Inquests are not a review of the DPS investigation.
- 22 You make three requests:
- a. This is a question to ask of Commander Usher, whom we expect to be in a position to answer it.
 - b. These are questions to be put to PC Ashby in his evidence.
 - c. You ask whether we have made any enquiry into why PC Ashby appears not to have heard calls for urgent assistance. We have made extensive enquiries into the use of personal radios on 22 March 2017 and disclosed all of our findings in a single folder on Opus Magnum titled "Radio Transmissions". These should be read alongside PC Ashby and PC Sanders own evidence as to which channels they were each monitoring.
- 23 We have ignored your twenty-third request as being an error; it simply reads "PC Sanders".
- 24 You make four sets of requests:
- a. We have been provided with a copy of the manual "MPS Operational Response to a Marauding Terrorist Attack". It is not relevant and has not been disclosed. It contains command and control guidance, whereas in this case command and control was only established after the 82-second attack had concluded.
 - b. - d. We consider that these questions (which we note do not anticipate disclosure of further documents) can be put to Superintendent Morris in oral questions should you wish.
- 25 You may wish to ask PC Ashby and PC Sanders about their training when they give evidence.
- 26 As above, you may wish to pose these questions to PC Ashby and PC Sanders.



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As detailed above, we shall raise the points at paragraphs 4, 10, 12, 14 with the Metropolitan Police Service and the Parliamentary Authorities as appropriate.

Yours sincerely

A handwritten signature in black ink that reads 'Siân Jones'. The signature is written in a cursive, flowing style.

Siân Jones

Partner

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