

IN THE MATTER OF THE INQUESTS

INTO THE 7 JULY 2005 BOMBINGS

BEFORE DAME HEATHER HALLET DBE

SITTING AS AN ASSISTANT DEPUTY CORONER

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**THIRD OPEN WITNESS STATEMENT OF SECURITY SERVICE WITNESS "G"**

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1. This is my third witness statement, and I make it further to my first statement dated 10 January 2011 and my second statement dated 3 February 2011. I do so principally in order to address a number of further matters that have been raised during preparation for these inquests.
2. Before I do so, I am aware that a bundle (Core Bundle: Preventability) has been prepared for these inquests with the cooperation of the Security Service. I am concerned that the preparation of a bundle like this has a tendency to misrepresent the true position. I would make the following points in that regard:
  - a. Firstly, this bundle represents the **drawing together**, over many months of preparation for these inquests, of the various threads which relate in some way to Mohammed Sadique KHAN (MSK) and TANWEER (ST). The same is true of the gists which have been drafted and disclosed;
  - b. Secondly, it is impossible to overemphasize that these documents have been extracted from a **massive volume** of Security Service material generated and obtained by the Service over a period of 4 years (from Operation Warlock in January 2001 to the further intelligence from MJB in March 2005). The documents containing potential references to MSK and ST are a tiny fraction of the documents held by the Security Service;
  - c. Thirdly, these potential references to MSK and ST must be considered in overall comparison with the volume of material held by the Security Service relating to **all the other threats** to which the Security Service had to respond. So far as is possible, those threats have been disclosed in the Quarterly Reports gist.
3. In short, it would give a wholly misleading impression to view the material in the core preventability bundle in isolation.

**Photographs**

4. I have been asked on behalf of the Coroner to confirm that paragraph 278 of the First ISC Report (which refers to the showing of a photograph of ST to the detainee MJB on 6 April

2004) is correct. I can do so. For the avoidance of doubt, the DOWNTempo gist is concerned with the investigation into IBRAHIM and ZUBAIR, neither of whom was ST.

#### **McDAID and TAF at Iqra**

5. The following paragraphs provide further information concerning the Iqra bookshop referred to in paragraph 14 of the document entitled 'Gist re Martin McDAID'.
6. WYP and the Security Service were in possession of intelligence concerning the Iqra bookshop. I have now reviewed the material collated in the short time since this matter was raised (and which dates from before and after 7/7); and my assessment of it is as follows. The material suggests that literature of an extremist nature was distributed from the premises. Those who were linked to the bookshop engaged in a number of genuine community activities – such as trips to the Leeds climbing wall, organised football and cricket matches, and use of the bookshop by groups such as "Sisters Islamic Classes". It was a registered charity. There was also reporting that the bookshop was used by a number of those assessed to be associated with extremism and that some of its organisers were the subject of investigation by the Service (see below). It is to be emphasized however that the reporting does not suggest that the Iqra bookshop should have been the subject of a specific Service investigation. In particular, I have seen nothing to suggest that it had at any stage since its formation in 2002 been used for the planning of operational terrorist activity in the UK.
7. Moreover, it is necessary clearly to recognise that it appears (from the sensitive reporting available after 7/7) that MSK and others were no longer involved in the Iqra bookshop from early 2003. That is supported by the records of the Charities Commission, obtained post 7/7, which indicate that MSK and ST were recorded as trustees of the Iqra bookshop in 2002-2003. However, when the charity updated its trustee records in December 2004, MSK and ST were no longer listed as trustees. Moreover, in relation to MSK, financial investigations after 7/7 indicated that Iqra was a membership organisation, members paid subscriptions, and that MSK cancelled his monthly subscription to Iqra in February 2003.
8. It is also important to note the very limited nature of the material available prior to 7/7 that linked MSK to the Iqra bookshop. Leaving aside the record of MSK and ST as trustees (which could of course only have been discovered by a search of the relevant records), the material available to the Service and WYP comprised of the following:
  - In March 2003, the Service undertook subscriber checks on a telephone number which had been in contact with MQK (see my Second Witness Statement, at paragraph 2). This check revealed that the subscriber of the telephone was Sidique KHAN, 49a Bude Road. At this stage, both Sidique KHAN and 49a Bude Road were no trace in the Service records.
  - 49 Bude Road was first traced in WYP records in April 2003. WYP surveillance of McDAID on 14 April 2003, observed McDAID enter premises

13. McLINTOCK was the subject of a Security Service and WYP investigation from the late 1990s. He was a close associate of McDAID and attended the WARLOCK training camp in January 2001. McLINTOCK relocated overseas in 2001. He visited the UK in late 2003 for several months. During this visit he was arrested and subsequently released.

