

Monday, 11 November 2013

1

2 (2.00 pm)

3

(Proceedings delayed)

4

(2.12 pm)

5

THE ASSISTANT CORONER: Right. Are we ready the best we can
6 be?

7

MR UNDERWOOD: I think we're ready for the jury, as best we
8 can be, yes.

9

THE ASSISTANT CORONER: Then we'll ask for the jury to come
10 in then, please. Cameras off.

11

(In the presence of the jury)

12

THE ASSISTANT CORONER: Thank you very much, members of the
13 jury, sorry about the slight technical delay but I am
14 not quite sure what you have up there on your screen but
15 we'll see how we go.

16

Right then, Mr Underwood, what happens now?

17

MR UNDERWOOD: I'm going to recall A10, please.

18

THE ASSISTANT CORONER: I would normally say turn the
19 cameras off but they are -- I had better say that all
20 the same. If we could have A10 back in then, please.
21 Thank you very much.

22

A10 (re-sworn)

23

(The witness was anonymised)

24

THE ASSISTANT CORONER: Thank you very much. Would you come
25 back in and have a seat there.

1 A. Thank you, sir.

2 THE ASSISTANT CORONER: I recognise you from last time but
3 at the same time just, I think, for form's sake, I have
4 the sticky label which you wrote your name down on the
5 last occasion, so let me put it onto another piece of
6 paper and let me make sure that that's put before you,
7 please, just so that we can ensure that we have
8 identification of the witness as A10. (Handed)

9 There we go, if you have a look at that. See in
10 there if that's your name.

11 A. Yes, that's my name.

12 THE ASSISTANT CORONER: Thank you very much. You can return
13 that back to me and I'll put it where I've been keeping
14 those things. Thank you.

15 Yes, Mr Underwood?

16 Questions by MR UNDERWOOD

17 MR UNDERWOOD: Good afternoon, A10.

18 A. Good afternoon.

19 Q. Since you gave evidence on the last occasion, I think
20 you've had a look at some of the answers you gave to me
21 and made a further statement; is that right?

22 A. That is correct, yes.

23 Q. You've exhibited to that a gist of a note you made; is
24 that true?

25 A. Yes, sir.

1 Q. Can I just -- we'll have that note shown to you, if
2 I may.

3 A. If it can assist, I have a copy.

4 Q. Thank you. There are copies for the jury. Can we just
5 show you one that's going to go up to the jury.

6 THE ASSISTANT CORONER: Before it goes to the jury, can we
7 make sure we have the right one, please. (Handed)

8 Thank you very much. Yes, that's the right one,
9 thank you.

10 MR UNDERWOOD: Thank you.

11 THE ASSISTANT CORONER: That can go to the jury. Shall we
12 put that where we had our other intelligence --

13 MR UNDERWOOD: Yes. Mr Mansfield kindly came up with a kind
14 of -- C9. If this went behind that.

15 THE ASSISTANT CORONER: If we put it in our dividers, the
16 second page behind C9, then, members of the jury, that
17 would then make some sense.

18 A10, you have that now, have you? Does he have
19 a copy?

20 MR UNDERWOOD: You have a copy yourself?

21 A. I've got a copy.

22 MR UNDERWOOD: Can I just identify what questions and
23 answers you and I had which you have revisited. I asked
24 you:

25 "Did you at any stage make a record to the effect

1 that on 3 August you had an address where the gun was,
2 or guns were?"

3 You answered:

4 "An address where -- I never knew the guns were."

5 I then went on:

6 "Did you at any stage make a record which suggested
7 that on 3 August you had an address for this female
8 associate?"

9 You said:

10 "I have never had an address for the female
11 associate."

12 I said:

13 "It's not what I asked: did you at any time make
14 a record which suggested on 3 August you did have
15 an address?"

16 You said:

17 "No, I've never made that."

18 That is the question and answer that you revisit, is
19 it?

20 A. Yes.

21 Q. What you're showing us now is this document which is
22 dated Thursday 4 August 2011 notes made at 18.40; is
23 that right?

24 A. Yes.

25 Q. "MD is at a girlfriend's address. MD will be catching

1 a cab over to KHF to collect the firearm.

2 "KHF is ... at the same address he was at yesterday
3 lunchtime when he was with the female holding at least
4 2 firearms for KHF."

5 If I can just go down to the final entry:

6 "I had absolutely no doubt that Mark Duggan's
7 intention today was to collect a firearm from Kevin
8 Hutchinson-Foster and take that firearm to the
9 Broadwater Farm Estate in Tottenham to be placed at
10 a safe address on the estate."

11 We see that you use the word "address" three times
12 there and the second time that you use it you are
13 saying:

14 "KFH is ... at the same he was he was at yesterday
15 lunchtime when he was with the female holding at least
16 2 firearms for KHF"

17 You are referring there back to the first entry "MD
18 is at a girlfriend's address"; is that right?

19 A. That is correct, yes.

20 Q. What did you mean by "address" when you used it in that
21 document?

22 A. I didn't have the exact address, I didn't have the
23 number of the house or the flat or the actual street
24 name. When I refer to address, I'm referring to the
25 fact that it's an unknown address rather than an address

1 for which I had the full details.

2 Q. So the first use, you say:

3 "MD is at a girlfriend's address."

4 You meant there, did you, he was with his girlfriend

5 but you didn't know where?

6 A. I'm aware of the address that the girlfriend lived at,

7 yes.

8 Q. When you used the word "address" in relation to Mark

9 Duggan, you did know?

10 A. Yes. What you have to remember, sir, is this is a note

11 that I made 20 minutes after I received the telephone

12 call from ZZ17 and in that, that was just to refresh my

13 memory at a later stage, if required.

14 Q. All right. So is what you're telling the jury you used

15 the word "address" loosely because you were hurriedly

16 jotting down something after the event?

17 A. No, I knew the address of the girlfriend, I didn't know

18 the address of the female, the female that was in the

19 Leyton area.

20 Q. All right. The third use of the word "address" in the

21 final paragraph, that Mr Duggan is going to take the

22 firearm to the Broadwater Farm Estate in Tottenham to be

23 placed at a safe address on the estate --

24 A. Yes.

25 Q. -- were you using the word address there to mean a wide

1 location or are were you using it to mean a particular
2 place?

3 A. I didn't know the address on the Broadwater Farm as
4 well, sir.

5 Q. On that point, when you said in that final paragraph:

6 "I had absolutely no doubt that Mark Duggan's
7 intention today was to collect a firearm from Kevin
8 Hutchinson-Foster and take that firearm to the
9 Broadwater Farm Estate in Tottenham to be placed at
10 a safe address on the estate."

