



1 THE CORONER: Yes. I have read your recent submissions  
2 dated 23 October.  
3 MS KEMISH: Thank you, Sir.  
4 THE CORONER: And the letter before that of 19 October.  
5 MS KEMISH: Thank you, Sir.  
6 THE CORONER: I have also gone back to your letter about  
7 scope, KRW Law's letter about scope, of 13 February 2017  
8 which touches upon the agent/informant issue.  
9 MS KEMISH: I am grateful. In that event, Sir, we have no  
10 further comments on point 1 of the agenda.  
11 THE CORONER: Yes, thank you very much.  
12 Ms Patrick?  
13 MS PATRICK: Sir, we have nothing more than to elaborate on  
14 paragraphs 6 and 7 of our written submissions, also  
15 dated 22 October.  
16 THE CORONER: Yes. Can I just say that I have read those  
17 submissions; I have also read your submissions of  
18 23 July 2017, which were for this agenda which was going  
19 to be heard in July, but was not, last year; I have  
20 looked at Ms Williams' submissions on scope, 14 May  
21 2017; and Ms Hill's submissions on scope of 23 November  
22 2016.  
23 MS PATRICK: Thank you, Sir.  
24 Ms Williams sends her apologies for today.  
25 Unfortunately, there was an unfortunate diary clash.

Page 5

1 THE CORONER: Yes, thank you.  
2 MS PATRICK: We have nothing but to put down a marker on the  
3 first point which has been addressed by my learned  
4 friend Mr Skelton in respect of attribution. We do  
5 welcome the acknowledgment by Counsel to the Inquests  
6 that there will be a flexible approach and that the  
7 provisional list of topics is not set.  
8 We have raised an issue there about the question of  
9 attribution and we would -- and may -- have further  
10 submissions to make on disclosure of the material  
11 relevant to informer and agent which is pending. I have  
12 nothing more to say to add to our written submissions  
13 than that for now.  
14 THE CORONER: Thank you. Thank you very much.  
15 Mr Johnson, do you wish to say anything?  
16 MR JOHNSON: Sir, no. We agree with, we support, the  
17 submissions that have been made in writing and orally by  
18 your legal team. We will continue to respond to your  
19 disclosure requests as you make them, but we have no  
20 submissions to make on this issue.  
21 THE CORONER: Thank you. Does Mr Oakley wish to say  
22 anything?  
23 MS OAKLEY: No, thank you.  
24 THE CORONER: I do apologise, somebody's handwriting I can't  
25 read.

Page 6

1 Submissions re agenda item 2  
2 MR SKELTON: So may I turn to the second issue on the  
3 list --  
4 THE CORONER: Yes.  
5 MR SKELTON: -- if I may, which matters relating to  
6 disclosure, experts and witness evidence.  
7 As previously, the Solicitor to the Inquest has  
8 updated all of the interested persons as to the work  
9 which your team has carried out over the last year.  
10 There is quite a lot for them to take in,  
11 I anticipate. Some of it has come relatively recently  
12 because work is continuing daily on some of these issues  
13 and some of them, for reasons which we all appreciate,  
14 are sensitive because documents are being received from  
15 Government departments and police forces which have  
16 certain types of sensitivity attached to them.  
17 I don't propose to, as it were, go through the  
18 update orally today, but again I think it is probably  
19 useful for me to give an introduction as to how we  
20 approach things generally.  
21 THE CORONER: Yes.  
22 MR SKELTON: Your team, on your behalf, reviews a vast  
23 amount of documentation which may be of potential  
24 relevance to the scope of the Inquests.  
25 We do so with a view to identifying on a broad

Page 7

1 approach and a generous approach documents which we  
2 consider may be relevant to the issues that will be  
3 investigated, and maybe relevant to the jury's ultimate  
4 deliberations on those issues. Once we have identified  
5 relevant documents, we discuss with the stakeholders --  
6 the persons in possession of the documents -- whether or  
7 not there are any sensitives that may arise in respect  
8 of them.  
9 Those sensitives may take different forms. Some of  
10 them may contain irrelevant personal information which  
11 for data protection reasons needs to be reviewed and  
12 removed. Some of them may contain information which may  
13 compromise national security, for example, and in those  
14 circumstances, if that information is relevant then we  
15 ask the stakeholder, the owner of the information, to  
16 explain to us what the issue is. Ultimately, if we  
17 cannot find an agreed position where we can provide the  
18 information in some form to the interested persons,  
19 sometimes called a gist, then we need to ask the  
20 stakeholder to apply to you, Sir, to make an  
21 adjudication on whether or not you uphold the  
22 withholding of that information. That is the Public  
23 Interest Immunity process in a nutshell.  
24 That process also arises in respect of issues of  
25 personal safety and the right to life. There may be

Page 8

1 some issues --

2 THE CORONER: I think you should make it clear that there

3 has been no such process yet.

4 MR SKELTON: The process has started to the point of us

5 identifying relevant material.

6 THE CORONER: Yes.

7 MR SKELTON: And we are aware of sensitives --

8 THE CORONER: But no Public Interest Immunity hearing.

9 MR SKELTON: No. That is something I will come on to when

10 I sketch out where we may go in terms of the procedural

11 hearings over the next few months.

12 But absolutely, Sir, the point at the moment is we

13 have identified relevant material which we are aware

14 contains potentially sensitive information which some of

15 the stakeholders may want to have withheld. We will

16 discuss with them precisely what it is that causes the

17 concern, and if we can't reach an agreed position which

18 is satisfactory to us and indeed to the interested

19 persons, then we get to the point where an application

20 needs to be made and you need to adjudicate on it, Sir,

21 because it is ultimately your role as the Coroner to

22 these inquests to decide what is in the public interest

23 to withhold or to disclose for use within the inquests.

24 You appreciate inquests don't have the ability to

25 use information which is sensitive privately: everything

Page 9

1 that we do has to be done publicly and circulated to

2 everyone.

3 THE CORONER: Yes, as in the Litvinenko inquest, which

4 became something else.

5 MR SKELTON: Indeed. And we hope to avoid that situation in

6 this particular case.

7 The same applies in what we call Article 2

8 considerations, Article 2 being the right to life. If

9 information with those documents could compromise

10 an individual's right to life, a particular person who

11 is alive or a family member or some other person with

12 a relationship with that person, then we have to take

13 a view ourselves as to whether or not that reaches the

14 point where that information should be withheld.