#### **CREVICE Summary**

14. Attached to this witness statement is a summary of the Operation CREVICE investigation, Appendix A.

#### **Evidence of Jonathan Evans to the ISC**

15. On 14 June 2007, the Director General of the Security Service, Jonathan Evans, gave evidence to the intelligence and Security Committee (ISC), the independent Parliamentary body established under the Intelligence Services Act 1994 to examine the work of the intelligence and security agencies. The Director General was giving evidence to the committee as part of their review of intelligence on the 7/7 attacks which was published in May 2009 across a broad range of issues relating to the 7/7 attacks. I have been asked by the Coroner to consider paragraphs 108-116 of my witness statement in which I give evidence of a conversation recorded on a Security Service eavesdropping device on 21<sup>st</sup> February 2004 involving Omar KHYAM and others and to compare this with evidence given by the Director General on the same issue. In particular, I have been asked by the Coroner to consider the particular extract from the eavesdropping product which involves a discussion about travel to the tribal areas of Pakistan involvement in an "operation" over the border in Afghanistan and return to Pakistan.
16. It is very important to emphasise the following matters before doing so. First, it was not known at the time that MSK had been one of the participants in the conversation. At the time, MSK was known as Man E. On the night of 21 February 2004, the surveillance teams did not identify Man E as even being present in the vicinity of 2 The Hollows. Nor did they see anyone other than Omar KHYAM and his brother in the vehicle, in which the eavesdropping device was in place. It was only after 7<sup>th</sup> July 2005, as a result of new intelligence not available prior to 7<sup>th</sup> July 2005, that it transpired that, in all likelihood, one of the others assessed to have been in the car when the conversation took place was MSK. I do not consider that there is any reasonable way in which the Security Service could have made the link between one of those participating in the conversation and Man E/MSK at the time. Thus, the consideration of the significance of the extract is entirely hypothetical. This point is made throughout his evidence to the ISC by the Director General.
17. Secondly, it is to be noted that the full text of the transcript was not available until some considerable time after the event (see paragraph 113 of my first statement). That is not to say that the earlier incomplete notes and partial transcripts did not give an indication that the extract concerned the possibility of someone travelling to Pakistan for the purpose of an

extremist operation. But the clarity of that increases as the transcription became fuller. The Director General explains this process in his evidence to the ISC.

18. On this hypothetical basis therefore I consider what impact it might have had on the Security Service's thinking if it had been known prior to 7<sup>th</sup> July 2005 (as I emphasise it was not and could not reasonably have been) that MSK had been a participant in the conversation. I have specifically been asked to consider whether that fact might have rendered MSK an "essential" target. This specific question was asked to and answered by the Director General in his evidence to the ISC.
19. First, as I have noted in paragraph 32 of my witness statement the categorisation of targets as "desirable" or "essential" was used principally to describe how resources were deployed against targets. That categorisation was used by the ISC to describe in very broad terms the ranking of targets. However, there was no system in place or used by those responsible for operational decisions which involved making assessments based on these categories. The operational system of prioritisation was, of necessity, more nuanced than that; and involved decisions about the deployment of finite resources in the most effective manner. It is necessary to understand that those resources simply did not allow for coverage of more than a small percentage of those who might have been considered to fall within an "essential" category.
20. Secondly, and with that caveat, if it had been known that Man E (or MSK, if Man E had at that time been linked to the name) had been a participant in the conversation, it is possible that he might have fallen within an "essential" category. The fact that Man E had been a participant would undoubtedly have been of interest to us. It would in my view have increased the prioritisation given to Man E because it would have indicated that he was not merely a facilitator involved in financial crime, but was someone who might be prepared to travel to participate in either or both of training or active operations in Afghanistan or Pakistan. The Director General forms the same view in his evidence to the ISC and specifically states that it might have moved Man E (although he does not use this term) from "desirable" to "essential".
21. Thirdly, that said, the important (if hypothetical) question is what additional steps such an increase in prioritisation might have led to. On that question, I consider it highly unlikely that any significantly different or increased measures of steps would have been taken.
  - In the context of Op CREVICE all the available resources were targeted on disrupting what was assessed to be a serious bomb plot. All concerned were focussed on material that was relevant to that plot. The conversation recorded on 21<sup>st</sup> February 2004 did not in any part of it relate to that bomb plot. There are, as I noted in my statement, a number of other conversations recorded at this time in which those actively involved in that plot did discuss that plot. Thus, even Man E had been linked to it the conversation would, if anything, have served to confirm the assessments made at the time that neither he nor Man D were actively involved in the plot. So,