11 Was that intelligence or belief passed on to the
12 police?

13 A. That was -- at that time, at 18.40, over all the
14 intelligence that I had received over the last few days,
15 that was the conclusion that I had come to.

16 Q. What, so after the shooting, you reviewed the
17 intelligence, did you?

18 A. But that was a comment that I made in relation to all of
19 the intelligence that I had received over the last few
20 days.

21 Q. Yes. What I'm asking you is whether you told the
22 Metropolitan Police at any stage that your belief was
23 that the purpose of picking this gun up was to take it
24 to a safe address on Broadwater Farm?

25 A. Yes, I referred in my statement that -- my previous

1 statements that the firearm was going to be taken to the
2 Broadwater Farm Estate.

3 Q. To a safe address?

4 A. That's my terminology in relation to an unknown address
5 on the Broadwater Farm Estate.

6 Q. Sure. Here what I'm getting at is this: you would
7 understand the difference, wouldn't you, if you were
8 an armed police team about to intercept somebody
9 carrying a firearm, it would be important for you to
10 know as much as possible about what the person carrying
11 the firearm was intending to do with it --

12 A. Yes.

13 Q. -- so if, as the press reports had it, Mr Duggan was on
14 his way to shoot someone with a firearm, that's very
15 different to him, as it were, couriering it to a safe
16 address, isn't it?

17 A. Yes. That's my terminology in relation to where the
18 firearm was going, it was going to the Broadwater Farm.
19 My understanding was it was going to the Broadwater Farm
20 to an address where it was going to be placed.

21 Q. That's essentially what you passed on to the police, was
22 it?

23 A. That is what I gave to ZZ17, yes.

24 Q. What was the purpose of you making this note?

25 A. I made that note about 20 minutes after ZZ17 contacted

1 me and informed me that Mark Duggan had been shot and
2 that he had died as a result of his injuries. I wrote
3 this note in order that -- I knew there would be
4 an inquiry, I knew that there would be an inquest at
5 a later date. I wasn't sure if I was going to be
6 working at SOCA at a later date and if I didn't have
7 access to the intelligence from SOCA I could ask to look
8 at this note and refresh my memory at the time.

9 Q. So you wanted it to be accurate; would that be fair?

10 A. As I said, I jotted that down at the time and that was
11 in note form.

12 Q. I want to ask you some questions about difficulties you
13 are labouring under in giving evidence and if you can't
14 answer then just say so.

15 Are you operating under legal constraints about what
16 you can tell the jury?

17 A. A lot of the time, yes.

18 Q. So if, for example, the jury wanted to know precisely
19 what intelligence you held in relation to
20 Mr Hutchinson-Foster, would you be unable to tell them
21 because of legal constraints?

22 A. Some of that intelligence, yes.

23 Q. If the jury wanted to know what capacity you had to get
24 more intelligence about Mr Hutchinson-Foster, would
25 those same legal constraints prevent you giving full

1 answers to that?

2 A. It may do, yes, sir.

3 Q. One final matter. Looking back at this note of yours,
4 the second entry:

5 "KHF is at the same address he was at yesterday
6 lunchtime when he was with the female holding at least
7 2 firearms for [Kevin Hutchinson-Foster]."

8 Would you accept that intelligence that somebody is
9 holding two firearms is extremely important?

10 A. Yes. I mean, the intelligence in relation to that note,
11 Kevin Hutchinson-Foster was holding the two firearms and
12 the female was holding at least one of them as far as
13 intelligence was concerned.

14 Q. What it says is:

15 "... at the same address he was at yesterday
16 lunchtime when he was with the female holding at least
17 2 firearms for KHF."

18 A. Yes.

19 Q. That suggests she was holding at least two guns for him,
20 doesn't it?

21 A. What I meant to say there was Kevin Hutchinson-Foster
22 had possession of the two firearms and the female had
23 possession of at least possession one of them and what
24 I have put in that note is that she has two of them, she
25 may or may not have had two of them but information was

1 that she had at least one of the firearms.

2 MR UNDERWOOD: Very well, thank you very much.

3 THE ASSISTANT CORONER: Yes, Mr Mansfield?

4 Questions by MR MANSFIELD

5 MR MANSFIELD: Yes, good afternoon, officer.

6 A. Good afternoon, sir.

7 Q. May I make it clear I do not want to compromise anybody
8 or the information or whatever, so I'm going to try to
9 draft questions to you or hone them in a way that
10 enables you to answer them. So, do you follow, I don't
11 want to make life difficult for you.

12 Can I just take it in stages, first of all. The
13 jury, obviously, have the original compilation that we
14 made at C9, and I want to have your recent note
15 alongside and just go through --

16 THE ASSISTANT CORONER: Do we have C9? Have a look in that
17 red file there.

18 MR MANSFIELD: I'm so sorry. C9 is a compilation put
19 together from statements you have made in September and
20 there's a small reference to what you have said
21 recently, but most of it comes from two earlier
22 statements and some of it from evidence that you gave.
23 For these purposes, I am not asking you to read them
24 all --

25 THE ASSISTANT CORONER: I think you may have seen that

1 before --

2 A. I've got it.

3 THE ASSISTANT CORONER: -- last time.

4 MR MANSFIELD: If you need more time to read it, please say.

5 But you'll see that one of the relevant -- or perhaps

6 the relevant entries -- relating to the 4th are at the

7 bottom. If we have your note recently provided

8 alongside, I want to ask you in relation to each of

9 these parts of it some questions that have already been

10 asked.

11 On your note, made on the 4th, the first

12 recollection you put down was:

13 "MD is at a girlfriend's address."

14 Right, pausing on that. You will see, looking at

15 the record the jury already have, that there is no

16 reference to MD being at his girlfriend's address; do

17 you see that?

18 A. Yes.

19 Q. So that is new, that you have that. What I want to ask

20 you is: when did you know that he was at his

21 girlfriend's address?

22 A. I knew that when the intelligence -- when I received the

23 intelligence at 5.10/5.15.

24 Q. You knew that then. Did you then pass that information

25 to ZZ17, the intelligence officer the jury have heard

1 from before? Did you tell them Duggan is at his
2 girlfriend's address?

3 A. Yes.

4 Q. You did. There are reasons I ask you. I don't know
5 whether you were aware that there had already been
6 surveillance on his address the night before; did you
7 know about that?

8 A. Yes, I was aware, yes.

9 Q. You were aware. Same address, all right. So they knew
10 that on the 4th. Then you've got:

11 "MD will be catching a cab ..."

12 That's not dissimilar from "would be imminently
13 travelling". Then in your note you've got "to KHF",
14 whereas the version we have already indicates Vicarage
15 Road. So is it that you had, when you made the note,
16 forgotten the address or you left it out on purpose?