15 The usual process for that decision to be made is to

16 have some form of risk assessment if necessary. Again,

17 Sir, you would be asked to make an adjudication on that

18 having received submissions from the interested persons,

19 and indeed in some instances from the press, who have

20 a general right to information which ought to go into

21 the public domain.

22 So that is the approach that we are adopting. We

23 have so far, as you are aware, disclosed a vast swathe

24 of documents over the computer system which the IPs have

25 access to. We propose to continue that process.

Page 10

1 We are now getting to the sharp end of what I might

2 call the PII issues in that we are discussing with WMP,

3 for example -- West Midlands Police -- whether or not

4 there are particular documents which they ultimately

5 would like to have withheld or redacted or gisted to be

6 withheld from the inquests.

7 That process, we hope, will occur swiftly,

8 expeditiously, over the next few days and weeks with

9 a view to potentially using the November hearing for any

10 such applications to withhold that material.

11 That is all I am preparing to say for present

12 purposes. It may be others have views which I may

13 respond to in due course.

14 THE CORONER: Yes, thank you.

15 MS KEMISH: Sir, in relation to the issue of disclosure, the

16 inquest team is aware and, Sir, you are aware, that we

17 are awaiting John Ware's unbroadcast footage, including

18 the footage of interviews with certain individuals,

19 including Bill Squires and others.

20 The families represented by KRW Law also seek

21 disclosure of Government material held by the

22 Home Office or originating from that organisation, the

23 Foreign and Commonwealth Office, the Ministry of

24 Defence, Special Branch, MI5 and MI6, and thereafter

25 undertakings to be sought by the inquest team from those

Page 11

1 organisations in the terms of a full disclosure

2 undertaking, in essence, a sign-off that they have

3 reviewed the material they have held and that they have

4 disclosed it to the inquest team and thereafter to the

5 interested persons and that a full review and an open

6 review has taken place.

7 Further, Sir, in terms of the documents which have

8 been received by the inquest team, we are aware and

9 understand that there is a huge amount of material that

10 has been reviewed and is due to be reviewed and has been

11 received to date. One issue which we would like to

12 raise today is that when we receive a document, Sir, it

13 has a -- for example, it may have a bold marker,

14 a redaction -- and we seek at some stage, we appreciate

15 your team is very busy, an explanation as to why the

16 redaction is being made, for example PII, data

17 protection, relevance or not, Sir, in terms of really

18 like a Scott Schedule being reviewed: these are the

19 documents the inquests team have reviewed, received;

20 these are considered relevant; these are not relevant;

21 these have been redacted, and reasons for redactions.

22 Sir, we would ask for a Scott Schedule just

23 detailing the material which the team has decided or

24 determined, obviously subject to your consent, as to

25 what has been disclosed and what is relevant.

Page 12

1 We will suggest a process by which -- obviously for  
 2 practical reasons and to speed up the process because  
 3 these processes do take time -- we can submit a proposal  
 4 as to how we can review that material if we are given  
 5 that permission.  
 6 THE CORONER: It may be in the first instance that dealing  
 7 with this informally between you will be the best way.  
 8 MS KEMISH: Yes. We have had a very helpful -- sorry, Sir.  
 9 THE CORONER: No, please.  
 10 MS KEMISH: We have had a very helpful discussion with  
 11 Counsel to the Inquest. They are willing to look at the  
 12 process we suggest and go forward. It doesn't need to  
 13 be painful but we do appreciate there are a lot of  
 14 documents and therefore we are willing to cooperate in  
 15 any way in making that process as seamless as possible.  
 16 In terms of experts, Sir, we are aware that we are  
 17 awaiting the two reports: the report of Mr Mole and  
 18 another. We have made submissions on the reports that  
 19 have been disclosed to date. There are a few lines of  
 20 inquiry we would wish to be put to, for example,  
 21 Professor Hennessey, but again, Sir, we have outlined  
 22 that in our written submissions.  
 23 THE CORONER: Yes.  
 24 MS KEMISH: I have no further submissions on this point,  
 25 thank you, Sir.

Page 13

1 THE CORONER: Thank you very much.  
 2 MS PATRICK: Sir, only one point to raise. Obviously we  
 3 support the KRW submission that where redaction is  
 4 applied we would expect a reason for that redaction to  
 5 be provided, as it has been in a number of cases where  
 6 the label identifies whether the redaction is for DPA  
 7 reasons or others.  
 8 There are simply some which have been disclosed with  
 9 no label attached and we would like a further  
 10 explanation, if possible, to be provided by your team  
 11 and we, like KRW, will coordinate with STI and CTI to  
 12 find a way to do that.  
 13 There is one issue beyond that, and that is simply  
 14 in recognition of the very helpful note produced by your  
 15 team in respect of the evidence of Duncan Jarrett. That  
 16 is being paused for the time being pending a new report  
 17 produced by West Midlands Police and due to be produced  
 18 to your team on 3 December.  
 19 We may have submissions to make on the contents of  
 20 that approach, its use or the need for further policing  
 21 expert evidence, and we would ask -- and we have  
 22 communicated this to your team -- that it be disclosed  
 23 as promptly as possible to the interested parties.  
 24 I have nothing further to add.  
 25 THE CORONER: I am sure we would all like that.

Page 14

1 MS PATRICK: Thank you very much.  
 2 THE CORONER: Anybody else?  
 3 MR JOHNSON: Sir, just this: I think as Mr Skelton has  
 4 indicated, West Midlands Police have provided you with  
 5 a huge volume of material.  
 6 There are some sensitives in some of it. We worked  
 7 very hard with your predecessor's team at the point of  
 8 resumption of the inquests to work through those  
 9 sensitivities and to enable that process to take place  
 10 in a way that facilitated interested persons or  
 11 potentially interested persons making submissions on  
 12 material that was truly relevant whilst protecting  
 13 material that was truly sensitive, and that was  
 14 a successful process and enabled the Senior Coroner to  
 15 make a reasoned public decision.  
 16 We would hope very much to continue in the same vein  
 17 with the same result, but these are sometimes difficult  
 18 issues which cannot be rushed. I just cautiously say  
 19 that it is not something that can always be dealt with  
 20 in a matter of days. We will seek to process requests  
 21 as swiftly as we possibly can, but not at the price of  
 22 getting the answer right.  
 23 That is all, Sir.  
 24 THE CORONER: Thank you. I am sure with your help and  
 25 assistance the process will be as expeditious as it

