

IN THE MATTER OF THE INQUIRIES ACT 2005

AND IN THE MATTER OF THE INQUIRY RULES 2006

THE ANTHONY GRAINGER INQUIRY

GIST OF PARTS OF THE CLOSED HEARINGS

Introduction

1. The Inquiry heard oral evidence from:
 - a. 15 witnesses;
 - b. 9 of which were employed by or seconded to the Serious Organised Crime Agency (“SOCA”) at the relevant time; and
 - c. 6 of which were employed by, or officers of, Greater Manchester Police (“GMP”) at the relevant time.
2. The written statements of 12 witnesses were taken as read by the Inquiry. Of these:
 - a. 11 witnesses were employed by or seconded to SOCA at the relevant time;
 - b. 1 witness was employed by, or an officer of, GMP at the relevant time.
3. The evidence heard by the Inquiry concerned:
 - a. The legislative framework, policies and guidelines, and practices, concerning the collection, recording, analysis, and dissemination of intelligence by SOCA and GMP in 2011 and 2012;
 - b. The collection, recording, analysis, and dissemination of certain intelligence in connection with Operation Shire by SOCA and the GMP in 2011 and 2012; and
 - c. The extent of the records and information now available to the Inquiry and, if such records and information are not complete, the reasons for the loss or destruction of such records and information.

The Evidence

4. The Inquiry heard evidence that:

David Totton and Aaron Corkovic

5. There was intelligence available to SOCA [following dissemination of item 4 on the Intelligence Chronology] that Aaron Corkovic and David Totton were not planning robberies together and were not working as a team.
6. This information was available to SOCA in late 2011 and in particular before, and at the time of, the provision of item 41 on the Intelligence Chronology.

7. This information was not disseminated by SOCA to GMP.
8. P24 and P27 (who were seconded to or employed by SOCA and responsible for collecting and disseminating intelligence) accepted that the intelligence that Aaron Corkovic and David Totton were not planning a robbery together should have been disseminated to GMP.

Item 41 of the Intelligence Chronology

9. P24 and P27 accepted that further research should have been conducted before disseminating item 41 on the Intelligence Chronology to GMP.
10. P24 accepted that:
 - a. More care should have been taken with the wording of the intelligence passed.
 - b. There was no information provided at this time that referenced a firearm.
 - c. The reference in item 41 of the Intelligence Chronology to “twin brothers Arron and Bradley” was not an accurate reflection of the intelligence provided.

Robbery

2.3.12

11. P11 (a person seconded to SOCA and responsible for disseminating intelligence) stated that:
 - a. On 2 March 2012 he assessed from the intelligence available to him that David Totton and Anthony Grainger and another person intended to commit a robbery on 3 March 2012 if the opportunity arose and, if not, to conduct reconnaissance on that day, or to commit a robbery on 5 March 2012 (the target of which was in case not known);
 - b. On 2 March 2012 he passed some of the underlying intelligence and his assessment of it to C3 (a GMP employee responsible for receiving intelligence from SOCA and then distributing it, or some of it, to operational officers);
 - c. On 2 March 2012 (nor subsequently) he did not make a record of what intelligence he passed to C3.
12. C3 stated that:
 - a. He made contemporaneous notes of what P11 said to him on 2 March 2012, albeit these were not a verbatim record of the conversation;
 - b. These notes record some of the underlying intelligence that P11 says that he passed to C3 but they do not record that P11 said that his assessment was that David Totton and Anthony Grainger and another person intended to commit a robbery on 3 March 2012 if the opportunity arose and, if not, to conduct reconnaissance on that day, or to commit a robbery on 5 March 2012 (the target of which was in case not known);
 - c. He does not recall P11 passing him an assessment on 2 March 2012 that David Totton and Anthony Grainger and another person intended to

commit a robbery on 3 March 2012 if the opportunity arose and, if not, to conduct reconnaissance on that day, or to commit a robbery on 5 March 2012 (the target of which was in case not known); and

- d. Accordingly, on 2 March 2012 he did not inform DI Cousen that there was intelligence that had been assessed to indicate that David Totton and Anthony Grainger and another person intended to commit a robbery on 3 March 2012 if the opportunity arose and, if not, to conduct reconnaissance on that day, or to commit a robbery on 5 March 2012 (the target of which was in case not known), albeit in some parts of his evidence he said that he could not recall all of the detail of what he said to DI Cousen.