17 A. Sorry, what address, sir?

18 Q. If you look at what we've now been provided with, it
19 says:

20 "MD will be catching a cab over to KHF to collect
21 the firearm."

22 That version doesn't include what is on the
23 original -- I say original -- on another version, which
24 the jury already have. If you look down C9 -- do you
25 have that?

1 A. Yes.

2 Q. If you look down towards the bottom, the penultimate
3 paragraph, is a gist of the information that you had at
4 17.10. It doesn't relate to Mr Duggan's address, from
5 which he's coming from, but it does talk about the
6 minicab to Vicarage Road in Leyton. Now, had you
7 forgotten that when you made the note at 6.40 or did you
8 just leave it out on purpose?

9 A. Sir, that note, as I said, is an aide memoire for me in
10 the future. So it was a quick note that was jotted
11 down. It's not the full facts, it's just for me to
12 refresh my memory later on.

13 Q. Yes, I understand that. But the question is: did you
14 leave the Leyton address out on purpose?

15 A. The Vicarage Road part?

16 Q. That's right, yes.

17 A. I may have done, but I've just used that as a note.
18 I haven't used it as a full statement. This actual note
19 is written on A4 paper, photocopying paper, it's not
20 written on headed notepaper, Metropolitan Police or SOCA
21 paper.

22 Q. Did anyone else know that you had written it down?

23 A. Yes.

24 Q. Did ZZ17 know that you had written it down?

25 A. No.

1 Q. So the only other person who knew, would this be right,
2 summarising it, is somebody else in SOCA?

3 A. That is correct. It is a note written at the time,
4 handed over to my manager, who I asked to keep it safe
5 for a future date.

6 Q. Did you have access to that note before you made
7 statements for this Inquest?

8 A. Sir, all of the material that is from SOCA has been
9 available to this Inquiry, including that note.

10 Q. Yes. I am not questioning that, I'm asking whether you
11 had access to the note before you made your statements.

12 A. All of the statements I've supplied to the court have
13 been specifically requested by the court.

14 Q. Yes. If it's a question you can't answer, obviously
15 I won't pursue it but did you have access to your
16 written note before you made your statements?

17 A. I didn't use the note to make my statements because they
18 were specific questions that were asked of me to supply
19 to the court.

20 Q. Right. Can we go to the next sentence in your note:

21 "KHF is ... at the same address he was at yesterday
22 lunchtime when he was with the female holding at least
23 2 firearms for KHF."

24 You have explained the two firearms aspect of this
25 but I want to ask you a little more. This was a note

1 written on the 4th referring back to the 3rd, all right,
2 plainly, isn't it?

3 A. The intelligence in relation to the two firearms came
4 from the original intelligence.

5 Q. Yes. But the question I want to ask you is: on
6 3 August, did you have intelligence that Kevin
7 Hutchinson-Foster, at lunchtime, was with a female
8 holding at least one firearm, if not two?

9 A. That is correct, yes.

10 Q. You did. Now, on the 3rd, did you tell ZZ17 that you
11 had that intelligence?

12 A. Yes.

13 Q. I want to move back in time. I'm going to come back to the
14 address in a second.

15 On 2 August, that's the day -- obviously the day
16 before the 3rd -- did you have intelligence about Kevin
17 Hutchinson-Foster being with the female?

18 A. On the 2nd?

19 Q. Yes.

20 A. (Pause)

21 I don't believe so, sir.

22 Q. Now, I appreciate I am not wishing this to be a test of
23 memory. In order to, as it were, confirm or deny, as
24 they put it in the business, whether he was with the
25 female on the 2nd, do you need to have access to the

1 records?

2 A. If I can refer to my statement?

3 Q. Yes. Well, you're welcome to look at your statement,
4 but as the jury can see, from what we already have,
5 there is no mention of the 3rd, which you have just
6 confirmed you did have, that's not in any of the
7 statements and there's nothing about you knowing that he
8 was with the female on the 2nd but by all means look at
9 your statements.

10 A. What I can say, sir, is that, certainly on the 1st, we
11 had intelligence that the female -- that's when we first
12 learnt of a female, holding one of the firearms --

13 Q. Yes.

14 A. -- and it was at that stage that we was aware that the
15 female was not available until mid-to-late evening,
16 possibly after 9 o'clock in the evening.

17 Q. Yes, I appreciate that. But, as the jury can see, the
18 information you had on the 3rd was slightly different so
19 I want to ask you this question: we now know what you
20 knew on the 3rd, and really the question is whether on
21 the 2nd, in fact, there was intelligence to suggest that
22 Hutchinson-Foster was with the woman who had a firearm
23 or more, at any point in the day on the 2nd.

24 A. The intelligence on the 2nd was that the female, again,
25 was not available until after 9 o'clock in the evening.

1 Q. Yes. That's not quite the question. Did you have any
2 intelligence that at any time on the 2nd, that Kevin
3 Hutchinson-Foster was with the female? At any point on
4 the 2nd.

5 A. I believe that it was referred (inferred?) that Kevin
6 Hutchinson-Foster was with the female.

7 Q. Right. I now want to deal with the question of the
8 location.

9 You have made it very clear that you didn't know the
10 house number and you didn't know the street, so I am not
11 going back over that.

12 A. Yes.

13 Q. Would it be fair to say that you did know the
14 whereabouts -- I'm putting it that way -- of Kevin
15 Hutchinson-Foster -- I'll stick with the 3rd for the
16 moment -- on the 3rd, you knew the whereabouts of him?

17 A. The intelligence was, on the 3rd, that around lunchtime
18 he was at the female's address where it was believed the
19 firearm was being held.

20 Q. Yes. The geographic location was smaller than just
21 Leyton, was it not?

22 A. There was an area, a possible area, which was --

23 Q. Right. Was the possible area -- is it possible --
24 sorry, I know it's a bit difficult to calculate -- was
25 it an area that was a mile square or something like that

1 or you are not able to say?

2 A. A rough area, I would say, is -- if Lea Bridge Road --
3 it would be along Lea Bridge Road and the problem is, on
4 Lea Bridge Road, to the left is Walthamstow and to the
5 right is Leyton. The indications were that it was
6 towards the Leyton side rather than the Walthamstow side
7 of Lea Bridge Road.

8 Q. Thank you, that's helpful.

9 Now, just going back to the 3rd for a moment, can
10 you help as to what point on the day of the 3rd you had
11 intelligence that he was on the Leyton side of Lea
12 Bridge Road with the woman who had at least one firearm?

13 A. The time of day would be around lunchtime.

14 Q. At the lunchtime period. Now, on the 4th, so moving
15 forward one day, did you also, at lunchtime on the 4th,
16 have intelligence that he was at the same Leyton side of
17 the Lea Bridge Road as he was on the 3rd?