Page 15

1 sensibly can be.  
 2 MR JOHNSON: It will be, Sir.  
 3 MR SKELTON: Sir, if I may just a few brief points in  
 4 response to some of the points made by the family  
 5 advocates.  
 6 We are processing documents of course from  
 7 Government departments and indeed the police. Insofar  
 8 as we identify relevant documents, they will go through  
 9 the process that I sketched out previously, which is  
 10 that if they are relevant they fall to be disclosed, but  
 11 if there are sensitives then we have discussions and if  
 12 those can't be resolved, we get to the sharp end of  
 13 a PII process, and that is the process we will adopt  
 14 specifically in relation to those institutions.  
 15 We will, in going through that process, ask for what  
 16 we may call disclosure statements of some kind from some  
 17 of those agencies and organisations --  
 18 THE CORONER: I am sorry to interrupt you. Could you just  
 19 explain for the benefit of those who are here today what  
 20 the PII process involves?  
 21 MR SKELTON: The PII process involves, first of all,  
 22 an assessment of relevance which is done by your team,  
 23 and indeed in some cases you, yourself, Sir, if you are  
 24 required to look at particular documents.  
 25 If a document is relevant, but contains a sensitive

Page 16

1 piece of information, then a discussion is had with the  
 2 document's owner or author to try to determine whether  
 3 or not they really would like to prevent that material  
 4 from being used in the inquests.  
 5 THE CORONER: On?  
 6 MR SKELTON: On grounds of protecting a particular national  
 7 interest.  
 8 THE CORONER: Yes.  
 9 MR SKELTON: And those interests --  
 10 THE CORONER: Yes. And that is called Public Interest  
 11 Immunity. That is where the PII comes from.  
 12 MR SKELTON: It is. The public interest may take different  
 13 forms. It is usually for the Government department at  
 14 Ministerial level to take a view on public interest, or  
 15 a police force at very senior level, usually the Chief  
 16 Constable or one of his assistants or her assistants, to  
 17 take a view on what is in the public interest to keep  
 18 private from use in the inquests.  
 19 For example, that might be the name of an agent. It  
 20 may be in the public interest to protect the name of an  
 21 agent from being disclosed publicly because that might  
 22 discourage other agents from coming forward or lead to  
 23 the endangerment of that person's safety. It may be in  
 24 the public interest not to disclose particular policing  
 25 techniques or particular techniques of finding out

Page 17

1 information covertly via Government agencies. All those  
 2 are public interests which the Minister or the Chief  
 3 Constable may decide ought to be protected.  
 4 If the position is reached where we cannot find  
 5 a way of conveying the relevant bit of that information  
 6 to the interested persons, by way of releasing it to  
 7 them confidentially or by way of gisting it -- by  
 8 gisting, I mean finding a form of words which protects  
 9 the sensitivity but allows some understanding of the  
 10 substance so far as it is relevant to the inquests --  
 11 then a Public Interest Immunity hearing is required in  
 12 which you, Sir, balance the public interest in using  
 13 that material openly in order to further your obligation  
 14 and the jury's obligation to determine how the people  
 15 died in Birmingham in 1974, with the public interest in  
 16 protecting whatever national interest has been  
 17 identified, whether the name of an agent  
 18 or particular policing operation imperatives.  
 19 THE CORONER: This doesn't just happen in inquest  
 20 proceedings. It happens in criminal proceedings --  
 21 civil proceedings sometimes, but quite often in criminal  
 22 proceedings -- where a claim is made, for example by the  
 23 police, that a piece of information should be kept  
 24 secret for good reason, then a judge will decide --  
 25 MR SKELTON: Yes, Sir.

Page 18

1 THE CORONER: -- on well-established principles of law.  
 2 MR SKELTON: Very well established principles.  
 3 They start off with the principle of relevance. If  
 4 a document is not relevant, it falls not to be  
 5 disclosed. If it is relevant but contains sensitive  
 6 material, you have to identify what the public interest  
 7 in it is and then that public interest has to be  
 8 balanced by the judge or the coroner against the public  
 9 interest in openly using that material.  
 10 That is a weighing-up exercise: does the public  
 11 interest in presenting that material openly to the jury,  
 12 to the interested persons, to the public, outweigh what  
 13 is being protected? If that balance comes down in  
 14 favour of disclosing the material, then that is your  
 15 decision and the stakeholder must, if they wish to do  
 16 so, challenge that decision in a different forum, ie the  
 17 Administrative Court, if it comes to it.  
 18 If it comes down in favour of withholding the  
 19 material, likewise your decision may be challengeable on  
 20 judicial review grounds. But you are the decision-maker  
 21 in that instance just as the civil or criminal judge  
 22 will be.  
 23 THE CORONER: Thank you.  
 24 MR SKELTON: So far as the redactions are concerned that  
 25 have been made and will be made, we will endeavour to

Page 19

1 explain the basis for those sorts of redactions.  
 2 We will not always be able to do that line by line.  
 3 It may be that there are certain categories of documents  
 4 which come within a data protection redaction category  
 5 or a particular redaction for relevance grounds, because  
 6 irrelevant information which may be sensitive will be  
 7 redacted ordinarily because there is no need for anyone  
 8 to read it.  
 9 Picking up Ms Kemish's point, that is something we  
 10 will endeavour to do. Whether we can do that way of  
 11 what was referred to as a Scott Schedule, which is  
 12 a separate document, or on the documents itself, bearing  
 13 in mind that we can electronically redact them, we will  
 14 endeavour to see and again liaise with the interested  
 15 persons in respect of that.  
 16 A point was made about what I may call the  
 17 undisclosed or unused material. As I said in my opening  
 18 on this topic, we have been generous and broad in our  
 19 view of relevance as to the documents we have seen. In  
 20 other words, we have erred on the side of disclosure  
 21 because we want those interested persons who would want  
 22 to, to review the similar sorts of documents that we  
 23 have seen and take their own view. We are anxious not  
 24 to shut down any lines of inquiry which should properly  
 25 be left open.