13. The Chairman will, in due course, analyse and make findings about, amongst other things:

- a. The material underlying this intelligence;
- b. P11's assessment of it;
- c. The words used by P11 to convey this intelligence to C3;
- d. The words used by C3 to convey this intelligence to DI Cousen; and
- e. DI Cousen's recollection of the intelligence that was passed to him by C3.

3.3.12

14. C3 agreed that on 3 March 2012:

- a. He received no intelligence from SOCA that David Totton, Robert Rimmer or Anthony Grainger intended to commit a robbery (whether armed or otherwise).
- b. He accordingly passed on no intelligence to DI Cousen that David Totton, Robert Rimmer or Anthony Grainger intended to commit a robbery (whether armed or otherwise).

Access to firearms

15. Save for the intelligence reflected in the Intelligence Chronology, SOCA did not disseminate any intelligence to GMP that David Totton, Robert Rimmer or Anthony Grainger had access to, or may have access to, firearms.

16. P11 stated that on 2 March 2012 he informed C3 that there was no intelligence within the intelligence he was responsible for disseminating that suggested that David Totton, Robert Rimmer or Anthony Grainger would or may be armed on 3 March 2012 or 5 March 2012. C3 stated that his recollection did not accord with that of P11. He had not therefore passed on to DI Cousen any such intelligence.

17. P11 stated that on 3 March 2012 he informed C3 that there was no intelligence within the intelligence he was responsible for disseminating that suggested that David Totton, Robert Rimmer or Anthony Grainger would or may be armed on 3 March 2012 or 5 March 2012. C3 stated that he could not recall whether or not he received that information.

18. P11 stated that on 3 March 2012 C3 spoke to him, after 6.00pm, at the request of a person who he assumed was the Senior Investigating Officer, to ask if there was intelligence within the intelligence that he, P11, was responsible for that suggested that David Totton, Robert Rimmer or Anthony Grainger were or may be armed. P11 stated that he told C3 in strong terms that there was no such intelligence. C3 stated that he could not recall this conversation.
19. C3 stated that if he had been told on three separate occasions by P11 that there was no intelligence that David Totton, Robert Rimmer or Anthony Grainger would or may be armed on 3 March 2012 or 5 March 2012 then he would have passed that information to the operational team.

Destruction and deletion of records

20. After 3 March 2012 SOCA lost and / or deleted records of intelligence, and other records, that were relevant to the Inquiry and would have assisted the Inquiry in establishing what intelligence it collected, recorded, analysed and disseminated relating to subjects concerned in Operation Shire.

This Gist

21. This gist is not a summary of all of the evidence received in the Inquiry's Closed Hearings.
22. This gist has been seen by the NCA - it agrees that:
 - a. It is accurate and fair; and
 - b. The information contained within it can be disclosed to the Core Participants in the Inquiry and to the public.
23. This gist has been seen by the GMP - it agrees that paragraphs 1 to 3 and 11 to 19 (inclusive) of this gist:
 - a. Are accurate and fair; and
 - b. Can be disclosed to the Core Participants in the Inquiry and to the public.¹
24. The Chairman has yet to reach conclusions on what the written and oral evidence he received establishes. The purpose of this document is to give to Core Participants in general terms a gist of some of the evidence heard by the Inquiry in its Closed Hearings. The extent to which witnesses are able to answer questions posed by Core Participants in Open Hearings about paragraphs 5 to 19 of this Gist is likely to be limited.

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10.2.17

¹ GMP is not in a position to approve paragraphs 5 – 10 (inclusive), and 20, of the Gist because it is not privy to the material and evidence underlying those paragraphs.