

1 Monday, 27 February 2017
 2 (10.30 am)
 3 THE CHAIRMAN: Yes, Ms Cartwright.
 4 MS CARTWRIGHT: Good morning, sir, could we call, please,
 5 Phaedra McLean.
 6 MS PHAEDRA MCLEAN (sworn)
 7 THE CHAIRMAN: Thank you, you are very welcome to sit down
 8 if you would like to do so.
 9 **A. Thank you.**
 10 **Questions from MS CARTWRIGHT**
 11 MS CARTWRIGHT: Good morning, my name is Sophie Cartwright
 12 and I appear with my learned friend Mr Beer and ask
 13 questions on behalf of the Inquiry.
 14 Could I ask you first of all, please, to give your
 15 name to the Inquiry.
 16 **A. It is Phaedra Cameron McLean.**
 17 Q. Thank you. You will see in front of you there is
 18 a bundle with your witness statement contained within
 19 it. Could I ask you please to turn behind tab 1. You
 20 will find there a statement dated 20 November 2015
 21 consisting of three pages. Can ask you to confirm that
 22 the contents of that statement are true to the best of
 23 your knowledge and belief?
 24 **A. Yes, they are.**
 25 Q. Could I ask you, having said that, please, to give us

Page 1

1 some details as to your background in March 2012 as to
 2 the capacity in which you were employed at that time?
 3 **A. As it says in the statement, I was a PC serving Cheshire**
 4 **Constabulary, I worked in our force planning and**
 5 **resilience office which was to do with a lot of the**
 6 **operational planning and my key role was within relation**
 7 **to firearms operations. I was a qualified firearms**
 8 **officer and tactical adviser and that is where I also**
 9 **undertook my role as a tactical adviser.**
 10 Q. Thank you. Can you assist as to how long you had been
 11 a firearms officer for, please?
 12 **A. Yes, my initial course to become an authorised firearms**
 13 **officer was in 1989. I worked through from**
 14 **an authorised firearms officer to a firearms support**
 15 **unit officer, which was an upskill, and then did my**
 16 **firearms instructor's course in 1994. Which was then**
 17 **also at the time qualified you to instruct in all**
 18 **tactics and as a firearms tactical adviser.**
 19 Q. Just for clarity's sake, how long then had you been
 20 a firearms tactical adviser, please?
 21 **A. That would have been from 1994.**
 22 Q. Thank you.
 23 Can you give any more detail as to how the force
 24 planning and resilience unit operated, please, in
 25 particular how it dealt with firearms authorities?

Page 2

1 **A. Well, firearms authorities would not necessarily come to**
 2 **us, we did a lot of the pre-planned operations that**
 3 **would come in. So VIP visits and such like. For those**
 4 **that were of a spontaneous nature, it was dealt with by**
 5 **whoever was the on call tactical adviser, would organise**
 6 **and be the single point of contact in relation to that**
 7 **incident.**
 8 Q. When you say that the person who was on call as the TAC
 9 would be the single point of contact, could you help as
 10 to how that would work?
 11 **A. If the cause was a spontaneous incident, invariably that**
 12 **would come in through the force incident manager in the**
 13 **control room. They would then make an initial decision**
 14 **to take that as a firearms and would contact the on call**
 15 **firearms tactical adviser in order to get advice as to**
 16 **whether to grant authority on that incident and, if so,**
 17 **under what conditions and which tactics to employ.**
 18 Q. Could you assist, we know that you became involved on
 19 1 March 2012 in respect of dealings with
 20 Officer Dickinson. Can you assist as to your knowledge
 21 in respect of cross border or any cross-border protocol
 22 that existed between Greater Manchester Police and
 23 Cheshire in respect of armed firearms incidents?
 24 **A. The cross border incidents were dealt with on**
 25 **a case-by-case basis and, invariably, it would be the**

Page 3

1 **strategic firearms commanders would look at the**
 2 **incident, when it was going to happen, and make**
 3 **a decision. There was no automatic -- at that stage, in**
 4 **my recollection, there was no automatic cross boundary**
 5 **authorities in place across the region, it was based on**
 6 **a case-by-case/incident-by-incident basis and that**
 7 **decision would be made at the strategic firearms**
 8 **commander level.**
 9 Q. Could I just ask you to look at a document contained
 10 within the policy and procedure bundles, please, that
 11 has been provided from Greater Manchester Police.
 12 It is difficult to locate the document because it is
 13 the very last document in the bundle, commencing at
 14 page 675.
 15 THE CHAIRMAN: Does it have a letter, this bundle?
 16 MS CARTWRIGHT: Sir, it is a new addition to your bundle, it
 17 is contained at the back, so there is no letter --
 18 THE CHAIRMAN: For the bundle itself?
 19 MS CARTWRIGHT: No, it is just the policy and procedures
 20 bundle sir, I think it is on top of the boxes on the
 21 back wall.
 22 THE CHAIRMAN: Thank you very much.
 23 **A. It is at the bottom, sorry.**
 24 MS CARTWRIGHT: Thank you.
 25 You see there there is a nine-page cross-border

Page 4

1 protocol that has been provided. It is not a signed
 2 document but we can see at the back page, at the
 3 internal pagination, page 9, Cheshire is one of the
 4 signatories to that cross-border protocol.
 5 **A. Yes.**
 6 Q. Can you assist back in 2012 whether you had any
 7 knowledge of this protocol?
 8 **A. It is but as I say, for me, I would treat this on**
 9 **a case-by-case basis in the fact that yes the**
 10 **pre-planned would be the VIP visits and when we were**
 11 **going, and they're -- but it does say, you know, it is**
 12 **those -- it is where the strategic and as they call**
 13 **there the gold and silver commanders being involved in**
 14 **those decision-making processes.**
 15 Q. Yes.
 16 **A. So yes, I was aware of it, we knew how to enact it and**
 17 **how to authorise it when the incident arose, that was**
 18 **a requirement to take place.**
 19 Q. Thank you.
 20 You tell us in your statement that you were the on
 21 call TAC on 1 March working at the Cheshire headquarters
 22 at Winsford. You tell us at around 3.00 you received
 23 a telephone call from Chief Inspector Bailey. Could you
 24 tell us about that, please?
 25 **A. Yes, he contacted me, saying he had been contacted by**

Page 5

1 **Greater Manchester Police in relation to an operation**
 2 **that would potentially take place and that he wanted**
 3 **discussion with myself to garner tactical advice as**
 4 **to -- and to what to take forward to the strategic**
 5 **firearms commander from his perspective. So he wanted**
 6 **my advice on what action should be taken in relation to**
 7 **that possible incident.**
 8 Q. Can you assist, in terms of wanting your advice, the
 9 information that was being provided as to what was known
 10 at that time?
 11 **A. Yes, if I just refer -- it was from the Greater**
 12 **Manchester robbery squad, that they, an incident may**
 13 **take place involving firearms and that the tactics to be**
 14 **involved in that would be a MASTS, so mobile armed**
 15 **support to surveillance, tactic within the Culcheth area**
 16 **of Warrington.**
 17 **And initially that was the initial information that**
 18 **I had from Chief Inspector Bailey.**
 19 Q. Thank you. Your statement tells us, as well as
 20 mentioning the tactic of the MASTS, it also made
 21 reference to including special munitions?
 22 **A. Yes.**
 23 Q. Were you aware of what special munitions were to be used
 24 by GMP?
 25 **A. At that stage, no, it is just that is the term that**

Page 6

1 **Chief Inspector Bailey used but to me "specialist**
 2 **munitions" within a MASTS would involve either shotgun**
 3 **rounds through the tyres and potentially the use of CS.**
 4 Q. In terms of potentially the use of CS, can you assist in
 5 respect of that?
 6 **A. Yes, you can deploy the CS either through a shotgun or**
 7 **sort of mini grenades that could be utilised at the**
 8 **time. It was a tactic I was aware of but in relation to**
 9 **MASTS it was not a skill that I was authorised to give**
 10 **advice on.**
 11 Q. When you say not a skill you were authorised to give
 12 advice on --
 13 **A. Yes, a tactical adviser, you are authorised to give**
 14 **tactical advice in a skill that you are qualified in at**
 15 **that time. So as a firearms officer, doing an ARV stop**
 16 **or a building entry and foot I was but for MASTS at that**
 17 **time I was not accredited. But I knew of what the**
 18 **tactic was and what it involved.**
 19 Q. But in terms of your involvement as an armed response
 20 officer but also as a TAC within Cheshire, it is not
 21 a tactic that you had been involved in, in terms of
 22 authorising the CS?
 23 **A. No, no, that would have all been under -- all under the**
 24 **Greater Manchester operation planning.**
 25 Q. In terms of then being told that the tactic was to be

Page 7

1 the MASTS including special munitions, what happened
 2 after that telephone discussion around the 3.00 time on
 3 1 March?
 4 **A. We would then arrange to have a further meeting, Chief**
 5 **Inspector Bailey was going to go to Greater Manchester**
 6 **to get further details, I believe, and was in receipt of**
 7 **an email outlining Greater Manchester's threat and risk**
 8 **assessment in relation to their planning, which is what**
 9 **we discussed later on.**
 10 Q. We can see that you attach that email to the back of
 11 your TAC log, can you assist, because there is no
 12 forwarding email, was this something that was handed to
 13 you?
 14 **A. Yes, it was given to me by Chief Inspector Bailey.**
 15 Q. Was that during the meeting in the afternoon?
 16 **A. Yes.**
 17 Q. Could we perhaps then go to the TAC log that you
 18 completed on 1 March, please, which is behind tab 1 in
 19 the bundle.
 20 THE CHAIRMAN: Do you mean tab 1?
 21 MS CARTWRIGHT: Sorry, tab 2, I do apologise.
 22 I am afraid that some of the boxes have photocopied,
 23 so the text is very dark. But we can see, on the first
 24 page, so the internal pagination 97, that you are being
 25 contacted by Chief Inspector Bailey, the initial TFC is

Page 8

1 blank, and then we can see the SFC was DCC Gerrard.
 2 **A. Yes.**
 3 Q. Under "Information and intelligence", you have recorded:
 4 "Call to Chief Inspector Bailey from GMP robbery
 5 squad stating operation to be run by GMP overnight in
 6 relation to premises, robbery, Culcheth area,
 7 Warrington, MASTS team with special munitions, details
 8 attached."
 9 That is the email --
 10 **A. In an email, yes.**
 11 Q. Perhaps could we go to that, please. It commences on
 12 the internal pagination at page 105.
 13 We can see I think the time on the email for
 14 1 March, the top one is 4.26 pm, so that had been
 15 copied, provided, just very briefly before the meeting?
 16 **A. Yes. Yes.**
 17 Q. Can you assist as to what consideration you gave to the
 18 information contained in the email, and particularly in
 19 respect of the threat assessment and the working
 20 strategy?
 21 **A. I mean, for me, looking at the threat assessment and**
 22 **working strategy is something that would be based on the**
 23 **information intelligence that you would have at the**
 24 **time. So my view was that they had obviously considered**
 25 **all the elements that I would have on an incident that**

Page 9

1 **you are looking at, the public and the police in the**
 2 **area and the subjects involved in the incident, and how**
 3 **best to mitigate any threat and risk and then the**
 4 **working strategy is looking at the outcome that you want**
 5 **to achieve and how you are going to achieve that.**
 6 **So they had covered all of those elements and, for**
 7 **me, I was not placed in order to question those because**
 8 **I didn't -- I was not privy to the information or the**
 9 **intelligence they were based on.**
 10 Q. I was going to ask, because is this the only information
 11 then that you were provided with by way of detail as to
 12 the GMP operation at that time?
 13 **A. Yes.**
 14 Q. In terms of the details of who made up the suspects that
 15 GMP were following, did you have any information in
 16 respect of that?
 17 **A. No.**
 18 Q. Can I ask then, in terms of -- turn to page 106, please
 19 where we see the tipping points. We can see the tipping
 20 point number one on page 106 is:
 21 "One or more of the subjects are in the stolen Audi
 22 bearing false plates RO08 LOD and moving towards
 23 Culcheth."
 24 Can you recall whether that was something that was
 25 discussed in the meeting in the afternoon?

Page 10

1 **A. Only in the fact that we had the details, from my**
 2 **perspective, for us making a decision was whether we,**
 3 **Cheshire, allowed Greater Manchester Police to come on**
 4 **to the Cheshire force area and, if so, who had the**
 5 **command and control. So the advice I gave was that,**
 6 **because that information intelligence was obviously**
 7 **wanting to be at the strategic and tactical firearms**
 8 **commander level and contained as much as possible. And**
 9 **I was just cognisant of the fact that if Cheshire**
 10 **allowed Greater Manchester to come on to the Cheshire**
 11 **force area, that it was the command and control**
 12 **protocols that were assured beforehand as to who had**
 13 **command and control of the incident and throughout its**
 14 **duration.**
 15 Q. Can you assist then in terms of the decision making,
 16 first of all, around allowing GMP to come on to
 17 Cheshire? Can you recall, was that then ventilated in
 18 the meeting?
 19 **A. It would have been the discussion of -- if Greater**
 20 **Manchester have all the intelligence, they have all the**
 21 **operation planning in place and they have all the**
 22 **officers in place, it would be very difficult for**
 23 **Cheshire to replicate that in the timescales from that**
 24 **afternoon through to the evening. Therefore, if the**
 25 **strategic firearms commander was content that they had**

Page 11

1 **all that in place, and all the operational planning in**
 2 **place with the working strategy and the threat**
 3 **assessments, that GMP were best placed to keep (a) the**
 4 **tactical on the ground operation in its entirety, and**
 5 **also all of the command and control protocols.**
 6 Q. If we go back then, please, into the log that you were
 7 completing at that time, please. At page 98, please, we
 8 can see in your note, "Discussion re agreement of SFC",
 9 and I think the SFC throughout was Officer Gerrard?
 10 **A. Yes, it was at that point.**
 11 Q. "... re command and control protocols."
 12 Then there is reference to cross boundary forms?
 13 **A. Yes, we -- certainly for pre-planned operations if you**
 14 **knew about it, we put in place, it was almost like in**
 15 **the form of a short letter to say that Cheshire would**
 16 **allow Greater Manchester to run, have the command and**
 17 **control and it just basically evidenced the command and**
 18 **control protocols that would be in place. So that it**
 19 **showed that Greater Manchester SFC had strategic command**
 20 **of the operation all the way through.**
 21 Q. Do you know whether then, moving forward, a letter of
 22 that nature was --
 23 **A. I don't know, that is why it was a question mark,**
 24 **whether they felt it was necessary, certainly on some of**
 25 **the operations that we did, it was, it was utilised but**

Page 12

1 **on the short notice ones, not always, it was done**
 2 **through the force incident managers.**
 3 Q. Can you assist at this time whether this operation was
 4 being treated as a pre-planned or as a spontaneous
 5 incident?
 6 **A. For me, it would be pre-planned because we had**
 7 **an element of time and certainly for Greater Manchester**
 8 **they would have been, I am sure, planning it for**
 9 **a little bit longer than we had.**
 10 Q. Can we move back then into your notes, please. You have
 11 recorded, "Contingencies in place, run off..." Can you
 12 just deal with --
 13 **A. Sorry, yes, that was -- it was to ask the questions of**
 14 **if contingencies were in place, obviously a MASTS tactic**
 15 **is complicated and involves a vehicle stop. So my view**
 16 **was that we would be content that they had contingencies**
 17 **in place to involve either individuals running off from**
 18 **the vehicle, if the vehicle was able to drive off or**
 19 **through the police vehicle stop and if the individuals**
 20 **did manage to get out of that stop, that if they gained**
 21 **access into a property, were we in a place to deal with**
 22 **that.**
 23 Q. In terms of what you have recorded there, is that you
 24 raising those as matters that Cheshire needed to know
 25 the answer to, moving forward?

Page 13

1 **A. Yes.**
 2 Q. Then does the next entry follow on from that, that Chief
 3 Inspector Bailey to take details to DCC Gerrard for
 4 decisions?
 5 **A. Yes, so he would have -- he had further ... obviously**
 6 **had the confirmation of the emails and take that, with**
 7 **that advice, through to Mr Gerrard.**
 8 Q. Then could we just deal with the next entries in your
 9 log, please:
 10 "Who notified in line with the request from GMP, TFC
 11 and DCC only and then for the FIM, restricted incident?"
 12 Could you just explain that, please?
 13 **A. Yes, obviously from the email and the conversations that**
 14 **Chief Inspector Bailey had, they -- Greater Manchester**
 15 **were looking at containing who had access to that, this**
 16 **information on the incident itself. So my only query**
 17 **again was: who do we inform in relation to this**
 18 **operation ongoing overnight? And also did we inform the**
 19 **force incident manager in order that they could set up**
 20 **a restricted access incident so that it was in place,**
 21 **should something happen, then we would have that**
 22 **information -- what limited information we had would be**
 23 **to hand.**
 24 Q. Again, in terms of having an answer to those questions,
 25 that was just the discussion at that time?

Page 14

1 **A. Yes, it was.**
 2 Q. Can I just move then through the rest of the entries you
 3 made within this log, we then just have, "As per
 4 attached" and then over the page, please, operation
 5 planning by GMP. Were all of those entries completed at
 6 that time or did you get information that came back to
 7 you?
 8 **A. No, that was at the time because that "As per the**
 9 **attached", so the threat assessment and the working**
 10 **strategy as per the attached that is based on the**
 11 **Greater Manchester email. And obviously the tactical**
 12 **plan in place, again, all the operational planning had**
 13 **been conducted by Greater Manchester Police, so it was**
 14 **not something for us to complete.**
 15 Q. Could I ask you just to look into some notes we also
 16 have that were completed by Officer Bailey and we will
 17 find those in bundle M1, please.
 18 **A. Okay.**
 19 Q. If I can take you to page 9 within that bundle, please.
 20 You can see the entry at 3.05 with your name, which
 21 I think coincides with your recollection of the contact
 22 being by phone at 3.00 or roundabouts. Then the next
 23 entry is recording for 16.44, which appears to be the
 24 notes around the time I think you were completing your
 25 TAC log. We can see that Officer Bailey has recorded,

Page 15

1 "Contingency, our ARVs. Force control, local officer
 2 forewarning Cheshire."
 3 Can you assist, do you have any recollection of what
 4 was said in the meeting about Cheshire being forewarned?
 5 **A. Well I think "forewarned" is in relation to the**
 6 **operation itself. The "local officer" and "incident at**
 7 **forewarning Cheshire" could potentially mean: do we**
 8 **forewarn the local area in relation to stay safe? If it**
 9 **goes ahead.**
 10 Q. We can see "Incident of Culcheth Parade", I think it is
 11 also referenced in the threat assessment, so was it
 12 known at that time that the target area was the Culcheth
 13 area?
 14 **A. It was just Culcheth, yes, that was all the information**
 15 **we had.**
 16 Q. Thank you.
 17 Thank you.
 18 Can I ask then, following on from this meeting where
 19 you knew that Officer Bailey was then going to take
 20 things forward with Officer Gerrard, the SFC, what did
 21 you expect would then happen, or did you expect to hear
 22 anything else back.
 23 **A. No, I didn't -- well, only if something had happened**
 24 **overnight there was potential, so I was on call**
 25 **throughout that night, that maybe I would receive**

Page 16

1 a phone call to say the incident had taken place and
 2 some support was needed by ourselves, but I didn't hear
 3 anything overnight.
 4 Q. Thank you.
 5 Can I ask, in terms of the discussion with
 6 Officer Gerrard, you were not provided with any feedback
 7 about what was said during that meeting or discussion.
 8 A. No.
 9 Q. Can we move then to the Friday, please, 2 March, because
 10 I think you were still the on call TAC adviser?
 11 A. Yes, I was.
 12 Q. And you received a call you have told us at 9.19 that
 13 day.
 14 A. Yes.
 15 Q. Could you deal with that contact, please?
 16 A. That was from the force incident manager, it was
 17 relating to me a call from Greater -- from, sorry, our
 18 Force Intelligence Bureau had received a call from
 19 Greater Manchester robbery squad of a potential cash in
 20 transit robbery taking place that day in Culcheth, but
 21 that was the only information that we had that it was
 22 cash in transit robbery in Culcheth. No further details
 23 at that point.
 24 Q. Can I ask, when you received that call in the morning of
 25 2 March, did you make any connection with the advice or

Page 17

1 the input you had had on 1 March as to whether there was
 2 any link?
 3 A. I asked the question, well I asked the force incident
 4 manager that it would be useful to go back to -- to get
 5 the Force Intelligence Bureau to go back to the Greater
 6 Manchester robbery squad to ascertain more intelligence
 7 and information. And also, if recollection serves me
 8 right, that the force incident manager to contact Chief
 9 Inspector Bailey in relation to potential links to
 10 another operation.
 11 Q. Can we perhaps just look at the incident, please, where
 12 we can see your involvement, and it is within the M1
 13 folder that we already have open, please. Can I ask you
 14 to turn to page 147 within that bundle, please.
 15 A. What page, sorry?
 16 Q. 147, please.
 17 THE CHAIRMAN: Is this still in M1?
 18 MS CARTWRIGHT: It is, sir.
 19 A. 147?
 20 Q. Please. Thank you.
 21 You tell us in your statement that in respect of the
 22 intelligence that came in around a cash vehicle in
 23 transit robbery, that there was no specific intelligence
 24 and no intelligence relating to use or access to
 25 firearms.

Page 18

1 A. No, not that I was told at that point.
 2 Q. And so if we look, perhaps, at where we can see your
 3 involvement contained within the incident 180, we can
 4 see at 09.36 that firearms were not authorised by
 5 Inspector Dickinson.
 6 A. Yes.
 7 Q. Had you had any input at that time in respect of the
 8 decision not to authorise firearms?
 9 A. It is not my decision, but I had given the advice on the
 10 fact that it was so unspecific we had no full location,
 11 apart from the Culcheth area, we had no detail of time,
 12 we had no detail of vehicles and no detail of subjects.
 13 And as such, it was so vague that it was actually very
 14 difficult to put any plan in place at all. So at this
 15 point, hence why the question to go or the advice to go
 16 back and try and gain more specific information.
 17 Q. We can see, please, on the same page, for 9.37, that
 18 Inspector Dickinson records that you were fully
 19 appraised of the intel and tactics at this time
 20 supported?
 21 Just to cover that, what was the intelligence and
 22 tactics at that time?
 23 A. We didn't have any tactics in -- apart from I think
 24 later on we did dispatch the ARVs to the location but,
 25 as I said, we had no information and no intelligence,

Page 19

1 hence no firearms authority at that time. Albeit that
 2 the ARVs were then dispatched to the location of that
 3 command unit and the area of Culcheth.
 4 Q. Can you assist as to the decision to dispatch the ARVs
 5 to the area?
 6 A. That was just as a contingency to actually have
 7 a response in place if we were able to find more
 8 intelligence, so rather than being in Chester, they were
 9 at least a one in the northern area, which is the
 10 Warrington/Widnes/Runcorn area and one just patrolling
 11 the Culcheth area, but they were not authorised at that
 12 point.
 13 Q. Can we please look at the TAC log that you commenced on
 14 2 March, please, which is behind tab 3.
 15 We can see that you commenced the log at 09.19, so
 16 do you start recording on this as soon as you get the
 17 information?
 18 A. Yes, it was my contemporaneous notes.
 19 Q. Were you based at Winsford again when you started this
 20 document?
 21 A. I was.
 22 THE CHAIRMAN: 9.19, where is that?
 23 MS CARTWRIGHT: Page 201, sir, behind tab 3.
 24 THE CHAIRMAN: Sorry, I am looking at the wrong -- yes,
 25 thank you.

Page 20

1 MS CARTWRIGHT: We can see the bottom box on page 201, where
 2 I think it is very difficult to decipher what the
 3 parameters was, I think that is a vulnerable persons box
 4 and you have put "Non-identified".
 5 **A. Yes.**
 6 Q. If we turn over the page, please, I think again what is
 7 unclear from the box is this is the box where you
 8 record, "Info, intel continued". I think you have set
 9 out there -- perhaps if you can read your entry, please,
 10 at that time, leading up to 9.30.
 11 **A. Yes, I will try. I have to say it was -- yes, so**
 12 **initially he has put:**
 13 **"No authority at this time, ARVs dispatched to the**
 14 **area (OFC [which is the operational firearms commander]**
 15 **on duty PC Stanley). One at Culcheth, one in northern**
 16 **area support."**
 17 **That is one car to Culcheth and one car to the**
 18 **northern area in support if required.**
 19 Q. Thank you.
 20 **A. Do you want me to read all --**
 21 Q. Yes, please, up until the 9.30 entry, please.
 22 **A. Okay, I have then got:**
 23 **"Check with GMP, what do they want us to do?"**
 24 **Then the options I have put is:**
 25 **"Disruption, obs, better intel."**

Page 21

1 **Then:**
 2 **"Local officers stay safe and then report to FIM.**
 3 **ARVs to deal".**
 4 Q. Thank you. Can I ask then, in terms of receiving some
 5 B21 intelligence that is vague in this way, would you
 6 usually expect more information to come with a piece of
 7 intelligence?
 8 **A. Not always initially but you would then hope to build on**
 9 **it and to be able to find out more information. You**
 10 **know, if it stayed as vague as that, then that would all**
 11 **we would be able to do.**
 12 Q. In terms of disruptions being one of the things you want
 13 the answer from GMP as to what Cheshire can do, can you
 14 just explain what the disruptions would involve?
 15 **A. Disruption is a big high profile presence of the police**
 16 **within that area, to basically to interdict and stop**
 17 **anybody, so they would look, come into the area and see**
 18 **a very, very high profile evidenced police presence**
 19 **within that area.**
 20 Q. Could we then, please, deal within your log, the
 21 recording at 9.30 as to what the force incident manager
 22 told you at 9.30 then, please?
 23 **A. He then has a further call saying that we had had**
 24 **further intelligence that the team break in overnight**
 25 **and then they conduct the robbery -- well, I put,**

Page 22

1 **"Robbery on arrival at the CVIT". So that for me is the**
 2 **force incident manager is telling me that the team**
 3 **normally break in overnight and then conduct the robbery**
 4 **on the vehicle as it arrives at the venue.**
 5 Q. Can I just pause you there for a moment, you tell us in
 6 your witness statement that at 9.30 on 2 March, you had
 7 received a call from the force incident manager,
 8 stating:
 9 "Further intelligence from GMP was that there had
 10 been a team break in overnight and that the robbery
 11 would take place on arrival of the cash vehicle in
 12 transit."
 13 **A. That -- that would be a mistake on my part.**
 14 **I apologise.**
 15 **From this, it is the sort of the method and the**
 16 **modus operandi of the team was that they break in**
 17 **overnight. We didn't still have a location at that**
 18 **point, hence the fact that we had to go back to the**
 19 **Greater Manchester Police to get that further**
 20 **information.**
 21 Q. Just to clarify, you were not told on 2 March that there
 22 had in fact been a break in overnight?
 23 **A. No, that is my mistake.**
 24 Q. But as we see as you have recorded it in your log, the
 25 information that was provided is that it is one of the

Page 23

1 MOs of who you were interested in is that they break in
 2 overnight and do a robbery on arrival of the cash
 3 vehicle in transit?
 4 **A. Yes.**
 5 Q. Can you continue to read your entries, please, for 9.30?
 6 **A. Yes. I then put a note:**
 7 **"I informed the FIM of an op being run by Greater**
 8 **Manchester Police, GMP, last night which had the details**
 9 **of vehicles and subjects and is this the same job?"**
 10 Q. Can I just, pausing you there, in terms of then raising
 11 a potential link between the incident that has been fed
 12 in on 2 March, where would you expect then the FIM to go
 13 to see whether or not there is a link between --
 14 **A. To use the Force Intelligence Bureau contact, I think it**
 15 **was DC Halliwell, was it?**
 16 Q. Holliwell, yes.
 17 **A. And also to contact Chief Inspector Bailey if he was**
 18 **available, as he was the one that had the full**
 19 **information the previous day.**
 20 Q. Thank you. Can you please continue to read your entry
 21 in the log?
 22 **A. Yes, I then ask:**
 23 **"Do they want a full disruption? If it is, this may**
 24 **compromise the operation."**
 25 Q. Pausing you there, when you have recorded that, as to

Page 24

1 whether it may compromise the operation, is that
 2 something that would ordinarily be in your mind or are
 3 you referencing back, if there is a link, to that email
 4 where there was to be a restricted incident?
 5 **A. Yes, I was. I was thinking of if it was another job
 6 based in exactly the same area, it could potentially, it
 7 may still be a separate job but if we run a high profile
 8 operation in one place, it just may compromise their
 9 other operation.**
 10 Q. Thank you.
 11 If you continue to read, please.
 12 **A. "Did GMP have control of the subjects last night or
 13 could they be in the premises already?"**
 14 Q. Again, in terms of that being raised, is that you
 15 wanting to seek as much information as possible from
 16 GMP?
 17 **A. It was, and that was the potential for the two, if they
 18 were linked, then did they have control of the subjects
 19 last night because they were due to run an operation and
 20 therefore they may already know that it is not the same
 21 group involved.**
 22 THE CHAIRMAN: By the word "control" there, do you mean
 23 effectively know where they were?
 24 **A. Yes.**
 25 THE CHAIRMAN: Right.