Page 20

<p>1 Having said that, there will be a lot of material,  2 bearing in mind the huge prosecutions which took place  3 over 1974 and 1975, which is wholly irrelevant to the  4 issues which you have identified as being in scope. So  5 I just sound a note of caution in respect of viewing  6 unused material in this context.  7 However, we will consider internally what we can do  8 in that regard and we will again liaise with the  9 interested persons over accommodating their wishes  10 should that be a necessary step.  11 So far as experts are concerned, may I just clarify  12 one point in respect of Mr Mole? Mr Mole is a former  13 senior serving police officer. Strictly speaking,  14 although he's been referred to as an expert, he's  15 actually a professional witness who is introducing  16 factual evidence using his expertise as a former police  17 officer, but he is not an expert in the sense of  18 providing an independent opinion on a matter that is in  19 issue before the jury.  20 So far as WMP's report is concerned, you have  21 requested it; we have put them under a pretty tight  22 timetable and we will endeavour to assist WMP in  23 producing that report in good time for it to be  24 disclosed meaningfully for use by the IPs in the  25 forthcoming hearings.</p> <p style="text-align: center;">Page 21</p>	<p>1 comments.  2 Thank you.  3 MS PATRICK: Sir, I have nothing to add to our written  4 submissions.  5 Submissions re agenda item 4  6 MR SKELTON: Item number 4 is the jury selection  7 questionnaire.  8 Again you will have seen, Sir, from the written  9 submissions that you have received that some of the  10 family, interested persons, have expressed views about  11 items that can be included within that.  12 That is something which I'm not proposing to address  13 you on in detail. Suffice it to say that that is  14 something that we can discuss with them and on which, if  15 necessary, you may wish to make a decision should that  16 be required.  17 THE CORONER: Yes. Hopefully it will not be required.  18 MR SKELTON: Hopefully it won't be.  19 THE CORONER: But if you can discuss, obviously, it may be  20 that the original list has perhaps changed slightly in  21 view of earlier decisions on scope.  22 MR SKELTON: Yes. By which, to clarify, the exclusion of  23 the perpetrator issue from scope changes somewhat the  24 issue of the emergency services in particular --  25 THE CORONER: Yes, that's what I had in mind in particular.</p> <p style="text-align: center;">Page 23</p>
<p>1 Submissions re agenda item 3  2 MR SKELTON: May I turn now to the next topic or issue on  3 the agenda, number 3, which is background statements  4 about each deceased person.  5 This is an issue which we have been discussing in  6 correspondence and in meetings with the interested  7 persons. We are acutely aware that families will have  8 their own views about how they would like to present  9 information about their relatives who died during the  10 bombings.  11 We will continue that liaison process so that  12 ultimately we find a way that we can present this  13 extremely sensitive but important material to the jury  14 at the start of the inquests. I don't propose to say  15 anything more about that in detail now.  16 MS KEMISH: Sir, I only have one comment to add to that on  17 the part of the families. The families would wish --  18 and we are sure this request will be granted although  19 perhaps I may be saying that too precipitously -- for  20 the involvement of more than one family member if  21 necessary in the background statement or pen portrait as  22 a way to enable them to remember their next of kin,  23 their loved one. So some of the statements we would ask  24 to be composite on the part of a number of family  25 members who all wish to express their sentiments and</p> <p style="text-align: center;">Page 22</p>	<p>1 But clearly that can be discussed within a fairly  2 tight timescale because summonses will have to be sent  3 out to potential jurors well in advance with the  4 questionnaire, with notification of the date, with the  5 notification of the timescale, with the opportunity to  6 seek excusal, if they want to, for any good reason. So  7 that obviously is a process which will take a little  8 while.  9 MR SKELTON: Thank you.  10 MS KEMISH: Sir, I have nothing further to add to those  11 submissions set out in our written document.  12 THE CORONER: Yes, thank you.  13 MS KEMISH: Thank you.  14 MS PATRICK: Nothing further, Sir.  15 THE CORONER: Thank you very much.  16 Yes?  17 Submissions re agenda item 5  18 MR SKELTON: So the final issue on the agenda for today is  19 the timetable for the inquest hearings and the next PIR.  20 We have a PIR in the diary on 23 November this year.  21 THE CORONER: Yes.  22 MR SKELTON: Having considered matters in respect of the  23 agent/informant issue, and in particular the disclosure  24 issues and PII or Public Interest Immunity issues that  25 I have explained, we think it may be expedient to use</p> <p style="text-align: center;">Page 24</p>

1 that hearing, if required, to deal with matters relating  
 2 to Public Interest Immunity or applications to withhold  
 3 material.  
 4 THE CORONER: Yes.  
 5 MR SKELTON: If that is possible, bearing in mind  
 6 Mr Johnson's note of caution as he put it.  
 7 THE CORONER: Yes.  
 8 MR SKELTON: But if it can be done, it should be done then,  
 9 because that is a preliminary step to determining the  
 10 agent/informant issue.  
 11 THE CORONER: Yes. We had hoped that that would be the time  
 12 for submissions about the agent/informant issue, but  
 13 getting all the information and evidence and  
 14 documentation together is quite a process.  
 15 MR SKELTON: It is. And it is not so long since the Court  
 16 of Appeal gave its ruling on the scope of other issues  
 17 and so getting back into gear, as it were, of getting  
 18 the PII issues ready to be dealt with in a composite  
 19 form at the same time as dealing with scope looks like  
 20 it may not be a practical proposition.  
 21 So my proposal to you today, Sir, is we use that  
 22 hearing if required to deal with public interest and  
 23 related issues. We are then intending to have a further  
 24 PIR in December. The date of the 18th, I believe --  
 25 Tuesday 18th -- in which the agent/informant issue of

Page 25

1 scope can be determined in light of the PII matters that  
 2 have previously been determined following the November  
 3 hearing.  
 4 THE CORONER: Yes.  
 5 MR SKELTON: Following on from that, we have a further and  
 6 final hearing on 17 January next year. I can't predict  
 7 precisely what will be dealt with, but I imagine it will  
 8 be all matters relating to the evidence, the jury --  
 9 THE CORONER: Yes.  
 10 MR SKELTON: -- and any outstanding issues in respect of the  
 11 evidence to be presented, the order of play, timings and  
 12 so on.  
 13 THE CORONER: Yes.  
 14 MR SKELTON: Then our dates for the inquest itself are  
 15 11 February 2019 to right up until Easter, 18 April,  
 16 2019. I'm not in a position today to say precisely when  
 17 we will finish. We may finish sooner than that.  
 18 THE CORONER: Yes.  
 19 MR SKELTON: It may be hoped that we do.  
 20 THE CORONER: 11 February to 18 April is eight weeks,  
 21 thereabouts?  
 22 MR SKELTON: Yes. Maybe nine.  
 23 THE CORONER: Yes.  
 24 MR SKELTON: We will, of course, discuss with the IPs in the  
 25 usual way, through correspondence, a provisional