18 A. At lunchtime?

19 Q. Yes, on the 4th?

20 A. No, sir.

21 Q. So the intelligence that he was at the same address as
22 he had been at lunchtime the day before came through
23 shortly after 5 o'clock on the 4th --

24 A. That's correct.

25 Q. -- is that right?

1 A. That's correct.

2 Q. I'm trying to be careful about it. Now, I want to pass
3 over to ZZ17 and if you cannot answer -- ZZ17 would be
4 familiar with SOCA, wouldn't he? I mean the
5 organisation, as it then was.

6 A. Yes, I would -- he would have had dealings with me, yes.

7 Q. Dealings with you. Did he ever visit you in premises?
8 I don't want to know where they are. Did he ever visit
9 as opposed to just ring up?

10 A. He has been to SOCA, yes.

11 Q. He has been, so he knows it. He would also be aware --
12 and I'm not asking you divulge what they are -- he would
13 also be aware of your operational capabilities, wouldn't
14 he?

15 A. Some of them, yes.

16 Q. Of course he may not know everything but he would know
17 some of the, can I put it this way, key capabilities
18 that might enable you to give him high grade
19 intelligence about location; would that be fair?

20 A. He may, I'm not sure, so I cannot answer for him but I'm
21 not sure if he knows what facilities we have.

22 Q. Did he ever ask you any questions about the intelligence
23 that you were giving him or not?

24 A. I don't understand the question.

25 Q. Did he ever -- well, I'm trying to be careful about the

1 questions, just as you are about the answers. Well,
2 I'll put it this way: did he ever say "Can you be more
3 precise" or anything of that kind, in relation to the
4 location?

5 A. I don't recall him asking me that.

6 MR MANSFIELD: You don't recall. Thank you very much.

7 THE ASSISTANT CORONER: Right, thank you very much. Right,
8 I think, Mr Keith, I have you next on my list.

9 Questions by MR KEITH

10 MR KEITH: A10, because we've heard from you now today and
11 obviously some while back, can we be quite clear about
12 the time and the date when you received intelligence
13 that Mr Duggan would be travelling by minicab to
14 Vicarage Road in Leyton to collect the firearm; when was
15 that?

16 A. That was about -- between 5.10 and 5.15 on
17 4 August 2011.

18 Q. Was that the first occasion on which you received
19 intelligence which indicated a specific area where the
20 firearm might be?

21 A. That is correct, yes.

22 Q. That is what had you told ZZ17?

23 A. That is correct, sir, yes.

24 Q. Since you've been asked about ZZ17's operational
25 understanding, let me ask you: did you anticipate,

1 envisage or in any way contemplate, that there could be
2 any operational steps taken before you provided that
3 vital piece of intelligence on the afternoon of the
4 4 August?

5 A. No, sir. All of the intelligence prior to 5.15 on that
6 Thursday, 4 August, all the intelligence was in relation
7 to the availability of the firearm being after 9 o'clock
8 in the evening when the female had finished work.

9 Q. Can you conceive of any operational way, any way in
10 which an operation could have been mounted, to intercept
11 the gun before you provided that intelligence on the
12 afternoon of 4 August?

13 THE ASSISTANT CORONER: Do you feel able to answer that in
14 your position? If you don't, please don't. I am not
15 talking about intelligence, I'm talking about the fact
16 you are not a firearms officer.

17 A. I can -- I can give my personal view.

18 THE ASSISTANT CORONER: Give it a stab then, A10, you tell
19 us.

20 A. All of the intelligence -- what was clear with the
21 intelligence, was that Mark Duggan was going to go and
22 collect a firearm. That was -- all of the intelligence,
23 every single day was Mark Duggan was going to collect
24 a firearm.

25 In relation to where it was stored, who was going to

1 deliver that firearm, that could have changed, but what
2 was 100 per cent was that Mark Duggan intended to
3 collect the firearm. So with the intelligence that that
4 was going to be after 9 o'clock in the evening, that was
5 on the Monday, the Tuesday and the Wednesday, the 1st,
6 2nd and the 3rd, all of that intelligence was about Mark
7 Duggan collecting a firearm.

8 So if you're asking me was it correct that they
9 should have waited and paraded at 6 o'clock in the
10 evening, that was the correct thing to do.

11 MR KEITH: Did you know before that time, on 4 August,
12 around about 5.10, where he was going to get the firearm
13 from?

14 A. No, I did not know. The first I knew was then that it
15 was going to be in the Vicarage Road area.

16 Q. That afternoon?

17 A. That afternoon.

18 Q. That was the first time you had ever concluded it was to
19 be picked up from the Vicarage Road area?

20 A. That is correct, yes.

21 Q. That is what you, of course, told ZZ17 --

22 A. That is correct, yes, sir.

23 Q. -- and he took the steps that he did?

24 A. That is correct, sir.

25 MR KEITH: Thank you.

1 MR MANSFIELD: I wonder if I might be permitted -- I have
2 not done this very much -- but in view of the question
3 that was asked about his anticipation of what could be
4 done on an intercept and the answers that have been
5 given, of course he's given it in relation to the 4th,
6 but our contention is now that, if they had information
7 on the 3rd, and that is very clearly what he said, that
8 the issue of armed surveillance relating to Kevin
9 Hutchinson-Foster and locating his address by
10 a telephone call to the probation service, is one of
11 those things that this witness probably didn't know
12 anything about. But that's what we say should have been
13 happening on the 3rd at the very latest.

14 THE ASSISTANT CORONER: I understand that. If you want to
15 put it by way of a question -- is that what you are
16 asking?

17 MR MANSFIELD: Yes, if I may just put it.

18 Further questions by MR MANSFIELD

19 MR MANSFIELD: If ZZ17 had, as you have indicated he did on
20 the 3rd, information that Kevin Hutchinson-Foster -- at
21 lunchtime not after 9 o'clock -- was at lunchtime with
22 a woman who is holding at least one firearm, one of the
23 options open to ZZ17 would be to discover, of course,
24 Kevin Hutchinson-Foster's address, wouldn't it?

25 A. Yes.

1 Q. A phone call to the prohibition service would have
2 discovered it, did you know that?

3 A. I didn't know that, no.

4 MR MANSFIELD: Thank you.

5 THE ASSISTANT CORONER: Right. I think Mr Stern?

6 MR STERN: No, thank you, sir.

7 THE ASSISTANT CORONER: Mr Butt?

8 MR BUTT: No, thank you, sir.

9 THE ASSISTANT CORONER: Then after that I have Ms Dobbin?

10 MS DOBBIN: No, thank you.

11 THE ASSISTANT CORONER: Mr Glasson?

12 MR GLASSON: No, thank you, sir.

13 THE ASSISTANT CORONER: Right, Ms Leek?

14 MS LEEK: No, thank you, sir.

15 THE ASSISTANT CORONER: Back to you then, Mr Underwood.

16 MR UNDERWOOD: I know that because of discussions between
17 counsel, that there was concern about an issue which has
18 in fact emerged from something that Mr Keith asked.
19 I wonder if now might be a good time to have a break.