Page 25

1 MS CARTWRIGHT: Thank you.
 2 If you continue to --
 3 **A. Yes, so that was a case then, leading on from that, so
 4 if we had the control of the subjects or we knew what
 5 premises, do we get the ARVs to visit that premises, if
 6 they hid -- then again previous operations where the
 7 team have hid in the roof space over the loading areas.**
 8 Q. Again, just pausing there, in terms of the specific
 9 information about teams hiding in a roof space over
 10 a loading area, can you help as to where that
 11 information came from?
 12 **A. That will have been in discussions from -- with the
 13 force incident manager as we went through, I think, or
 14 it may be that I am referencing previous operations that
 15 I have dealt with where a team had, it was where they
 16 loaded the cash into the cash machines, which I had been
 17 involved in previously.**
 18 Q. Was that a Cheshire operation?
 19 **A. That was a Cheshire operation.**
 20 Q. So again you are just using knowledge at this time that
 21 you had as to some of the tactics that can be used by
 22 the suspects?
 23 **A. Yes.**
 24 Q. Can you continue to read your log, please.
 25 **A. Then it was:**

Page 26

1 **"ARVs are to the area only, no property is to be
 2 visited."**
 3 Q. What does reference to no properties to be visited, just
 4 the armed response vehicles are not to go to --
 5 **A. Any premises, yes.**
 6 Q. If you turn over the page then, please, in terms of the
 7 threat assessment that you completed.
 8 **A. Yes.**
 9 Q. Again, was this threat assessment completed around the
 10 9.30 time?
 11 **A. It would have been initially as we were going through,
 12 so at the 9.19, but I tend to review as I am going
 13 through and if they change, I would have changed it or
 14 added to it throughout that incident.**
 15 MS CARTWRIGHT: Sir, for your note, the box where you cannot
 16 see the text on the top of page 203 is, "Threat
 17 assessment as provided by TFC".
 18 Can you assist then, in terms of this being a box
 19 that intended to be information provided from the TFC,
 20 did you have a discussion with the silver --
 21 **A. Yes, we always went through, there was a sort of
 22 a check, so as they say it, you go, and it is my
 23 opportunity, if I disagree, to add points.**
 24 Q. Thank you. Can you assist then, in terms of we have
 25 heard some evidence that the TFC that day was

Page 27

1 Officer Brierley.
 2 **A. Right, okay, yes.**
 3 Q. Can you recall then, when that would have been, would it
 4 have been something done over the phone or face to face?
 5 **A. The tactical, the initial one that I dealt with the
 6 tactical firearms commander is still the force incident
 7 manager initially until they do a formal handover.**
 8 Q. The boxes completed here are a reference from the FIM at
 9 the time?
 10 **A. Yes.**
 11 Q. Thank you.
 12 We can see for "public", you have recorded "low".
 13 **A. Yes.**
 14 Q. "Police tasked in contact", there is "medium to low"?
 15 **A. "Low to medium", yes. The arrow goes low to medium.**
 16 Q. Is that "untasked officers"?
 17 **A. Yes, that is police that may be in the vicinity but are
 18 not tasked to the operation at all.**
 19 Q. "Staff at locations on contact: medium."
 20 Then what is the next one, something "Staff or
 21 contact"?
 22 **A. "CVIT staff on contact."**
 23 Q. And that is "high"?
 24 **A. Yes.**
 25 Q. Yes. Can you assist, the next box down, where we see

Page 28

1 reference to MR and MS is for the recording of the
 2 strategy, what does MR and MS stand for?
 3 **A. "MR" is minimise the risk and "MS" is maximise safety.**
 4 Q. Can you explain the difference, please?
 5 **A. We can maximise safety of people that we control, so**
 6 **therefore the police, we can maximise their safety by**
 7 **giving them either advice and equipment in order that**
 8 **they can conduct their operation safely and therefore we**
 9 **can then minimise the risk to the public by being either**
 10 **in place or being able to prevent them coming into**
 11 **contact with the incident itself. So it is quite**
 12 **a subtle difference --**
 13 Q. Yes.
 14 **A. -- but it is maximising safety we generally saw as those**
 15 **that we were able to control fully and minimise the risk**
 16 **of those that have their own free will or can come into**
 17 **place.**
 18 Q. We can see that you have recorded the minimise the risk
 19 for the public, the subjects, and is that subjects of
 20 the --
 21 **A. Of the operation.**
 22 Q. -- operation?
 23 **A. Yes.**
 24 Q. Then cash in transit staff?
 25 **A. Yes.**

Page 29

1 Q. In terms of then where you have a strategy to minimise
 2 risk to those various groups, how is that done or how do
 3 you factor that into what the tactical plan is?
 4 **A. You look at all the elements, so in relation to the**
 5 **police, you are ensuring that everybody involved is**
 6 **fully qualified with what they are going to do, that**
 7 **they have got all the right equipment and the right**
 8 **training, they are in the right vehicles, in the right**
 9 **place, they have got a full knowledge and understanding**
 10 **of what their role throughout the operation is and**
 11 **involved in minimising the risk. That is how you try**
 12 **and put a gap between the operation and those**
 13 **individuals or how you put a tactic in place in order to**
 14 **prevent that -- as much contact as possible.**
 15 Q. Can I ask, in terms of, so when you are performing the
 16 role of a TA, is your responsibility then, if armed
 17 response officers are deployed, having knowledge of each
 18 of those armed response officer's training and
 19 competency?
 20 **A. You were -- not necessarily, ours was a small force you**
 21 **generally did. But that is through they would not be on**
 22 **patrol to do a lot of these jobs for a pre-planned.**
 23 **Something like the MASTS, again, you would handpick your**
 24 **team in order to know that they were qualified in that**
 25 **tactic.**

Page 30

1 Q. Thank you.
 2 Then we can see there are some more recordings below
 3 where you have done the minimise risk maximise safety
 4 analysis, can you just read those various entries
 5 please.
 6 **A. I think that says:**
 7 **"Evidence, investigation of offences, identify and**
 8 **apprehend the offenders."**
 9 Q. Can you assist what "evidence" relates to, please?
 10 **A. That would be looking for evidence of either a potential**
 11 **operation or the evidence subsequent to the robbery**
 12 **taking place, so the collection of evidence, say in the**
 13 **investigation of the offences is, again, that would be**
 14 **the ongoing -- that is what we were trying to do, that**
 15 **offence, we were trying to investigate and identify and**
 16 **apprehend offenders, because at that time we didn't know**
 17 **who they were.**
 18 Q. Then we see the next box, which again the text of what
 19 it covers is not clear but that is, "Tactical parameters
 20 set by ..."
 21 Can you just read what you have recorded next to
 22 that parameter, please.
 23 **A. Yes we just put:**
 24 **"Unarmed officers stay safe, not approach."**
 25 **So there was a set, and I have to say my memory**

Page 31

1 **fails me, I used to know it off heart but there was**
 2 **a stay safe package which basically identified to**
 3 **unarmed officers what they were to do if they came**
 4 **across or were involved in a firearms incident in order**
 5 **that they were as safe as possible and that they were**
 6 **not to approach, so if the operation was authorised or**
 7 **an incident occurred, then they were not to approach and**
 8 **the ARVs would deal with the incident recording.**
 9 Q. Again, in terms of officers that are to receive a stay
 10 safe briefing, could that vary in terms of who needed to
 11 be giving it, so there were surveillance officers
 12 involved, they may need to have a briefing, if it is
 13 community officers on the ground, they may need the
 14 briefing?
 15 **A. Yes.**
 16 Q. Could you turn over the page, please to your log at
 17 page 204.
 18 **A. Yes.**
 19 MS CARTWRIGHT: Again, sir, the text of the box is not clear
 20 but we can see this is where the tactical options
 21 considered, including their implications and how they
 22 relate, is to be recorded.
 23 Can you please go through each of the options that
 24 you have considered within the plan, please?
 25 **A. We have put initially is to wait, I have put, "Not fit**

Page 32

1 **strategy. Intel to continue".**
 2 Q. In terms of the, I suppose the urgency around getting
 3 the intelligence that morning, can you assist as to how
 4 important it was to have that intelligence to be fed in?
 5 **A. Yes, well, as I say, we were stuck with patrolling the**
 6 **area without any more information and would have had to**
 7 **respond to the unknown without any further intelligence**
 8 **if we had some intelligence on vehicles and things we**
 9 **would be able to, but the wait was -- wait is almost do**
 10 **nothing, where we didn't, we wanted the intelligence**
 11 **picture to be continued to be developed.**
 12 Q. Thank you.
 13 **A. I have then got:**
 14 **"Mitigating action, which is high profile police**
 15 **presence, follow CVIT vehicles or fix positions within**
 16 **the local [which would be local area]."**
 17 **So those are the mitigating actions that we could**
 18 **take on the information intelligence we had at the time.**
 19 **We have got:**
 20 **"No time of offences, build on intel, GMP as last**
 21 **night may be compromised ...**
 22 **Oh:**
 23 **"... op last night [it should be] may be**
 24 **compromised."**
 25 Q. It should be, "GMP Op as last night may be compromised"?"

Page 33

1 THE CHAIRMAN: No, "GMP Op last night", I think. Isn't that
 2 what you are saying.
 3 **A. Yes, sir.**
 4 MS CARTWRIGHT: Can you explain a little more what that
 5 relates to?
 6 **A. Again in relation to the information we had at that**
 7 **time, that we had no time of the offence or further**
 8 **detail, so to build on the intelligence that we are**
 9 **getting, and then, again, this is a reference that it**
 10 **may, if we do that high profile police presence,**
 11 **compromise the operation that was due to run the night**
 12 **before.**
 13 Q. Can I ask then, when you have a balance of potentially
 14 compromising an ongoing operation but also then you have
 15 information that may put the public at risk within
 16 Cheshire, how you perform the balance about what you do?
 17 **A. We have to deal with what we have got at the time, so**
 18 **that would have taken primacy for us within the Cheshire**
 19 **area.**
 20 Q. What would have taken primacy?
 21 **A. The incident that was ongoing at the time, so the 2nd.**
 22 Q. Thank you, could you continue to read through your log.
 23 **A. Yes. I've got:**
 24 **"Another option was offender observations ..."**
 25 **Which again doesn't fit the strategy in the evidence**

Page 34

1 **gathering:**
 2 **"Intel not sufficient to investigate."**
 3 **So again we didn't know -- we couldn't really do**
 4 **observations because we didn't know where or on who or**
 5 **on what, so it didn't fit the strategy.**
 6 **An investigative assessment, again, not fit the strategy**
 7 **but also the intelligence meant that we couldn't go and**
 8 **send the ARVs somewhere because we didn't know where to**
 9 **send them:**
 10 **"Contain communication, so if identified and located**
 11 **to be utilised."**
 12 **And then:**
 13 **"Decisive action: to be reviewed if more intel**
 14 **received on location, subjects and vehicles."**
 15 Q. Thank you. Would you please turn then to page 206,
 16 where the box relating to, "Tactical options selected by
 17 TFC to form the tactical plan", is what is recorded here
 18 what was arrived at at 9.30, the 9.30 time?
 19 **A. I think it would have been through that time, if**
 20 **I haven't placed another time then it could well be**
 21 **maybe on the incident.**
 22 Q. So we can see that the tactical option selected was,
 23 "Mitigating action, high profile presence to follow cash
 24 vehicles in transit and then static positions".
 25 **A. Yes.**

Page 35

1 Q. Was the static positions for the armed response vehicle?
 2 **A. Yes, for that -- it would have been in the northern**
 3 **area, in the Culcheth -- so in following the CVIT vans,**
 4 **that would be again the intelligence would have to get**
 5 **through to the providers, they had contacts in those**
 6 **organisations in order to get the routes through which**
 7 **was part of the intelligence picture and provide that**
 8 **whole police presence.**
 9 Q. Thank you.
 10 Then the next box below, which is the box to record
 11 "Contingencies to support the tactical plan", you have
 12 set out:
 13 "If offence taking place to be reviewed, premises
 14 contain and negotiate ..."
 15 THE CHAIRMAN: Could you tell me what that box is again,
 16 I am very sorry.
 17 MS CARTWRIGHT: Contingencies to support tactical plan.
 18 THE CHAIRMAN: Thank you.
 19 MS CARTWRIGHT: "If offence taking place to be reviewed,
 20 premises to contain and negotiate entry/threat to life."
 21 Can you just expand upon that summary, please?
 22 **A. Yes, so if events take place all of these are options**
 23 **and contingencies that would have to consider, in the**
 24 **premises that we would look to contain and negotiate but**
 25 **consider entry if there was an immediate threat to life.**

Page 36

1 Q. Thank you. Then for vehicle, you have recorded: "ARV
 2 stop, appropriate to intel ..." Is it "force policy"?

3 **A. On pursuits, yes.**

4 Q. Can you expand what that entry relates to?

5 **A. Yes, so again the ARVs had different levels of stop
 6 tactics and that would be the one that would be
 7 authorised by the tactical firearms commander, whether
 8 that was a force incident manager at this stage, it
 9 would be appropriate to the intelligence we had at the
 10 time on the occupants of the vehicle. And then to take
 11 into consideration the force policy on pursuits, vehicle
 12 pursuits.**

13 Q. Can you assist what the different level of stops are,
 14 please?

15 **A. Yes, if I can remember. The lowest level was maybe
 16 a similar vehicle but you were uncertain, so it was very
 17 low level approach, was the lowest level, so again, very
 18 low level of arming, with your sidearm but aware and
 19 ready to react.**

20 **Then it went up to a level 3, which was a hard stop
 21 where the vehicles would force the subject vehicle into
 22 a stop. That would be utilising the ARVs, which were
 23 marked vehicles, and something that they practised on
 24 a regular basis.**

25 Q. Thank you. Can you then see "Run off":

Page 37

1 "Safe followed by ARV officer."

2 **A. Officers, yes. So that is if an individual or subject
 3 as part of the operation was ran off, then again the
 4 ARVs would follow on foot and in the safest possible
 5 manner in order to protect the public and themselves.**

6 Q. Thank you.

7 Then the last three lines, please, on page 206.

8 **A. "Less lethal options to be available. No dog available.
 9 Consider ASU."
 10 Which is air support unit.**

11 Q. Thank you. In terms of then the tactic of using a dog,
 12 is that a dog to bring a suspect under control?

13 **A. It is, yes. But there is specific dogs within the force
 14 that were trained to work with the Firearms Unit. So,
 15 "No dog available", there was general duty dogs
 16 available but no firearms dog and handler, that would
 17 mean.**

18 Q. Thank you.

19 THE CHAIRMAN: Before we turn the page -- which I think you
 20 are about to do, Ms Cartwright -- what was the box at
 21 the very top of page 206?

22 MS CARTWRIGHT: Sir, that is, "Tactical options selected by
 23 TFC to form tactical plan".

24 THE CHAIRMAN: Thank you.

25 MS CARTWRIGHT: I think, if we turn over the page, we can

Page 38

1 see your next recordings relate to a little later on in
 2 the morning at 11.00, but before taking you to that, can
 3 we just go back into the incident 180 where we see
 4 I think reference to you again, just to plot through
 5 your involvement in the events of the morning on
 6 2 March.

7 I think if you could go to page 152 within the
 8 incident. We can see at 10.59 an armed authority was
 9 granted, do you recall whether or not you were consulted
 10 again before the authority was put in place at 10.59?

11 **A. Not before then, no, but I've got 11.00 on mine, so it
 12 is ...**

13 Q. Then if we look, please, over the page, to page 153, we
 14 can see Inspector Dickinson's recording and at 11.09,
 15 there is reference to making you aware of the firearms
 16 authority now granted and in support of actions taken so
 17 far.

18 **A. Yes.**

19 Q. Can you recall, were you in support of the firearms
 20 authority that was put in place at that time?

21 **A. Yes, I received the phone call at 11.00 and they have
 22 given me the information that Greater Manchester have
 23 come back and said that, in relation to the robbery,
 24 that they potentially may use firearms. In which case
 25 that has changed the assessment you would make because**

Page 39

1 **there is a possible use of firearms, so an officer may
 2 be faced with that individual.**

3 Q. Thank you.

4 You are referencing there you are recording at 11.00
 5 for having been provided with information by
 6 Inspector Dickinson, so it is:
 7 "FIM, further intel from GMP, possible firearm."

8 **A. Yes.**

9 Q. In terms of the star that is next to it, did you put the
 10 star --

11 **A. Yes, that is just me highlighting, it is the way
 12 I utilise sometimes to remind myself where the key
 13 points were.**

14 Q. Do you recall anything in particular that
 15 Inspector Dickinson said to you other than there was
 16 a possible firearm at that time?

17 **A. I don't, no.**

18 Q. Then can you just help decipher the comment underneath,
 19 "Authority granted, discreet ..."

20 **A. Arming.**

21 Q. What does "discreet arming" reference, please?

22 **A. Just the way that the ARV officers would be carrying
 23 their weapons, so they have a sidearm carried on their
 24 thigh, they would invariably wear a jacket and, if they
 25 were carrying their carbines it would be discreetly**

Page 40

1 **carried across their front, not high profile.**
 2 Q. Thank you. We can see, both in your statement and in
 3 the log, that at 12.30 you have referenced a Chief
 4 Inspector Brierley. Can you recall whether you had
 5 a discussion with Chief Inspector Brierley at that time
 6 or whether you were just provided with his details?
 7 **A. I genuinely can't remember. I would maybe think there**
 8 **was a brief conversation in relation to what we had at**
 9 **the time potentially with that or I have been informed**
 10 **that Chief Inspector Brierley has now taken over that**
 11 **incident.**
 12 Q. Thank you.
 13 You tell us in your statement that Chief Inspector
 14 Bailey contacted you at 12.30 and updated you with the
 15 SFC's, Assistant Chief Constable McCormick, decisions?
 16 **A. That is me making another mistake, isn't it? That**
 17 **should be Brierley, probably.**
 18 THE CHAIRMAN: The statement is mistaken where?
 19 MS CARTWRIGHT: Where it references "Bailey", that should be
 20 "Brierley".
 21 **A. Yes.**
 22 THE CHAIRMAN: Right. Let me just -- yes, that is the
 23 12.30, the penultimate paragraph of the statement?
 24 **A. Yes.**
 25 MS CARTWRIGHT: Thank you.

Page 41

1 You tell us in your witness statement:
 2 "There is to be no standing authority and the Force
 3 Intelligence Bureau were to continue to deal with GMP in
 4 relation to any ongoing threat assessment over the
 5 weekend."
 6 Sorry I have read "threat" but it says "that
 7 assessment", should "that" in the witness statement be
 8 "threat assessment"?
 9 **A. Yes.**
 10 Q. Thank you.
 11 **A. I apologise.**
 12 THE CHAIRMAN: Sorry?
 13 MS CARTWRIGHT: Page 19, there was to be no standing
 14 authority and FIB were to continue to deal with GMP --
 15 THE CHAIRMAN: You are reading from the statement? I was
 16 looking at the note.
 17 Yes, thank you.
 18 MS CARTWRIGHT: Can you recall anything further as to what
 19 Chief Inspector Brierley told you about why there had
 20 been a decision not to grant a standing authority by the
 21 gold commander?
 22 **A. Again, it was -- from memory, Mr Bailey, but it would**
 23 **probably be the lack of clarity as to what intelligence**
 24 **we had as to where it would be or when it would be.**
 25 Q. Thank you.

Page 42

1 Could I take you back into your log, please, because
 2 we do see a reference to Chief Inspector Bailey on
 3 page 207.
 4 **A. That is Brierley.**
 5 THE CHAIRMAN: It actually is Brierley, I would have said.
 6 MS CARTWRIGHT: Yes.
 7 **A. Yes.**
 8 Q. Can you just read from the SFC comment, please, "SFC,
 9 ACC McCormick spoken to"?
 10 **A. Yes, that is me writing it down. I have not spoken to**
 11 **her, so:**
 12 **"ACC McCormick spoken to, no standing authority due**
 13 **to unspecific nature of the intelligence and the CVIT**
 14 **follow."**
 15 Q. Yes, and then the next entry please where we do see
 16 reference to Bailey. Is it?
 17 **A. "Informed of dealings by ..."**
 18 **I am struggling reading my own writing.**
 19 Q. It appears to be --
 20 **A. I think it is referencing the operation last night,**
 21 **because it says, "Re GMP op last night".**
 22 THE CHAIRMAN: Yes.
 23 MS CARTWRIGHT: Just to be clear --
 24 **A. That is what I would say, "Informed of dealings by ..."**
 25 **So that is me saying about the operation last night, so**

Page 43

1 **informed dealings by Chief Inspector Bailey.**
 2 Q. The reference to Bailey there is correct, but it is by
 3 reference to the previous evening?
 4 **A. Yes.**
 5 THE CHAIRMAN: Just so I understand, the first bit above
 6 that --
 7 **A. Chief Inspector Brierley.**
 8 THE CHAIRMAN: Yes, but, "No standing authority due to
 9 unspecific nature of intelligence, CVIT ..." Is that
 10 follow?
 11 **A. Yes, "follow".**
 12 THE CHAIRMAN: That is what you noted down that Ms McCormick
 13 told you, is it?
 14 **A. That Chief Inspector Brierley has had that conversation**
 15 **with the ACC.**
 16 THE CHAIRMAN: Right, yes, okay.
 17 **A. He has informed me.**
 18 THE CHAIRMAN: He has told you what she had said to him?
 19 **A. Yes.**
 20 THE CHAIRMAN: Yes.
 21 What about the one we have just been discussing --
 22 **A. That would be informed of dealings --**
 23 THE CHAIRMAN: Informed by Mr Brierley?
 24 **A. So I have informed Mr Brierley --**
 25 THE CHAIRMAN: Right, okay.

Page 44

1 **A. -- I think, of the operation last night, to contact**
 2 **Chief Inspector Bailey.**
 3 THE CHAIRMAN: Because Mr Bailey knew about the other
 4 operation --
 5 **A. Yes.**
 6 THE CHAIRMAN: -- or I say "other operation", the other
 7 night's events?
 8 **A. Yes.**
 9 THE CHAIRMAN: Thank you.
 10 Yes, I'm sorry about that I just wanted to make sure
 11 I understood what it was.
 12 MS CARTWRIGHT: Thank you.
 13 You have set out in your log that the Force
 14 Intelligence Bureau were to continue to deal with GMP
 15 regarding the ongoing threat assessment during the
 16 weekend.
 17 **A. Yes.**
 18 Q. Was that you being provided with that information at
 19 that time or were you saying that is what should take
 20 place moving forward?
 21 **A. Both I think. I think, you know, Chief Inspector**
 22 **Brierley and ACC McCormick will have wanted that to**
 23 **happen but it is also my advice that we keep digging**
 24 **into what information and intelligence there is behind**
 25 **this operation as to whether it was likely to continue**

Page 45

1 **over the weekend possibly.**
 2 Q. Can I ask in terms of, because there is not ordinarily
 3 cover over the weekend -- there is not staffed officers
 4 in the FIB over the weekend, is there?
 5 **A. I think it was a 24-hour but I can't remember, I don't**
 6 **know. I think there was a limited, there would be some**
 7 **limited intelligence feed, but I don't know for certain.**
 8 Q. I think that was the extent of your involvement on
 9 2 March, because I think you then carried out a handover
 10 to the oncoming TA, who was Jonathan Pope --
 11 **A. That's right.**
 12 Q. -- and that was at 3.15 in the afternoon of 2 March?
 13 **A. Yes.**
 14 Q. Can you just deal with that contact with him over the
 15 phone, as to what update you provided at that time?
 16 **A. I will have gone through those two incidents, given him**
 17 **the background and the detail of both the one on 1 March**
 18 **and the one on 2 March, for his awareness but obviously**
 19 **there was the potential for either one to continue**
 20 **throughout the weekend.**
 21 Q. Yes. You say in your statement that you also said about
 22 the potential for it to occur over the weekend period?
 23 **A. Yes.**
 24 Q. Can you recall what you would have said about that?
 25 **A. It was just those are the two incidents and, you know,**

Page 46

1 **either one of those operations could happen over the**
 2 **weekend.**
 3 MS CARTWRIGHT: Thank you.
 4 If you just excuse me for one moment. (Pause)
 5 Thank you.
 6 Questions from MS WHYTE
 7 MS WHYTE: I ask questions on behalf of the Greater
 8 Manchester Police --
 9 **A. Okay.**
 10 Q. -- and I have very few.
 11 Could you look, please at tab 2, page 106. This is
 12 the email thread which was contained within your log for
 13 1 March.
 14 **A. Yes.**
 15 Q. Just familiarise yourself, you can see it is a forwarded
 16 email from GMP up to Nicolas Bailey and another, marked:
 17 "Nick, for your information [on page 105] and that
 18 of your DCC only, please."
 19 **A. Yes.**
 20 Q. What is contained for your information is then an email
 21 from check for somebody called Mike Lawler at GMP to
 22 various people setting out, as you have described to us
 23 already, the threat assessment and so on.
 24 **A. Yes.**
 25 Q. If you turn on to 106 you can see the subjects are named

Page 47

1 there as Grainger, Rimmer and Totton. At the time this
 2 comes through to Nick Bailey at 16.26, the three
 3 subjects are named by surname only?
 4 **A. Yes.**
 5 Q. It is marked, "For the attention of Mr Bailey and the
 6 DCC only", but came to you how quickly after that? Even
 7 though you are neither of those two people.
 8 **A. No, well as I say the email I think was forwarded, the**
 9 **telephone conversation took place with Nick Bailey and**
 10 **he contacted me at approximately 15.00.**
 11 Q. That is a document that we can see is marked for the
 12 attention of two people but it certainly come to you at
 13 least, that it is not a criticism at all but it is
 14 spread out to you relatively quickly.
 15 Did you know that Mr Bailey had been sent by the
 16 relevant OFC in Manchester shortly after this, at about
 17 5.15, by email the operational order, so the PowerPoint
 18 briefing that went out to the AFOs?
 19 **A. No, I didn't.**
 20 Q. You were not aware of that, or the content presumably?
 21 **A. No, because I wouldn't need to know.**
 22 Q. When you say you wouldn't need to know?
 23 **A. At that point, no.**
 24 Q. At that point, why wouldn't you need to know --
 25 **A. Because if the decision had been made between the gold**

Page 48

<p>1 commanders, the strategic firearms commanders, to</p> <p>2 authorise Greater Manchester to run that operation</p> <p>3 within the Cheshire force area, then they have the</p> <p>4 command and control protocols of it and.</p> <p>5 Q. That would not concern you?</p> <p>6 A. No.</p> <p>7 Q. Thank you very much.</p> <p>8 Fast forwarding to 2 March and your log, can we go,</p> <p>9 please, to tab 3, page 207. So this is part of the log</p> <p>10 you have just been taken to --</p> <p>11 A. Yes.</p> <p>12 Q. -- by Ms Cartwright and it is the final entry at 12.30,</p> <p>13 where you have contact with Chief Inspector Brierley.</p> <p>14 A. Yes.</p> <p>15 Q. Were you aware that Mr Brierley had had the same</p> <p>16 PowerPoint from 7.00 that morning?</p> <p>17 A. No.</p> <p>18 Q. So he didn't divulge and offer the contents of it to you</p> <p>19 or more information about the subjects had you needed</p> <p>20 it?</p> <p>21 A. No, this was treated as a separate incident throughout.</p> <p>22 MS WHYTE: Thank you very much indeed.</p> <p>23 A. Okay.</p> <p>24 MS CARTWRIGHT: Sir, do you have any questions?</p> <p>25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 49</p>	<p>1 THE CHAIRMAN: We will start again at 11.50.</p> <p>2 MS CARTWRIGHT: Thank you.</p> <p>3 (11.40 am)</p> <p>4 (A short adjournment)</p> <p>5 (11.50 am)</p> <p>6 MS CARTWRIGHT: Thank you, sir. Can we call, please, Penny</p> <p>7 Wilson.</p> <p>8 MS PENNY WILSON (sworn)</p> <p>9 THE CHAIRMAN: Yes, do feel free to sit down.</p> <p>10 A. Thank you.</p> <p>11 Questions from MS CARTWRIGHT</p> <p>12 MS CARTWRIGHT: Good morning.</p> <p>13 A. Good morning.</p> <p>14 Q. My name is Sophie Cartwright and I appear with my</p> <p>15 learned friend Mr Beer QC and I ask questions on behalf</p> <p>16 of the Inquiry. Could I ask you first of all to give</p> <p>17 your name to the Inquiry?</p> <p>18 A. Yes, it's Penny Wilson.</p> <p>19 Q. Can you assist as to your current employment?</p> <p>20 A. I am currently retired. I retired from the Cheshire</p> <p>21 Constabulary in February 2013.</p> <p>22 Q. Thank you.</p> <p>23 Going back to 2012, can you assist as to what rank</p> <p>24 you were at that time?</p> <p>25 A. I was superintendent in uniform operations at that time.</p> <p style="text-align: center;">Page 51</p>
<p>1 Questions from THE CHAIRMAN</p> <p>2 THE CHAIRMAN: In relation to page 106 and the email, this</p> <p>3 was forwarded to you, was it?</p> <p>4 A. No, I got a copy of it from --</p> <p>5 THE CHAIRMAN: You got a copy of it?</p> <p>6 A. Yes, just that copy. I think.</p> <p>7 THE CHAIRMAN: When?</p> <p>8 A. At the 16.30 meeting, sir.</p> <p>9 THE CHAIRMAN: It includes three surnames?</p> <p>10 A. Yes.</p> <p>11 THE CHAIRMAN: Did you register those surnames?</p> <p>12 A. I didn't at the time. But it was also in relation to</p> <p>13 that one incident, my participation was requested in</p> <p>14 order that both the TFC and SFC could make that decision</p> <p>15 to hand command and control, or allow Greater Manchester</p> <p>16 to have the command and control within the Cheshire</p> <p>17 force area, as I saw it.</p> <p>18 THE CHAIRMAN: Right. Okay.</p> <p>19 Thank you.</p> <p>20 MS CARTWRIGHT: Thank you, sir.</p> <p>21 Thank you. That concludes the evidence. Thank you.</p> <p>22 THE CHAIRMAN: Thank you for assisting the Inquiry, you are</p> <p>23 free to go.</p> <p>24 MS CARTWRIGHT: Sir, could I ask that we take the morning</p> <p>25 break now, before the next witness, Penny Wilson.</p> <p style="text-align: center;">Page 50</p>	<p>1 Q. For how long had you been a superintendent?</p> <p>2 A. About 13 years.</p> <p>3 Q. Thank you.</p> <p>4 If you look in the statement, please, in the bundle</p> <p>5 in front of you --</p> <p>6 THE CHAIRMAN: Is there a copy of the bundle for me?</p> <p>7 MS CARTWRIGHT: Sir, there should be one on the counter.</p> <p>8 THE CHAIRMAN: Sorry, behind the screen, thank you very</p> <p>9 much.</p> <p>10 Yes.</p> <p>11 MS CARTWRIGHT: We can see behind tab 1, a statement dated</p> <p>12 31 July 2012. Could I ask you to look through that</p> <p>13 statement and can you confirm that the contents of the</p> <p>14 statement are true to the best of your knowledge and</p> <p>15 belief?</p> <p>16 A. Yes, they are.</p> <p>17 Q. Thank you.</p> <p>18 Perhaps if we also look as well behind tab 5, we can</p> <p>19 see that, in an email to Helen Spooner on 19 April 2012,</p> <p>20 so slightly earlier, you provided an account that we see</p> <p>21 at page 411 to 412.</p> <p>22 A. Yes.</p> <p>23 Q. Thank you.</p> <p>24 Moving back then to your statement, we can see that</p> <p>25 I think you became the locum silver commander on</p> <p style="text-align: center;">Page 52</p>