Page 26

1 timetable for who should be called. That is something  
 2 that will be worked up as and when scope has been  
 3 finalised, but of course we are working on that at the  
 4 moment.  
 5 THE CORONER: Yes.  
 6 MR SKELTON: And including, of course, matters such as  
 7 experts who need to have an idea well in advance when  
 8 they will be called, and of course family members,  
 9 discussing with them, particularly in light of what  
 10 Ms Kemish says, when and if they would like to be  
 11 present.  
 12 THE CORONER: Yes.  
 13 MR SKELTON: Sir, I don't have anything more to say, unless  
 14 I can assist in respect of timetabling issues.  
 15 THE CORONER: No, thank you.  
 16 Ms Kemish, you are content with that timetable?  
 17 MS KEMISH: Just one point, Sir. In terms of the hearing  
 18 weeks, there is a request on the part of the families  
 19 for a four day week hearing.  
 20 THE CORONER: Yes.  
 21 MS KEMISH: Given that the Friday or the Monday -- well,  
 22 Friday hopefully -- one would have time to reflect on  
 23 all the evidence and prepare, get ready then for the  
 24 following week.  
 25 So we would submit that would save time but also

Page 27

1 enable my instructing solicitor to obtain instructions  
 2 from the families as to lines of questions they may wish  
 3 to be put forward.  
 4 THE CORONER: Yes. It is important that they have time, but  
 5 I am not going to say firmly that it is going to be  
 6 a four day hearing week. Partly because jurors in  
 7 a longer hearing will have possibly commitments on  
 8 certain days, like a hospital appointment, in which case  
 9 we may not sit for a whole day or half a day --  
 10 MS KEMISH: Yes.  
 11 THE CORONER: -- so there obviously will be some  
 12 flexibility.  
 13 There may be times when we need to set aside, for  
 14 example, half a day for legal submissions about some  
 15 issue that arises. These things are not entirely  
 16 unforeseeable.  
 17 MS KEMISH: No, Sir.  
 18 THE CORONER: So I'm going to be flexible at the moment but  
 19 we will see where we are.  
 20 MS KEMISH: Sir, it was not a request for four day week  
 21 hearing, obviously we will be flexible --  
 22 THE CORONER: Yes.  
 23 MS KEMISH: -- we are all going to be flexible. It is  
 24 important that the inquests are a success and that  
 25 everybody has the opportunity to prepare and make

Page 28

<p>1 necessary submissions and ask relevant questions. But</p> <p>2 if it could just be borne in mind that obviously the</p> <p>3 families would like, perhaps, if possible a day a week,</p> <p>4 that would be appreciated.</p> <p>5 THE CORONER: I have that underlined.</p> <p>6 MS KEMISH: Thank you very much, Sir.</p> <p>7 MS PATRICK: We have already, I think, in our written</p> <p>8 submissions, Sir, raised the issue about the families</p> <p>9 and time for preparation.</p> <p>10 I will not supplement anything that Ms Kemish has</p> <p>11 said. Simply to direct that we would support the need</p> <p>12 for flexibility, not least for the need for instructing</p> <p>13 solicitors and counsel to take instructions but for the</p> <p>14 families to deal with the emotional impact of the</p> <p>15 evidence that is going to be heard during the process of</p> <p>16 the inquests.</p> <p>17 Thank you.</p> <p>18 THE CORONER: Yes, thank you very much.</p> <p>19 MR JOHNSON: Sadly my note of caution, I have undertaken</p> <p>20 that we will deal with matters as expeditiously as we</p> <p>21 can.</p> <p>22 THE CORONER: Yes, thank you.</p> <p>23 MR JOHNSON: Mr Skelton's timetable is challenging but we</p> <p>24 will do our very best to work within that.</p> <p>25 THE CORONER: Yes. I shan't say anymore.</p> <p style="text-align: center;">Page 29</p>	
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<p>1 Yes. Does anybody else or anybody wish to raise,</p> <p>2 rather, any other issue?</p> <p>3 MS KEMISH: Sir, my instructing solicitor is just having</p> <p>4 a chat with the families to see if there is something</p> <p>5 that I have omitted to mention.</p> <p>6 THE CORONER: Yes.</p> <p>7 MS KEMISH: We have no further submissions, Sir. Any other</p> <p>8 requests we will obviously be putting in writing.</p> <p>9 THE CORONER: Yes.</p> <p>10 MS KEMISH: Thank you.</p> <p>11 THE CORONER: And I, of course, welcome as always good</p> <p>12 cooperation.</p> <p>13 MS KEMISH: Absolutely, Sir.</p> <p>14 THE CORONER: For the benefit of all.</p> <p>15 Thank you very much.</p> <p>16 (11.10 am)</p> <p>17 (The hearing concluded)</p> <p>18</p> <p>19 Opening remarks by MR SKELTON .....1</p> <p>20 Submissions re agenda item 1 .....4</p> <p>21 Submissions re agenda item 2 .....7</p> <p>22 Submissions re agenda item 3 .....22</p> <p>23 Submissions re agenda item 4 .....23</p> <p>24 Submissions re agenda item 5 .....24</p> <p>25</p> <p style="text-align: center;">Page 30</p>	
---	--



