

IN THE CENTRAL CRIMINAL COURT

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

**Submissions on behalf of the family of PC Keith Palmer
on PC Marsh**

Introduction

1. We support the submissions of the widow of PC Palmer dated 20 September 2018 in respect of the calling of PC Marsh. We reiterate that, in the absence of a firearms expert and/or a tactical firearms advisor, evidence about perceptions and timings of the threats from someone positioned at Carriage Gates will be of key assistance to the Chief Coroner and the IPs. This will be of particular assistance in assessing the crucial issue of how an AFO located in close proximity to Carriage Gates would have reacted immediately prior to and during KM's attack. It is of particular significance that the fatal blow appears to have been during a later stage of the attack.
2. It is accepted that the Coroner has a wide discretion as to which witnesses to call. However, it is submitted that PC Marsh's evidence has, since the start of the inquest become more important to the key issues before this Court.

The importance of the evidence of PC Marsh

3. PC Carlisle is now being called by the Chief Coroner to provide evidence which relates to the view that an AFO could have had if they had been in close proximity to

Carriage Gates at the time of the attack. The Solicitor to the Inquest, in her email of 21 September confirming the Chief Coroner's decision, confirms that the reason for this is because PC Carlisle "*would be in a good position to give evidence as to the perceived period of time for them, between hearing the crash and realising what was occurring, for example*". She also confirmed that this is a point which has arisen from the evidence of PC Sanders.

4. If this is the case, which we agree that it is, then the evidence of PC Marsh is of importance as he was also positioned at Carriage Gates but at a different post to PC Carlisle. PC Carlisle was at the North Gate with PCs Palmer and Tipple. PC Marsh was on the South Gate with PC Glaze.
5. PC Marsh was further away from the crash site and positioned behind PC Palmer. He was therefore further back from the threat and closer to the position an AFO would have been in if an AFO had been covering Carriage Gates in accordance with the Post Instructions.
6. PC Marsh, in his handwritten notes a legible copy of which was not available to PC Palmer's family until 18 September 2018, provides clear evidence on these issues such as evidence of:
 - a. How he could see "*through the railings.....many people running in the direction of Parliament Square*".
 - b. "*As they ran past me I shouted several times at them what has happened? Tell me what you seen*". *I heard a woman shout back "There's a man stabbing people*".
 - c. A "*short period of observation*" where he watched Khalid Masood bear down on PC Palmer while PC Palmer "*was backing away only very slowly*".
 - d. He estimates that he was "*20-30 yards away from PC Palmer*" when he was being stabbed.

- e. He describes feeling exposed and shouting “*firearms, firearms*”.

Reasons given for not calling PC Marsh

7. From Solicitor to the Inquest’s email, it seems that a significant objection to calling PC Marsh is preservation of the timetable. Whilst we have no desire to cause distress or inconvenience to any witness or IP we don’t agree that this is an important consideration when balanced against the importance of this evidence and the issues in question.
8. It is submitted that PC Marsh’s evidence is now likely to be focused and discreet and is unlikely to have any further significant impact upon the timetable.
9. The MPS have not advised if they have made any enquiries as to the availability of PC Marsh or his willingness to provide evidence in this inquest. They should have done so before asserting it would be inconvenient for him to attend. This question was asked by those instructing to the Solicitor to the Inquest on 26th September 2018, but we have not had a response in respect of this.

SUSANNAH STEVENS

THOMAS COKE-SMYTH

Q.E.B. HOLLIS WHITEMAN

27th September 2018