1 3 March, coming on duty I think just shortly after 6.00.
2 **A. I came on duty at 7.00.**
3 Q. 7.00?
4 **A. Yes, that night.**
5 Q. Is it right that you came on to perform the duties of
6 the silver commander for Cheshire Police?
7 **A. Yes, it is sort of like a locum arrangement where you**
8 **take responsibility for any serious incidents happening**
9 **throughout the force area in that 12-hour period.**
10 Q. Can you assist how long you had been a silver commander?
11 **A. Probably very -- virtually as long as I had been**
12 **a superintendent. There may have been some breaks in**
13 **that, but pretty much the majority of that 13-year**
14 **period.**
15 Q. Thank you.
16 You tell us you came on at 7.00 but we can see in
17 the transcript, behind tab 2, that in fact you make
18 contact with the force incident manager at 6.37 pm, so
19 perhaps slightly earlier than your scheduled duty times.
20 Have you had a chance before today to review the
21 transcript of that telephone call discussion with the
22 force incident manager?
23 **A. Yes, I have.**
24 Q. Can you assist, in terms of coming on duty at 7.00 what
25 the purpose would be of essentially ringing the FIM

Page 53

1 before your duties started at 7.00?
2 **A. To see what ongoing investigations that there are and**
3 **whether I need to go to somewhere else in the county to**
4 **deal with anything and just to brief myself before**
5 **actually coming on duty.**
6 Q. You say you were coming onto duty, where were you based
7 on the evening of 3 March 2012?
8 **A. My office was in the headquarters building --**
9 Q. In Winsford?
10 **A. -- in Winsford.**
11 Q. Thank you.
12 We can see in the transcript commencing at page 27
13 that the FIM sets out to you, "Have you spoken to
14 Chris Brierley about the ongoing firearms incident?"
15 And it is apparent from the transcript of the call that
16 you had not spoken to him at that time.
17 **A. No.**
18 Q. But we can see that there is an account given as to the
19 FIM's understanding of the status of that operation at
20 that time, and perhaps if I just read that.
21 **A. Yes.**
22 Q. "Oh, okay, from my point of view there is not much to
23 tell you. We have got a MASTS operation going on with
24 GMP up at Culcheth so he is running that if you like or
25 liaising with that, our ARVs are not deployed there,

Page 54

1 they are just at an ARV point at the moment and it is
2 the GMP MASTS that has got authority gold to come into
3 our area, so he is running that."
4 You respond:
5 "Right, He is not silvering it, GMP are silvering
6 are they?"
7 The FIM responds:
8 "That's correct, the only time we would take over is
9 if it went -- if they escaped and then there was
10 an initial containment put on, we would then take the
11 containment over or assist as required."
12 Can you assist, then following on from this
13 suggestion by FIM that you make contact with
14 Mr Brierley, we can see that he provides an email to you
15 and if I just take to you that, please, behind tab 8 in
16 the bundle. We can see at 18.51, Christopher Brierley
17 forwarded to you the Op Shire MASTS for 2 March 2012.
18 **A. Yes.**
19 THE CHAIRMAN: Did you say 51?
20 MS CARTWRIGHT: It is tab 8 in mine.
21 THE CHAIRMAN: Tab 8, yes.
22 MS CARTWRIGHT: Can I just check, is behind tab 8 an email?
23 THE CHAIRMAN: It is not to this witness -- actually,
24 I'm sorry, it is, I do apologise. This is Neil Doleman
25 is the --

Page 55

1 Q. Yes, over the page it is the page number should be 45 at
2 the bottom?
3 THE CHAIRMAN: Yes, I have it.
4 MS CARTWRIGHT: Thank you.
5 Yes. Can you assist, was there a conversation with
6 Mr Brierley at that time?
7 **A. There was a conversation with him, as I came on duty,**
8 **regarding the operation. I don't know whether I called**
9 **him or he called me.**
10 Q. Do you recall what that conversation covered, did it
11 reflect what we can see the FIM's assessment of the
12 situation or was there any other information provided to
13 you by Mr Brierley at that time as to what was
14 happening?
15 **A. It is difficult to recall the specifics of the telephone**
16 **conversation, obviously, because it was some years ago**
17 **but it will have been about the current status and my**
18 **recollection is that we weren't actually involved in the**
19 **operation at that time but we did have resources in the**
20 **area in case of things changing in relation to that**
21 **operation at a later time, so contingencies, as we call**
22 **them.**
23 Q. Do you recall, in looking at the email with the MASTS,
24 the document that is attached, the PowerPoint document
25 for a MASTS for 2 March 2012, do you recall whether you

Page 56

1 would have reviewed it at that time or whether you in
 2 fact did review it before the call came in notifying of
 3 the incident on the car park, the shooting?
 4 **A. No, I wouldn't have been able to because at that time**
 5 **I would either have been in conversation with Chief**
 6 **Inspector Brierley -- I wasn't in my office -- or**
 7 **I would have been en route to the headquarters. So**
 8 **I wouldn't have seen that prior to arriving at the**
 9 **headquarters building.**
 10 Q. So the call to the FIM is as you were travelling to
 11 Winsford?
 12 **A. Or just prior, yes.**
 13 Q. Yes.
 14 Similarly, this email, whilst it appears has been
 15 sent at 18.51, you would not have had an opportunity to
 16 consider that until you arrive at headquarters?
 17 **A. No, no, it is 10 minutes before I attended.**
 18 Q. In terms of then, I think you become aware shortly after
 19 arriving for duties of the telephone call from Mr Granby
 20 of Greater Manchester Police in respect of the shooting.
 21 **A. Yes. Having had a conversation with Chief Inspector**
 22 **Brierley, I then entered the headquarters and went into**
 23 **the resource deployment centre where the force incident**
 24 **manager is based --**
 25 Q. Yes.

1 **A. -- and -- to get an update and he told me that a shot**
 2 **had been fired and that there was a casualty at the**
 3 **scene in Culcheth.**
 4 Q. Had you been provided with any information prior to that
 5 time that GMP officers were making their way to cross
 6 the border into Cheshire?
 7 **A. No. No, other than that the operation was ongoing in**
 8 **GMP.**
 9 Q. Can you assist then, in terms of your role as a silver
 10 commander in terms of post-incident management, please?
 11 **A. Yes, the first is to actually established what has**
 12 **happened and where it has happened, the nature of any**
 13 **casualty and to make sure that any post-incident**
 14 **procedures to actually -- any medical attention is**
 15 **provided to the casualty, that the scene is secured, and**
 16 **that evidence is secured and preserved at that stage and**
 17 **obviously to notify and get en route to the scene the**
 18 **relevant resources.**
 19 Q. I think if you can keep your voice up, you are softly
 20 spoken.
 21 **A. Sorry.**
 22 Q. In terms of you indicating that identifying the scene,
 23 did you know at that time when the call came in that
 24 there had been a shooting, where that shooting had taken
 25 place?

1 **A. Not exactly, only that it was in Culcheth but we didn't**
 2 **know where in -- I didn't know where in Culcheth and**
 3 **I think that is reflected in my statement, I didn't know**
 4 **exactly where that had taken place.**
 5 Q. Were you with the FIM at that time?
 6 **A. I would have been in -- yes, in the same room as the**
 7 **FIM.**
 8 Q. Did the FIM have clarity at that time as to where the
 9 shooting had taken place?
 10 **A. Not that I remember, no.**
 11 Q. We know that you go on to have involvement with some of
 12 the post-incident management but did you remain sited at
 13 Winsford or did you go to the car park at any point?
 14 **A. No, not on the night, no.**
 15 Q. Can you assist, because we know that Mr Brierley, who
 16 I think you were handing over to -- sorry, he was
 17 handing over to you, went to the car park. Were you
 18 aware that Mr Brierley was remaining on duty and going
 19 down to the car park?
 20 **A. I was, yes.**
 21 Q. Can you assist as to the purpose of that?
 22 **A. It was to support the bronze commander who we sent --**
 23 **I sent, Inspector Griffiths, as the bronze commander at**
 24 **the scene and Chief Inspector Brierley was there as**
 25 **a support in that role and as an assist to me, really.**

1 **Eyes at the scene to find out exactly what was going on**
 2 **and what was in place.**
 3 Q. In terms of you deploying the bronze commander to the
 4 scene, can you explain why that was done?
 5 **A. That is part of the post-incident procedures to actually**
 6 **again secure and preserve evidence, ensure the safety of**
 7 **the public, to make sure that appropriate cordons are**
 8 **put in place and that the post-incident procedures are**
 9 **underway, and obviously to report back to me with that**
 10 **information.**
 11 Q. Do you recall if you requested the bronze commander to
 12 establish a cordon?
 13 **A. We had a discussion about the procedures which will have**
 14 **included that, yes, that a cordon needed to be**
 15 **established and I also -- we got into a discussion about**
 16 **the weapons of the officers and my instruction to him**
 17 **was that the officer should retain their firearms, those**
 18 **that were involved in the shooting should retain their**
 19 **firearms at that point in time as part of the**
 20 **post-incident procedures.**
 21 Q. Pausing there, dealing with each in turn.
 22 Firstly in terms of the cordon, would you have given
 23 any direction or advice or instruction to the bronze
 24 commander about how to establish the cordon?
 25 **A. I would have done if I felt that he didn't know, but**

<p>1 I don't remember doing that.</p> <p>2 Q. Secondly, in terms of giving the advice that the</p> <p>3 firearms officers were to remain with their weapons at</p> <p>4 the scene. What was the reason for doing that?</p> <p>5 A. It is good practice as part of the post-incident</p> <p>6 procedures for the officers to retain those weapons</p> <p>7 until they are made safe and are taken from them in</p> <p>8 order to preserve the evidence.</p> <p>9 Q. Can you recall whether or not you gave any instruction</p> <p>10 about non-conferring warning to be given to the firearms</p> <p>11 officers who had been involved in the shooting?</p> <p>12 A. No, I didn't.</p> <p>13 Q. Can I take you through your daybooks that you provided</p> <p>14 and can I first of all just establish in terms of,</p> <p>15 because we have two daybooks, as to how each were being</p> <p>16 used at that time, they are behind tab 10.</p> <p>17 A. Yes.</p> <p>18 Q. We can see the first one, there is some internal</p> <p>19 pagination on the first one of 1049 and it is a daybook</p> <p>20 dated 12 March 2012.</p> <p>21 A. Yes, that is -- that is just notes in order for me to</p> <p>22 use as a basis for any statement or any report that</p> <p>23 I was asked to make at a later date. They are not</p> <p>24 contemporaneous notes.</p> <p>25 Q. Thank you. Just to establish, so if we turn over the</p> <p style="text-align: center;">Page 61</p>	<p>1 Then if we turn over the page, we then see a daybook</p> <p>2 for 1 December 2011, with the number 993 in the top</p> <p>3 right-hand corner.</p> <p>4 A. Yes.</p> <p>5 Q. Then, can I just take you to a number of entries,</p> <p>6 I don't intend to take you through all of the entries in</p> <p>7 your casebook, but if we could turn to, over the page,</p> <p>8 we can see 93 in the top right corner, and then the next</p> <p>9 page, we see reference to Superintendent Mark Granby?</p> <p>10 A. Yes.</p> <p>11 Q. What is the word in the column, please, on the left-hand</p> <p>12 side?</p> <p>13 A. It says "bookmarked incident". That may be a previous</p> <p>14 incident that is relevant to this incident or it may be</p> <p>15 something -- it is, that clearly says bookmarked</p> <p>16 incident, so it looks like there is another incident.</p> <p>17 Q. What does the 891 --</p> <p>18 A. That would be the number of that incident.</p> <p>19 Q. Do you know, have you checked back to the bookmarks</p> <p>20 incident 891 and what that relates to?</p> <p>21 A. I haven't, no.</p> <p>22 Q. Then we can see underneath that, "OCG group from Salford</p> <p>23 commit armed robberies some time".</p> <p>24 Can you help us as to when that entry would have</p> <p>25 been made?</p> <p style="text-align: center;">Page 63</p>
<p>1 page, where we can see a number 1 in the top right-hand</p> <p>2 corner. Where we have times recorded, they were not</p> <p>3 made contemporaneously on 3 March, I think in fact</p> <p>4 2 March is the date next to it, I think that is</p> <p>5 incorrect, isn't it, you were not involved in the 2nd,</p> <p>6 it was the 3 March?</p> <p>7 A. No, it is the 3 March, that is the incident details, it</p> <p>8 is incident 180, which was created on the 2nd.</p> <p>9 THE CHAIRMAN: Right, because it is the incident of that</p> <p>10 date?</p> <p>11 A. Of that date, which was the day before when the incident</p> <p>12 was created. That is for my reference in looking at the</p> <p>13 incident.</p> <p>14 MS CARTWRIGHT: Yes, but I think again if we look in your</p> <p>15 witness statement, you reference, "On the night of</p> <p>16 Saturday, 2 March ..." Which is in fact incorrect --</p> <p>17 A. It is, it should have been the 3rd.</p> <p>18 Q. The times we see in that casebook are times you have</p> <p>19 taken from the incident 180 for preparation purposes for</p> <p>20 your statement?</p> <p>21 A. At the first --</p> <p>22 Q. The first casebook?</p> <p>23 A. Yes, that is done at a later date. They are just notes</p> <p>24 to help me.</p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 62</p>	<p>1 A. That would have been made -- they are probably brief</p> <p>2 notes that I would have made when I was in conversation</p> <p>3 with Chief Inspector Brierley, that was the</p> <p>4 superintendent in charge of the -- the Greater</p> <p>5 Manchester superintendent who was the silver for the</p> <p>6 incident.</p> <p>7 Q. Thank you.</p> <p>8 Could I ask you then to turn over the page where we</p> <p>9 see 95 in the top right-hand corner.</p> <p>10 We can see reference to Dave Griffiths at the scene.</p> <p>11 I think he is the bronze commander; isn't he?</p> <p>12 A. He is.</p> <p>13 Q. "One fatality", and then for 8.05, "MP5, one round", can</p> <p>14 you read the rest of that entry, please?</p> <p>15 A. "... one round to heart believed. Medics at the scene,</p> <p>16 principal officer found. Firearms authority taken from</p> <p>17 him."</p> <p>18 Q. Just pausing there, in terms of one round to the heart,</p> <p>19 it is believed, do you know where that information came</p> <p>20 from?</p> <p>21 A. It will have come from Dave Griffiths at the scene.</p> <p>22 Q. In terms of reference to "Principal officer found" can</p> <p>23 you help us as to what that relates?</p> <p>24 A. That would be identifying the officer who actually fired</p> <p>25 the shot, I think.</p> <p style="text-align: center;">Page 64</p>

<p>1 Q. In terms of the notes that you have recorded here, is 2 this recording what Officer Griffiths is feeding back to 3 you? 4 A. Yes. That is my recollection, I think. 5 Q. Turning over the page, please, we can see the 96 in the 6 top left-hand corner, we can see reference again to 7 Mark Granby, and then 8.50 -- 8 THE CHAIRMAN: Where? 9 MS CARTWRIGHT: Middle of the page, sir. 10 THE CHAIRMAN: Thank you. 11 MS CARTWRIGHT: "Mark Granby", just simply the name, and 12 then 8.50 pm: 13 "ACC Mc ..." 14 That is for ACC McCormick the gold commander? 15 A. It is, yes. 16 Q. "... post incident management Openshaw, Mark Granby 17 there as well." 18 A. Yes. 19 Q. In terms of reference to Mark Granby there as well, is 20 that Mark Granby being at Openshaw? 21 A. Yes, I believe so. 22 Q. Who told you that? 23 A. That will have been from ACC McCormick. 24 Q. In terms of you recording about Mark Granby, can you 25 assist as to why you were making recordings relating to</p> <p style="text-align: center;">Page 65</p>	<p>1 Q. Thank you. 2 Over the page, please, can you just assist, the time 3 in the column on the left-hand side, is that 06.10. 4 A. 00.10. 5 Q. So 12.10. We can see: 6 "Update ACC McCormick, IPCC agreed we will do scene 7 investigative forensic strategy." 8 A. Hmm. 9 Q. Is that right? 10 THE CHAIRMAN: "Scene investigation" or -- 11 A. Forensic strategy required, yes. 12 THE CHAIRMAN: Yes. 13 MS CARTWRIGHT: So in terms of the forensic strategy for 14 Cheshire, would you have been involved in that? 15 A. No, that would have been the initial investigating 16 officer. 17 Q. And that is Geraint Jones? 18 A. Yes. Well, on behalf of the IPCC, because they would -- 19 yes. 20 Q. Yes. 21 Could I ask you, at the bottom of the page we see 22 reference to Helen Spooner. Can you assist as to 23 Helen Spooner's role in the post-incident management? 24 A. I think her role was as -- was in managing the crime 25 scene but again, I am going on memory.</p> <p style="text-align: center;">Page 67</p>
<p>1 the location of Mark Granby at that time? 2 A. It is just information about how the incident was 3 evolving and I had a number of conversations with the 4 ACC who was at the scene as to what was happening and 5 I was just making brief notes of those. 6 Q. Thank you. 7 Could you turn over the page, please, where we see 8 97 in the top right-hand corner. About two-thirds down 9 the page, so below the 9.05 recording, we can see there 10 is a reference to DI Cousen, something, is it, "Visit 11 compromise investigation to tell next of kin"? 12 A. Yes, there was a discussion around -- there would have 13 been a discussion around informing the family of the 14 incident and a discussion with DI Cousen as to whether 15 that would have any implications regarding the 16 investigation, if that was done at the time. 17 Q. Was that you directly having a discussion with the SIO, 18 Mr Cousen? Can you recall? 19 A. I can't remember. It looks like it was from that note; 20 but I can't remember. 21 Q. Can you recall, then, as to why Mr Cousen was saying 22 that contacting the family may compromise the 23 investigation at that stage? 24 A. No, he was saying it wouldn't, I think it says, "Won't 25 compromise the investigation to tell the next of kin".</p> <p style="text-align: center;">Page 66</p>	<p>1 Q. Thank you. Can you assist then, again, over the page, 2 we can see on the page with 99 in the top right-hand 3 corner, there is reference to, "Guidance GMP, 4 Ian Duddridge", can you assist as to the contact you had 5 with Ian Duddridge you had at that time and what the 6 guidance related to, please? 7 A. I don't recall what that is. I think it is just a note 8 that if we needed any guidance via GMP in relation to 9 the scene then Ian Duddridge was the contact. 10 Q. Thank you. 11 A. From memory, I have difficulty recalling what that was. 12 Q. You have mentioned the role that Geraint Jones played as 13 the initial investigating officer at that time. I think 14 that is before the IPCC were to be on the scene; is that 15 right? 16 A. It was, yes. 17 Q. Can you recall as to the information you were given as 18 to when it was envisaged that the IPCC would be at 19 Culcheth -- 20 THE CHAIRMAN: Sorry, are you asking whether she was told? 21 MS CARTWRIGHT: Yes. 22 Whether you had any knowledge as to, with 23 Geraint Jones performing that role initially, as to how 24 soon it would be that the IPCC would be attending. 25 A. No, because I was not in communication with the IPCC.</p> <p style="text-align: center;">Page 68</p>

1 **That was Geraint Jones --**
 2 Q. Thank you.
 3 **A. -- himself did that.**
 4 Q. You tell us in your statement that at 8.00 on 3 March
 5 you briefed Geraint Jones about the incident. Can you
 6 recall what your briefing would have included?
 7 **A. The position at that time, what had actually happened,**
 8 **the nature of the operation, the information of those**
 9 **officers that were at the scene, where those officers**
 10 **were and the different roles -- I am going from memory.**
 11 Q. Yes.
 12 **A. My estimation would be the current position regarding**
 13 **post-incident procedures and where they were up to.**
 14 Q. Can I just ask, you mentioned that one of things would
 15 have been the nature of the operation. As at 8.00 on
 16 3 March, what did you know about the nature of the GMP
 17 operation?
 18 **A. That it had been a MASTS operation, in relation to**
 19 **a criminal gang who were suspected of carrying out armed**
 20 **robberies. And I would have had the knowledge of what**
 21 **was contained within the operational order of the names**
 22 **of those individuals at that time.**
 23 THE CHAIRMAN: Your voice is dropping again.
 24 **A. Sorry, my apologies.**
 25 THE CHAIRMAN: You knew the GMP operation had been a MASTS

Page 69

1 operation in respect of an OCG suspected of carrying out
 2 robberies -- then your voice dropped a bit I am afraid.
 3 **A. And the -- where we were up to in relation to the**
 4 **post-incident procedures, who was where, you know, that**
 5 **there was a cordon on, that the GMP officers had been**
 6 **taken back to Greater Manchester Police, et cetera. So**
 7 **a review of actually where we were up to in relation to**
 8 **the incident at that point.**
 9 Q. Can I ask, as at 8.00 when you were briefing
 10 Geraint Jones, would you have considered then the
 11 operation order that was attached, so the briefing
 12 PowerPoint?
 13 **A. I would certainly have been aware of it and I would have**
 14 **seen it.**
 15 Q. Seen it in terms of opening the attachment to the email?
 16 **A. Yes, but there was a copy in the -- we were both within**
 17 **the resource deployment centre of the headquarters and**
 18 **the operational order was there so he would have had**
 19 **a copy -- he had a copy or would have had a copy I would**
 20 **have thought, at that time, as I did, if he required it.**
 21 **And I am pretty sure he would have done.**
 22 Q. Thank you.
 23 In terms of just to understand, so in terms of that
 24 document that we see attached to the email being saved
 25 on a Cheshire system, what system was it saved on?

Page 70

1 **A. Well it was sent to me on an email, so it would have**
 2 **been on our force intranet email system.**
 3 Q. I think you also mentioned within the resource
 4 development team, there was also a copy of it there?
 5 **A. I think there was a paper copy, but it may also have**
 6 **been attached to an email sent to the force incident**
 7 **manager, they would normally have that on their system**
 8 **as well.**
 9 Q. Thank you.
 10 Can I ask you, in the statement we have already been
 11 to the entry next to 00.05 but you set out in the
 12 statement you were informed by ACC McCormick at 12.10 on
 13 3 March that the IPCC had asked Cheshire police to
 14 manage the scene and carry out an investigation on their
 15 behalf.
 16 **A. Yes.**
 17 Q. Do you recall why the gold commander told you that that
 18 was to be Cheshire to carry it out at that time on the
 19 IPCC's behalf?
 20 **A. Why she told me?**
 21 Q. Yes.
 22 **A. Just to make sure that I, as the silver commander within**
 23 **the resource deployment centre, knew exactly what was**
 24 **happening and I could make sure that everybody else that**
 25 **needed to know that if necessary.**

Page 71

1 Q. Finally you tell us that you continued as a silver
 2 commander for the rest of the night but you were not
 3 involved further regarding preservation of evidence or
 4 the investigative process?
 5 **A. No.**
 6 Q. In terms of those, the individuals who were, could you
 7 just identify who they were beyond Geraint Jones?
 8 **A. Well, clearly the officer at the scene,**
 9 **Inspector Griffiths and Helen Spooner --**
 10 Q. Thank you.
 11 **A. -- but other than that ... and there would have been**
 12 **a number of officers, unarmed officers at the scene, who**
 13 **would have been involved in the cordons. I am also**
 14 **aware that Chief Superintendent Strachan attended the**
 15 **scene, but as part of the -- as he was the divisional**
 16 **commander for the northern area. But I am not -- other**
 17 **than the community impact assessment, I am not aware**
 18 **that he was specifically involved in the scene**
 19 **preservation or the gathering of evidence.**
 20 Q. Thank you.
 21 Can I ask, though, at the time when you were
 22 deploying the bronze commander and the like, did you
 23 give any direction in respect of the searches that
 24 should be carried out at the scene?
 25 **A. No. No. Not that I recall. But very quickly after he**

Page 72

<p>1 was on the scene the ACC arrived at the scene and was 2 coordinating all that. So other than my initial brief 3 to him and his return to me as to what he had done and 4 what the situation was, very shortly after that the 5 assistant chief constable was at the scene giving those 6 directions. 7 Q. That's the gold commander, Jeanette McCormick? 8 A. Yes. 9 MS CARTWRIGHT: Thank you very much. 10 THE CHAIRMAN: Thank you. That is the end of your evidence. 11 Thank you for helping the Inquiry. You can go. 12 Yes, Mr Beer. 13 MR BEER: Stephen Delaney, please. 14 MR STEPHEN DELANEY (sworn) 15 THE CHAIRMAN: Thank you, Mr Delaney. If you would like to, 16 feel free to sit down. 17 A. I am okay, I will stand up, yeah. 18 THE CHAIRMAN: All right. 19 Questions from MR BEER 20 MR BEER: Mr Delaney, my name is Jason Beer and I ask 21 questions with Ms Cartwright on behalf of the Inquiry. 22 A. Yes. 23 Q. In the bundle there, if you just open it up, there 24 should be a witness statement -- 25 A. I will put my glasses on, I am a bit blind, so ...</p> <p style="text-align: center;">Page 73</p>	<p>1 A. Yes. 2 Q. Are the contents of the witness statement that you have 3 just read and the sketch plan that you have attached 4 true to the best of your knowledge and belief? 5 A. They are, yes. 6 Q. Thank you very much. 7 Just a bit of background then, please, I think 8 in March 2012, I don't want to know where you lived but 9 you were a resident of Culcheth in Cheshire. Is that 10 right? 11 A. That's correct, yes. 12 Q. Is it right that you had been a resident in Culcheth for 13 quite a long time by then? 14 A. About 50 years. 15 Q. 50 years? 16 A. Yes. 17 Q. So you had been there since you were a lad? 18 A. Yes. 19 Q. Thank you. 20 You therefore knew the area pretty well? 21 A. Yes, very much so, yes. 22 Q. Okay. 23 On 3 March, I think you were out and about in the 24 late afternoon, early evening, is that right? 25 A. I was, yes. Yes.</p> <p style="text-align: center;">Page 75</p>
<p>1 Q. That may be relevant to later. 2 If you look just behind tab 1, there should be 3 a witness statement. 4 A. Okay. 5 Q. Can you see it, typed up? 6 A. Yes. 7 Q. Can you see it is dated 6 April 2012. If you see the 8 two tramlines? 9 A. Yes, yes. 10 Q. It is in your name? 11 A. Yes. 12 Q. Have you had a chance to read it recently? 13 A. No, I have not, no. 14 Q. Do you want to just read it through to yourself? 15 THE CHAIRMAN: Take your time. You might like to sit down 16 for this, it is entirely up to you but take your time, 17 don't rush through it because you will be asked 18 questions about it, you see. 19 A. No problem. (Pause) 20 Q. Thank you, Mr Delaney, and if you just skip forward to 21 tab 2 there, there is a sketch plan which you refer to 22 in the statement. Can you see that -- I think that is 23 your sketch, isn't it? 24 A. Yes, it is, not very good I am afraid but yes. 25 Q. We will do the best we can with it in a moment.</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. You say in your statement that at about 5.00 pm you went 2 to the village club? 3 A. Yes, used to be the British Legion yeah, I go there to 4 watch the rugby league, so -- 5 Q. I was going to ask you about that, you say in your 6 statement that you went there to watch the rugby and 7 I tried to work out what was on that day, on 3 March. 8 A. Bradford against Warrington. 9 Q. Yes I was looking for rugby union but couldn't find any, 10 so it was Bradford Bulls against Warrington Wolves? 11 A. Playing Bradford Bulls against Warrington, yes. 12 Q. I think that was a 5.45 kick off, yes? 13 A. Yes. 14 Q. Did you watch the whole game? 15 A. Majority of it, like, I left with about 10 or 15 minutes 16 left because obviously I had forgotten to put my Irish 17 lottery on, that is what I had to go off for. 18 Q. You had to catch the lottery before the draw? 19 A. Yes. 20 Q. I see. 21 I want to try and locate where the village club, the 22 British Legion as it was once, is. Can you open up 23 a bundle, please, it is bundle 01, which is our 24 photographs bundle, 01. It is really difficult to find 25 your way in this bundle but there is a map in it,</p> <p style="text-align: center;">Page 76</p>