20 THE ASSISTANT CORONER: If we have slightly earlier the jury
21 afternoon break -- I don't know what's going on either
22 so don't worry about it, members of the jury, the more
23 a state of ignorance that you and I are kept in at this
24 stage probably the better. But at the same time, we'll
25 try to work this out.

1 You stay there, please, A10, just for a moment.
2 We'll ask for the jury to give the usual break for the
3 stenographers now, for five or ten minutes, so I'll ask
4 for the camera to be turned off and we'll ask for the
5 jury then to leave us for a short time.

7 (2.55 pm)

8 (A short break)

9 (3.08 pm)

20 (In the presence of the jury)

21 THE ASSISTANT CORONER: Thank you very much, members of the
22 jury, for having -- giving us that break. We've been
23 able to work out there were not any more questions for
24 Mr A10, so he's been able to go back into his secrecy,
25 never to be seen again, and we're able to go on with

1 witnesses who have names.

2 MR UNDERWOOD: Jonathan Orford, please.

3 THE ASSISTANT CORONER: Right, let's have Mr Orford, please,
4 thank you.

5 MR JONATHAN ORFORD (sworn)

6 THE ASSISTANT CORONER: Thank you very much. Come and have
7 a seat then, please, and if you sit close to the
8 microphone we'll be able to hear everything that you
9 say.

10 Questions by MR UNDERWOOD

11 MR UNDERWOOD: Good afternoon, Mr Orford.

12 A. Good afternoon, sir.

13 MR UNDERWOOD: My name's Underwood and I'm counsel to the
14 Inquest.

15 A. My name's Jonathan Robert Orford.

16 Q. What is your occupation?

17 A. I'm a senior forensic practitioner for the Metropolitan
18 Police Service.

19 Q. Was that your employment in August 2011?

20 A. Yes, it was.

21 Q. I want to ask you about 4 August of that year. Did you
22 go to the Ferry Lane scene --

23 A. Yes, I did.

24 Q. -- shortly before midnight?

25 A. Yes.

1 Q. What was the purpose in you going there?

2 A. I went there to offer my assistance in the capacity as
3 a crime scene examiner, sir.

4 Q. Would you move that microphone that has a red light
5 closer towards you. Thank you very much.

6 Did you take gunshot residue sample from Mr Duggan?

7 A. Yes, I did, sir.

8 Q. From his hands, from his face?

9 A. Yes, sir, from his left hand from his right hand from
10 his face and his hair.

11 Q. Did you take a control sample?

12 A. Yes, sir.

13 Q. What's the meaning of that, "control sample"?

14 A. A control sample -- you take a control sample of your
15 ungloved hands before you start so that the scientists
16 can get an idea of the background reading of gunshot
17 residue at the scene.

18 Q. Then you presumably passed that kit with the samples in
19 on for analysis by someone else, did you?

20 A. That's correct, sir.

21 Q. We'll hear from them anon. Can I just ask you to look
22 at your examination report, please, at CD7627, it will
23 come up on the screen, if you have a copy you can look
24 at that. Is this your examination report relating to
25 that event?

1 A. Yes, it is, sir.

2 Q. Did you make it up at the time?

3 A. Yes, I did.

4 Q. If we just look at the script where it says details of
5 examination, you say:

6 "Attended scene: a crime scene log was in operation
7 and I was logged in at 2358 hours by [redacted]
8 a Police Constable. Full, forensic protective clothing
9 worn. Information from CSM Larrigan -- minicab carrying
10 two suspects involved in hard stop in a preplanned op by
11 CO19. Not known whether suspect shot at police."

12 Is that correct?

13 A. That's correct.

14 Q. Then you go on:

15 "One officer received shot (damaged PR) ..."

16 Is that his radio?

17 A. His police radio, yes.

18 Q. "... on his person, injuries unknown. Police fired
19 several shots, Glock/MP5)."

20 Is that right?

21 A. Yes.

22 Q. "Radio in covert vehicle ricochet. Suspect weapon over
23 fence -- police may have taken and thrown."

24 Is that right?

25 A. Yes that's correct.

1 Q. Tell us, please, if you can recall that briefing.

2 A. I can recall the briefing. The Crime Scene Manager,
3 Trish Larrigan, was briefing the other Crime Scene
4 Manager that had just arrived, John Cockram, and I was
5 present at that briefing and I was writing that down and
6 getting as much information as I could as that briefing
7 was taking place.

8 Q. Can you give us any help about what degree of certainty
9 you were told these things with, in particular whether
10 the gun was thrown?

11 A. I think it was one of a number of possibilities, I don't
12 think that CSM Larrigan actually knew for sure how the
13 gun came to be where it ended up, we don't know whether
14 it was -- she didn't know whether it was thrown by
15 police, possibly kicked or it could have been thrown by
16 one of the persons of interest.

17 Q. Right.

18 A. It was just a possibility -- one of a number of
19 possibilities she was considering.

20 Q. This other factor you have written down here:
21 "Not known whether suspect shot at police."
22 Can you help the jury with what degree of certainty
23 was involved in that?

24 A. There was no certainty. Again, it was one of a number
25 of possible considerations because I don't know where

1 Ms Larrigan was getting the information from, what her
2 sources were but information was coming in, I think,
3 fragmented, and at the time she didn't know exactly what
4 was happening, she was trying to piece information
5 together.

6 So again it was a number of a possibilities. We
7 didn't know whether an officer had been shot or whether
8 a bullet had gone into his police radio. So it was
9 just, again, just possibilities that were being --

10 MR UNDERWOOD: Thank you very much, Mr Orford.

11 THE ASSISTANT CORONER: Thank you. Yes Mr Straw.

12 Questions by MR STRAW

13 MR STRAW: I represent the family of Mr Duggan. Just a few
14 questions.

15 A. Sir.

16 Q. Could you please put up that note on the screen again,
17 please, the examination report, and it's just the entry
18 on there "police may have taken gun and thrown" that I'm
19 interested in?

20 A. Yes, sir.

21 Q. You have noted -- you have there "around about
22 midnight", presumably you weren't aware of what the CO19
23 officers were saying about how the gun got to the verge
24 earlier on?