<b>A</b>	<p><b>anxious</b> 20:23</p> <p><b>anybody</b> 15:2 30:1 30:1</p> <p><b>anymore</b> 29:25</p> <p><b>apologies</b> 5:24</p> <p><b>apologise</b> 6:24</p> <p><b>Appeal</b> 25:16</p> <p><b>application</b> 9:19</p> <p><b>applications</b> 11:10 25:2</p> <p><b>applied</b> 14:4</p> <p><b>applies</b> 10:7</p> <p><b>apply</b> 8:20</p> <p><b>appointment</b> 28:8</p> <p><b>appreciate</b> 7:13 9:24 12:14 13:13</p> <p><b>appreciated</b> 29:4</p> <p><b>approach</b> 4:21 6:6 7:20 8:1,1 10:22 14:20</p> <p><b>April</b> 26:15,20</p> <p><b>arises</b> 8:24 28:15</p> <p><b>Article</b> 10:7,8</p> <p><b>ascertain</b> 3:18</p> <p><b>aside</b> 28:13</p> <p><b>asked</b> 10:17</p> <p><b>assessment</b> 10:16 16:22</p> <p><b>assist</b> 21:22 27:14</p> <p><b>assistance</b> 15:25</p> <p><b>assistants</b> 17:16,16</p> <p><b>assume</b> 3:5</p> <p><b>attached</b> 7:16 14:9</p> <p><b>attribution</b> 2:8 6:4 6:9</p> <p><b>author</b> 17:2</p> <p><b>avoid</b> 10:5</p> <p><b>await</b> 4:8</p> <p><b>awaiting</b> 11:17 13:17</p> <p><b>aware</b> 9:7,13 10:23 11:16,16 12:8 13:16 22:7</p>	<p><b>back</b> 5:6 25:17</p> <p><b>background</b> 22:3 22:21</p> <p><b>balance</b> 18:12 19:13</p> <p><b>balanced</b> 19:8</p> <p><b>basis</b> 20:1</p> <p><b>bearing</b> 20:12 21:2 25:5</p> <p><b>behalf</b> 4:13 7:22</p> <p><b>believe</b> 25:24</p> <p><b>benefit</b> 16:19 30:14</p> <p><b>best</b> 1:13 13:7 29:24</p> <p><b>beyond</b> 14:13</p> <p><b>Bill</b> 11:19</p> <p><b>Birmingham</b> 18:15</p> <p><b>bit</b> 18:5</p> <p><b>bold</b> 12:13</p> <p><b>bombings</b> 22:10</p> <p><b>borne</b> 29:2</p> <p><b>Branch</b> 11:24</p> <p><b>brief</b> 16:3</p> <p><b>briefly</b> 4:5</p> <p><b>British</b> 2:10</p> <p><b>broad</b> 1:20,21 2:3 7:25 20:18</p> <p><b>busy</b> 12:15</p>	<p><b>certain</b> 7:16 11:18 20:3 28:8</p> <p><b>challenge</b> 19:16</p> <p><b>challengeable</b> 19:19</p> <p><b>challenging</b> 29:23</p> <p><b>changed</b> 23:20</p> <p><b>changes</b> 2:14 23:23</p> <p><b>chat</b> 30:4</p> <p><b>Chief</b> 17:15 18:2</p> <p><b>circulated</b> 10:1</p> <p><b>circumstances</b> 8:14</p> <p><b>civil</b> 18:21 19:21</p> <p><b>claim</b> 18:22</p> <p><b>clarify</b> 21:11 23:22</p> <p><b>clash</b> 5:25</p> <p><b>clear</b> 9:2</p> <p><b>clearly</b> 24:1</p> <p><b>closed</b> 3:21</p> <p><b>come</b> 7:11 9:9 20:4</p> <p><b>comes</b> 17:11 19:13 19:17,18</p> <p><b>coming</b> 17:22</p> <p><b>comment</b> 22:16</p> <p><b>comments</b> 5:10 23:1</p> <p><b>commitments</b> 28:7</p> <p><b>Commonwealth</b> 11:23</p> <p><b>communicated</b> 14:22</p> <p><b>composite</b> 4:8 22:24 25:18</p> <p><b>compromise</b> 8:13 10:9</p> <p><b>computer</b> 10:24</p> <p><b>conceivably</b> 2:9</p> <p><b>concern</b> 9:17</p> <p><b>concerned</b> 19:24 21:11,20</p> <p><b>concluded</b> 30:17</p> <p><b>conclusion</b> 1:21 2:23</p> <p><b>conclusions</b> 2:1</p> <p><b>confidentially</b> 18:7</p>	<p><b>consent</b> 12:24</p> <p><b>consider</b> 8:2 21:7</p> <p><b>considerations</b> 10:8</p> <p><b>considered</b> 1:15 4:22 12:20 24:22</p> <p><b>Constable</b> 17:16 18:3</p> <p><b>contain</b> 8:10,12</p> <p><b>contains</b> 9:14 16:25 19:5</p> <p><b>content</b> 27:16</p> <p><b>contents</b> 14:19</p> <p><b>context</b> 21:6</p> <p><b>continue</b> 6:18 10:25 15:16 22:11</p> <p><b>continuing</b> 7:12</p> <p><b>conveying</b> 18:5</p> <p><b>cooperate</b> 13:14</p> <p><b>cooperation</b> 30:12</p> <p><b>coordinate</b> 14:11</p> <p><b>coroner</b> 1:5 4:1,3,6 4:10,19 5:1,4,6,11 5:16 6:1,14,21,24 7:4,21 9:2,6,8,21 10:3 11:14 13:6,9 13:23 14:1,25 15:2,14,24 16:18 17:5,8,10 18:19 19:1,8,23 23:17 23:19,25 24:12,15 24:21 25:4,7,11 26:4,9,13,18,20 26:23 27:5,12,15 27:20 28:4,11,18 28:22 29:5,18,22 29:25 30:6,9,11 30:14</p> <p><b>correspondence</b> 22:6 26:25</p> <p><b>counsel</b> 6:5 13:11 29:13</p> <p><b>couple</b> 3:13</p> <p><b>course</b> 1:11 2:18 3:3,13 11:13 16:6</p>
	<b>B</b>	<b>C</b>		
	<b>B</b> 3:3	<b>call</b> 10:7 11:2 16:16 20:16		
		<b>called</b> 8:19 17:10 27:1,8		
		<b>cancellation</b> 3:4		
		<b>care</b> 2:23		
		<b>carried</b> 7:9		
		<b>case</b> 10:6 28:8		
		<b>cases</b> 14:5 16:23		
		<b>categories</b> 20:3		
		<b>categorise</b> 1:23		
		<b>category</b> 20:4		
		<b>causes</b> 9:16		
		<b>caution</b> 21:5 25:6 29:19		
		<b>cautiously</b> 15:18		