<p>1 amongst the photographs at page 300A.</p> <p>2 I think it might help if -- thank you Ms Curran. It</p> <p>3 is about an inch and a half in, 300A, one inch from the</p> <p>4 front, not one inch from the back.</p> <p>5 A. Wrong one.</p> <p>6 THE CHAIRMAN: So have I, in that case.</p> <p>7 MR BEER: O1, photographs.</p> <p>8 THE CHAIRMAN: 300?</p> <p>9 MR BEER: 300A. You might remember it from earlier in the</p> <p>10 Inquiry, it was that.</p> <p>11 THE CHAIRMAN: Yes, I seem to have a different physical copy</p> <p>12 of that bundle, just give me a second and I will find</p> <p>13 the right one. (Pause).</p> <p>14 Yes, thank you, I have it.</p> <p>15 MR BEER: Thank you very much.</p> <p>16 I am going to use the plan first, the map first, and</p> <p>17 then look at some photographs to try and locate where it</p> <p>18 was.</p> <p>19 Can you see Wigshaw Lane --</p> <p>20 A. Yes.</p> <p>21 Q. -- running bottom left to the middle?</p> <p>22 A. Yes, that's correct.</p> <p>23 Q. You see where it joins Common Lane?</p> <p>24 A. Yes.</p> <p>25 Q. Then do you see Sephton Avenue coming off it on the</p> <p style="text-align: center;">Page 77</p>	<p>1 pictures have it but if you can look at 328, please.</p> <p>2 A. I am not far off it.</p> <p>3 I have not got 328 there.</p> <p>4 Yes, that is it. Okay.</p> <p>5 Q. Thank you. We will just wait for the chairman --</p> <p>6 THE CHAIRMAN: It may be a bit of a wait. I have 323, which</p> <p>7 is flagged, and I have -- what I have done is I have</p> <p>8 counted --</p> <p>9 Q. Five pages beyond there.</p> <p>10 THE CHAIRMAN: That is what I thought but it doesn't look</p> <p>11 much like what you have.</p> <p>12 MR BEER: Okay.</p> <p>13 THE CHAIRMAN: It is that? That is what I've got.</p> <p>14 MR BEER: Yes, that looks about right.</p> <p>15 THE CHAIRMAN: Okay, thank you.</p> <p>16 MR BEER: After all that, I don't think we can see the</p> <p>17 village club on there, can we?</p> <p>18 A. You can't, no. No.</p> <p>19 Q. If the bottom of this picture is the south and the top</p> <p>20 of it is the north, is it off to the north of this</p> <p>21 picture out of view?</p> <p>22 A. Yes, to the north-west.</p> <p>23 Q. Yes. Actually the north-west?</p> <p>24 A. Well, yeah, near as damn it, yeah.</p> <p>25 Q. We will use this picture later I think, if you turn the</p> <p style="text-align: center;">Page 79</p>
<p>1 left-hand side?</p> <p>2 A. Yes. Yes.</p> <p>3 Q. Is the British Legion to the right of Sephton Avenue and</p> <p>4 above the "E" of "Lane"?</p> <p>5 A. It is to the right of Sephton Avenue, if you look at it</p> <p>6 on the map here.</p> <p>7 Q. Yes. Do you see the letters for Sephton Avenue, that</p> <p>8 make up the word "Sephton"?</p> <p>9 A. Yes.</p> <p>10 Q. Where is it approximately in relation to each of those</p> <p>11 letters?</p> <p>12 A. The whole of the club stretches back because there is</p> <p>13 a car park at the back of it, so if you are looking</p> <p>14 at -- if you actually on the club itself,</p> <p>15 Sephton Avenue, runs down the left-hand, as you look at</p> <p>16 the club, down the left-hand side.</p> <p>17 Q. Okay, so as we see the word Sephton Avenue there, it is</p> <p>18 to the right-hand side of that but running pretty much</p> <p>19 long?</p> <p>20 A. In a line.</p> <p>21 Q. It is a long sided building, isn't it?</p> <p>22 THE CHAIRMAN: It is on the corner?</p> <p>23 MR BEER: Exactly.</p> <p>24 Then if we can look at some photographs to try and</p> <p>25 work out where it is, I don't think any of our aerial</p> <p style="text-align: center;">Page 78</p>	<p>1 corner of it over, or something like that, because</p> <p>2 I think that is going to show quite well the route that</p> <p>3 you took across the Cherry Tree car park, isn't it?</p> <p>4 A. Yes.</p> <p>5 Q. The answer is at the moment, we don't have a photograph</p> <p>6 of where the village club is, I don't think.</p> <p>7 Just going back to the plan then, on 300A, you were</p> <p>8 in the village club, you went to watch the rugby and how</p> <p>9 much did you drink whilst you were there?</p> <p>10 A. At tops I would say about four pints.</p> <p>11 Q. In your statement you say you drank about four pints of</p> <p>12 cider; is that right?</p> <p>13 A. Yes, that is roughly about right, yes.</p> <p>14 Q. And anything else to drink that day?</p> <p>15 A. No, I don't drink anything else.</p> <p>16 Q. Okay, had you drunk any cider earlier in the day?</p> <p>17 A. No.</p> <p>18 Q. So that was the first drink of the day?</p> <p>19 A. Yes, it was, yes.</p> <p>20 Q. I think while you were there you spoke with your</p> <p>21 friends, is that right, Mark Bennet?</p> <p>22 A. Mark Bennet, Dave Hunt, Dave's girlfriend Debbie, there</p> <p>23 was a couple of others in there like my aunty Jean, and</p> <p>24 that, like, but you know ...</p> <p>25 Q. At about 7.00 you left is that right?</p> <p style="text-align: center;">Page 80</p>

1 **A. It was about 6.50, something like that, 6.50/6.55,**
 2 **something around there.**
 3 Q. Okay, and your intention was to go to the bookmakers, is
 4 that right, on Common Lane?
 5 **A. Yes.**
 6 Q. Can we get the plan back out, 300A.
 7 I wonder whether, Ms Curran you could just put
 8 a flag in it, to speed things up. Thank you.
 9 Using the plan of the streets in Culcheth, can you
 10 just talk us through where you walked to get to the
 11 bookies.
 12 **A. Yes, so I have come out of the bookies --**
 13 Q. No, you came out of the village club.
 14 **A. Oh, you want to start? Not a problem. Came out of the**
 15 **village club, I went walked about 30 yards, it is not**
 16 **even that long, about 20 yards down Wigshaw Lane, as**
 17 **though I was going towards the Cherry Tree.**
 18 Q. Yes.
 19 **A. I always cut through the back of the Cherry Tree, like**
 20 **I said there was a hole in the fence, a piece of fencing**
 21 **missing, so I cut through the car park, through the car**
 22 **park obviously where the incident was, on to**
 23 **Jackson Avenue, across the car park for Sainsbury's --**
 24 Q. Yes.
 25 **A. -- on to Common Lane again --**

Page 81

1 Q. Yes.
 2 **A. -- across a bit of the park and into the bookies on**
 3 **Common Lane.**
 4 Q. On this map or plan here, could you describe where the
 5 bookies is?
 6 **A. Yes, it is come down Common Lane, as you get to the**
 7 **bottom of Common Lane, there is a mini roundabout and**
 8 **the bookies is to the left-hand side.**
 9 Q. Okay, so --
 10 **A. So where you have got Warrington Road, Common Lane,**
 11 **Church Lane, there is a mini roundabout there.**
 12 Q. Where is the bookies in relation to that? Can you see
 13 some red, pink, dark green?
 14 **A. I would say where the darker green and -- yes, where the**
 15 **darker green is.**
 16 Q. Where the darker green is?
 17 **A. Yes.**
 18 Q. Okay. So there is a bookmakers there and it is
 19 a Betfreds; is that right?
 20 **A. It is a Betfreds yes.**
 21 Q. You went into the bookies and placed a bet?
 22 **A. Yes.**
 23 Q. How long were you in the bookies for?
 24 **A. Five minutes.**
 25 Q. When you had come across the car park, that we are going

Page 82

1 to talk about earlier, had you noticed anything odd or
 2 suspicious going on then?
 3 **A. Only the days before.**
 4 Q. You had noticed something the days before that?
 5 **A. Yes, I mean there was a lot of police presence like, in**
 6 **relation to the Friday. On the Thursday I think there**
 7 **was a car there as well, on Lodge Drive car park. Well**
 8 **I say -- there was a lot more on the Friday than there**
 9 **was on the Saturday.**
 10 Q. Okay. So let's take it in stages then. On the Saturday
 11 when you walked across the car park, village club to
 12 bookies, anything suspicious or odd then, at that time?
 13 **A. No, I wouldn't have said so.**
 14 Q. We are going to talk about a red Audi later, was the red
 15 Audi there at that stage?
 16 **A. No.**
 17 Q. The red Audi wasn't there then?
 18 **A. No.**
 19 Q. You said that on the days before, and you talked about
 20 a Thursday and a Friday, there was lots of police
 21 activity?
 22 **A. There was lots of police presence, a lot of police cars**
 23 **knocking about, police motorbikes, especially parked --**
 24 **I spotted two actually on Jackson Avenue itself at the**
 25 **back of what used to be the travel agents, it is now**

Page 83

1 **an estate agents. But it is the back entrance to the**
 2 **shops that I noticed two police bikes, there then.**
 3 Q. Which day was that?
 4 **A. That was on the Friday.**
 5 Q. On the Friday. Anything else on the Friday that you
 6 noticed?
 7 **A. They had a police car parked over by Lodge Drive, which**
 8 **is across the road from basically the Cherry Tree and**
 9 **there was one actually parked on the car park where the**
 10 **bookies is as well.**
 11 Q. Right.
 12 **A. So that would have gone into their head that they**
 13 **were -- someone was probably targeting banks as they**
 14 **normally do, like, you know, so that is the only things**
 15 **I saw on the Friday, like.**
 16 Q. What about on the Thursday?
 17 **A. I saw a couple of cars then, one on Lodge Drive, one on**
 18 **the Co-op car park as we call it.**
 19 Q. You noticed an increased police presence on both the
 20 Thursday and the Friday?
 21 **A. Yes, definitely, yes.**
 22 Q. Going back to the Saturday then, you are in the bookies,
 23 you placed the bet, and you come back out, where were
 24 you intending to go -- or where did you go after the
 25 bookies?

Page 84

<p>1 A. Into Co-op. So I put the Irish lottery on, you never 2 know, stand a chance of winning the National Lottery, so 3 I put the National Lottery on. 4 Q. Okay, so you get a lotto ticket in the Co-op next door? 5 A. I just happened to notice there was a special offer on 6 on Jameson whiskey like, you know I was not going to 7 drink it obviously in the pub because they don't allow 8 you to do that. 9 Q. No. 10 A. So I thought I would get a bottle and take it home. 11 Came out of the Co-op. 12 Q. Just stopping there, the Co-op is that right next door 13 to Betfreds? 14 A. No, there is couple of shops in between there. 15 Q. Okay, but is that in the same area? 16 A. It is on the same block, yes. 17 Q. On the same block, yes. You are now armed with your 18 Irish lotto ticket, the Lottery ticket and a bottle of 19 Jameson's? 20 A. Yes. 21 Q. Okay. Where do you go after that? 22 A. Chip shop. 23 Q. Okay. 24 THE CHAIRMAN: Which shop, sorry? 25 A. The chip shop. I was looking to get my tea and then</p> <p style="text-align: center;">Page 85</p>	<p>1 Q. Yes. 2 A. And I got to that car park and obviously I started 3 walking through, and that is when I seen, well, I heard 4 the car behind me. 5 Q. Okay. Let's just look at the photograph, do you 6 remember the one that we turned the corner down. 7 A. Yes. 8 Q. So it is the same bundle? 9 A. It is, isn't it, yes. 10 Q. 28 pages on I think. 11 A. Got it. 12 Q. I think this will show your route, will it? 13 A. Yes, this shows it, yes. 14 Q. On the bottom left, where do you emerge from out of the 15 Sainsbury's car park? 16 A. I would say probably where that white van is, right at 17 the bottom. Because there was a -- 18 Q. With the two people in the hi-vis jackets there? 19 A. Yes, that is it, yes. 20 Q. Okay, so you come out of there? 21 A. Yes. 22 Q. Where do you walk, if you just describe it to us? 23 A. Well, where that police car is there is like a barrier, 24 there is like a barrier to stop wagons and all sorts 25 going in, I walk under there and I walk to the end of</p> <p style="text-align: center;">Page 87</p>
<p>1 take it back to the club like because like I said, they 2 don't serve food in there, so they wouldn't have minded 3 me eating it. So, yes, in my plastic bag and off 4 I went. 5 Q. Whereabouts is the fish and chip shop? 6 A. Right next to Co-op. 7 Q. Again, the same parade effectively? 8 A. Same parade, yes. 9 Q. How long are you in the fish and chip shop for? 10 A. I weren't in so long actually like, because if I was it 11 was empty, so it must have been only like five minutes 12 or so. 13 Q. Okay so you have got your four things now, effectively? 14 A. Yes. 15 Q. You were going to eat that back in the village club? 16 A. I was going back to the village club, yes, I still had 17 a bit left in my pint glass as well, so ... 18 Q. When walking back from the fish and chip shop to the 19 village club, which route did you take? 20 A. Basically the same one as I came down in the first 21 place, so I walked down Common Lane, crossed the road, 22 went through Sainsbury's car park, across to the -- they 23 call it the council car park, it belongs to the council. 24 Q. The one where the incident happened later? 25 A. Yes.</p> <p style="text-align: center;">Page 86</p>	<p>1 the car park. 2 Q. You are heading, I think, for the gap in the hedge? 3 A. Yes. 4 Q. Where the other police car is at the top -- 5 A. That is it, yes. 6 Q. -- with the yellow barrier on it? 7 A. Yes. 8 Q. Just describe which route you took? 9 A. I actually came to this side of them where them cars 10 are, there is a silver car, a black car, a white car, 11 a red car and the other silver car -- 12 Q. Yes. 13 A. -- and that is the route that I took -- 14 Q. You held them on your left-hand side, did you? 15 A. Yes. 16 Q. You are following effectively the direction of the 17 arrows? 18 THE CHAIRMAN: Yes. 19 A. Yes. 20 MR BEER: Yes. 21 You were going to walk to the end by the silver car 22 and cut through the hedge gap? 23 A. Yes. 24 Q. Okay. Whilst you were walking that route, did something 25 happen?</p> <p style="text-align: center;">Page 88</p>

1 **A. Yes, a car came into the car park, I would say it was**
 2 **not speeding or anything like that, its headlights were**
 3 **on, it was getting a bit dark like, and obviously as**
 4 **I started to turn where the that silver car, I think it**
 5 **is a silver car right at the end, it came that close to**
 6 **me that I thought -- I know it sounds daft like, but**
 7 **I thought he were going to break my bottle of whisky**
 8 **like, he was that close to me, and they stopped, and**
 9 **I turned round and obviously I said something.**
 10 Q. What did you say?
 11 **A. "Are you fucking stupid? You could have killed me."**
 12 **You know, and they just started laughing and**
 13 **reversed back into that space by the fence there.**
 14 Q. Okay. We can see on this photograph and on the next
 15 one, a red car, can you see it?
 16 **A. In that parking space?**
 17 Q. In the parking space, is that the space you are talking
 18 about that it went to?
 19 **A. That is the space I am talking about, yes.**
 20 Q. It was a red car was it?
 21 **A. Yes, it was definitely a red car.**
 22 Q. How many people did it have in it?
 23 **A. I was not 100 per cent certain like but I would say**
 24 **possibly two.**
 25 Q. Okay.

Page 89

1 There was obviously a driver, could you make
 2 anything out about him?
 3 **A. Not really, no. I think I was more interested in just**
 4 **getting back to the club like, you know? I was a bit**
 5 **annoyed like, you know, that obviously they nearly ran**
 6 **into me like but I think basically that is what they**
 7 **were laughing at like, you know, because I stuck the Vs**
 8 **up like and obviously shouted to them, like, you know.**
 9 Q. Yes.
 10 **A. Then I just made my way to the opening in between that**
 11 **car park and the Cherry Tree car park.**
 12 Q. What was the light like at this time?
 13 **A. It weren't too bad actually, it wasn't pitch black but**
 14 **you have got the light from the Cherry Tree car park as**
 15 **well because they have got the floodlights in the back**
 16 **car park. So like it was not too bad there, like just**
 17 **about where I was here.**
 18 Q. I was going to ask you about that, because you say in
 19 your statement that, "The area was lit ..."
 20 **A. It was fairly well lit.**
 21 Q. "... as the light from the Cherry Tree car park meant
 22 I could see without any problems."
 23 **A. Yes.**
 24 Q. You mentioned some floodlights there, can you look at
 25 photograph 328 there. Can you see the floodlights on

Page 90

1 there?
 2 **A. Yes. Yes.**
 3 Q. Just tell us where you can see them?
 4 **A. I can see some to the left-hand side.**
 5 Q. Of what?
 6 **A. Of that police car that is in the Cherry Tree car park**
 7 **and there is also some up near the building as well.**
 8 Q. Let's just deal with the ones near the police car, if
 9 you look at the next photograph, 329, and the photograph
 10 after that, 330, can you see them better, those
 11 floodlights?
 12 **A. Yes, I can see it better on 330.**
 13 Q. Yes. Are they pointing into Cherry Tree car park?
 14 **A. Pointing into Cherry Tree car park, but Cherry Tree car**
 15 **park lit up like, you know.**
 16 Q. Right, are you saying that those lights there helped you
 17 to see in the council car park as you are calling it?
 18 **A. Yes, plus there is also lights -- there is a club at the**
 19 **back there, back of that fence, it is now called**
 20 **Liberties it used to be called Common Room and they are**
 21 **always lit up at the back as well so.**
 22 Q. Where are you talking about there, if you go back to 328
 23 and tell us?
 24 **A. If you see where -- hang on a minute, I'll go back to**
 25 **328. Where that blue and white tent is now, at the back**

Page 91

1 **there, there is like a mesh fence, I think it is plastic**
 2 **anyway and a bit of a wall. To your right-hand side of**
 3 **that, there is a nightclub there, so it is**
 4 **a pub-cum-nightclub and they are open all day, so --**
 5 Q. Are there lights coming out the back of that or are they
 6 internal lights coming through a window?
 7 **A. No, there is lights on the back of it.**
 8 Q. I wonder whether we can just look, if you go back to the
 9 325, so if you go to 328 and go back three pages.
 10 **A. Where you can see that Applemill van, that is a local**
 11 **plumbers.**
 12 Q. Your eyesight is better than mine. Okay, so you are
 13 talking about the van with the ladder on its roof?
 14 **A. Yes. That is where the nightclub is.**
 15 Q. Whereabouts?
 16 **A. There is downstairs and upstairs. The downstairs part**
 17 **obviously is like the pub. The upstairs part is like**
 18 **the nightclub. The nightclub obviously was not open at**
 19 **that time, but it was all lit up.**
 20 Q. I cannot see any lights there?
 21 **A. You can see them on the walls when you get close up to**
 22 **it, but it is bright.**
 23 Q. But overall you were saying you could see quite well
 24 despite it being dark?
 25 **A. Also where your police car is in that tunnel, there is**

Page 92

<p>1 a kebab house there as well, that is all lit up at the</p> <p>2 back and I think they are a bit frightened like of kids</p> <p>3 being round the back like, you know, so they always have</p> <p>4 it lit up.</p> <p>5 Q. You obviously use glasses to look at documents to</p> <p>6 read --</p> <p>7 A. Yes.</p> <p>8 Q. -- is that right?</p> <p>9 Are you short sighted at all to see, have difficulty</p> <p>10 seeing objects that are far away.</p> <p>11 A. No, not really, no, like, I mean like every day --</p> <p>12 I mean the only things I really have problems with is</p> <p>13 obviously looking at photographs themselves or reading</p> <p>14 a letter or something --</p> <p>15 Q. Okay, so you --</p> <p>16 A. -- or newspaper.</p> <p>17 Q. -- have okay eyesight for long distance?</p> <p>18 A. Yes.</p> <p>19 Q. You say that the car came close to you, almost brushed</p> <p>20 you and you swore at the driver and he and you think</p> <p>21 somebody else laughed because --</p> <p>22 A. Laughing in car like, so I assumed they were laughing at</p> <p>23 me, like, you know.</p> <p>24 Q. They backed into the parking space?</p> <p>25 A. They backed into that parking space and I just carried</p> <p style="text-align: center;">Page 93</p>	<p>1 A. It is where the car park dipped down.</p> <p>2 Q. Okay, I think we can actually see that beyond the white</p> <p>3 car, certainly we can see some disturbed ground.</p> <p>4 A. Yes.</p> <p>5 Q. You got to that point and you turned round I think?</p> <p>6 A. Yes.</p> <p>7 Q. Did 180 and came back?</p> <p>8 A. Yes, basically like, I thought to myself, about time</p> <p>9 I get my chips are going to be cold. He is not going to</p> <p>10 want me to go in with a bottle of Jameson's in my bag,</p> <p>11 so I will come back.</p> <p>12 Q. So where were you going to head then?</p> <p>13 A. I was going to head home.</p> <p>14 Q. Did you come back through the hedge gap?</p> <p>15 A. Yes, I went to go through the hedge gap, that is when</p> <p>16 I saw this other car coming towards me.</p> <p>17 Q. When you first saw the other car coming towards you,</p> <p>18 where were you?</p> <p>19 A. I was just in -- just walking up to that gap.</p> <p>20 Q. Still in the Cherry Tree car park but just going through</p> <p>21 the gap?</p> <p>22 A. Just going through gap, yes.</p> <p>23 Q. What did you notice about the car coming towards you?</p> <p>24 A. It were going pretty fast speed, you know, for a car --</p> <p>25 sorry, for a car park, basically. Especially when there</p> <p style="text-align: center;">Page 95</p>
<p>1 on walking.</p> <p>2 Q. You go through the hedge gap?</p> <p>3 A. I went through the hedge gap then, yes.</p> <p>4 Q. At the moment you have the bottle of Jameson's, the fish</p> <p>5 and chips and you are heading back towards the</p> <p>6 village --</p> <p>7 A. Back towards the village club, yes.</p> <p>8 Q. Do you make it to the village club or not?</p> <p>9 A. No. No.</p> <p>10 Q. Looking at 328, how far up do you make it?</p> <p>11 A. I would say where the building starts, on the right-hand</p> <p>12 side. There was a bit of a brew in the car park and</p> <p>13 I got to about there and I thought --</p> <p>14 Q. Just help us --</p> <p>15 A. See where that white car is, there is three, isn't</p> <p>16 there, the second white car, there is a white car and</p> <p>17 a blue car together, facing one another, just a bit</p> <p>18 further past there and probably a couple of steps and</p> <p>19 I turned round there and started --</p> <p>20 Q. I may have missed what you said, a bit of a brew?</p> <p>21 A. Oh yes, a bit of hole in the floor, like, how can</p> <p>22 I describe it, where the road dips down, the car park</p> <p>23 dips down.</p> <p>24 Q. Okay, I have not heard that before. I was thinking</p> <p>25 there was a cup of tea there or something, no, okay.</p> <p style="text-align: center;">Page 94</p>	<p>1 was other cars about, you know, like, and you think, you</p> <p>2 know ... so headlights were on full, and all of a sudden</p> <p>3 like, suddenly braked. I was a bit startled, I was</p> <p>4 wondering what were going on, obviously like you don't</p> <p>5 see this in Culcheth every day like, you know.</p> <p>6 Q. No.</p> <p>7 A. I just stood there for a minute like and watched like,</p> <p>8 you know and then I seen the doors open, the front doors</p> <p>9 open on the car.</p> <p>10 Q. Which doors?</p> <p>11 A. On the silver car that came in, well it was a dark</p> <p>12 grey/silver coloured car.</p> <p>13 Q. The front doors?</p> <p>14 A. They opened up, yes.</p> <p>15 Q. Passenger or driver side or both?</p> <p>16 A. Both of them. There was a car that just -- the second</p> <p>17 car that just pulled in, both doors opened one, I am</p> <p>18 assuming that they were police officers.</p> <p>19 Q. Tell us "people" at the moment --</p> <p>20 A. Yes, all right, people.</p> <p>21 Q. -- we will explore what you saw about them in a minute?</p> <p>22 A. Yes.</p> <p>23 They got out the car, one opened the back of the car</p> <p>24 and the other one went to some cars that were already</p> <p>25 parked up, them couple of cars that were here.</p> <p style="text-align: center;">Page 96</p>

1 Q. When you observed that, when you saw that, were you
 2 standing still in the gap --
 3 **A. I would say I was, yes.**
 4 Q. -- watching?
 5 **A. I wasn't sort of like staring at it like, you know,**
 6 **I just wanted to get out of the way, basically, so**
 7 **I made a beeline to my right-hand side, but in the**
 8 **meantime, somebody had already shouted to me, "Get out**
 9 **of the way".**
 10 Q. Who had shouted that, do you know?
 11 **A. The guy who was -- I will tell you where he was stood.**
 12 **He was actually stood behind that white car, you know**
 13 **they have got the red one and then you have got the**
 14 **white one, and he was actually stood behind that. But**
 15 **he were looking over the top of it and he shouted to me,**
 16 **pointed to me and said "Move".**
 17 Q. Looking at photograph 328, you are referring to a red
 18 car and a white car. Are those in spaces three and four
 19 from the top there?
 20 **A. Yes.**
 21 Q. You are saying that there was somebody standing by white
 22 one looking over the top of it?
 23 **A. Looking over the top of it and basically pointing at me.**
 24 Q. Was he wearing anything that marked him out as a police
 25 officer?

Page 97

1 **A. No, not that I was aware of, no.**
 2 Q. He was speaking to you and he said what?
 3 **A. He said, "Get out ..." He said, "Get to your right and**
 4 **get over there", meaning walk towards the doctors, there**
 5 **is a doctor's surgery there. So that is where I started**
 6 **walking.**
 7 Q. You start walking towards the doctor's surgery and can
 8 we see where you walked on this photograph?
 9 **A. Yes. Well not on this one, I think you might have to go**
 10 **to another one.**
 11 Q. I think on 328 we can certainly see the car park.
 12 **A. You can see the car park but you can't see doctor's**
 13 **surgery properly, you can only see edge of it.**
 14 Q. Just tell us where you walked in the car park.
 15 **A. I walked along the side by the hedge, so I have come out**
 16 **of that opening and walked along the side where that**
 17 **hedge is, walking towards where that second barrier is.**
 18 Q. Were you in the road where the white arrow is and that
 19 the white writing is or were you up against the hedge?
 20 **A. No, I was up against the hedge.**
 21 Q. Going back to what saw you then. Firstly, when you saw
 22 this car coming towards you, how long had passed since
 23 you had seen the red car?
 24 **A. A minute?**
 25 Q. Okay.