25 A. No, I didn't know at that time, sir.

1 Q. There's no suggestion in your notes, is there -- you
2 haven't written down that Mr Duggan might have thrown
3 it?

4 A. No, I haven't written that down.

5 Q. The only possibility written there is that the police
6 threw it?

7 A. Yes, sir, that's the one.

8 MR STRAW: Thank you very much.

9 THE ASSISTANT CORONER: Right. Let's just see.
10 Mr Stern, do you have any questions?

11 MR STERN: No, thank you sir.

12 THE ASSISTANT CORONER: Mr Butt?

13 MR BUTT: No, thank you, sir.

14 THE ASSISTANT CORONER: Then I do have, Ms Leek.

15 MS LEEK: No, thank you, sir.

16 THE ASSISTANT CORONER: Ms Dobbin is no longer with us.
17 Mr Glasson?

18 MR GLASSON: No, thank you, sir.

19 THE ASSISTANT CORONER: Mr Keith?

20 MR KEITH: No, thank you.

21 THE ASSISTANT CORONER: Right. There we are. Any
22 re-examination, Mr Underwood?

23 MR UNDERWOOD: No, thank you.

24 THE ASSISTANT CORONER: Right, thank you very much,
25 Mr Orford. That concludes the evidence you have come to

1 assist the jury with so thank you very much. You are
2 free now to go.

3 A. Thank you, thanks.

4 (The witness withdrew)

5 MR UNDERWOOD: PC Fitzgibbon, please.

6 POLICE CONSTABLE PAUL FITZGIBBON (sworn)

7 THE ASSISTANT CORONER: Thank you very much, come and have
8 a seat.

9 Questions by MR UNDERWOOD

10 MR UNDERWOOD: Good afternoon, Constable.

11 A. Good afternoon.

12 Q. My name's Underwood and I'm counsel to the Inquest,
13 I start the questioning off. Can you give us your full
14 name please?

15 A. Yes, it's Paul Michael Fitzgibbon.

16 Q. Are you a Metropolitan Police Constable?

17 A. Yes, I am.

18 Q. Were you in August 2011?

19 A. Yes, I was.

20 Q. On 5 August were you at the Ferry Lane scene as a search
21 officer?

22 A. I was.

23 Q. I want to ask you, first of all, what you were briefed
24 about the way in which the incident had occurred; can
25 you help us with that?

1 A. Yes, I can.

2 Q. Please do.

3 A. (Pause)

4 Okay. At 0912 hours we attended the scene to assist
5 PS Hannigan with deciding the search parameters and at
6 9.45 I attended a briefing given by PC Hannigan. At
7 8.15 -- sorry. (Pause)

8 Sorry, I just got to find it in my notes. (Pause)

9 Here we go, sorry:

10 "At approximately 18.15 on 4 August 2011, SCD8 along
11 with SCO19 were following a taxi in Ferry Lane when they
12 decided to make a hard stop when the subject passenger
13 in the taxi of a Toyota minicab got out of the vehicle
14 and shot at police, apparently. Police returned fire,
15 causing fatal injuries to the subject. A police officer
16 was shot causing minor injuries. The incident happened
17 at Ferry Lane ..."

18 Then the CAD reference number, which is the incident
19 number, was 8275, refers for the 4 August 2011.

20 Q. Were you to search for spent ammunition cartridges or
21 rounds?

22 A. That's correct, yes.

23 Q. Can I ask you to look, please, at a plan, CE30. We can
24 see a drawing there of cars marked A, B, C and D and the
25 minicab with the registration number in there.

1 A. That's correct.

2 Q. Then if we look down to the bottom right-hand corner, we
3 have tasks?

4 A. Yes.

5 Q. Task 1 is police vehicle A, task 2 is police vehicle B,
6 that's the Bravo car --

7 A. Yes.

8 Q. -- task 3 is police vehicle C, the Charlie car, and
9 task 4 is police vehicle D, task 5 is the Toyota itself.
10 Were you given task 2?

11 A. I was given originally task 2 to complete, yes.

12 Q. Did you, in the course of that, find anything by or on
13 the front nearside tyre?

14 A. No, I didn't personally but my colleague found it,
15 a PC Harris (?). I actually witnessed her finding that
16 in the tyre, yes.

17 Q. What was that?

18 A. It was just a small piece of metal which was embedded
19 into the tyre. It was a fragment -- it could have been
20 anything, it could have been something that was picked
21 up from the road or it could have been something that
22 was involved in the incident.

23 As what we were dealing with, then we put it up the
24 Exhibits Officer for him to examine and then for him to
25 decide whether he wanted to seize it.

1 Q. Very well. Then did you do task 5 as well, which is the
2 search around the minicab?

3 A. Yes, I did, yes.

4 Q. Did you have anything to do with finding blood
5 spattering?

6 A. Yes, I did.

7 Q. Tell us about that, please.

8 A. Whilst searching the area around it, I found on the
9 passenger door a small blood spattering. I also pointed
10 that out to DC Payne, who -- at the time of the
11 things -- when I found it, I stopped my search and then
12 pointed that out to him.

13 MR UNDERWOOD: Thank you very much, officer, if you would
14 wait there, please.

15 A. Thank you.

16 THE ASSISTANT CORONER: Mr Straw, Mr Mansfield?

17 MR MANSFIELD: No, thank you.

18 THE ASSISTANT CORONER: Mr Stern? Mr Butt? Mr Glasson?
19 Ms Leek?
20 Mr Keith?

21 Questions by MR KEITH

22 MR KEITH: Just this, please, PC Fitzgibbon. When you were
23 given the briefing --

24 A. Yes.

25 Q. -- were you able to gain any understanding as to how

1 definite the circumstances were that were described to
2 you in the briefing or was it a working hypothesis or
3 what?

4 A. It was a working hypothesis. There was no hard concrete
5 evidence of what had actually happened.

6 Q. Thank you. Your search around the minicab, task 5, do
7 you mean by that that it was a search of the road
8 surfaces round the minicab or the actual doors and
9 exterior surfaces of the minicab?

10 A. Basically, I was tasked with searching the road and also
11 the outside of the actual vehicle itself.

12 Q. So not the inside?

13 A. Not the inside. Because at that particular point, that
14 was the -- the vehicle was going to be removed.

15 THE ASSISTANT CORONER: Yes. You were searching before it
16 was going to be --

17 A. Yes, sir.

18 MR KEITH: Where did you understand it was going to be moved
19 to?

20 A. It was going to go to Perivale to be searched for
21 forensic --

22 Q. For a forensic search?

23 A. Yes, that's right.

24 MR KEITH: Thank you very much.

25 Questions from THE ASSISTANT CORONER

1 THE ASSISTANT CORONER: In searching it, you were looking at
2 the minicab and underneath it or is that search once it
3 was taken away by other people?

4 A. I was looking -- basically, I was looking to see under
5 the vehicle to see if I could find anything, any
6 cartridges or anything like that, but the outside skin
7 of the vehicle to see if there were any marks or
8 blemishes or anything else that could assist with the
9 forensics.

