

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

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**SUBMISSIONS ON BEHALF OF  
THE COMMISSIONER OF POLICE FOR THE METROPOLIS  
PIH 15 JANUARY 2018**

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**INTRODUCTION**

1. This document addresses the matters raised in the agenda circulated by counsel to the inquests (CTI) in advance of the pre-inquest hearing (PIH) listed for 15.01.18.
2. In summary the Commissioner agrees with the proposals made by CTI. No difficulties are foreseen with the timetable, disclosure or logistical arrangements.

**(1) INTERESTED PARTIES**

3. No submissions are made.

**(2) UPDATE ON INVESTIGATIONS**

4. The MPS investigation is at an advanced stage and is nearly complete. To date 1798 actions have been raised of which 79 are outstanding. Further actions will be generated as the investigation continues.
5. The “tiering system” referred to in the submissions from CTI was used in order to prioritise the taking of statements during the early stage of the investigation but has not been followed throughout.
6. The witness numbers provided at CTI submissions [8] are indicative only. Precise numbers are to be provided by 02.03.18 following a full audit of the evidence gathered.

7. A small number of “significant witnesses” have not made witness statements where there is a valid reason for not doing so; for example, child and some overseas witnesses. This has not in any way impaired the investigation.
8. The MPS coroner’s report has been completed in draft form and the draft was supplied to solicitors acting for the Chief Coroner (BDB) on 20.12.17.
9. MPS officers are working closely with BDB and met on 08.01.18 to discuss the progress of the investigation.
10. There has been substantial disclosure provided to date both to Dr Wilcox and to the Chief Coroner, through BDB. Slight and understandable delay has been caused by the handover of the inquests from Dr Wilcox to the Chief Coroner. This has been remedied by close cooperation between the MPS and BDB. To ensure that the Chief Coroner has all the evidence in the most accessible format, on 09.01.18, a full hard and electronic copy of all statements and exhibits was provided to BDB. Following the 08.01.18 meeting, it had been agreed that all “documents” gathered will also be provided.
11. The investigation continues, however, as set out above the work is substantially complete.

### **IPCC REPORT**

12. The outcome of the IPCC investigation was that no officer has a case to answer for either criminal or misconduct matters.

### **(3) ORGANISATION OF THE INQUESTS:**

13. As previously indicated, the Commissioner agrees that option (b) is the most appropriate arrangement; namely that there should be two inquests (one for victims including PC Palmer and a second for Khalid Masood (KM)).

### **(4) SCOPE OF THE INQUESTS**

14. The Commissioner agrees with the submissions made by CTI. The matters set out at 16 (a) to (d) represent relevant and proportionate areas of inquiry for the inquests. As CTI has stated, the scope might narrow or widen during the inquests.

**(5) JURY**

15. It is agreed that a jury will be necessary for the inquest into the death of KM pursuant to CJA section 7(2)(b)(i). It is also agreed that a jury does not have to be empaneled in relation to the inquests into the deaths of the victims of the terrorist attack but that the Chief Coroner has discretion to hear these inquests with a jury.

16. The Commissioner agrees that the best way to satisfy the state's investigative duties in relation to the victims who lost their lives during the terrorist attacks would be for the Chief Coroner to hear the inquests into their deaths without a jury. It is submitted that the Chief Coroner would be best placed to record his findings and conclusions on the important matters raised by these inquests.

**(6) ARTICLE 2**

17. The state's Article 2 obligations are engaged in relation to the inquest into the death of KM.

18. The Commissioner agrees that Article 2 is not engaged in relation to the victims of the terrorist attacks, however, this is not to minimise the clear public interest in the deaths being fully and independently investigated.

19. It is noted and acknowledged that whilst Article 2 is not as a matter of law engaged in the victim's inquests, this is unlikely to significantly alter the scope of either the inquiry or the evidence to be called.

20. The need to keep this matter under review is noted.

**(7) DISCLOSURE TO IPs**

21. No submissions are made. The matters raised by CTI are noted.

**(8) WITNESSES**

22. The Commissioner will respond once a proposed list has been provided. It is agreed that this is unlikely to be controversial.

**(9) VIDEO EVIDENCE**

23. A meeting is to be scheduled in the near future between the MPS imaging consultants and BDB to discuss how 3D imagery is to be presented at the inquest.

**(10) EXPERT EVIDENCE**

24. Expert reports have been commissioned in the areas of steroid abuse and psychological autopsy as noted by CTI at [34] (e) and (f). These will be provided to BDB as soon as they are available.

**(11) ANONYMITY**

25. Anonymity applications and supporting evidence have been provided in relation to the two principal officers. Further submissions will be made if there is opposition to the applications. The court and all IPs will understand that early resolution of these applications is highly desirable.

**(12) PUBLIC INTEREST IMMUNITY (PII)**

26. The position remains as at the last PIH namely that no PII application is anticipated at present by the MPS. However, it remains the case that a PII application might have to be made in due course in relation to intelligence or security matters.

**(13) VENUE AND TIMING OF INQUESTS**

27. Whilst these are of course matters for the Chief Coroner, the proposed timetable, venue and time estimate present no difficulties for the Commissioner and the proposals are endorsed.

**(14) LOGISTICAL ARRANGEMENTS**

28. Nothing to add. The Commissioner will of course be represented at the forthcoming PIH and will continue to provide any assistance the court requires.

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**10.01.18**