Page 98

1 You saw the silver car or the dark grey car?
 2 **A. It was dark grey. A dark silver or a silver or a dark**
 3 **grey car, a dark coloured car.**
 4 Q. You saw it travelling quite fast?
 5 **A. Yes.**
 6 Q. Was it going faster or slower than the red car had?
 7 **A. Faster.**
 8 Q. Could you see its windows?
 9 **A. Not really, no. I wasn't aware that, if any of them**
 10 **were down or not, you know.**
 11 Q. You could obviously see its windscreen --
 12 **A. Yes.**
 13 Q. -- but you couldn't see its windows?
 14 **A. No.**
 15 Q. It was pretty much coming towards you?
 16 **A. Hmm. Well it parked, when it actually parked up, it**
 17 **parked at an angle.**
 18 Q. Okay.
 19 Describe how it parked up at an angle, please.
 20 **A. In relation to where that red -- basically, what it is**
 21 **there now.**
 22 Q. Okay, so it is as it is there?
 23 **A. Yes.**
 24 Q. If you look, please, we have at 320 --
 25 **A. You might --**

Page 99

1 Q. 320?
 2 **A. Right, yes.**
 3 Q. That is a closer up picture of a silver car in front of
 4 the red car.
 5 **A. Yes. Yes.**
 6 Q. Is that the angle that you saw it stop at?
 7 **A. Yes.**
 8 Q. Did you see it come to a stop?
 9 **A. Yes.**
 10 Q. Taking it slowly then, what was the first thing that you
 11 saw when it came to a stop?
 12 **A. The door opened.**
 13 Q. Which door?
 14 **A. Passenger side, first.**
 15 Q. So the --
 16 **A. Hang on a minute. That looks as though it has gone**
 17 **a bit closer, that silver car looks closer than what it**
 18 **was because the driver got out as well and the driver of**
 19 **the car, I am pretty sure it was the driver of the car,**
 20 **it was, came round the back of the car, opened the back**
 21 **of the car up and jumped in stomach first.**
 22 THE CHAIRMAN: Sorry, he came round the back of the car?
 23 **A. Yes, he came round the back of the car.**
 24 THE CHAIRMAN: And did what.
 25 **A. Opened the boot of the car.**

Page 100

<p>1 THE CHAIRMAN: Opened the boot? 2 A. Yes, well a hatchback, isn't it, had it been an estate 3 car, and dove into it stomach first. 4 MR BEER: Let's deal with each of the people first. 5 A. No problem. 6 Q. The front passenger, I think you said that their door 7 opened first? 8 A. That door opened first, yes. 9 Q. Did the passenger get out of the front? 10 A. Yes, he got out of the car, yes. 11 Q. Where, if anywhere, did he go? 12 A. He went to that white car. 13 Q. Right. So the front passenger, did he walk or run? 14 A. He run. 15 Q. Okay, down to the white car? 16 A. Yes. 17 Q. Was he the one that told you to get off the car park? 18 A. Yes, he shouted to me. 19 Q. Did you see whether he had any markings as a policeman? 20 A. Nothing at all. Nothing at all. 21 Q. Did you see whether he had any weapons? 22 A. No. 23 Q. You didn't see or he didn't have any weapons? 24 A. I didn't see. 25 Q. You didn't see whether or not he had weapons?</p> <p style="text-align: center;">Page 101</p>	<p>1 the -- 2 A. In the car park. 3 Q. In the car park, in the entrance way? 4 A. Yes. 5 Q. After he shouted about putting the bag down, is that 6 when you moved off? 7 A. That is when he shouted to me, he said, "Get out of the 8 way, move to your right, get out the way". 9 Q. Then you started to walk up towards the doctor's 10 surgery? 11 A. Yes. 12 Q. Before you reached the doctor's surgery, did you turn 13 round and look back at all? 14 A. No, but I heard something. 15 Q. Even when you heard something, did you turn round and 16 look back? 17 A. No, because I was quite frightened to be honest with 18 you. 19 Q. Okay. As you walked up to the doctor's surgery, what 20 was the first thing that you heard? 21 A. Two thuds. I mean like, if you watch films and things 22 like that and you hear like a gunshot, it is, you know, 23 it is I don't know, sounds like cowboys fighting but 24 this wasn't, it was like two air rifle shots or it 25 sounded like two air rifle shots. Then there was a gap</p> <p style="text-align: center;">Page 103</p>
<p>1 A. I didn't see whether or not he had any weapons or not, 2 so ... 3 Q. Did he stay there? 4 A. Yeah, he stayed there. 5 Q. The front seat in the driver's spot, you said that he 6 got out? 7 A. Yeah, he got out as well but he went to the back of the 8 car. 9 Q. Looking at this photograph on 320, did he come down his 10 own side of the car or did he go round the front of it? 11 A. He came down his own side. 12 Q. Okay, and opened the boot up? 13 A. He opened the boot up. 14 Q. And you said he went in -- 15 A. He went in stomach first. 16 Q. What did he do then? 17 A. He shouted something to him, I think he said, "Get out 18 of the car" and I also heard "Put the bag down". 19 I pretty sure I heard "Put the bag down", first of all 20 I thought he was talking to me, but obviously he wasn't 21 like, he was talking to somebody else like, you know, 22 but in the meantime I had already got up to the doctor's 23 by then. 24 Q. At this point when you see the passenger come out and 25 the driver come out, you were still standing I think in</p> <p style="text-align: center;">Page 102</p>	<p>1 of like two or three seconds and then there was a third 2 shot and I actually heard glass break. 3 Q. Which was that on, the first, second or third? 4 A. The second one that. 5 Q. The second one? 6 A. Yes, I actually heard glass break. I couldn't actually 7 define it as to whether it was the windscreen breaking 8 or the Cherry Tree were tipping bottles into the bottle 9 bin, so, you know, I was not too sure about it like but 10 I definitely heard like three thudded shots, well as 11 I assumed were three thudded shots. 12 Q. What kind of gap was there between the first two shots? 13 A. They were very close together, one after the other, that 14 was the first two shots, then a gap, probably two or 15 three seconds, and then a third one went off. 16 Q. Was it the second or the third shot that you heard the 17 smashing glass? 18 A. The second one. 19 Q. Did you then stand up by the doctor's surgery? 20 A. Yes, there was another chap walking past then. 21 Q. Do you know who he was? 22 A. Not a clue. 23 Q. Did you stop and talk with him? 24 A. I did actually, yeah because he asked me what was going 25 on, and I said I don't know -- I didn't, I swore again.</p> <p style="text-align: center;">Page 104</p>

<p>1 Q. I think you say in your statement you said, "I don't 2 fucking know". 3 A. Yes. 4 Q. What did you think was going on? 5 A. I thought it might have been drugs or something, you 6 know, like it has been known for it in Culcheth before, 7 like, you know, I don't mean police and drugs, I mean 8 people like, you know. 9 Q. Yes. 10 A. So that is what I immediately thought it was so I was 11 not aware it was anything else. 12 Q. When you reached the area up by the doctor's surgery, 13 did you turn and face? 14 A. I did actually, yeah. Yeah, I looked round then. 15 Q. When you looked round then, what did you see? 16 A. More cars had appeared. A couple of obviously like the 17 panda cars had appeared. 18 Q. When you say "panda cars", are they -- 19 A. The blue and yellow ones. 20 Q. Yes. 21 A. They had appeared and a darker coloured one. 22 Q. Where was the darker coloured one? 23 A. Parked at the back of the silver one. 24 Q. Was there just one or two darker -- 25 A. I only remember seeing the one.</p> <p style="text-align: center;">Page 105</p>	<p>1 A. Yes. 2 Q. Can you see a line which says, "I immediately saw the 3 headlights of a car ..." 4 A. Yes. 5 Q. "... which seemed at first to be heading straight for 6 me." 7 That is what you have told us today, isn't it? 8 A. Yes. 9 Q. You say: 10 "I would estimate about one minute had gone by from 11 the incident with the red car to me seeing the second 12 vehicle." 13 That is what you have told us today as well, 14 isn't it? 15 A. Yes. 16 Q. Yes: 17 "The second car was being driven quicker than the 18 red one had." 19 You have told us that today, as well? 20 A. A lot quicker, yes. 21 Q. "It stopped directly in front of the bonnet of the red 22 vehicle." 23 You have told us that today. 24 A. Yes. 25 Q. "I did not know what was going on, but I felt there was</p> <p style="text-align: center;">Page 107</p>
<p>1 Q. What did you see anyone do, if anything? 2 A. Nothing, I just heard bawling and shouting and then, 3 obviously like from what I could see, as I started to 4 walk off, because I was going to go home then, but I got 5 told to stay where I was so they could take my name and 6 address and that. 7 They had hold of somebody with his hands behind his 8 back and what looked like handcuffs, putting him into 9 a car. 10 Q. Whereabouts was that person? 11 A. It was at the side of that darker coloured car. 12 Q. Okay, and they were putting him into that car? 13 A. It looked like it, yeah. 14 Q. Did you see anything else happen? 15 A. No. 16 Q. I want to go back, please, if you look at your 17 statement. 18 A. Yes. 19 MR BEER: I take it you are content for me to go on for 10 20 minutes or so maximum from me? 21 THE CHAIRMAN: It seems sensible to do that, yes. 22 MR BEER: Thank you. 23 I am on the second page -- 24 A. Yes. 25 Q. -- and about 15 lines in, just by the first hole-punch.</p> <p style="text-align: center;">Page 106</p>	<p>1 an issue between the people in the two cars ..." 2 A. Yes. 3 Q. "... I thought it might have been drugs or gang 4 related." 5 A. Yes. 6 Q. You have told us about that today, yes? 7 A. Yes. 8 Q. Then you say: 9 "So I decided to get off the car park as quickly as 10 I could. I walked quickly down the side of the fence 11 towards the doctor's surgery on Thompson Avenue. I must 12 have travelled about 50 yards from the opening to the 13 doctor's surgery and in that time I didn't look back. 14 I can't remember hearing people get out of the cars but 15 very quickly after I decided to get out of the car park 16 I heard a man shout 'get out of the car', and I have 17 marked on the sketch where that was. About 10 seconds 18 later I heard the two thuds." 19 Then you carry on. 20 A. Yes. 21 Q. In this statement here you have not said anything about 22 standing in the gap and looking and seeing two people 23 getting out of the silver or dark grey car, have you? 24 A. No, I have not, no. 25 Q. You made that statement, I think you gave this account</p> <p style="text-align: center;">Page 108</p>

<p>1 on 11 March 2012. If you just look at the front page of 2 the statement --</p> <p>3 A. Yes.</p> <p>4 Q. -- it is dated 6 April 2012.</p> <p>5 A. Yes.</p> <p>6 Q. Can you see that?</p> <p>7 A. Yes.</p> <p>8 Q. But then, if you look at the last page of the statement, 9 you say, "At 11.00 am on Sunday, 11 March I handed the 10 sketch to DC or Mr Buchanan".</p> <p>11 Indeed on the plan, the sketch itself, that is 12 signed by you as on 11 March?</p> <p>13 A. Yes.</p> <p>14 Q. Do you remember giving this quite close to the incident, 15 this statement?</p> <p>16 A. Yes, well, when after the incident happened I was asked 17 to stay, because I was going to walk off, I was going to 18 go home, I was asked, "Can you stay where you are, 19 because we would like to take your name and address and 20 telephone number obviously?"</p> <p>21 And I said, "Yes, not a problem". So I waited like 22 and somebody came over and took my name, address and 23 telephone number, "Somebody would be in touch with you 24 tomorrow". They phoned up on -- it was early morning, 25 actually, it must have been about 9.00 when they phoned</p> <p style="text-align: center;">Page 109</p>	<p>1 A. No.</p> <p>2 Q. Can you think why that might be?</p> <p>3 A. I don't know, quite honest with you. I even remember 4 when he said like, now like, "Put the bag down". And 5 I immediately thought it was me but I have not mentioned 6 that in my statement so --</p> <p>7 Q. No.</p> <p>8 A. -- but I remember him saying it, "Put the bag down".</p> <p>9 Q. Was that one of the people that got out of the silver 10 talking to somebody --</p> <p>11 A. I assume it was somebody in the red car, but then again 12 like I thought he was talking to me at first, like, but 13 I was not leaving my bottle of Jameson's.</p> <p>14 Q. In the statement, if we look at the way the statement is 15 written, you say that as soon as the silver car came on, 16 heading straight towards you, it stopped, it pulled up 17 on the bonnet of the red car.</p> <p>18 A. Near as damn it, yes.</p> <p>19 Q. And you thought, "I had better get out of here and 20 I started walking off towards the doctor's surgery"?</p> <p>21 A. Yes.</p> <p>22 Q. If you take out the plan at the same time.</p> <p>23 A. My plan?</p> <p>24 Q. Yes, that is the one.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 111</p>
<p>1 up and said, "Is it all right if somebody comes round to 2 see you from the IPCC ..."</p> <p>3 Q. Yes.</p> <p>4 A. "... some time today?" And I said, "Yes, not 5 a problem". And I think he made the appointment to come 6 round roughly around about 12.30, when he turned up.</p> <p>7 Q. Do you remember whether that was that Sunday?</p> <p>8 A. That was the Sunday after, yes.</p> <p>9 Q. But then the following Sunday, which would be the 11th, 10 like a week on, they came round and actually took the 11 statement from you?</p> <p>12 A. They took the statement then, yes.</p> <p>13 Q. The account you have given was about a week and a day 14 afterwards?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 Do you think your memory would be better back then 18 than it is now?</p> <p>19 A. I don't know, to be honest with you. Like I said like, 20 it was more of a shock than anything like, so I mean 21 like, you know, I mean like, basically that is what 22 I saw.</p> <p>23 Q. You have given us an account today of seeing the driver 24 and the passenger get out of the silver or dark grey car 25 and it is not in your statement there, is it?</p> <p style="text-align: center;">Page 110</p>	<p>1 Q. You say in the statement that as you are walking away 2 from the silver and the red car, walking away from the 3 opening, at the point marked X1 you heard a man shout, 4 "Get out of the car"?</p> <p>5 A. Yes.</p> <p>6 Q. Did you hear that?</p> <p>7 A. I actually heard that, yes.</p> <p>8 Q. Was that before or after the "Put the bag down"?</p> <p>9 A. After, because I am pretty sure that yeah he did, yeah, 10 it was after.</p> <p>11 Q. So he shouted "get out of the car" after he had 12 shouted --</p> <p>13 A. "Put the bag down."</p> <p>14 Q. Was it the same man?</p> <p>15 A. Yes.</p> <p>16 Q. Did you, at this point, see anyone get out of the red 17 car?</p> <p>18 A. No. I hadn't seen anybody. The only people I have seen 19 get out of cars was obviously out of that silver one or 20 dark grey one, that was the only one I seen somebody get 21 out of.</p> <p>22 Q. You carry on in the statement after you had heard that 23 shout:</p> <p>24 "After about 10 seconds I heard what sounded like 25 two thuds, which I now think were shots, they went off</p> <p style="text-align: center;">Page 112</p>

<p>1 very close together."</p> <p>2 You have told us that today?</p> <p>3 A. Yes.</p> <p>4 Q. You have marked on the sketch, with X2, where you heard</p> <p>5 the two shots?</p> <p>6 A. Yes.</p> <p>7 Q. Yes?</p> <p>8 You then say in the statement:</p> <p>9 "There was then a gap of about three to five seconds</p> <p>10 before I heard ..."</p> <p>11 A. A third shot.</p> <p>12 Q. "... another thud."</p> <p>13 Then in the statement you say:</p> <p>14 "... and at this time I could hear the sound of</p> <p>15 smashing glass."</p> <p>16 In the statement you have it down as the third shot</p> <p>17 was the smashing glass?</p> <p>18 A. No, it was definitely the second shot. Definitely.</p> <p>19 Q. You mark on the plan with X3 where you heard the third</p> <p>20 shot, where you were when you heard the third shot?</p> <p>21 A. Yes.</p> <p>22 Q. Yes?</p> <p>23 A. Yes.</p> <p>24 Q. Then you walked on to outside the medical centre on</p> <p>25 Thompson Avenue?</p> <p style="text-align: center;">Page 113</p>	<p>1 over and take my name and address; then I just wandered</p> <p>2 off home.</p> <p>3 Q. Did you see an ambulance arrive?</p> <p>4 A. No.</p> <p>5 Q. Had you gone before the ambulance arrived?</p> <p>6 A. Yes. Yes.</p> <p>7 Q. When you were watching the incident, did you see any</p> <p>8 children or young people on the car park or around the</p> <p>9 car park?</p> <p>10 A. No. No, I never saw nobody. Nobody at all.</p> <p>11 Q. I am thinking of a group of youngsters, maybe about</p> <p>12 14/15/16 years old, including a girl?</p> <p>13 A. No, there was nobody there, seriously. There was nobody</p> <p>14 there. They might have been down by where they normally</p> <p>15 hang out, by the kebab house, but I didn't see anybody</p> <p>16 else.</p> <p>17 Q. The kebab house, where is that?</p> <p>18 A. Let's go back to my pictures.</p> <p>19 Q. Maybe, Ms Curran, if the pictures could come back.</p> <p>20 (Handed).</p> <p>21 A. Thank you.</p> <p>22 Q. 328, the turned over one.</p> <p>23 A. Okay.</p> <p>24 Q. The kebab house?</p> <p>25 A. Yes, the kebab house. As I say you can't see it too</p> <p style="text-align: center;">Page 115</p>
<p>1 A. Yes.</p> <p>2 Q. In the statement, you don't have yourself seeing</p> <p>3 anything, you only have yourself hearing things after</p> <p>4 the silver car approaches.</p> <p>5 A. I did see it.</p> <p>6 Q. You did see it?</p> <p>7 A. I did see it, yes, that is what I said like, to me it</p> <p>8 was frightening.</p> <p>9 Q. Did you see any of the people in, or who got out of the</p> <p>10 silver car carrying weapons?</p> <p>11 A. No.</p> <p>12 Q. Did you see any torch lights or red --</p> <p>13 A. There was a torch light in the back of -- when he got</p> <p>14 down on his stomach there was a torch light in the back</p> <p>15 of that estate car. That was the only one I saw --</p> <p>16 I mean like the other one, the one who was running round</p> <p>17 the back of the cars, he didn't have a torch.</p> <p>18 Q. Did you see any green or red strobe lights?</p> <p>19 A. No.</p> <p>20 Q. Do you know what I mean like a laser pen?</p> <p>21 A. No.</p> <p>22 Q. No?</p> <p>23 A. No.</p> <p>24 Q. How long did you stay at the incident afterwards?</p> <p>25 A. A couple of minutes while I was waiting for him to come</p> <p style="text-align: center;">Page 114</p>	<p>1 clearly on that one.</p> <p>2 Q. Tell me where it is near and I might be able to find</p> <p>3 a photograph.</p> <p>4 A. Where you can see where that police car is turning under</p> <p>5 the tunnel.</p> <p>6 Q. Yes.</p> <p>7 A. Right? It is to that police car, as you are looking at</p> <p>8 it, to its right-hand side.</p> <p>9 Q. Okay.</p> <p>10 It is through the tunnel, is it?</p> <p>11 A. Through the tunnel, yes.</p> <p>12 Q. If you go to 323, please.</p> <p>13 A. Right.</p> <p>14 Q. Do you have that, 323.</p> <p>15 A. Yes.</p> <p>16 Q. You can see better the police car?</p> <p>17 A. Yes.</p> <p>18 Q. Is the front of the kebab house on Common Lane?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. So young people tended to hang out on Common Lane</p> <p>21 on the front?</p> <p>22 A. Yes, they hang out there, yes.</p> <p>23 Q. Okay, but you didn't see any young people like</p> <p>24 I described?</p> <p>25 A. I didn't see nothing at all, apart from the cars that</p> <p style="text-align: center;">Page 116</p>

<p>1 came on to the car park, the two guys getting out of the</p> <p>2 car, and the guy over by the doctor's surgery when I</p> <p>3 walked off. That was the only people that I saw.</p> <p>4 Q. Last question from me, please, in your statement, on the</p> <p>5 third page, no need to turn it up, I will read it --</p> <p>6 A. Right.</p> <p>7 Q. -- after you have described somebody being put in the</p> <p>8 back of a car and you thought that he was handcuffed --</p> <p>9 A. Yes.</p> <p>10 Q. -- you realised the police were involved, the other man</p> <p>11 that you were stood with walked off as if he wasn't</p> <p>12 interested --</p> <p>13 A. Yes.</p> <p>14 Q. -- then you say, "By this time, some kids and marked</p> <p>15 police had turned up". Is that right?</p> <p>16 A. No, I can't remember being honest with you.</p> <p>17 Q. So after somebody --</p> <p>18 A. After the incident?</p> <p>19 Q. After the incident, somebody had been locked up?</p> <p>20 A. Yes, I think there was another bloke and a couple of</p> <p>21 kids and that was about it, but they were walking a dog</p> <p>22 off to the side of the road. So I don't know whether</p> <p>23 they had seen anything or what, like, but they carried</p> <p>24 on walking anyway.</p> <p>25 Q. The man that you were speaking to, the one that walked</p> <p style="text-align: center;">Page 117</p>	<p>1 Questions from MR STRAW</p> <p>2 MR STRAW: Mr Delaney, my name is Adam Straw. I represent</p> <p>3 the mother, stepfather and brother of Anthony Grainger.</p> <p>4 Just going back to the point when you saw the red</p> <p>5 car in the car park, after it had come to a stop but</p> <p>6 before the silver car comes in, did you notice whether</p> <p>7 the engine of the red car was on or off?</p> <p>8 A. I think it had been turned off.</p> <p>9 Q. When the silver car came in, you have described it, it</p> <p>10 came in pretty fast with the headlights on?</p> <p>11 A. Hmm.</p> <p>12 Q. Could you see inside it at that point?</p> <p>13 A. No.</p> <p>14 Q. After the silver car came to a stop in front of the red</p> <p>15 car, but while you were still standing by the entrance</p> <p>16 to the Cherry Tree car park, looking at it, could you</p> <p>17 see inside the red car at that stage?</p> <p>18 A. I could see movement, I couldn't see faces clear up,</p> <p>19 like, you know, so ... but I could see movement in the</p> <p>20 car. That was it.</p> <p>21 Q. What could you see?</p> <p>22 A. I saw a guy with a bald head, but I couldn't see the</p> <p>23 face of the -- I think he was sat on the passenger side</p> <p>24 but I couldn't see the driver's side.</p> <p>25 Q. Sorry, which side was the guy with the bald head sitting</p> <p style="text-align: center;">Page 119</p>
<p>1 off as if he was not interested, can you describe him?</p> <p>2 A. Probably a bit -- about the same height as me, a bit of</p> <p>3 stubble on his chin, tache, sorry moustache, and he had</p> <p>4 one of them green waxy coats on.</p> <p>5 Q. His age?</p> <p>6 A. Early 50s.</p> <p>7 MR BEER: Thank you very much indeed, Mr Delaney.</p> <p>8 Sir, those are my questions.</p> <p>9 THE CHAIRMAN: Does anybody have any questions for this</p> <p>10 witness?</p> <p>11 MR STRAW: Sir, I do. I have a few, so it may be better, if</p> <p>12 you don't mind, if we started after lunch.</p> <p>13 THE CHAIRMAN: I think we have gone on long enough,</p> <p>14 particularly for the shorthand writer and the</p> <p>15 stenographer.</p> <p>16 We will break off now and we will start at 2.25.</p> <p>17 MR STRAW: Thank you.</p> <p>18 (1.19 pm)</p> <p>19 (The Luncheon Adjournment)</p> <p>20 (2.26 pm)</p> <p>21 THE CHAIRMAN: Thank you, Mr Delaney. You are going to be</p> <p>22 asked some more questions now, you are still bound by</p> <p>23 the oath you took when you first came into the witness</p> <p>24 box.</p> <p>25 A. Okay, yes.</p> <p style="text-align: center;">Page 118</p>	<p>1 on?</p> <p>2 A. On the right-hand side as you look at the car, as you</p> <p>3 look at the front of the car.</p> <p>4 Q. But you couldn't see the guy who was sitting in the</p> <p>5 driver's side?</p> <p>6 A. No.</p> <p>7 Q. Can you describe anything more about what they were</p> <p>8 doing?</p> <p>9 THE CHAIRMAN: It may be my fault. On the right-hand side</p> <p>10 as you look at the car from the front?</p> <p>11 A. From the front.</p> <p>12 THE CHAIRMAN: That would be the passenger side?</p> <p>13 A. Passenger side, yes.</p> <p>14 THE CHAIRMAN: Thank you. Sorry, okay. Couldn't see the</p> <p>15 driver.</p> <p>16 Yes.</p> <p>17 MR STRAW: Can you describe anything more about what they</p> <p>18 were doing?</p> <p>19 A. Just sat there. They were laughing at me like, I should</p> <p>20 imagine -- well, I am assuming they were laughing at me,</p> <p>21 you know, but that is about it.</p> <p>22 Q. Just to be very clear, what I am trying to focus on now</p> <p>23 is the point after the silver car comes to a stop in</p> <p>24 front of the red car. Did you see any movements or</p> <p>25 sudden movements from inside the red car?</p> <p style="text-align: center;">Page 120</p>

<p>1 A. No. No.</p> <p>2 Q. Okay.</p> <p>3 You have told us about then that you walk back to</p> <p>4 the doctor's surgery, or to near to the doctor's</p> <p>5 surgery?</p> <p>6 A. Yes.</p> <p>7 Q. In your witness statement you say this:</p> <p>8 "I looked back onto the car park to see what was</p> <p>9 happening, the bloke [so this is the guy standing next</p> <p>10 to you], who I don't know, then asks me what is going on</p> <p>11 and I said 'I don't fucking know'."</p> <p>12 A. Yes.</p> <p>13 Q. As you are in that point, looking back towards the two</p> <p>14 cars, the silver car and the red car, what was your view</p> <p>15 like?</p> <p>16 A. It is a good distance like, you know, but I couldn't</p> <p>17 really see clearly like, what was going on on the other</p> <p>18 side of the silver car, you know what was happening with</p> <p>19 the red car, I couldn't see that.</p> <p>20 Q. Were there any obstructions between you and the two</p> <p>21 cars?</p> <p>22 A. I wouldn't -- no, there wasn't, no.</p> <p>23 Q. Okay.</p> <p>24 You say in your statement, "I still thought the</p> <p>25 incident may have been drugs related".</p> <p style="text-align: center;">Page 121</p>	<p>1 Q. No caps or markings on their clothes?</p> <p>2 A. No, nothing at all.</p> <p>3 MR STRAW: Okay. Thank you very much.</p> <p>4 THE CHAIRMAN: Mr Weatherby?</p> <p>5 MR WEATHERBY: No, thank you.</p> <p>6 THE CHAIRMAN: Mr Davies.</p> <p>7 MR DAVIES: Sir, just for the record we are not disputing</p> <p>8 that this is a honest witness but on the basis we are</p> <p>9 not required to put a case --</p> <p>10 THE CHAIRMAN: Yes, that's correct.</p> <p>11 MR DAVIES: -- and accuracy will be for you at the end.</p> <p>12 I have no questions.</p> <p>13 THE CHAIRMAN: That does not preclude you from making</p> <p>14 observations about the evidence of this witness at</p> <p>15 a later stage if you wish to do so.</p> <p>16 MR DAVIES: Thank you sir.</p> <p>17 THE CHAIRMAN: Ms Whyte.</p> <p>18 Questions from MS WHYTE</p> <p>19 MS WHYTE: Just one matter, I ask questions on behalf the</p> <p>20 Greater Manchester Police, Mr Delaney.</p> <p>21 A. Certainly.</p> <p>22 Q. You said nothing I think in your witness statement,</p> <p>23 about being given a verbal command by the person who got</p> <p>24 out of the front seat passenger part of the silver car</p> <p>25 and went towards a white car behind.</p> <p style="text-align: center;">Page 123</p>
<p>1 A. Yes.</p> <p>2 Q. Is that right?</p> <p>3 A. Yes, because I mean like, as I said, like, Culcheth has</p> <p>4 been known for a few drug dealers knocking about, like,</p> <p>5 you know, so that is where I have just put it down to,</p> <p>6 you know, like, so ...</p> <p>7 Q. Then a few minutes later on, or some time later on you</p> <p>8 describe:</p> <p>9 "A man being put into the back of the dark car,</p> <p>10 which was parked behind the silver one, and as the</p> <p>11 person was turned round, I saw what I thought were</p> <p>12 handcuffs ..."</p> <p>13 A. Yes.</p> <p>14 Q. "... I then realised that the police were involved, up</p> <p>15 until this stage I did not know that the police were</p> <p>16 there."</p> <p>17 A. That is true, yes.</p> <p>18 Q. Is that correct?</p> <p>19 Is it right then that you had not seen or heard</p> <p>20 anything that indicated that these men were police?</p> <p>21 A. No.</p> <p>22 Q. No blue lights or sirens?</p> <p>23 A. No, no, there was nothing like that.</p> <p>24 Q. No shouts of "armed police" or anything like that?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 122</p>	<p>1 A. Yes.</p> <p>2 Q. Can you think why that might be, because on your</p> <p>3 evidence today you were given a command to get out of</p> <p>4 the way and move along --</p> <p>5 A. Yes, move along.</p> <p>6 Q. -- as it were in a particular direction?</p> <p>7 A. Yes, in the direction of the doctor's surgery, although</p> <p>8 I think I had already made my mind up by then to get out</p> <p>9 anyway.</p> <p>10 Q. You are clear that that was the front seat passenger of</p> <p>11 the silver car that had pulled up?</p> <p>12 A. Yes.</p> <p>13 MS WHYTE: Thank you very much.</p> <p>14 Thank you, sir, and the same applies as Mr Davies.</p> <p>15 THE CHAIRMAN: Of course. I entirely understand. Nobody</p> <p>16 representing a core participant is under any obligation</p> <p>17 as they might be in adversarial proceedings to put</p> <p>18 a specific case to any witness.</p> <p>19 Any further questions from you, Mr Beer?</p> <p>20 MR BEER: Nothing arises for Mr Delaney.</p> <p>21 THE CHAIRMAN: Nothing from me.</p> <p>22 Thank you, Mr Delaney, thank you for helping the</p> <p>23 Inquiry. You are now free to go.</p> <p>24 A. Thank you very much.</p> <p>25 Thank you.</p> <p style="text-align: center;">Page 124</p>

<p>1 MR BEER: Sir, that is the evidence for today. Can we 2 reconvene at 10.30 tomorrow, please? 3 THE CHAIRMAN: Yes, certainly. Thank you. 4 (2.32 pm) 5 (The Inquiry adjourned until 10.30 am the following day) 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 125</p>	
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<p>1 2 3 I N D E X 4 5 MS PHAEDRA MCLEAN (sworn)1 6 Questions from MS CARTWRIGHT1 7 Questions from MS WHYTE47 8 Questions from THE CHAIRMAN50 9 MS PENNY WILSON (sworn)51 10 Questions from MS CARTWRIGHT51 11 MR STEPHEN DELANEY (sworn)73 12 Questions from MR BEER73 13 Questions from MR STRAW119 14 Questions from MS WHYTE123 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 126</p>	
--	--