10 THE ASSISTANT CORONER: That included the open rear door on
11 the nearside, did it?

12 A. Just going along, yes.

13 THE ASSISTANT CORONER: Okay, thank you very much. Yes, any
14 other questions, Mr Underwood.

15 MR UNDERWOOD: Nothing arising out of that, thank you.

16 THE ASSISTANT CORONER: Thank you very much then, Police
17 Constable Fitzgibbon.

18 A. Thank you very much.

19 THE ASSISTANT CORONER: You are free now to go.

20 A. Thank you.

21 (The witness withdrew)

22 MR UNDERWOOD: Those are the three witnesses we have for
23 this afternoon. In addition, I need to read a statement
24 of Mr Vaughan, which is an expert opinion. Perhaps
25 copies of that could go up to the jury. That's CS521.

1 (Handed)

2 THE ASSISTANT CORONER: Thank you. Yes, it includes the
3 second statement, 528. Right, yes, please, if that can
4 be put in. How are you getting on with your dividers,
5 members of the jury? I hope you have yours, I haven't
6 got mine but I'm sure I'll get some.

7 MR UNDERWOOD: I think this is going to be C25.

8 THE ASSISTANT CORONER: Put it in the next one, C25, is it?

9 MR UNDERWOOD: Yes.

10 THE ASSISTANT CORONER: Yes, C25.

11 MICHAEL JOHN KENYON VAUGHAN (statement read by MR UNDERWOOD)

12 MR UNDERWOOD: It's a statement of Michael John Kenyon
13 Vaughan of 8 September 2011. Towards the bottom of the
14 first page he says:

15 "I am an expert in a field of forensic science and
16 I have been requested to provide a statement."

17 Over the page, picking it up halfway down you under
18 "Qualifications and experience" Mr Vaughan says:

19 "I have a honours degree in mechanical engineering
20 and have worked as a forensic scientist, specialising in
21 the examination of firearms and related items, since
22 September 1992.

23 "Request and information received.

24 "I was asked by Crime Scene Manager Trish Larrigan,
25 to attend the scene of a fatal police shooting at Ferry

1 Lane, Tottenham, on the evening of Thursday
2 4 August 2011.

3 "The purpose of my attendance was to help interpret
4 the circumstances surrounding the shooting.

5 "I was told that four police covert vehicles had
6 been involved in a "hard stop" on an MPV minicab
7 carrying a suspect under surveillance. Initial reports
8 were of three shots having been fired; one from the
9 suspect and two from the police.

10 "It was thought that the suspect had fired on police
11 when stopped and that police had returned fire.

12 "Observations.

13 "I arrived at Ferry Lane at 22.10 on 4 August 2011.
14 Four covert police cars and the MPV minicab were in
15 situ. The lead police vehicle (Lexus) had mounted the
16 kerb in front of the minicab (Toyota Lucida), the second
17 police vehicle (BMW saloon) was to the offside of the
18 minicab, with the third (BMW estate) and fourth police
19 vehicles (Land Rover) at the rear. The deceased was
20 lying on the pavement, on his back, under a protective
21 scene tent adjacent to the BMW estate with his head
22 uppermost on the slight gradient towards the lead
23 vehicle.

24 "I was informed that a firearm in a sock had been
25 identified and it was now protected in another scene

1 tent on a grassed area just below the level of the
2 pavement on the other side of some railings. I was told
3 that an Armed Response Vehicle (ARV) team had been
4 called to make the gun safe and I was asked to get as
5 much information as I could about the weapon as they
6 went about this. The gun was found on its left side.
7 The sock covering it had some holes in it.

8 "The safety lever at the rear of the slide could be
9 seen to be in the horizontal, or up/off safe position
10 through one hole, and the muzzle of the gun could be
11 seen through another.

12 "The ARV team removed the magazine revealing it to
13 be charged with one bulletted cartridge. They went on to
14 find the chamber of the weapon to be clear. I was able
15 to see that the gun was a BBM Bruni Mod 92. I could
16 also see that this was originally a blank firing gun but
17 that the original blocked dummy barrel had been removed
18 and replaced with a metal tube. The gun could now fire
19 bulletted ammunition.

20 "I saw no gunshot damage to any of the vehicles.

21 "I saw a police radio in a holster on the ground on
22 top of some body armour between the deceased man's body
23 and the lead vehicle. There was a bullet hole through
24 the holster going into the radio. There was no exit
25 hole in the radio and there appeared to be grey metallic

1 material, consistent with being an improvised projectile
2 retained in the radio. Subsequent examination has shown
3 that in actual fact this grey material was likely to be
4 part of the internal construction of the radio since
5 a complete, fired, conventional jacketed hollow-point
6 9mm Parabellum calibre bullet was found in the holster
7 once the radio was removed from it at the Forensic
8 Science Service's London laboratory."

9 Pausing there, in this statement no exhibit number
10 is given to that bullet:

11 "Just to the other side of the centre line of the
12 road, adjacent to the blocking vehicles was a single
13 fired 9mm Parabellum cartridge case. This bore the
14 headstamp of the Federal Cartridge company along with
15 markings indicative of it having been fired from an H&K
16 MP5 carbine as opposed to a Glock self-loading pistol.

17 "I identified a further fired cartridge case of the
18 same make and type under the police BMW estate, towards
19 the kerb, behind its front nearside wheel.

20 That's the Charlie car of course:

21 "I had a brief view of the deceased in situ to
22 assess any immediately apparent gunshot wounds and
23 I noticed an apparent gunshot entry wound to the front
24 right-hand side of his chest above a transverse
25 thoracotomy incision.

1 "I briefed the investigation team with my findings
2 in the light of information received so far before
3 leaving the scene at 03.05 on 5 August 2011.

4 "Laboratory examination and comparison work.

5 "On and after 15 August 2011 I took possession of
6 items described to me on laboratory submission
7 forms ..."

8 He gives the references. There's:

9 "JMA/10 ... one black harness and radio.

10 "JMA/1 ... one black handgun.

11 "RES/1 ... one bullet/casing -- mushroom shape --
12 silver plus copper in colour."

13 RES/1 is the bullet found that was found in the bag
14 inside the car. Then:

15 "AJE/6 ... one MP5"

16 That's V53's MP5:

17 "JMA/13 ... one shell casing.

18 "JMA/9 ... one shell casing."

19 Those are two shell casings found at the scene:

20 "JMA/3 ... one empty magazine."

21 That's the magazine from the Bruni:

22 "JMA/4 ... one live round."

23 That's the round that was found in the magazine in
24 the Bruni:

25 "Request.