26:24 27:3,6,8 30:11 <b>Court</b> 19:17 25:15 <b>covered</b> 1:24 <b>covertly</b> 18:1 <b>criminal</b> 18:20,21 19:21 <b>CTI</b> 14:11	<b>detail</b> 22:15 23:13 <b>detailing</b> 12:23 <b>determine</b> 17:2 18:14 <b>determined</b> 12:24 26:1,2 <b>determining</b> 25:9 <b>diary</b> 5:25 24:20 <b>died</b> 18:15 22:9 <b>different</b> 8:9 17:12 19:16 <b>difficult</b> 15:17 <b>direct</b> 29:11 <b>direction</b> 2:5,11,20 <b>disclose</b> 9:23 17:24 <b>disclosed</b> 10:23 12:4,25 13:19 14:8,22 16:10 17:21 19:5 21:24 <b>disclosing</b> 19:14 <b>disclosure</b> 6:10,19 7:6 11:15,21 12:1 16:16 20:20 24:23 <b>discourage</b> 17:22 <b>discuss</b> 8:5 9:16 23:14,19 26:24 <b>discussed</b> 24:1 <b>discussing</b> 11:2 22:5 27:9 <b>discussion</b> 13:10 17:1 <b>discussions</b> 16:11 <b>distribute</b> 3:10 <b>document</b> 12:12 16:25 19:4 20:12 24:11 <b>document's</b> 17:2 <b>documentation</b> 7:23 25:14 <b>documents</b> 7:14 8:1,5,6 10:9,24 11:4 12:7,19 13:14 16:6,8,24 20:3,12,19,22 <b>domain</b> 10:21	<b>DPA</b> 14:6 <b>due</b> 11:13 12:10 14:17 <b>Duncan</b> 14:15	<b>D</b>	<b>earlier</b> 23:21 <b>Easter</b> 26:15 <b>eight</b> 26:20 <b>elaborate</b> 5:13 <b>electronically</b> 20:13 <b>emergency</b> 23:24 <b>emotional</b> 29:14 <b>enable</b> 15:9 22:22 28:1 <b>enabled</b> 15:14 <b>endangerment</b> 17:23 <b>endeavour</b> 1:13 19:25 20:10,14 21:22 <b>ensure</b> 2:24 <b>entirely</b> 28:15 <b>erred</b> 20:20 <b>essence</b> 12:2 <b>established</b> 19:2 <b>event</b> 5:9 <b>everybody</b> 4:10 28:25 <b>evidence</b> 1:22,23 2:5,10,15,19 3:12 3:18 7:6 14:15,21 21:16 25:13 26:8 26:11 27:23 29:15 <b>example</b> 2:7 3:4 8:13 11:3 12:13 12:16 13:20 17:19 18:22 28:14 <b>exclusion</b> 23:22 <b>excusal</b> 24:6 <b>exercise</b> 19:10 <b>expect</b> 14:4 <b>expedient</b> 24:25 <b>expeditious</b> 15:25 <b>expeditiously</b> 11:8	29:20 <b>expert</b> 14:21 21:14 21:17 <b>expertise</b> 21:16 <b>experts</b> 7:6 13:16 21:11 27:7 <b>explain</b> 8:16 16:19 20:1 <b>explained</b> 24:25 <b>explanation</b> 12:15 14:10 <b>express</b> 22:25 <b>expressed</b> 23:10 <b>extremely</b> 22:13	<b>E</b>	<b>facilitated</b> 15:10 <b>factual</b> 21:16 <b>fairly</b> 24:1 <b>fall</b> 16:10 <b>falls</b> 19:4 <b>families</b> 4:13,23 11:20 22:7,17,17 27:18 28:2 29:3,8 29:14 30:4 <b>family</b> 10:11 16:4 22:20,24 23:10 27:8 <b>far</b> 10:23 18:10 19:24 21:11,20 <b>favour</b> 19:14,18 <b>February</b> 5:7 26:15 26:20 <b>final</b> 3:1 24:18 26:6 <b>finalised</b> 27:3 <b>find</b> 8:17 14:12 18:4 22:12 <b>finding</b> 17:25 18:8 <b>finish</b> 26:17,17 <b>firmly</b> 28:5 <b>first</b> 1:14 4:13 6:3 13:6 16:21 <b>five</b> 1:9 4:16 <b>flexibility</b> 2:6 3:20 28:12 29:12 <b>flexible</b> 1:12 2:22	<b>F</b>	4:21 6:6 28:18,21 28:23 <b>focused</b> 2:8 <b>following</b> 26:2,5 27:24 <b>footage</b> 11:17,18 <b>force</b> 17:15 <b>forces</b> 7:15 <b>foreclosing</b> 2:13 <b>Foreign</b> 11:23 <b>forewarning</b> 2:16 2:17,25 3:11,16 <b>form</b> 8:18 10:16 18:8 25:19 <b>former</b> 21:12,16 <b>forms</b> 8:9 17:13 <b>forthcoming</b> 3:11 21:25 <b>forum</b> 19:16 <b>forward</b> 13:12 17:22 28:3 <b>found</b> 3:18 <b>four</b> 27:19 28:6,20 <b>Friday</b> 27:21,22 <b>friend</b> 6:4 <b>full</b> 12:1,5 <b>further</b> 5:10 6:9 12:7 13:24 14:9 14:20,24 18:13 24:10,14 25:23 26:5 30:7	<b>G</b>	<b>gear</b> 25:17 <b>general</b> 10:20 <b>generally</b> 7:20 <b>generous</b> 8:1 20:18 <b>getting</b> 11:1 15:22 25:13,17,17 <b>gist</b> 8:19 <b>gisted</b> 11:5 <b>gisting</b> 18:7,8 <b>give</b> 7:19 <b>given</b> 13:4 27:21 <b>go</b> 4:16 7:17 9:10 10:20 13:12 16:8
---	--	---	----------	---	---	----------	--	----------	--	----------	---