A	agents 83:25 84:1	approximately 48:10 78:10	asked 18:3,3 61:23 71:13 74:17 104:24 109:16,18 118:22	83:15,17
able 13:18 20:7 22:9,11 29:10,15 33:9 57:4 116:2	ago 56:16	April 52:19 74:7 109:4	asking 68:20	authorise 5:17 19:8 49:2
ACC 43:9,12 44:15 45:22 65:13,14,23 66:4 67:6 71:12 73:1	agreed 67:6	area 6:15 9:6 10:2 11:4,11 16:8,12 16:13 19:11 20:3 20:5,9,10,11 21:14,16,18 22:16 22:17,19 25:6 26:10 27:1 33:6 33:16 34:19 36:3 49:3 50:17 53:9 55:3 56:20 72:16 75:20 85:15 90:19 105:12	asks 121:10	authorised 2:12,14 7:9,11,13 19:4 20:11 32:6 37:7
access 13:21 14:15 14:20 18:24	agreement 12:8	areas 26:7	assessment 8:8 9:19,21 15:9 16:11 27:7,9,17 35:6 39:25 42:4,7 42:8 45:15 47:23 56:11 72:17	authorising 7:22
account 52:20 54:18 108:25 110:13,23	ahead 16:9	arises 124:20	assessments 12:3	authorities 2:25 3:1 4:5
ACCREDITED 7:17	air 38:10 103:24,25	armed 3:23 6:14 7:19 27:4 30:16 30:18 36:1 39:8 63:23 69:19 85:17 122:24	assist 2:10 3:18,20 5:6 6:8 7:4 8:11 9:17 11:15 13:3 16:3 20:4 27:18 27:24 28:25 31:9 33:3 37:13 51:19 51:23 53:10,24 55:11,12 56:5 58:9 59:15,21,25 65:25 67:2,22 68:1,4	authority 3:16 20:1 21:13 39:8,10,16 39:20 40:19 42:2 42:14,20 43:12 44:8 55:2 64:16
accuracy 123:11	Albeit 20:1	arming 37:18 40:20 40:21	assistant 41:15 73:5	automatic 4:3,4
achieve 10:5,5	allow 12:16 50:15 85:7	arose 5:17	assisting 50:22	available 24:18 38:8,8,15,16
action 6:6 33:14 35:13,23	allowed 11:3,10	arrange 8:4	assume 111:11	Avenue 77:25 78:3 78:5,7,15,17 81:23 83:24 108:11 113:25
actions 33:17 39:16	allowing 11:16	arrangement 53:7	assumed 93:22 104:11	aware 5:16 6:23 7:8 37:18 39:15 48:20 49:15 57:18 59:18 70:13 72:14 72:17 98:1 99:9 105:11
activity 83:21	ambulance 115:3,5	arrival 23:1,11 24:2	assuming 96:18 120:20	awareness 46:18
Adam 119:2	analysis 31:4	arrive 57:16 115:3	assured 11:12	B
add 27:23	angle 99:17,19 100:6	arrived 35:18 73:1 115:5	ASU 38:9	B21 22:5
added 27:14	annoyed 90:5	arrives 23:4	attach 8:10	back 4:17,21 5:2,6 8:10 12:6 13:10 15:6 16:22 18:4,5 19:16 23:18 25:3 39:3,23 43:1 51:23 52:24 60:9 63:19 65:2 70:6 77:4 78:12,13 80:7 81:6,19 83:25 84:1,22,23 86:1,15,16,18 89:13 90:4,15 91:19,19,21,22,24
addition 4:16	answer 13:25 14:24 22:13 80:5	arrow 28:15 98:18	attached 9:8 15:4,9 15:10 56:24 70:11 70:24 71:6 75:3	
address 106:6 109:19,22 115:1	Anthony 119:3	arrows 88:17	attachment 70:15	
adjoined 125:5	anybody 22:17 112:18 115:15 118:9	ARV 7:15 37:1 38:1 40:22 55:1	attended 57:17 72:14	
adjournment 51:4 118:19	anyway 92:2 117:24 124:9	ARVs 16:1 19:24 20:2,4 21:13 22:3 26:5 27:1 32:8 35:8 37:5,22 38:4 54:25	attending 68:24	
adversarial 124:17	apart 19:11,23 116:25	ascertain 18:6	attention 48:5,12 58:14	
advice 3:15 6:3,6,8 7:10,12,14 11:5 14:7 17:25 19:9 19:15 29:7 45:23 60:23 61:2	apologies 69:24		Audi 10:21 83:14	
adviser 2:8,9,18,20 3:5,15 7:13 17:10	apologise 8:21 23:14 42:11 55:24			
aerial 78:25	apparent 54:15			
AFOs 48:18	appear 1:12 51:14			
afraid 8:22 70:2 74:24	appeared 105:16 105:17,21			
afternoon 8:15 10:25 11:24 46:12 75:24	appears 15:23 43:19 57:14			
age 118:5	Applemill 92:10			
	applies 124:14			
	appointment 110:5			
	appraised 19:19			
	apprehend 31:8,16			
	approach 31:24 32:6,7 37:17			
	approaches 114:4			
	appropriate 37:2,9 60:7			

91:25 92:5,7,8,9 93:2,3 94:5,7 95:7 95:11,14 96:23 98:21 100:20,20 100:22,23 102:7 103:13,16 105:23 106:8,16 108:13 110:17 114:13,14 114:17 115:18,19 117:8 119:4 121:3 121:8,13 122:9 backed 93:24,25 background 2:1 46:17 75:7 bad 90:13,16 bag 86:3 95:10 102:18,19 103:5 111:4,8 112:8,13 Bailey 5:23 6:18 7:1 8:5,14,25 9:4 14:3,14 15:16,25 16:19 18:9 24:17 41:14,19 42:22 43:2,16 44:1,2 45:2,3 47:16 48:2 48:5,9,15 balance 34:13,16 bald 119:22,25 banks 84:13 barrier 87:23,24 88:6 98:17 based 4:5 9:22 10:9 15:10 20:19 25:6 54:6 57:24 basically 12:17 22:16 32:2 84:8 86:20 90:6 95:8 95:25 97:6,23 99:20 110:21 basis 3:25 4:6 5:9 37:24 61:22 123:8 bawling 106:2 bearing 10:22 beeline 97:7 Beer 1:12 51:15	73:12,13,19,20,20 77:7,9,15 78:23 79:12,14,16 88:20 101:4 106:19,22 118:7 124:19,20 125:1 126:12 behalf 1:13 47:7 51:15 67:18 71:15 71:19 73:21 123:19 belief 1:23 52:15 75:4 believe 8:6 65:21 believed 64:15,19 belongs 86:23 Bennet 80:21,22 best 1:22 10:3 12:3 52:14 74:25 75:4 bet 82:21 84:23 Betfreds 82:19,20 85:13 better 21:25 91:10 91:12 92:12 110:17 111:19 116:16 118:11 beyond 72:7 79:9 95:2 big 22:15 bikes 84:2 bin 104:9 bit 13:9 44:5 70:2 73:25 75:7 79:6 82:2 86:17 89:3 90:4 92:2 93:2 94:12,17,20,21 96:3 100:17 118:2 118:2 black 88:10 90:13 blank 9:1 blind 73:25 block 85:16,17 bloke 117:20 121:9 blue 91:25 94:17 105:19 122:22 bonnet 107:21	111:17 bookies 81:11,12 82:2,5,8,12,21,23 83:12 84:10,22,25 bookmakers 81:3 82:18 bookmarked 63:13 63:15 bookmarks 63:19 boot 100:25 101:1 102:12,13 border 3:21,24 58:6 bottle 85:10,18 89:7 94:4 95:10 104:8 111:13 bottles 104:8 bottom 4:23 21:1 56:2 67:21 77:21 79:19 82:7 87:14 87:17 bound 118:22 boundary 4:4 12:12 box 21:1,3,7,7 27:15,18 28:25 31:18 32:19 35:16 36:10,10,15 38:20 118:24 boxes 4:20 8:22 28:8 Bradford 76:8,10 76:11 braked 96:3 break 22:24 23:3 23:10,16,22 24:1 50:25 89:7 104:2 104:6 118:16 breaking 104:7 breaks 53:12 brew 94:12,20 brief 41:8 54:4 64:1 66:5 73:2 briefed 69:5 briefing 32:10,12	32:14 48:18 69:6 70:9,11 briefly 9:15 Brierley 28:1 41:4 41:5,10,17,20 42:19 43:4,5 44:7 44:14,23,24 45:22 49:13,15 54:14 55:14,16 56:6,13 57:6,22 59:15,18 59:24 64:3 bright 92:22 bring 38:12 British 76:3,22 78:3 bronze 59:22,23 60:3,11,23 64:11 72:22 brother 119:3 brushed 93:19 Buchanan 109:10 build 22:8 33:20 34:8 building 7:16 54:8 57:9 78:21 91:7 94:11 Bulls 76:10,11 bundle 1:18 4:13 4:15,16,18,20 8:19 15:17,19 18:14 52:4,6 55:16 73:23 76:23 76:23,24,25 77:12 87:8 bundles 4:10 Bureau 17:18 18:5 24:14 42:3 45:14	57:2,10,19 58:23 84:18 86:23 called 47:21 56:8,9 91:19,20 calling 91:17 Cameron 1:16 capacity 2:2 caps 123:1 car 21:17,17 57:3 59:13,17,19 78:13 80:3 81:21,21,23 82:25 83:7,7,11 84:7,9,18 86:22 86:23 87:2,4,15 87:23 88:1,4,10 88:10,10,11,11,21 89:1,1,4,5,15,20 89:21 90:11,11,14 90:16,21 91:6,6,8 91:13,14,14,17 92:25 93:19,22 94:12,15,16,16,17 94:22 95:1,3,16 95:17,20,23,24,25 96:9,11,12,16,17 96:23,23 97:12,18 97:18 98:11,12,14 98:22,23 99:1,1,3 99:3,6 100:3,4,17 100:19,19,20,21 100:22,23,25 101:3,10,12,15,17 102:8,10,18 103:2 103:3 106:9,11,12 107:3,11,17 108:9 108:15,23 110:24 111:11,15,17 112:2,4,11,17 114:4,10,15 115:8 115:9 116:4,7,16 117:1,2,8 119:5,5 119:6,7,9,14,15 119:16,17,20 120:2,3,10,23,24 120:25 121:8,14
C				
call 1:4 3:5,8,14 5:12,21,23 9:4 16:24 17:1,10,12 17:17,18,24 22:23 23:7 39:21 51:6 53:21 54:15 56:21				

121:14,18,19 122:9 123:24,25 124:11 car' 108:16 carbines 40:25 carried 40:23 41:1 46:9 72:24 93:25 117:23 carry 71:14,18 108:19 112:22 carrying 40:22,25 69:19 70:1 114:10 cars 83:22 84:17 88:9 96:1,24,25 105:16,17,18 108:1,14 112:19 114:17 116:25 121:14,21 Cartwright 1:3,4 1:10,11,11 4:16 4:19,24 8:21 18:18 20:23 21:1 26:1 27:15 32:19 34:4 36:17,19 38:20,22,25 41:19 41:25 42:13,18 43:6,23 45:12 47:3 49:12,24 50:20,24 51:2,6 51:11,12,14 52:7 52:11 55:20,22 56:4 62:14 65:9 65:11 67:13 68:21 73:9,21 126:6,10 case 26:3 39:24 56:20 77:6 123:9 124:18 case-by-case 3:25 5:9 case-by-case/inci... 4:6 casebook 62:18,22 63:7 cash 17:19,22 18:22 23:11 24:2	26:16,16 29:24 35:23 casualty 58:2,13,15 catch 76:18 cause 3:11 cent 89:23 centre 57:23 70:17 71:23 113:24 certain 46:7 89:23 certainly 12:13,24 13:7 48:12 70:13 95:3 98:11 123:21 125:3 cetera 70:6 chairman 1:3,7 4:15,18,22 8:20 18:17 20:22,24 25:22,25 34:1 36:15,18 38:19,24 41:18,22 42:12,15 43:5,22 44:5,8,12 44:16,18,20,23,25 45:3,6,9 49:25 50:1,2,5,7,9,11,18 50:22 51:1,9 52:6 52:8 55:19,21,23 56:3 62:9 65:8,10 67:10,12 68:20 69:23,25 73:10,15 73:18 74:15 77:6 77:8,11 78:22 79:5,6,10,13,15 85:24 88:18 100:22,24 101:1 106:21 118:9,13 118:21 120:9,12 120:14 123:4,6,10 123:13,17 124:15 124:21 125:3 126:8 chance 53:20 74:12 85:2 change 27:13 changed 27:13 39:25	changing 56:20 chap 104:20 charge 64:4 check 21:23 27:22 47:21 55:22 checked 63:19 Cherry 80:3 81:17 81:19 84:8 90:11 90:14,21 91:6,13 91:14,14 95:20 104:8 119:16 Cheshire 2:3 3:23 5:3,21 7:20 11:3,4 11:9,10,17,23 12:15 13:24 16:2 16:4,7 22:13 26:18,19 34:16,18 49:3 50:16 51:20 53:6 58:6 67:14 70:25 71:13,18 75:9 Chester 20:8 chief 5:23 6:18 7:1 8:4,14,25 9:4 14:2 14:14 18:8 24:17 41:3,5,10,13,15 42:19 43:2 44:1,7 44:14 45:2,21 49:13 57:5,21 59:24 64:3 72:14 73:5 children 115:8 chin 118:3 chip 85:22,25 86:5 86:9,18 chips 94:5 95:9 Chris 54:14 Christopher 55:16 Church 82:11 cider 80:12,16 clarify 23:21 clarity 42:23 59:8 clarity's 2:19 clear 31:19 32:19 43:23 119:18	120:22 124:10 clearly 63:15 72:8 116:1 121:17 close 89:5,8 92:21 93:19 104:13 109:14 113:1 closer 100:3,17,17 clothes 123:1 club 76:2,21 78:12 78:14,16 79:17 80:6,8 81:13,15 83:11 86:1,15,16 86:19 90:4 91:18 94:7,8 clue 104:22 Co-op 84:18 85:1,4 85:11,12 86:6 coats 118:4 cognisant 11:9 coincides 15:21 cold 95:9 collection 31:12 coloured 96:12 99:3 105:21,22 106:11 column 63:11 67:3 come 3:1,3,12 11:3 11:10,16 22:6,17 29:16 39:23 48:12 55:2 64:21 81:12 82:6,25 84:23 87:20 95:11,14 98:15 100:8 102:9 102:24,25 110:5 114:25 115:19 119:5 comes 48:2 110:1 119:6 120:23 coming 29:10 53:1 53:24 54:5,6 77:25 92:5,6 95:16,17,23 98:22 99:15 command 11:5,11 11:13 12:5,11,16	12:17,19 20:3 49:4 50:15,16 123:23 124:3 commander 4:8 6:5 11:8,25 21:14 28:6 37:7 42:21 52:25 53:6,10 58:10 59:22,23 60:3,11,24 64:11 65:14 71:17,22 72:2,16,22 73:7 commanders 4:1 5:13 49:1,1 commenced 20:13 20:15 commences 9:11 commencing 4:13 54:12 comment 40:18 43:8 commit 63:23 Common 77:23 81:4,25 82:3,6,7 82:10 86:21 91:20 116:18,20 communication 35:10 68:25 community 32:13 72:17 competency 30:19 complete 15:14 completed 8:18 15:5,16 27:7,9 28:8 completing 12:7 15:24 complicated 13:15 compromise 24:24 25:1,8 34:11 66:11,22,25 compromised 33:21,24,25 compromising 34:14 concern 49:5
---	---	--	---	---

concludes 50:21	13:16 48:20	91:17	D	December 63:2
conditions 3:17	106:19	counted 79:8	D 126:3	decided 108:9,15
conduct 22:25 23:3 29:8	contents 1:22 49:18 52:13 75:2	counter 52:7	daft 89:6	decipher 21:2 40:18
conducted 15:13	contingencies 13:11,14,16 36:11	county 54:3	damn 79:24 111:18	decision 3:13 4:3,7 11:2,15 19:8,9 20:4 42:20 48:25 50:14
confirm 1:21 52:13	36:17,23 56:21	couple 80:23 84:17 85:14 94:18 96:25	dark 8:23 82:13 89:3 92:24 96:11 99:1,2,2,2,3 108:23 110:24 112:20 122:9	decision-making 5:14
confirmation 14:6	contingency 16:1 20:6	105:16 114:25 117:20	darker 82:14,15,16	decisions 14:4 41:15
connection 17:25	continue 24:5,20 25:11 26:2,24	course 2:12,16 124:15	105:21,22,24 106:11	Decisive 35:13
consider 36:23,25 38:9 57:16	33:1 34:22 42:3 42:14 45:14,25 46:19	Cousen 66:10,14 66:18,21	date 61:23 62:4,10 62:11,23	define 104:7
consideration 9:17 37:11	continued 21:8 33:11 72:1	cover 19:21 46:3	dated 1:20 52:11 61:20 74:7 109:4	definitely 84:21 89:21 104:10 113:18,18
considered 9:24 32:21,24 70:10	control 3:13 11:5 11:11,13 12:5,11	covered 10:6 56:10	Dave 64:10,21 80:22	Delaney 73:13,14 73:15,20 74:20 118:7,21 119:2 123:20 124:20,22 126:11
consisting 1:21	12:17,18 16:1 25:12,18,22 26:4	covers 31:19	Dave's 80:22	deploy 7:6
constable 41:15 73:5	29:5,15 38:12 49:4 50:15,16	cowboys 103:23	Davies 123:6,7,11 123:16 124:14	deployed 30:17 54:25
Constabulary 2:4 51:21	conversation 41:8 44:14 48:9 56:5,7 56:10,16 57:5,21 64:2	created 62:8,12	day 17:13,20 24:19 27:25 62:11 76:7 80:14,16,18 84:3 92:4 93:11 96:5 110:13 125:5	deploying 60:3 72:22
consulted 39:9	conversations 14:13 66:3	criticism 48:13	daybook 61:19 63:1	deployment 57:23 70:17 71:23
contact 3:6,9,14 15:21 17:15 18:8 24:14,17 28:14,19 28:21,22 29:11 30:14 45:1 46:14 49:13 53:18 55:13 68:4,9	coordinating 73:2	cross 3:21,24 4:4 12:12 58:5	daybooks 61:13,15	describe 82:4 87:22 88:8 94:22 99:19 118:1 120:7,17 122:8
contacted 5:25,25 8:25 41:14 48:10	copied 9:15	cross-border 3:21 4:25 5:4	days 83:3,4,19	described 47:22 116:24 117:7 119:9
contacting 66:22	copy 50:4,5,6 52:6 70:16,19,19,19 71:4,5 77:11	crossed 86:21	DC 24:15 109:10	despite 92:24
contacts 36:5	cord 60:12,14,22 60:24 70:5	CS 7:3,4,6,22	DCC 9:1 14:3,11 47:18 48:6	detail 2:23 10:11 19:11,12,12 34:8 46:17
contain 35:10 36:14,20,24	cordons 60:7 72:13	Culcheth 6:15 9:6 10:23 16:10,12,14 17:20,22 19:11 20:3,11 21:15,17 36:3 54:24 58:3 59:1,2 68:19 75:9 75:12 81:9 96:5 105:6 122:3	deal 13:12,21 14:8 17:15 22:3,20 32:8 34:17 42:3 42:14 45:14 46:14 54:4 91:8 101:4	details 2:1 8:6 9:7 10:14 11:1 14:3 17:22 24:8 41:6 62:7
contained 1:18 4:9 4:17 9:18 11:8 19:3 47:12,20 69:21	core 124:16	cup 94:25	dealings 3:19 43:17 43:24 44:1,22	developed 33:11
containing 14:15	corner 62:2 63:3,8 64:9 65:6 66:8 68:3 78:22 80:1 87:6	Curran 77:2 81:7 115:19	dealt 2:25 3:4,24 26:15 28:5	
containment 55:10 55:11	correct 44:2 55:8 75:11 77:22	current 51:19 56:17 69:12	Debbie 80:22	
contemporaneous 20:18 61:24	council 86:23,23	currently 51:20		
contemporaneou... 62:3		cut 81:19,21 88:22		
content 11:25		CVIT 23:1 28:22 33:15 36:3 43:13 44:9		

development 71:4	divulge 49:18	Duddridge 68:4,5,9	entered 57:22	exactly 25:6 59:1,4
DI 66:10,14	doctor's 98:5,7,12	due 25:19 34:11	entirely 74:16	60:1 71:23 78:23
Dickinson 3:20	102:22 103:9,12	43:12 44:8	124:15	excuse 47:4
19:5,18 40:6,15	103:19 104:19	duration 11:14	entirety 12:4	existed 3:22
Dickinson's 39:14	105:12 108:11,13	duties 53:5 54:1	entrance 84:1	expand 36:21 37:4
difference 29:4,12	111:20 117:2	57:19	103:3 119:15	expect 16:21,21
different 37:5,13	121:4,4 124:7	duty 21:15 38:15	entries 14:8 15:2,5	22:6 24:12
69:10 77:11	doctors 98:4	53:1,2,19,24 54:5	24:5 31:4 63:5,6	explain 14:12 22:14
difficult 4:12 11:22	document 4:9,12	54:6 56:7 59:18	entry 7:16 14:2	29:4 34:4 60:4
19:14 21:2 56:15	4:13 5:2 20:20		15:20,23 21:9,21	explore 96:21
76:24	48:11 56:24,24	E	24:20 36:25 37:4	extent 46:8
difficulty 68:11	70:24	E 78:4 126:3	43:15 49:12 63:24	Eyes 60:1
93:9	documents 93:5	earlier 52:20 53:19	64:14 71:11	eyesight 92:12
digging 45:23	dog 38:8,11,12,15	77:9 80:16 83:1	entry/threat 36:20	93:17
dipped 95:1	38:16 117:21	early 75:24 109:24	envisaged 68:18	
dips 94:22,23	dogs 38:13,15	118:6	equipment 29:7	F
direction 60:23	doing 7:15 61:1,4	eat 86:15	30:7	face 28:4,4 105:13
72:23 88:16 124:6	120:8,18	eating 86:3	escaped 55:9	119:23
124:7	Doleman 55:24	edge 98:13	especially 83:23	faced 40:2
directions 73:6	door 85:4,12	effectively 25:23	95:25	faces 119:18
directly 66:17	100:12,13 101:6,8	86:7,13 88:16	essentially 53:25	facing 94:17
107:21	doors 96:8,8,10,13	either 7:2,6 13:17	establish 60:12,24	fact 5:9 11:1,9
disagree 27:23	96:17	29:7,9 31:10	61:14,25	19:10 23:18,22
discreet 40:19,21	dove 101:3	46:19 47:1 57:5	established 58:11	53:17 57:2 62:3
discreetly 40:25	downstairs 92:16	element 13:7	60:15	62:16
discussed 8:9 10:25	92:16	elements 9:25 10:6	estate 84:1 101:2	factor 30:3
discussing 44:21	drank 80:11	30:4	114:15	fails 32:1
discussion 6:3 8:2	draw 76:18	email 8:7,10,12 9:9	estimate 107:10	fairly 90:20
11:19 12:8 14:25	drink 80:9,14,15,18	9:10,13,18 14:13	estimation 69:12	false 10:22
17:5,7 27:20 41:5	85:7	15:11 25:3 47:12	et 70:6	familiarise 47:15
53:21 60:13,15	drive 13:18 83:7	47:16,20 48:8,17	evening 11:24 44:3	family 66:13,22
66:12,13,14,17	84:7,17	50:2 52:19 55:14	54:7 75:24	far 39:17 79:2
discussions 26:12	driven 107:17	55:22 56:23 57:14	events 36:22 39:5	93:10 94:10
dispatch 19:24 20:4	driver 90:1 93:20	70:15,24 71:1,2,6	45:7	fast 49:8 95:24 99:4
dispatched 20:2	96:15 100:18,18	emails 14:6	everybody 30:5	119:10
21:13	100:19 102:25	emerge 87:14	71:24	faster 99:6,7
disputing 123:7	110:23 120:15	employ 3:17	evidence 27:25	fatality 64:13
disruption 21:25	driver's 102:5	employed 2:2	31:7,9,10,11,12	fault 120:9
22:15 24:23	119:24 120:5	employment 51:19	34:25 50:21 58:16	February 1:1 51:21
disruptions 22:12	dropped 70:2	empty 86:11	60:6 61:8 72:3,19	fed 24:11 33:4
22:14	dropping 69:23	en 57:7 58:17	73:10 123:14	feed 46:7
distance 93:17	drug 122:4	enact 5:16	124:3 125:1	feedback 17:6
121:16	drugs 105:5,7	engine 119:7	evidenced 12:17	feeding 65:2
disturbed 95:3	108:3 121:25	ensure 60:6	22:18	feel 51:9 73:16
divisional 72:15	drunk 80:16	ensuring 30:5	evolving 66:3	felt 12:24 60:25

107:25 fence 81:20 89:13 91:19 92:1 108:10 fencing 81:20 FIB 42:14 46:4 fighting 103:23 films 103:21 FIM 14:11 22:2 24:7,12 28:8 40:7 53:25 54:13 55:7 55:13 57:10 59:5 59:7,8 FIM's 54:19 56:11 final 49:12 Finally 72:1 find 1:20 15:17 20:7 22:9 60:1 76:9,24 77:12 116:2 firearm 40:7,16 firearms 2:7,7,11 2:12,14,14,16,18 2:20,25 3:1,14,15 3:23 4:1,7 6:5,13 7:15 11:7,25 18:25 19:4,8 20:1 21:14 28:6 32:4 37:7 38:14,16 39:15,19,24 40:1 49:1 54:14 60:17 60:19 61:3,10 64:16 fired 58:2 64:24 first 1:14 8:23 11:16 44:5 51:16 58:11 61:14,18,19 62:21,22 77:16,16 80:18 86:20 95:17 100:10,14,21 101:3,4,7,8 102:15,19 103:20 104:3,12,14 106:25 107:5 111:12 118:23 Firstly 60:22 98:21	fish 86:5,9,18 94:4 fit 32:25 34:25 35:5 35:6 five 79:9 82:24 86:11 113:9 fix 33:15 flag 81:8 flagged 79:7 floodlights 90:15 90:24,25 91:11 floor 94:21 focus 120:22 folder 18:13 follow 14:2 33:15 35:23 38:4 43:14 44:10,11 followed 38:1 following 10:15 16:18 36:3 55:12 88:16 110:9 125:5 food 86:2 foot 7:16 38:4 force 2:4,23 3:12 11:4,11 13:2 14:19 16:1 17:16 17:18 18:3,5,8 22:21 23:2,7 24:14 26:13 28:6 30:20 37:2,8,11 37:21 38:13 42:2 45:13 49:3 50:17 53:9,18,22 57:23 71:2,6 forensic 67:7,11,13 forewarn 16:8 forewarned 16:4,5 forewarning 16:2,7 forgotten 76:16 form 12:15 35:17 38:23 formal 28:7 forms 12:12 forward 6:4 12:21 13:25 16:20 45:20 74:20	forwarded 47:15 48:8 50:3 55:17 forwarding 8:12 49:8 found 64:16,22 four 80:10,11 86:13 97:18 free 29:16 50:23 51:9 73:16 124:23 Friday 17:9 83:6,8 83:20 84:4,5,5,15 84:20 friend 1:12 51:15 friends 80:21 frightened 93:2 103:17 frightening 114:8 front 1:17 41:1 52:5 77:4 96:8,13 100:3 101:6,9,13 102:5,10 107:21 109:1 116:18,21 119:14 120:3,10 120:11,24 123:24 124:10 fuck 89:11 105:2 121:11 full 19:10 24:18,23 30:9 96:2 fully 19:18 29:15 30:6 further 8:4,6 14:5 17:22 22:23,24 23:9,19 33:7 34:7 40:7 42:18 72:3 94:18 124:19	103:25 104:12,14 108:22 113:9 garner 6:3 gathering 35:1 72:19 general 38:15 generally 29:14 30:21 genuinely 41:7 Geraint 67:17 68:12,23 69:1,5 70:10 72:7 Gerrard 9:1 12:9 14:3,7 16:20 17:6 getting 33:2 34:9 89:3 90:4 108:23 117:1 girl 115:12 girlfriend 80:22 give 1:14,25 2:23 7:9,11,13 51:16 72:23 77:12 given 8:14 19:9 39:22 46:16 54:18 60:22 61:10 68:17 110:13,23 123:23 124:3 giving 29:7 32:11 61:2 73:5 109:14 glass 86:17 104:2,6 104:17 113:15,17 glasses 73:25 93:5 GMP 6:24 9:4,5 10:12,15 11:16 12:3 14:10 15:5 21:23 22:13 23:9 24:8 25:12,16 33:20,25 34:1 40:7 42:3,14 43:21 45:14 47:16 47:21 54:24 55:2 55:5 58:5,8 68:3,8 69:16,25 70:5 go 8:5,17 9:11 12:6 18:4,5 19:15,15	23:18 24:12 27:4 27:22 32:23 35:7 39:3,7 49:8 50:23 54:3 59:11,13 73:11 76:3,17 81:3 84:24,24 85:21 91:22,24 92:8,9,9 94:2 95:10,15 98:9 101:11 102:10 106:4,16,19 109:18 115:18 116:12 124:23 goes 16:9 28:15 going 4:2 5:11 8:5 10:5,10 16:19 27:11,12 30:6 51:23 54:23 59:18 60:1 67:25 69:10 76:5 77:16 80:2,7 81:17 82:25 83:2 83:14 84:22 85:6 86:15,16 87:25 88:21 89:7 90:18 95:9,9,12,13,20 95:22,24 96:4 98:21 99:6 104:24 105:4 106:4 107:25 109:17,17 118:21 119:4 121:10,17 gold 5:13 42:21 48:25 55:2 65:14 71:17 73:7 good 1:4,11 51:12 51:13 61:5 74:24 121:16 Grainger 48:1 119:3 Granby 57:19 63:9 65:7,11,16,19,20 65:24 66:1 grant 3:16 42:20 granted 39:9,16 40:19
G				
	gain 19:16 gained 13:20 game 76:14 gang 69:19 108:3 gap 30:12 88:2,22 94:2,3 95:14,15 95:19,21,22 97:2			

