

BEFORE THE CHIEF CORONER, HIS HONOUR JUDGE MARK LUCRAFT QC

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

**SUBMISSIONS OF THE SECRETARY OF STATE FOR THE HOME
DEPARTMENT FOR PRE-INQUEST REVIEW ON 15.01.18**

These written submissions are filed and served by the Secretary of State for the Home Department ('SSHD') in advance of the Pre-Inquest Review ('PIR') to be held on 15.01.18 before His Honour Judge Mark Lucraft QC ('the Coroner'). The submissions follow the same order of numbering as the items on the agenda served by Counsel to the Inquests ('CTI').

Interested Person Status

1. The SSHD has been designated as an Interested Person for the purposes of each of the inquests. As set out in submissions served on 12.05.17, the SSHD represents the Departments and Agencies with an interest in the issues raised. No further applications are made. The SSHD makes no observations concerning the application from the London Fire and Emergency Planning Authority.

Update on investigations / reviews

2. The update given by CTI in their submissions is noted.

Organisation of the Inquests

3. For the reasons given in paragraph 14 of CTI's submissions, the SSHD agrees with the proposal that the inquests into the deaths of all of the victims including PC Palmer should be heard first, followed by a separate inquest into the death of Khalid Masood. This

would be an appropriate course of action, which would avoid unnecessary duplication and balance the interests of all Interested Persons.

Scope of the Inquests

4. The SSHD:
 - a. accepts the general principles relating to scope, as enunciated by CTI, and does not seek to add to those, and
 - b. agrees with the topics suggested as appropriate matters for inquiry, save that it is suggested that paragraph 16(a)(ii) be amended to read “... *(to include some consideration of his police record and what was known to MI5 with regard to his association with extremists between 2010 and 2012)*”. It is not clear what is meant by “his ‘involvement’ with the MI5 investigations of 2009/10”. The open report of David Anderson QC sets out that Masood had been the subject of active investigation by MI5 between February 2010 and October 2012¹. In October 2012 he was formally closed as a Subject of Interest.

Summoning of Jury / Juries

5. The SSHD (i) agrees that the inquest into the death of Khalid Masood must be held with a jury, and (ii) supports the submission that the inquests into the deaths of PC Palmer and the pedestrians on the bridge would be better served with Coroner-only inquests.

Article 2

6. The SSHD agrees with the submissions advanced by CTI and has nothing to add at this stage.

¹ David Anderson QC - “Attacks in London and Manchester. March-June 2017. Independent Assessment of MI5 and Police Internal Reviews”. §§ 2.18-2.23.

Disclosure

7. SSHD notes the proposed arrangements for disclosure set out by CTI in their submissions and has nothing to add. It is noted that there has already been disclosure of a substantial quantity of material by the Metropolitan Police Service.
8. It is proposed that there be discussion between those acting on behalf of the SSHD and STI / CTI with regard to parameters for and timing of disclosure. The parameters for the disclosure will impact upon the timing. Relevant Government Departments will endeavour to provide disclosure as soon as possible.

Witnesses

9. The SSHD welcomes the proposal to circulate a list of proposed witnesses and the suggestion that submissions / observations be made by correspondence.

Video Evidence / Visual Aids

10. Noted.

Expert Evidence

11. Noted.

Anonymity / Special Measures

12. No applications / submissions are made at this stage.

Public Interest Immunity / Security Sensitive Evidence

13. As set out in paragraph 45 of CTI's submissions the SSHD has made clear that there is potentially relevant material which is security sensitive. It is proposed that there be discussion between the Coroner's legal team and the SSHD's legal team with regard to

disclosure and the timing of any applications for withholding material on PII or any other grounds, should the same be necessary.

Venue and Timing of the Inquests / Future Case Management

14. The proposals set out in paragraphs 46 and 47 of CTI's submissions are noted. No observations are made at this stage.

Logistical arrangements for the Inquests

15. The SSHD welcomes the proposed arrangements suggested by CTI and does not have anything to add at this stage.

9th January 2018

SAMANTHA LEEK QC

5 Essex Court