1 "I was asked to identify and classify items JMA/1,
2 [the Bruni] JMA/3 [the magazine] and JMA/4 [the round]
3 and provide test-fired ammunition from JMA/1 for
4 comparison against the National Open Case File.

5 "I was also asked to establish whether or not the
6 submitted MP5 carbine, item AJE/6, had fired the
7 cartridge cases, JMA/9 and 13, the bullet, item RES/1,
8 and if it had fired a shot into the radio item JMA/10.

9 "Results.

10 "JMA/1 was a BBM Bruni Mod 92, blank firing,
11 self-loading pistol. Its original blocked dummy barrel
12 had been replaced with a smooth-bored metal tube. It
13 was originally chambered to fire 8mm blank calibre
14 ammunition but was now adapted to fire 9mm ammunition
15 which had been modified by the addition of projectiles.
16 I test fired this gun, recovering fired bullets and
17 cartridge cases for onward transfer to the Metropolitan
18 Police Service Forensic Firearms Unit, formerly the
19 National Ballistics Intelligence Service Southern Hub.
20 This transfer was to facilitate checks against the
21 National Open Case File.

22 "I found the gun to function with potentially lethal
23 effects. It was therefore a firearm for the purposes of
24 section 57(1) of the Firearms Act 1968. Owing to its
25 dimensions it was also a prohibited weapon as defined in

1 section 5(1)(aba) of that Act as amended by
2 section (1)(2) of the Firearms (Amendment) Act 1997.

3 "JMA/3 was a double column box magazine suitable for
4 use in the pistol above. Its magazine lips had been
5 spread, creating small splits in the metal, visible at
6 the rear at its top. In my opinion this widening of its
7 charging aperture had been done to accommodate larger,
8 modified 9mm PAK calibre cartridges in place of the
9 original 6mm blank calibre ones it had been designed
10 for.

11 "JMA/4 was an unfired modified 9mm PAK calibre
12 cartridge. It had originally been made as a blank
13 cartridge but its plastic seal at its case mouth had
14 been removed and replaced with an improvised, apparently
15 lead, projectile. The cartridge case length had also
16 been reduced from its original 22mm to approximately
17 17mm. I disassembled it and found it to contain viable
18 components. I would regard it as live ammunition
19 subject to restriction under provisions of
20 section 1(1)(b) of the Firearms Act 1968. In my
21 opinion, it had been adapted in a way that would allow
22 it to be fired from the weapon, JMA/1 above, with
23 potentially lethal effect.

24 "I examined a bullet recovered from the radio
25 harness, JMA/10. This was an impact damaged, expanded,

1 jacketed hollow point, 9mm Parabellum calibre
2 projectile. I compared marks produced on this by the
3 barrel of the gun from which it was fired, with marks on
4 a similar bullet submitted as item RES/1 [the bullet in
5 the bag]. Significant detailed agreement in the marks
6 that I saw led me to conclude that both bullets had been
7 fired from the same weapon.

8 "Similarly, I microscopically examined two 9mm
9 Parabellum calibre cartridge cases recovered from the
10 scene of the shooting as items JMA/9 and JMA/13.
11 Detailed agreement in marks produced on these when they
12 were fired led me to conclude that they too had been
13 fired from the same weapon.

14 "I test fired the submitted MP5 carbine, item AJE/6,
15 and recovered bullets and cartridge cases for comparison
16 purposes. Significant detailed agreement in marks that
17 I found on these, compared to marks on items from JMA/9,
18 JMA/10, JMA/13 and RES/1 led me to conclude that AJE/6
19 was responsible for firing those bullets and cartridge
20 cases.

21 "Conclusions.

22 "JMA/1, recovered at the shooting scene was
23 a firearm for the purposes of section 57(1) of the
24 Firearms Act 1968. It was prohibited by
25 section 5(1)(aba) of that Act as amended owing to its

1 dimensions.

2 "The modified cartridge, JMA/4, was, in my opinion,
3 live ammunition for a firearm and subject to restriction
4 under provisions of section 1(1)(b) of the Firearms Act
5 1968.

6 "In the condition it was found, JMA/1 could have
7 been put into a fireable condition by retracting and
8 releasing its slide. In my opinion this could be done
9 whilst the gun was in a sock.

10 "The fired material from Ferry Lane demonstrated
11 that two shots were fired from the police MP5 carbine
12 submitted as item AJE/6. One of these shots had struck
13 a police radio, item JMA/10.

14 "I found nothing to indicate any further shots were
15 fired from any gun or guns."

16 So that's his --

17 THE ASSISTANT CORONER: There's a second statement there, do
18 you want to refer to that?

19 MR UNDERWOOD: I don't need to, it's just a minor
20 correction.

21 If it assists, since I'm asked, it's CS528.

22 In a further statement, Mr Vaughan made, dated
23 26 January 2012 says:

24 "I was asked to prepare a further statement to
25 clarify the reasoning behind my classification of item

1 JMA/1, a converted imitation BBM model 92 self-loading
2 pistol which I had given in previous reports under
3 operation names Glasston and Oldhamstroock.

4 "Item JMA/1 had a barrel which measured
5 12.6 centimetres in length and it had an overall length
6 of 24.3 centimetres.

7 "Following my earlier examination I had concluded
8 item JMA/1 was a prohibited weapon for the purposes of
9 section 5(1)(aba) of the Firearms Act 1968 as amended,
10 owing to its dimensions."

11 THE ASSISTANT CORONER: Right.

12 MR STERN: Can I just clarify one matter because the way
13 that my learned friend read it, in relation to the gun
14 being "up/off safe", we heard the evidence of PC Green
15 that in fact the vehicle (sic) was off safe, in other
16 words it was not in a safety mode.

17 THE ASSISTANT CORONER: The safety catch wasn't on the gun?

18 MR STERN: Exactly. That's the way of putting it.

19 THE ASSISTANT CORONER: That was his evidence.

20 MR STERN: Yes, exactly.

21 THE ASSISTANT CORONER: Right. Yes then, Mr Underwood,
22 what's the position now?

23 MR UNDERWOOD: That does conclude the evidence for today.

24 Tomorrow, we have three experts dealing with
25 fingerprints, and the like, and we have Mr Tomei, who's

1 the first of the ballistics experts, who will deal with
2 the shots fired by V53.

3 THE ASSISTANT CORONER: All right. So there we are, members
4 of the jury, an early afternoon for us -- an early
5 morning too, but not to worry; it shows good progress if
6 we are getting through witnesses comparatively speedily.
7 Tomorrow, a number of expert witnesses and such like for
8 us to deal with, so I ask you now to leave us and be
9 ready for a 10.30 start tomorrow then, please. All
10 right, thank you very much.

16 (3.39 pm)

17 (The Inquest adjourned until 10.30 am on Tuesday,
18 12 November 2013)

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