Greater 3:22 4:11 6:1,11 7:24 8:5,7 11:3,10,19 12:16 12:19 13:7 14:14 15:11,13 17:17,19 18:5 23:19 24:7 39:22 47:7 49:2 50:15 57:20 64:4 70:6 123:20	hands 106:7 hang 91:24 100:16 115:15 116:20,22 happen 4:2 14:21 16:21 45:23 47:1 88:25 106:14 happened 8:1 16:23 58:12,12 69:7 85:5 86:24 109:16 happening 53:8 56:14 66:4 71:24 121:9,18 hard 37:20 hatchback 101:2 head 84:12 95:12 95:13 119:22,25 heading 88:2 94:5 107:5 111:16 headlights 89:2 96:2 107:3 119:10 headquarters 5:21 54:8 57:7,9,16,22 70:17 hear 16:21 17:2 103:22 112:6 113:14 heard 27:25 87:3 94:24 102:18,19 103:14,15,20 104:2,6,10,16 106:2 108:16,18 112:3,7,22,24 113:4,10,19,20 122:19 hearing 108:14 114:3 heart 32:1 64:15,18 hedge 88:2,22 94:2 94:3 95:14,15 98:15,17,19,20 height 118:2 held 88:14 Helen 52:19 67:22 67:23 72:9	help 3:9 26:10 40:18 62:24 63:24 64:23 77:2 94:14 helped 91:16 helping 73:11 124:22 hi-vis 87:18 hid 26:6,7 hiding 26:9 high 22:15,18 25:7 28:23 33:14 34:10 35:23 41:1 highlighting 40:11 Hmm 67:8 99:16 119:11 hold 106:7 hole 81:20 94:21 hole-punch 106:25 Holliwel 24:16 home 85:10 95:13 106:4 109:18 115:2 honest 103:17 110:19 111:3 117:16 123:8 hope 22:8 house 93:1 115:15 115:17,24,25 116:18 Hunt 80:22	implications 32:21 66:15 important 33:4 inch 77:3,3,4 incident 3:7,11,12 3:16 4:2 5:17 6:7 6:12 9:25 10:2 11:13 13:2,5 14:11,16,19,20 16:6,10 17:1,16 18:3,8,11 19:3 22:21 23:2,7 24:11 25:4 26:13 27:14 28:6 29:11 32:4,7,8 34:21 35:21 37:8 39:3,8 41:11 49:21 50:13 53:18,22 54:14 57:3,23 62:7,8,9 62:11,13,19 63:13 63:14,14,16,16,18 63:20 64:6 65:16 66:2,14 69:5 70:8 71:6 81:22 86:24 107:11 109:14,16 114:24 115:7 117:18,19 121:25 incidents 3:23,24 46:16,25 53:8 included 60:14 69:6 includes 50:9 including 6:21 8:1 32:21 115:12 incorrect 62:5,16 increased 84:19 indicated 122:20 indicating 58:22 individual 38:2 40:2 individuals 13:17 13:19 30:13 69:22 72:6 Info 21:8 inform 14:17,18	information 6:9,17 9:3,18,23 10:8,10 10:15 11:6 14:16 14:22,22 15:6 16:14 17:21 18:7 19:16,25 20:17 22:6,9 23:20,25 24:19 25:15 26:9 26:11 27:19 33:6 33:18 34:6,15 39:22 40:5 45:18 45:24 47:17,20 49:19 56:12 58:4 60:10 64:19 66:2 68:17 69:8 informed 24:7 41:9 43:17,24 44:1,17 44:22,23,24 71:12 informing 66:13 initial 2:12 3:13 6:17 8:25 28:5 55:10 67:15 68:13 73:2 initially 6:17 21:12 22:8 27:11 28:7 32:25 68:23 input 18:1 19:7 Inquiry 1:13,15 50:22 51:16,17 73:11,21 77:10 124:23 125:5 inside 119:12,17 120:25 Inspector 5:23 6:18 7:1 8:5,14,25 9:4 14:3,14 18:9 19:5 19:18 24:17 39:14 40:6,15 41:4,5,10 41:13 42:19 43:2 44:1,7,14 45:2,21 49:13 57:6,21 59:23,24 64:3 72:9 instruct 2:17 instruction 60:16
<hr/> H <hr/> half 77:3 Halliwell 24:15 hand 14:23 50:15 handcuffed 117:8 handcuffs 106:8 122:12 handed 8:12 109:9 115:20 handing 59:16,17 handler 38:16 handover 28:7 46:9 handpick 30:23		<hr/> I <hr/> Ian 68:4,5,9 identified 32:2 35:10 identify 31:7,15 72:7 identifying 58:22 64:24 imagine 120:20 immediate 36:25 immediately 105:10 107:2 111:5 impact 72:17		

60:23 61:9	62:5 67:14 72:3	kin 66:11,25	81:4,16,25 82:3,6	25:3
instructor's 2:16	72:13,18 117:10	kind 104:12	82:7,10,11 86:21	linked 25:18
intel 19:19 21:8,25	122:14	knew 5:16 7:17	116:18,20	links 18:9
33:1,20 35:2,13	involvement 7:19	12:14 16:19 26:4	laser 114:20	lit 90:19,20 91:15
37:2 40:7	18:12 19:3 39:5	45:3 69:25 71:23	late 75:24	91:21 92:19 93:1
intelligence 9:3,23	46:8 59:11	71:25 75:20	laughed 93:21	93:4
10:9 11:6,20	involves 13:15	knocking 83:23	laughing 89:12	little 13:9 34:4 39:1
17:18 18:5,6,22	involving 6:13	122:4	90:7 93:22,22	lived 75:8
18:23,24 19:21,25	IPCC 67:6,18	know 3:18 5:11	120:19,20	loaded 26:16
20:8 22:5,7,24	68:14,18,24,25	12:21,23 13:24	Lawler 47:21	loading 26:7,10
23:9 24:14 33:3,4	71:13 110:2	22:10 25:20,23	leading 21:10 26:3	local 16:1,6,8 22:2
33:7,8,10,18 34:8	IPCC's 71:19	30:24 31:16 32:1	league 76:4	33:16,16 92:10
35:7 36:4,7 37:9	Irish 76:16 85:1,18	35:3,4,8 45:21	learned 1:12 51:15	locate 4:12 76:21
42:3,23 43:13	issue 108:1	46:6,7,25 48:15	leaving 111:13	77:17
44:9 45:14,24		48:21,22,24 56:8	left 76:15,16 77:21	located 35:10
46:7	J	58:23 59:2,2,3,11	80:25 86:17 87:14	location 19:10,24
intend 63:6	jacket 40:24	59:15 60:25 63:19	left-hand 63:11	20:2 23:17 35:14
intended 27:19	jackets 87:18	64:19 69:16 70:4	65:6 67:3 78:1,15	66:1
intending 84:24	Jackson 81:23	75:8 80:24 84:14	78:16 82:8 88:14	locations 28:19
intention 81:3	83:24	85:2,6 89:6,12	91:4	locked 117:19
interdict 22:16	Jameson 85:6	90:4,5,7,8 91:15	Legion 76:3,22	locum 52:25 53:7
interested 24:1	Jameson's 85:19	93:3,23 95:24	78:3	LOD 10:22
90:3 117:12 118:1	94:4 95:10 111:13	96:1,2,5,8 97:5,10	let's 83:10 87:5	Lodge 83:7 84:7,17
internal 5:3 8:24	Jason 73:20	97:12 99:10	91:8 101:4 115:18	log 8:11,17 12:6
9:12 61:18 92:6	Jean 80:23	102:21 103:22,23	lethal 38:8	14:9 15:3,25
intranet 71:2	Jeanette 73:7	104:9,21,25 105:2	letter 4:15,17 12:15	20:13,15 22:20
invariably 3:11,25	job 24:9 25:5,7	105:6,7,8 107:25	12:21 93:14	23:24 24:21 26:24
40:24	jobs 30:22	110:19,21 111:3	letters 78:7,11	32:16 34:22 41:3
investigate 31:15	joins 77:23	114:20 117:22	level 4:8 11:8 37:13	43:1 45:13 47:12
35:2	Jonathan 46:10	119:19 120:21	37:15,17,17,18,20	49:8,9
investigating 67:15	Jones 67:17 68:12	121:10,16,18	levels 37:5	long 2:10,19 52:1
68:13	68:23 69:1,5	122:5,6,15	liaising 54:25	53:10,11 75:13
investigation 31:7	70:10 72:7	know' 121:11	Liberties 91:20	78:19,21 81:16
31:13 66:11,16,23	July 52:12	knowledge 1:23	life 36:20,25	82:23 86:9,10
66:25 67:10 71:14	jumped 100:21	3:20 5:7 26:20	light 90:12,14,21	93:17 98:22
investigations 54:2		30:9,17 52:14	114:13,14	114:24 118:13
investigative 35:6	K	68:22 69:20 75:4	lights 91:16,18 92:5	longer 13:9
67:7 72:4	kebab 93:1 115:15	known 6:9 16:12	92:6,7,20 114:12	look 4:1,9 15:15
involve 7:2 13:17	115:17,24,25	105:6 122:4	114:18 122:22	18:11 19:2 20:13
22:14	116:18		limited 14:22 46:6	22:17 30:4 36:24
involved 3:18 5:13	keep 12:3 45:23	L	46:7	39:13 47:11 52:4
6:14 7:18,21 10:2	58:19	lack 42:23	line 14:10 78:20	52:12,18 62:14
25:21 26:17 30:5	key 2:6 40:12	lad 75:17	107:2	74:2 77:17 78:5
30:11 32:4,12	kick 76:12	ladder 92:13	lines 38:7 106:25	78:15,24 79:1,10
56:18 60:18 61:11	kids 93:2 117:14,21	Lane 77:19,23 78:4	link 18:2 24:11,13	87:5 90:24 91:9
	killed 89:11			

92:8 93:5 99:24 103:13,16 106:16 108:13 109:1,8 111:14 120:2,3,10 looked 105:14,15 106:8,13 121:8 looking 9:21 10:1,4 14:15 20:24 31:10 42:16 56:23 62:12 76:9 78:13 85:25 93:13 94:10 97:15 97:17,22,23 102:9 108:22 116:7 119:16 121:13 looks 63:16 66:19 79:14 100:16,17 lot 2:5 3:2 30:22 83:5,8,22 107:20 lots 83:20,22 lottery 76:17,18 85:1,2,3,18 lotto 85:4,18 low 28:12,14,15,15 37:17,18 lowest 37:15,17 lunch 118:12 Luncheon 118:19	18:8 22:21 23:2,7 26:13 28:7 37:8 53:18,22 57:24 71:7 managers 13:2 managing 67:24 Manchester 3:22 4:11 6:1,12 7:24 8:5 11:3,10,20 12:16,19 13:7 14:14 15:11,13 17:19 18:6 23:19 24:8 39:22 47:8 48:16 49:2 50:15 57:20 64:5 70:6 123:20 Manchester's 8:7 manner 38:5 map 76:25 77:16 78:6 82:4 March 2:1 3:19 5:21 8:3,18 9:14 17:9,25 18:1 20:14 23:6,21 24:12 39:6 46:9 46:12,17,18 47:13 49:8 53:1 54:7 55:17 56:25 61:20 62:3,4,6,7,16 69:4 69:16 71:13 75:8 75:23 76:7 109:1 109:9,12 mark 12:23 63:9 65:7,11,16,19,20 65:24 66:1 80:21 80:22 113:19 marked 37:23 47:16 48:5,11 97:24 108:17 112:3 113:4 117:14 markings 101:19 123:1 MASTS 6:14,20 7:2,9,16 8:1 9:7	13:14 30:23 54:23 55:2,17 56:23,25 69:18,25 matter 123:19 matters 13:24 maximise 29:3,5,6 31:3 maximising 29:14 maximum 106:20 Mc 65:13 McCormick 41:15 43:9,12 44:12 45:22 65:14,23 67:6 71:12 73:7 McLean 1:5,6,16 126:5 mean 8:20 9:21 16:7 25:22 38:17 83:5 93:11,12 103:21 105:7,7 110:20,21 114:16 114:20 122:3 meaning 98:4 meant 35:7 90:21 medical 58:14 113:24 Medics 64:15 medium 28:14,15 28:15,19 meeting 8:4,15 9:15 10:25 11:18 16:4 16:18 17:7 50:8 memory 31:25 42:22 67:25 68:11 69:10 110:17 men 122:20 mentioned 68:12 69:14 71:3 90:24 111:5 mentioning 6:20 mesh 92:1 method 23:15 middle 65:9 77:21 Mike 47:21 mind 25:2 118:12	124:8 minded 86:2 mine 39:11 55:20 92:12 mini 7:7 82:7,11 minimise 29:3,9,15 29:18 30:1 31:3 minimising 30:11 minute 91:24 96:7 96:21 98:24 100:16 107:10 minutes 57:17 76:15 82:24 86:11 106:20 114:25 122:7 missed 94:20 missing 81:21 mistake 23:13,23 41:16 mistaken 41:18 mitigate 10:3 mitigating 33:14,17 35:23 mobile 6:14 modus 23:16 moment 23:5 47:4 55:1 74:25 80:5 94:4 96:19 Monday 1:1 morning 1:4,11 17:24 33:3 39:2,5 49:16 50:24 51:12 51:13 109:24 MOs 24:1 mother 119:3 motorbikes 83:23 moustache 118:3 move 13:10 15:2 17:9 97:16 103:8 124:4,5 moved 103:6 movement 119:18 119:19 movements 120:24 120:25	moving 10:22 12:21 13:25 45:20 52:24 MP5 64:13 munitions 6:21,23 7:2 8:1 9:7
<hr/> N <hr/>				
N 126:3				
name 1:11,15 15:20 51:14,17 65:11 73:20 74:10 106:5 109:19,22 115:1 119:2 named 47:25 48:3 names 69:21 National 85:2,3 nature 3:4 12:22 43:13 44:9 58:12 69:8,15,16 near 79:24 91:7,8 111:18 116:2 121:4 nearly 90:5 necessarily 3:1 30:20 necessary 12:24 71:25 need 32:12,13 48:21,22,24 54:3 117:5 needed 13:24 17:2 32:10 49:19 60:14 68:8 71:25 negotiate 36:14,20 36:24 Neil 55:24 neither 48:7 never 85:1 115:10 new 4:16 newspaper 93:16 Nick 47:17 48:2,9 Nicolas 47:16 night 16:25 24:8 25:12,19 33:21,23				
<hr/> M <hr/>				
M1 15:17 18:12,17 machines 26:16 majority 53:13 76:15 making 11:2,15 39:15 41:16 58:5 65:25 66:5 123:13 man 108:16 112:3 112:14 117:10,25 122:9 manage 13:20 71:14 management 58:10 59:12 65:16 67:23 manager 3:12 14:19 17:16 18:4				

33:25 34:1,11 43:20,21,25 45:1 53:4 59:14 62:15 72:2 night's 45:7 nightclub 92:3,14 92:18,18 nine-page 4:25 non-conferring 61:10 Non-identified 21:4 normally 23:3 71:7 84:14 115:14 north 79:20,20 north-west 79:22 79:23 northern 20:9 21:15,18 36:2 72:16 note 12:8 24:6 27:15 42:16 66:19 68:7 noted 44:12 notes 13:10 15:15 15:24 20:18 61:21 61:24 62:23 64:2 65:1 66:5 notice 13:1 85:5 95:23 119:6 noticed 83:1,4 84:2 84:6,19 notified 14:10 notify 58:17 notifying 57:2 November 1:20 number 10:20 56:1 62:1 63:2,5,18 66:3 72:12 109:20 109:23	obligation 124:16 obs 21:25 observations 34:24 35:4 123:14 observed 97:1 obstructions 121:20 obviously 9:24 11:6 13:14 14:5,13 15:11 46:18 56:16 58:17 60:9 76:16 81:22 85:7 87:2 89:3,9 90:1,5,8 92:17,18 93:5,13 96:4 99:11 102:20 105:16 106:3 109:20 112:19 occupants 37:10 occur 46:22 occurred 32:7 OCG 63:22 70:1 odd 83:1,12 OFC 21:14 48:16 offence 31:15 34:7 36:13,19 offences 31:7,13 33:20 offender 34:24 offenders 31:8,16 offer 49:18 85:5 office 2:5 54:8 57:6 officer 2:8,11,13,14 2:15 3:20 7:15,20 12:9 15:16,25 16:1,6,19,20 17:6 28:1 38:1 40:1 60:17 64:16,22,24 65:2 67:16 68:13 72:8 97:25 officer's 30:18 officers 11:22 22:2 28:16 30:17 31:24 32:3,9,11,13 38:2 40:22 46:3 58:5 60:16 61:3,6,11	69:9,9 70:5 72:12 72:12 96:18 Oh 33:22 54:22 81:14 94:21 okay 15:18 21:22 28:2 44:16,25 47:9 49:23 50:18 54:22 73:17 74:4 75:22 78:17 79:4 79:12,15 80:16 81:3 82:9,18 83:10 85:4,15,21 85:23 86:13 87:5 87:20 88:24 89:14 89:25 92:12 93:15 93:17 94:24,25 95:2 98:25 99:18 99:22 101:15 102:12 103:19 106:12 110:16 115:23 116:9,20 116:23 118:25 120:14 121:2,23 123:3 old 115:12 once 76:22 oncoming 46:10 ones 13:1 91:8 105:19 ongoing 14:18 31:14 34:14,21 42:4 45:15 54:2 54:14 58:7 op 24:7 33:23,25 34:1 43:21 55:17 open 18:13 73:23 76:22 92:4,18 96:8,9 opened 96:14,17,23 100:12,20,25 101:1,7,8 102:12 102:13 opening 70:15 90:10 98:16 108:12 112:3	Openshaw 65:16 65:20 operandi 23:16 operated 2:24 operation 6:1 7:24 9:5 10:12 11:21 12:4,20 13:3 14:18 15:4 16:6 18:10 24:24 25:1 25:8,9,19 26:18 26:19 28:18 29:8 29:21,22 30:10,12 31:11 32:6 34:11 34:14 38:3 43:20 43:25 45:1,4,6,25 49:2 54:19,23 56:8,19,21 58:7 69:8,15,17,18,25 70:1,11 operational 2:6 12:1 15:12 21:14 48:17 69:21 70:18 operations 2:7 3:2 12:13,25 26:6,14 47:1 51:25 opportunity 27:23 57:15 option 34:24 35:22 options 21:24 32:20 32:23 35:16 36:22 38:8,22 order 3:15 10:7 14:19 29:7 30:13 30:24 32:4 36:6 38:5 48:17 50:14 61:8,21 69:21 70:11,18 ordinarily 25:2 46:2 organisations 36:6 organise 3:5 outcome 10:4 outlining 8:7 outside 113:24 overall 92:23	overnight 9:5 14:18 16:24 17:3 22:24 23:3,10,17,22 24:2
			P	
				package 32:2 page 4:14 5:2,3 8:24 9:12 10:18 10:20 12:7 15:4 15:19 18:14,15 19:17 20:23 21:1 21:6 27:6,16 32:16,17 35:15 38:7,19,21,25 39:7,13,13 42:13 43:3 47:11,17 49:9 50:2 52:21 54:12 56:1,1 62:1 63:1,7,9 64:8 65:5 65:9 66:7,9 67:2 67:21 68:1,2 77:1 106:23 109:1,8 117:5 pages 1:21 79:9 87:10 92:9 pagination 5:3 8:24 9:12 61:19 panda 105:17,18 paper 71:5 parade 16:10 86:7 86:8 paragraph 41:23 parameter 31:22 parameters 21:3 31:19 park 57:3 59:13,17 59:19 78:13 80:3 81:21,22,23 82:2 82:25 83:7,11 84:9,18 86:22,23 87:2,15 88:1 89:1 90:11,11,14,16,21 91:6,13,14,15,17 94:12,22 95:1,20
O				
O1 77:7 oath 118:23 objects 93:10				

95:25 98:11,12,14 101:17 103:2,3 108:9,15 115:8,9 117:1 119:5,16 121:8 parked 83:23 84:7 84:9 96:25 99:16 99:16,17,19 105:23 122:10 parking 89:16,17 93:24,25 part 23:13 36:7 38:3 49:9 60:5,19 61:5 72:15 92:16 92:17 123:24 participant 124:16 participation 50:13 particular 2:25 40:14 124:6 particularly 9:18 118:14 passed 98:22 passenger 96:15 100:14 101:6,9,13 102:24 110:24 119:23 120:12,13 123:24 124:10 patrol 30:22 patrolling 20:10 33:5 pause 23:5 47:4 74:19 77:13 pausing 24:10,25 26:8 60:21 64:18 PC 2:3 21:15 pen 114:20 Penny 50:25 51:6,8 51:18 126:9 penultimate 41:23 people 29:5 47:22 48:7,12 87:18 89:22 96:19,20 101:4 105:8 108:1 108:14,22 111:9 112:18 114:9	115:8 116:20,23 117:3 perform 34:16 53:5 performing 30:15 68:23 period 46:22 53:9 53:14 person 3:8 106:10 122:11 123:23 persons 21:3 perspective 6:5 11:2 Phaedra 1:5,6,16 126:5 phone 15:22 17:1 28:4 39:21 46:15 phoned 109:24,25 photocopied 8:22 photograph 80:5 87:5 89:14 90:25 91:9,9 97:17 98:8 102:9 116:3 photographs 76:24 77:1,7,17 78:24 93:13 physical 77:11 picture 33:11 36:7 79:19,21,25 100:3 pictures 79:1 115:18,19 piece 22:6 81:20 pink 82:13 pint 86:17 pints 80:10,11 pitch 90:13 place 4:5 5:18 6:2 6:13 11:21,22 12:1,2,14,18 13:11,14,17,21 14:20 15:12 17:1 17:20 19:14 20:7 23:11 25:8 29:10 29:17 30:9,13 31:12 36:13,19,22 39:10,20 45:20	48:9 58:25 59:4,9 60:2,8 86:21 placed 10:7 12:3 35:20 82:21 84:23 plan 15:12 19:14 30:3 32:24 35:17 36:11,17 38:23 74:21 75:3 77:16 80:7 81:6,9 82:4 109:11 111:22,23 113:19 planning 2:4,6,24 7:24 8:8 11:21 12:1 13:8 15:5,12 plastic 86:3 92:1 plates 10:22 played 68:12 Playing 76:11 please 1:4,14,19,25 2:11,20,24 4:10 5:24 8:18 9:11 10:18 12:6,7,7 13:10 14:9,12 15:4,17,19 17:9 17:15 18:11,13,14 18:16,20 19:17 20:13,14 21:6,9 21:21,21 22:20,22 24:5,20 25:11 26:24 27:6 29:4 31:5,9,22 32:16 32:23,24 35:15 36:21 37:14 38:7 39:13 40:21 43:1 43:8,15 47:11,18 49:9 51:6 52:4 55:15 58:10 63:11 64:14 65:5 66:7 67:2 68:6 73:13 75:7 76:23 79:1 99:19,24 106:16 116:12 117:4 125:2 plot 39:4 plumbers 92:11	plus 91:18 pm 9:14 53:18 65:12 76:1 118:18 118:20 125:4 point 3:6,9 10:20 12:10 17:23 19:1 19:15 20:12 23:18 48:23,24 54:22 55:1 59:13 60:19 70:8 95:5 102:24 112:3,16 119:4,12 120:23 121:13 pointed 97:16 pointing 91:13,14 97:23 points 10:19 27:23 40:13 police 3:22 4:11 6:1 10:1 11:3 13:19 15:13 22:15,18 23:19 24:8 28:14 28:17 29:6 30:5 33:14 34:10 36:8 47:8 53:6 57:20 70:6 71:13 83:5 83:20,22,22,23 84:2,7,19 87:23 88:4 91:6,8 92:25 96:18 97:24 105:7 116:4,7,16 117:10 117:15 122:14,15 122:20,24 123:20 policeman 101:19 policy 4:10,19 37:2 37:11 Pope 46:10 position 69:7,12 positions 33:15 35:24 36:1 possible 6:7 11:8 25:15 30:14 32:5 38:4 40:1,7,16 possibly 46:1 89:24 post 65:16 post-incident 58:10	58:13 59:12 60:5 60:8,20 61:5 67:23 69:13 70:4 potential 16:24 17:19 18:9 24:11 25:17 31:10 46:19 46:22 potentially 6:2 7:3 7:4 16:7 25:6 34:13 39:24 41:9 PowerPoint 48:17 49:16 56:24 70:12 practice 61:5 practised 37:23 pre-planned 3:2 5:10 12:13 13:4,6 30:22 preclude 123:13 premises 9:6 25:13 26:5,5 27:5 36:13 36:20,24 preparation 62:19 presence 22:15,18 33:15 34:10 35:23 36:8 83:5,22 84:19 preservation 72:3 72:19 preserve 60:6 61:8 preserved 58:16 presumably 48:20 pretty 53:13 70:21 75:20 78:18 95:24 99:15 100:19 102:19 112:9 119:10 prevent 29:10 30:14 previous 24:19 26:6,14 44:3 63:13 previously 26:17 primacy 34:18,20 principal 64:16,22 prior 57:8,12 58:4
---	---	---	--	---

privy 10:8	38:5 60:7	raised 25:14	31:21 32:22 35:17	relates 31:9 34:5
probably 41:17	pulled 96:17	raising 13:24 24:10	37:1 62:2 65:1	37:4 63:20 64:23
42:23 53:11 64:1	111:16 124:11	ran 38:3 90:5	recording 15:23	relating 17:17
84:13 87:16 94:18	purpose 53:25	rank 51:23	20:16 22:21 29:1	18:24 35:16 65:25
104:14 118:2	59:21	reached 103:12	32:8 39:14 40:4	relation 2:6 3:6 6:1
problem 74:19	purposes 62:19	105:12	65:2,24 66:9	6:6 7:8 8:8 9:6
81:14 101:5	pursuits 37:3,11,12	react 37:19	recordings 31:2	14:17 16:5,8 18:9
109:21 110:5	put 12:14 19:14	read 21:9,20 24:5	39:1 65:25	30:4 34:6 39:23
problems 90:22	21:4,12,24 22:25	24:20 25:11 26:24	records 19:18	41:8 42:4 50:2,12
93:12	24:6 30:12,13	31:4,21 34:22	red 82:13 83:14,14	56:20 68:8 69:18
procedure 4:10	31:23 32:25,25	42:6 43:8 54:20	83:17 88:11 89:15	70:3,7 78:10
procedures 4:19	34:15 39:10,20	64:14 74:12,14	89:20,21 97:13,17	82:12 83:6 99:20
58:14 60:5,8,13	40:9 55:10 60:8	75:3 93:6 117:5	98:23 99:6,20	relatively 48:14
60:20 61:6 69:13	73:25 76:16 81:7	reading 42:15	100:4 107:11,18	relevant 48:16
70:4	85:1,3 102:18,19	43:18 93:13	107:21 111:11,17	58:18 63:14 74:1
proceedings 124:17	111:4,8 112:8,13	ready 37:19	112:2,16 114:12	remain 59:12 61:3
process 72:4	117:7 122:5,9	realised 117:10	114:18 119:4,7,14	remaining 59:18
processes 5:14	123:9 124:17	122:14	119:17 120:24,25	remember 37:15
profile 22:15,18	putting 103:5 106:8	really 35:3 59:25	121:14,19	41:7 46:5 59:10
25:7 33:14 34:10	106:12	76:24 90:3 93:11	refer 6:11 74:21	61:1 66:19,20
35:23 41:1	Q	93:12 99:9 121:17	reference 6:21	77:9 87:6 105:25
properly 98:13	QC 51:15	reason 61:4	12:12 27:3 28:8	108:14 109:14
properties 27:3	qualified 2:7,17	recall 10:24 11:17	29:1 34:9 39:4,15	110:7 111:3,8
property 13:21	7:14 30:6,24	28:3 39:9,19	40:21 43:2,16	117:16
27:1	query 14:16	40:14 41:4 42:18	44:2,3 62:12,15	remind 40:12
protect 38:5	question 10:7 12:23	46:24 56:10,15,23	63:9 64:10,22	replicate 11:23
protocol 3:21 5:1,4	18:3 19:15 117:4	56:25 60:11 61:9	65:6,19 66:10	report 22:2 60:9
5:7	questions 1:10,13	66:18,21 68:7,17	67:22 68:3	61:22
protocols 11:12	13:13 14:24 47:6	69:6 71:17 72:25	referenced 16:11	represent 119:2
12:5,11,18 49:4	47:7 49:24 50:1	recalling 68:11	41:3	representing
provide 36:7	51:11,15 73:19,21	receipt 8:6	references 41:19	124:16
provided 4:11 5:1	74:18 118:8,9,22	receive 16:25 32:9	referencing 25:3	request 14:10
6:9 9:15 10:11	119:1 123:12,18	received 5:22 17:12	26:14 40:4 43:20	requested 50:13
17:6 23:25 27:17	123:19 124:19	17:18,24 23:7	referring 97:17	60:11
27:19 40:5 41:6	126:6,7,8,10,12	35:14 39:21	reflect 56:11	required 21:18
45:18 46:15 52:20	126:13,14	receiving 22:4	reflected 59:3	55:11 67:11 70:20
56:12 58:4,15	quicker 107:17,20	recollection 4:4	regarding 45:15	123:9
61:13	quicker 107:17,20	15:21 16:3 18:7	56:8 66:15 69:12	requirement 5:18
providers 36:5	quickly 48:6,14	56:18 65:4	72:3	resident 75:9,12
provides 55:14	72:25 108:9,10,15	reconvene 125:2	region 4:5	resilience 2:5,24
pub 85:7 92:17	quite 29:11 75:13	record 21:8 36:10	register 50:11	resource 57:23
pub-cum-nightcl...	80:2 92:23 99:4	123:7	regular 37:24	70:17 71:3,23
92:4	103:17 109:14	recorded 9:3 13:11	relate 32:22 39:1	resources 56:19
public 10:1 28:12	111:3	13:23 15:25 23:24	related 68:6 108:4	58:18
29:9,19 34:15	R	24:25 28:12 29:18	121:25	respect 3:19,21,23

7:5 9:19 10:16 18:21 19:7 57:20 70:1 72:23 respond 33:7 55:4 responds 55:7 response 7:19 20:7 27:4 30:17,18 36:1 responsibility 30:16 53:8 rest 15:2 64:14 72:2 restricted 14:11,20 25:4 retain 60:17,18 61:6 retired 51:20,20 return 73:3 reversed 89:13 review 27:12 53:20 57:2 70:7 reviewed 35:13 36:13,19 57:1 rifle 103:24,25 right 18:8 25:25 28:2 30:7,7,8,8 41:22 44:16,25 46:11 50:18 53:5 55:5 62:9 63:8 67:9 68:15 73:18 75:10,12,24 77:13 78:3,5 79:14 80:12,13,21,25 81:4 82:19 84:11 85:12 86:6 87:16 89:5 91:16 93:8 96:20 98:3 100:2 101:13 103:8 110:1 116:7,13 117:6,15 122:2,19 right-hand 62:1 63:3 64:9 66:8 68:2 78:18 92:2 94:11 97:7 116:8 120:2,9	Rimmer 48:1 ringing 53:25 risk 8:7 10:3 29:3,9 29:15,18 30:2,11 31:3 34:15 RO08 10:22 road 82:10 84:8 86:21 94:22 98:18 117:22 robberies 63:23 69:20 70:2 robbery 6:12 9:4,6 17:19,20,22 18:6 18:23 22:25 23:1 23:3,10 24:2 31:11 39:23 role 2:6,9 30:10,16 58:9 59:25 67:23 67:24 68:12,23 roles 69:10 roof 26:7,9 92:13 room 3:13 59:6 91:20 roughly 80:13 110:6 round 64:13,15,18 89:9 93:3 94:19 95:5 100:20,22,23 102:10 103:13,15 105:14,15 110:1,6 110:10 114:16 122:11 roundabout 82:7 82:11 roundabouts 15:22 rounds 7:3 route 57:7 58:17 80:2 86:19 87:12 88:8,13,24 routes 36:6 rugby 76:4,6,9 80:8 run 9:5 12:16 13:11 24:7 25:7,19 34:11 37:25 49:2 101:13,14	running 13:17 54:24 55:3 77:21 78:18 114:16 runs 78:15 rush 74:17 <hr/> S <hr/> safe 16:8 22:2 31:24 32:2,5,10 38:1 61:7 safely 29:8 safest 38:4 safety 29:3,5,6,14 31:3 60:6 Sainsbury's 81:23 86:22 87:15 sake 2:19 Salford 63:22 sat 119:23 120:19 Saturday 62:16 83:9,10 84:22 saved 70:24,25 saw 29:14 50:17 84:15,17 95:16,17 96:21 97:1 98:21 98:21 99:1,4 100:6,11 107:2 110:22 114:15 115:10 117:3 119:4,22 122:11 saying 5:25 22:23 34:2 43:25 45:19 66:21,24 91:16 92:23 97:21 111:8 says 2:3 31:6 42:6 43:21 63:13,15 66:24 107:2 scene 58:3,15,17,22 59:24 60:1,4 61:4 64:10,15,21 66:4 67:6,10,25 68:9 68:14 69:9 71:14 72:8,12,15,18,24 73:1,1,5 scheduled 53:19	screen 52:8 searches 72:23 seat 102:5 123:24 124:10 second 77:12 94:16 96:16 98:17 104:3 104:4,5,16,18 106:23 107:11,17 113:18 Secondly 61:2 seconds 104:1,15 108:17 112:24 113:9 secure 60:6 secured 58:15,16 see 1:17 4:25 5:2 8:10,23 9:1,13 10:19,19 12:8 15:20,25 16:10 18:12 19:2,4,17 20:15 21:1 22:17 23:24 24:13 27:16 28:12,25 29:18 31:2,18 32:20 35:22 37:25 39:1 39:3,8,14 41:2 43:2,15 47:15,25 48:11 52:11,19,20 52:24 53:16 54:2 54:12,18 55:14,16 56:11 61:18 62:1 62:18 63:1,8,9,22 64:9,10 65:5,6 66:7,9 67:5,21 68:2 70:24 74:5,7 74:7,18,22 76:20 77:19,23,25 78:7 78:17 79:16 82:12 89:14,15 90:22,25 91:3,4,10,12,17 91:24 92:10,20,21 92:23 93:9 94:15 95:2,3 96:5 98:8 98:11,12,12,13 99:8,11,13 100:8	101:19,21,23,24 101:25 102:1,24 105:15 106:1,3,14 107:2 109:6 110:2 112:16 114:5,6,7 114:9,12,18 115:3 115:7,15,25 116:4 116:16,23,25 119:12,17,18,18 119:19,21,22,24 120:4,14,24 121:8 121:17,19 seeing 93:10 105:25 107:11 108:22 110:23 114:2 seek 25:15 seen 57:8 70:14,15 87:3 96:8 98:23 112:18,18,20 117:23 122:19 selected 35:16,22 38:22 send 35:8,9 sensible 106:21 sent 48:15 57:15 59:22,23 71:1,6 separate 25:7 49:21 Sephton 77:25 78:3 78:5,7,8,15,17 serious 53:8 seriously 115:13 serve 86:2 serves 18:7 serving 2:3 set 14:19 21:8 31:20,25 36:12 45:13 71:11 sets 54:13 setting 47:22 SFC 9:1 12:8,9,19 16:20 43:8,8 50:14 SFC's 41:15 Shire 55:17 shock 110:20
--	--	--	--	---

shooting 57:3,20 58:24,24 59:9 60:18 61:11	silver 5:13 27:20 52:25 53:6,10 58:9 64:5 71:22 72:1 88:10,11,21 89:4,5 96:11 99:1 99:2,2 100:3,17 105:23 108:23 110:24 111:9,15 112:2,19 114:4,10 119:6,9,14 120:23 121:14,18 122:10 123:24 124:11	somebody 47:21 93:21 97:8,21 102:21 106:7 109:22,23 110:1 111:10,11 112:20 117:7,17,19	spontaneous 3:4,11 13:4	71:12 73:24 74:3 74:22 75:2 76:1,6 80:11 90:19 105:1 106:17 108:21,25 109:2,8,15 110:11 110:12,25 111:6 111:14,14 112:1 112:22 113:8,13 113:16 114:2 117:4 121:7,24 123:22
shop 85:22,24,25 86:5,9,18	silvering 55:5,5	soon 20:16 68:24 111:15	Spooner 52:19 67:22 72:9	static 35:24 36:1
shops 84:2 85:14	similar 37:16	Sophie 1:11 51:14	Spooner's 67:23	stating 9:5 23:8
short 12:15 13:1 51:4 93:9	Similarly 57:14	sorry 4:23 8:21 13:13 17:17 18:15 20:24 36:16 42:6 42:12 45:10 52:8 55:24 58:21 59:16 68:20 69:24 85:24 95:25 100:22 118:3 119:25 120:14	spot 102:5	status 54:19 56:17
shortly 48:16 53:1 57:18 73:4	simply 65:11	sort 7:7 23:15 27:21 53:7 97:5	spotted 83:24	stay 16:8 22:2 31:24 32:2,9 102:3 106:5 109:17,18 114:24
shot 58:1 64:25 104:2,16 113:11 113:16,18,20,20	SIO 66:17	sorts 87:24	spread 48:14	stayed 22:10 102:4
shotgun 7:2,6	sir 1:4 4:16,20 18:18 20:23 27:15 32:19 34:3 38:22 49:24 50:8,20,24 51:6 52:7 65:9 118:8,11 123:7,16 124:14 125:1	sound 113:14	squad 6:12 9:5 17:19 18:6	stenographer 118:15
shots 103:24,25 104:10,11,12,14 112:25 113:5	sirens 122:22	sounded 103:25 112:24	staff 28:19,20,22 29:24	stepfather 119:3
shout 108:16 112:3 112:23	sit 1:7 51:9 73:16 74:15	sounds 89:6 103:23	staged 46:3	Stephen 73:13,14 126:11
shouted 90:8 97:8 97:10,15 101:18 102:17 103:5,7 112:11,12	sited 59:12	south 79:19	stage 4:3 6:25 37:8 58:16 66:23 83:15 119:17 122:15 123:15	steps 94:18
shouting 106:2	sitting 119:25 120:4	space 26:7,9 89:13 89:16,17,17,19 93:24,25	stages 83:10	stolen 10:21
shouts 122:24	situation 56:12 73:4	spaces 97:18	stand 29:2 73:17 85:2 104:19	stomach 100:21 101:3 102:15 114:14
show 80:2 87:12	sketch 74:21,23 75:3 108:17 109:10,11 113:4	speaking 98:2 117:25	standing 42:2,13 42:20 43:12 44:8 97:2,21 102:25 108:22 119:15 121:9	stood 96:7 97:11,12 97:14 117:11
showed 12:19	skill 7:9,11,14	special 6:21,23 8:1 9:7 85:5	star 40:9,10	stop 7:15 13:15,19 13:20 22:16 37:2 37:5,20,22 87:24 100:6,8,11 104:23 119:5,14 120:23
shows 87:13	skip 74:20	specialist 7:1	staring 97:5	stopped 89:8 107:21 111:16
side 63:12 67:3 78:1,16,18 82:8 88:9,14 91:4 92:2 94:12 96:15 97:7 98:15,16 100:14 102:10,11 106:11 108:10 116:8 117:22 119:23,24 119:25 120:2,5,9 120:12,13 121:18	skit 74:20	specific 18:23 19:16 26:8 38:13 124:18	start 20:16 51:1 81:14 98:7 118:16	stopping 85:12
sidearm 37:18 40:23	slightly 52:20 53:19	specifically 72:18	started 20:19 54:1 87:2 89:4,12 94:19 98:5 103:9 106:3 111:20 118:12	stops 37:13
sided 78:21	slower 99:6	speed 81:8 95:24	startled 96:3	Strachan 72:14
sighted 93:9	slowly 100:10	speeding 89:2	starts 94:11	straight 107:5 111:16
signatories 5:4	small 30:20	spoke 80:20	statement 1:18,20 1:22 2:3 5:20 6:19 18:21 23:6 41:2,13,18,23 42:1,7,15 46:21 52:4,11,13,14,24 59:3 61:22 62:15 62:20 69:4 71:10	strategic 4:1,7 5:12 6:4 11:7,25 12:19
signed 5:1 109:12	smashing 104:17 113:15,17	spoken 43:9,10,12 54:13,16 58:20		
	softly 58:19			

49:1	surgery 98:5,7,13	6:13 19:19,22,23	tend 27:12	73:11,15 74:20
strategy 9:20,22	103:10,12,19	26:21 37:6	tended 116:20	75:6,19 77:2,14
10:4 12:2 15:10	104:19 105:12	take 3:14 5:18 6:2,4	tent 91:25	77:15 79:5,15
29:2 30:1 33:1	108:11,13 111:20	6:13 14:3,6 15:19	term 6:25	81:8 106:22
34:25 35:5,6 67:7	117:2 121:4,5	16:19 23:11 33:18	terms 6:8 7:4,19,21	115:21 118:7,17
67:11,13	124:7	36:22 37:10 43:1	7:25 10:14,18	118:21 120:14
Straw 118:11,17	surname 48:3	45:19 50:24 53:8	11:15 13:23 14:24	123:3,5,16 124:13
119:1,2,2 120:17	surnames 50:9,11	55:8,10,15 61:13	17:5 22:4,12	124:14,22,22,24
123:3 126:13	surveillance 6:15	63:5,6 74:15,16	24:10 25:14 26:8	124:25 125:3
streets 81:9	32:11	83:10 85:10 86:1	27:6,18,24 30:1	thigh 40:24
stretches 78:12	suspect 38:12	86:19 106:5,19	30:15 32:9,10	thing 100:10
strobe 114:18	suspected 69:19	109:19 111:22	33:2 38:11 40:9	103:20
struggling 43:18	70:1	115:1	46:2 53:24 57:18	things 16:20 22:12
stubble 118:3	suspects 10:14	taken 6:6 17:1	58:9,10,22 60:3	33:8 56:20 69:14
stuck 33:5 90:7	26:22	34:18,20 39:16	60:22 61:2,14	81:8 84:14 86:13
stupid 89:11	suspicious 83:2,12	41:10 49:10 58:24	64:18,22 65:1,19	93:12 103:21
subject 37:21 38:2	swore 93:20 104:25	59:4,9 61:7 62:19	65:24 67:13 70:15	114:3
subjects 10:2,21	sworn 1:6 51:8	64:16 70:6	70:23,23 72:6	think 4:20 9:13
19:12 24:9 25:12	73:14 126:5,9,11	talk 81:10 83:1,14	text 8:23 27:16	12:9 15:21,24
25:18 26:4 29:19	system 70:25,25	104:23	31:18 32:19	16:5,10 17:10
29:19 35:14 47:25	71:2,7	talked 83:19	TFC 8:25 14:10	19:23 21:2,3,6,8
48:3 49:19		talking 89:17,19	27:17,19,25 35:17	24:14 26:13 31:6
subsequent 31:11	T	91:22 92:13	38:23 50:14	34:1 35:19 38:19
subtle 29:12	TA 30:16 46:10	102:20,21 111:10	thank 1:7,9,17 2:10	38:25 39:4,7 41:7
sudden 96:2 120:25	tab 1:19 8:18,20,21	111:12	2:22 4:22,24 5:19	43:20 45:1,21,21
suddenly 96:3	20:14,23 47:11	target 16:12	6:19 16:16,17	46:5,6,8,9 48:8
sufficient 35:2	49:9 52:11,18	targeting 84:13	17:4 18:20 20:25	50:6 52:25 53:1
suggestion 55:13	53:17 55:15,20,21	tasked 28:14,18	21:19 22:4 24:20	57:18 58:19 59:3
summary 36:21	55:22 61:16 74:2	tea 85:25 94:25	25:10 26:1 27:24	59:16 62:3,4,14
Sunday 109:9	74:21	team 9:7 22:24 23:2	28:11 31:1 33:12	64:11,25 65:4
110:7,8,9	TAC 3:8 5:21 7:20	23:10,16 26:7,15	34:22 35:15 36:9	66:24 67:24 68:7
superintendent	8:11,17 15:25	30:24 71:4	36:18 37:1,25	68:13 71:3,5
51:25 52:1 53:12	17:10 20:13	teams 26:9	38:6,11,18,24	74:22 75:7,23
63:9 64:4,5 72:14	tache 118:3	telephone 5:23 8:2	40:3 41:2,12,25	76:12 77:2 78:25
support 2:14 6:15	tactic 6:15,20 7:8	48:9 53:21 56:15	42:10,17,25 45:9	79:16,25 80:2,6
17:2 21:16,18	7:18,21,25 13:14	57:19 109:20,23	45:12 47:3,5 49:7	80:20 83:6 87:10
36:11,17 38:10	30:13,25 38:11	tell 5:20,22,24	49:22 50:19,20,21	87:12 88:2 89:4
39:16,19 59:22,25	tactical 2:8,9,18,20	18:21 23:5 36:15	50:21,22 51:2,6	90:3,6 92:1 93:2
supported 19:20	3:5,15 6:3 7:13,14	41:13 42:1 53:16	51:10,22 52:3,8	93:20 95:2,5 96:1
suppose 33:2	11:7 12:4 15:11	54:23 66:11,25	52:17,23 53:15	98:9,11 101:6
sure 13:8 45:10	28:5,6 30:3 31:19	69:4 72:1 91:3,23	54:11 56:4 61:25	102:17,25 105:1,4
58:13 60:7 70:21	32:20 35:16,17,22	96:19 97:11 98:14	62:25 64:7 65:10	108:25 110:5,17
71:22,24 100:19	36:11,17 37:7	116:2	66:6 67:1 68:1,10	111:2 112:25
102:19 104:9	38:22,23	telling 23:2	69:2 70:22 71:9	117:20 118:13
112:9	tactics 2:18 3:17	tells 6:19	72:10,20 73:9,10	119:8,23 123:22

124:2,8 thinking 25:5 94:24 115:11 third 104:1,3,15,16 113:11,16,19,20 117:5 Thompson 108:11 113:25 thought 70:20 79:10 85:10 89:6 89:7 94:13 95:8 102:20 105:5,10 108:3 111:5,12,19 117:8 121:24 122:11 thread 47:12 threat 8:7 9:19,21 10:3 12:2 15:9 16:11 27:7,9,16 36:25 42:4,6,8 45:15 47:23 three 1:21 38:7 48:2 50:9 92:9 94:15 97:18 104:1 104:10,11,15 113:9 thud 113:12 thudded 104:10,11 thuds 103:21 108:18 112:25 Thursday 83:6,20 84:16,20 ticket 85:4,18,18 time 2:2,17 6:10 7:8,15,17 8:2 9:13 9:24 10:12 12:7 13:3,7 14:25 15:6 15:8,24 16:12 19:7,11,19,22 20:1 21:10,13 26:20 27:10 28:9 31:16 33:18,20 34:7,7,17,21 35:18,19,20 37:10 39:20 40:16 41:5	41:9 45:19 46:15 48:1 50:12 51:24 51:25 54:16,20 55:8 56:6,13,19 56:21 57:1,4 58:5 58:23 59:5,8 60:19 61:16 63:23 66:1,16 67:2 68:5 68:13 69:7,22 70:20 71:18 72:21 74:15,16 75:13 83:12 90:12 92:19 95:8 108:13 110:4 111:22 113:14 117:14 122:7 times 53:19 62:2,18 62:18 timescales 11:23 tipping 10:19,19 104:8 today 53:20 107:7 107:13,19,23 108:6 110:4,23 113:2 124:3 125:1 told 7:25 17:12 19:1 22:22 23:21 42:19 44:13,18 58:1 65:22 68:20 71:17,20 101:17 106:5 107:7,13,19 107:23 108:6 113:2 121:3 tomorrow 109:24 125:2 top 4:20 9:14 27:16 38:21 62:1 63:2,8 64:9 65:6 66:8 68:2 79:19 88:4 97:15,19,22,23 tops 80:10 torch 114:12,13,14 114:17 Totton 48:1 touch 109:23 trained 38:14	training 30:8,18 tramlines 74:8 transcript 53:17,21 54:12,15 transit 17:20,22 18:23 23:12 24:3 29:24 35:24 travel 83:25 travelled 108:12 travelling 57:10 99:4 treat 5:8 treated 13:4 49:21 Tree 80:3 81:17,19 84:8 90:11,14,21 91:6,13,14,14 95:20 104:8 119:16 tried 76:7 true 1:22 52:14 75:4 122:17 try 19:16 21:11 30:11 76:21 77:17 78:24 trying 31:14,15 120:22 tunnel 92:25 116:5 116:10,11 turn 1:19 10:18 18:14 21:6 27:6 32:16 35:15 38:19 38:25 47:25 60:21 61:25 63:1,7 64:8 66:7 79:25 89:4 103:12,15 105:13 117:5 turned 87:6 89:9 94:19 95:5 110:6 115:22 117:15 119:8 122:11 turning 65:5 116:4 two 25:17 46:16,25 48:7,12 61:15 74:8 83:24 84:2 87:18 89:24	103:21,24,25 104:1,12,14,14 105:24 108:1,18 108:22 112:25 113:5 117:1 121:13,20 two-thirds 66:8 typed 74:5 tyres 7:3 <hr/> U <hr/> unarmed 31:24 32:3 72:12 uncertain 37:16 unclear 21:7 underneath 40:18 63:22 understand 44:5 70:23 124:15 understanding 30:9 54:19 understood 45:11 undertook 2:9 underway 60:9 uniform 51:25 union 76:9 unit 2:15,24 20:3 38:10,14 unknown 33:7 unspecific 19:10 43:13 44:9 untasked 28:16 update 46:15 58:1 67:6 updated 41:14 upskill 2:15 upstairs 92:16,17 urgency 33:2 use 7:3,4 18:24 24:14 39:24 40:1 61:22 77:16 79:25 93:5 useful 18:4 usually 22:6 utilise 40:12	utilised 7:7 12:25 35:11 utilising 37:22 <hr/> V <hr/> vague 19:13 22:5 22:10 van 87:16 92:10,13 vans 36:3 various 30:2 31:4 47:22 vary 32:10 vehicle 13:15,18,18 13:19 18:22 23:4 23:11 24:3 36:1 37:1,10,11,16,21 107:12,22 vehicles 19:12 24:9 27:4 30:8 33:8,15 35:14,24 37:21,23 ventilated 11:17 venue 23:4 verbal 123:23 vicinity 28:17 view 9:24 13:15 54:22 79:21 121:14 village 76:2,21 79:17 80:6,8 81:13,15 83:11 86:15,16,19 94:6 94:7,8 VIP 3:3 5:10 virtually 53:11 visit 26:5 66:10 visited 27:2,3 visits 3:3 5:10 voice 58:19 69:23 70:2 Vs 90:7 vulnerable 21:3 <hr/> W <hr/> wagons 87:24 wait 32:25 33:9,9 79:5,6
--	---	--	--	---

waited 109:21	22:5 40:11,22	51:8,18 126:9	108:12	11th 110:9
waiting 114:25	58:5 76:25 90:10	window 92:6	yeah 73:17 76:3	12 61:20
walk 87:22,25,25	97:6,9 103:3,8,8	windows 99:8,13	79:24,24 102:4,7	12-hour 53:9
88:21 98:4 101:13	111:14 124:4	windscreen 99:11	104:24 105:14,14	12.10 67:5 71:12
103:9 106:4	weapons 40:23	104:7	106:13 112:9,9	12.30 41:3,14,23
109:17 121:3	60:16 61:3,6	winning 85:2	years 52:2 56:16	49:12 110:6
walked 81:10,15	101:21,23,25	Winsford 5:22	75:14,15 115:12	123 126:14
83:11 86:21 98:8	102:1 114:10	20:19 54:9,10	yellow 88:6 105:19	13 52:2
98:14,15,16	wear 40:24	57:11 59:13	young 115:8 116:20	13-year 53:13
103:19 108:10	wearing 97:24	wish 123:15	116:23	14/15/16 115:12
113:24 117:3,11	Weatherby 123:4,5	witness 1:18 23:6	youngsters 115:11	147 18:14,16,19
117:25	week 110:10,13	42:1,7 50:25		15 76:15 106:25
walking 86:18 87:3	weekend 42:5	55:23 62:15 73:24	Z	15.00 48:10
88:24 94:1 95:19	45:16 46:1,3,4,20	74:3 75:2 118:10		152 39:7
98:6,7,17 104:20	46:22 47:2	118:23 121:7	0	153 39:13
111:20 112:1,2	welcome 1:7	123:8,14,22	00.05 71:11	16.26 48:2
117:21,24	went 26:13 27:21	124:18	00.10 67:4	16.30 50:8
wall 4:21 92:2	37:20 48:18 55:9	Wolves 76:10	01 76:23,24	16.44 15:23
walls 92:21	57:22 59:17 76:1	wonder 81:7 92:8	06.10 67:3	18.51 55:16 57:15
wandered 115:1	76:6 80:8 81:15	wondering 96:4	09.19 20:15	180 19:3 39:3 62:8
want 10:4 21:20,23	82:21 86:4,22	word 25:22 63:11	09.36 19:4	62:19 95:7
22:12 24:23 74:14	89:18 94:3 95:15	78:8,17		19 42:13 52:19
75:8 76:21 81:14	96:24 101:12	work 3:10 38:14	1	1989 2:13
95:10 106:16	102:7,14,15	76:7 78:25	1 1:19 3:19 5:21 8:3	1994 2:16,21
wanted 6:2,5 33:10	104:15 112:25	worked 2:4,13	8:18,18,20 9:14	
45:10,22 97:6	123:25	working 5:21 9:19	18:1 46:17 47:13	2
wanting 6:8 11:7	weren't 56:18	9:22 10:4 12:2	52:11 62:1 63:2	2 8:21 17:9,25
25:15	86:10 90:13	15:9	74:2 126:5,6	20:14 23:6,21
warning 61:10	Whereabouts 86:5	wouldn't 48:21,22	1.19 118:18	24:12 39:6 46:9
Warrington 6:16	92:15 106:10	48:24 57:4,8	10 57:17 61:16	46:12,18 47:11
9:7 76:8,10,11	whilst 57:14 80:9	66:24 83:13 86:2	76:15 106:19	49:8 53:17 55:17
82:10	88:24	121:22	108:17 112:24	56:25 62:4,16
Warrington/Wid...	whiskey 85:6	writer 118:14	10.30 1:2 125:2,5	74:21
20:10	whisky 89:7	writing 43:10,18	10.59 39:8,10	2.25 118:16
wasn't 57:6 83:17	white 87:16 88:10	98:19	100 89:23	2.26 118:20
90:13 97:5 99:9	91:25 94:15,16,16	written 111:15	1049 61:19	2.32 125:4
102:20 103:24	95:2 97:12,14,18	wrong 20:24 77:5	105 9:12 47:17	20 1:20 81:16
117:11 121:22	97:21 98:18,19		106 10:18,20 47:11	201 20:23 21:1
watch 76:4,6,14	101:12,15 123:25	X	47:25 50:2	2011 63:2
80:8 103:21	Whyte 47:6,7 49:22	X 126:3	11 109:1,9,12	2012 2:1 3:19 5:6
watched 96:7	123:17,18,19	X1 112:3	11.00 39:2,11,21	51:23 52:12,19
watching 97:4	124:13 126:7,14	X2 113:4	40:4 109:9	54:7 55:17 56:25
115:7	Wigshaw 77:19	X3 113:19	11.09 39:14	61:20 74:7 75:8
waxy 118:4	81:16		11.40 51:3	109:1,4
way 10:11 12:20	Wilson 50:25 51:7	Y	11.50 51:1,5	2013 51:21
		yards 81:15,16	119 126:13	

2015 1:20	5.15 48:17			
2017 1:1	5.45 76:12			
203 27:16	50 75:14,15 108:12			
204 32:17	126:8			
206 35:15 38:7,21	50s 118:6			
207 43:3 49:9	51 55:19 126:9,10			
24-hour 46:5				
27 1:1 54:12	6			
28 87:10	6 74:7 109:4			
2nd 34:21 62:5,8	6.00 53:1			
	6.37 53:18			
3	6.50 81:1			
3 20:14,23 37:20	6.50/6.55 81:1			
49:9 53:1 54:7	675 4:14			
62:3,6,7 69:4,16	7			
71:13 75:23 76:7	7.00 49:16 53:2,3			
3.00 5:22 8:2 15:22	53:16,24 54:1			
3.05 15:20	80:25			
3.15 46:12	73 126:11,12			
30 81:15				
300 77:8	8			
300A 77:1,3,9 80:7	8 55:15,20,21,22			
81:6	8.00 69:4,15 70:9			
31 52:12	8.05 64:13			
320 99:24 100:1	8.50 65:7,12			
102:9	891 63:17,20			
323 79:6 116:12,14	9			
325 92:9	9 5:3 15:19			
328 79:1,3 90:25	9.00 109:25			
91:22,25 92:9	9.05 66:9			
94:10 97:17 98:11	9.19 17:12 20:22			
115:22	27:12			
329 91:9	9.30 21:10,21 22:21			
330 91:10,12	22:22 23:6 24:5			
3rd 62:17	27:10 35:18,18			
4	9.37 19:17			
4.26 9:14	93 63:8			
411 52:21	95 64:9			
412 52:21	96 65:5			
45 56:1	97 8:24 66:8			
47 126:7	98 12:7			
5	99 68:2			
5 52:18	993 63:2			
5.00 76:1				