<b>going</b> 5:18 16:15 28:5,5,18,23 29:15	<b>identified</b> 3:2,13 8:4 9:13 18:17 21:4	<b>instances</b> 10:19	5:8 6:8,20 7:2 8:16 11:15 12:11 14:13 21:19 22:2 22:5 23:23,24 24:18,23 25:10,12 25:25 28:15 29:8 30:2	<b>Kemish's</b> 20:9 <b>kept</b> 18:23 <b>kin</b> 22:22 <b>kind</b> 1:24 16:16 <b>KRW</b> 4:14,23 5:7 11:20 14:3,11
<b>good</b> 1:7 4:12 18:24 21:23 24:6 30:11	<b>identifies</b> 14:6	<b>instructing</b> 28:1 29:12 30:3	<b>issues</b> 1:9,12,24 2:1 2:6,6,7,19,22 3:2 3:5,16,19,21 4:16 7:12 8:2,4,24 9:1 11:2 15:18 21:4 24:24,24 25:16,18 25:23 26:10 27:14	<hr/> <b>L</b> <hr/>
<b>Government</b> 7:15 11:21 16:7 17:13 18:1	<b>identify</b> 16:8 19:6	<b>instructions</b> 28:1 29:13	<b>item</b> 1:14 4:20 7:1 22:1 23:5,6 24:17 30:19,20,21,22,23	<b>label</b> 14:6,9
<b>granted</b> 22:18	<b>identifying</b> 7:25 9:5	<b>intend</b> 3:8	<b>items</b> 23:11	<b>Lane</b> 3:4
<b>grateful</b> 5:9	<b>imagine</b> 26:7	<b>intending</b> 25:23	<hr/> <b>J</b> <hr/>	<b>law</b> 4:23 11:20 19:1
<b>grounds</b> 17:6 19:20 20:5	<b>Immunity</b> 8:23 9:8 17:11 18:11 24:24 25:2	<b>intends</b> 3:9	<b>January</b> 26:6	<b>Law's</b> 5:7
<hr/> <b>H</b> <hr/>	<b>impact</b> 29:14	<b>interest</b> 8:23 9:8,22 17:7,10,12,14,17 17:20,24 18:11,12 18:15,16 19:6,7,9 19:11 24:24 25:2 25:22	<b>Jarrett</b> 14:15	<b>lead</b> 17:22
<b>half</b> 28:9,14	<b>imperatives</b> 18:18	<b>interested</b> 3:10,15 3:16 7:8 8:18 9:18 10:18 12:5 14:23 15:10,11 18:6 19:12 20:14 20:21 21:9 22:6 23:10	<b>John</b> 11:17	<b>learned</b> 6:3
<b>handwriting</b> 6:24	<b>importance</b> 3:6,6	<b>interests</b> 17:9 18:2	<b>Johnson</b> 6:15,16 15:3 16:2 29:19 29:23	<b>left</b> 1:8 20:25
<b>happen</b> 18:19	<b>important</b> 22:13 28:4,24	<b>interlinking</b> 4:22	<b>Johnson's</b> 25:6	<b>legal</b> 3:8 6:18 28:14
<b>happens</b> 18:20	<b>included</b> 23:11	<b>internally</b> 21:7	<b>judge</b> 18:24 19:8 19:21	<b>letter</b> 5:4,6,7
<b>hard</b> 15:7	<b>including</b> 3:3 11:17 11:19 27:6	<b>interrupt</b> 16:18	<b>judicial</b> 19:20	<b>level</b> 17:14,15
<b>heading</b> 2:25	<b>independent</b> 21:18	<b>interviews</b> 11:18	<b>July</b> 1:9 5:18,19	<b>liaise</b> 20:14 21:8
<b>heard</b> 2:2 5:19 29:15	<b>indicated</b> 15:4	<b>introduce</b> 1:17	<b>jurors</b> 24:3 28:6	<b>liaison</b> 22:11
<b>hearing</b> 3:15 9:8 11:9 18:11 25:1 25:22 26:3,6 27:17,19 28:6,7 28:21 30:17	<b>individual's</b> 10:10	<b>introducing</b> 21:15	<b>jury</b> 2:1 19:11 21:19 22:13 23:6 26:8	<b>life</b> 8:25 10:8,10
<b>hearings</b> 9:11 21:25 24:19	<b>individuals</b> 11:18	<b>introduction</b> 3:23 4:8 7:19	<b>jury's</b> 8:3 18:14	<b>light</b> 26:1 27:9
<b>held</b> 11:21 12:3	<b>informally</b> 13:7	<b>investigate</b> 2:24	<hr/> <b>K</b> <hr/>	<b>likewise</b> 19:19
<b>help</b> 4:7 15:24	<b>information</b> 8:10 8:12,14,15,18,22 9:14,25 10:9,14 10:20 17:1 18:1,5 18:23 20:6 22:9 25:13	<b>investigated</b> 8:3	<b>keep</b> 17:17	<b>line</b> 20:2,2
<b>helpful</b> 4:2,18 13:8 13:10 14:14	<b>informers</b> 6:11	<b>investigations</b> 3:3,7 3:17	<b>Kemish</b> 4:11,12,17 4:21 5:3,5,9 11:15 13:8,10,24 22:16 24:10,13 27:10,16 27:17,21 28:10,17 28:20,23 29:6,10 30:3,7,10,13	<b>lines</b> 13:19 20:24 28:2
<b>Hennessey</b> 13:21	<b>inquest</b> 1:24 7:7 10:3 11:16,25 12:4,8 13:11 18:19 24:19 26:14	<b>involve</b> 2:9,17,18	<b>judicial</b> 19:20	<b>list</b> 1:15,17,22 2:12 2:22,25 6:7 7:3 23:20
<b>Hill's</b> 5:21	<b>inquests</b> 1:16,20 2:23 4:23 6:5 7:24 9:22,23,24 11:6 12:19 15:8 17:4,18 18:10 22:14 28:24 29:16	<b>involvement</b> 22:20	<b>July</b> 1:9 5:18,19	<b>little</b> 24:7
<b>Home</b> 11:22	<b>inquiry</b> 13:20 20:24	<b>involves</b> 16:20,21	<b>jurors</b> 24:3 28:6	<b>Litvinenko</b> 10:3
<b>hope</b> 10:5 11:7 15:16	<b>Insofar</b> 16:7	<b>IPs</b> 10:24 21:24 26:24	<b>jury</b> 2:1 19:11 21:19 22:13 23:6 26:8	<b>long</b> 25:15
<b>hoped</b> 25:11 26:19	<b>instance</b> 13:6 19:21	<b>IRA</b> 2:9	<b>jury's</b> 8:3 18:14	<b>longer</b> 28:7
<b>hopefully</b> 23:17,18 27:22		<b>irrelevant</b> 8:10 20:6 21:3	<hr/> <b>M</b> <hr/>	<b>look</b> 13:11 16:24
<b>hospital</b> 28:8		<b>issue</b> 1:19 2:8,14,17 2:24 3:12,14,24	<b>making</b> 13:15 15:11	<b>looked</b> 5:20
<b>huge</b> 12:9 15:5 21:2			<b>marker</b> 6:2 12:13	<b>looks</b> 25:19
<hr/> <b>I</b> <hr/>			<b>material</b> 6:10 9:5 9:13 11:10,21 12:3,9,23 13:4	<b>lot</b> 7:10 13:13 21:1
<b>idea</b> 27:7				<b>loved</b> 22:23

15:5,12,13 17:3 18:13 19:6,9,11 19:14,19 20:17 21:1,6 22:13 25:3 <b>matter</b> 15:20 21:18 <b>matters</b> 7:5 24:22 25:1 26:1,8 27:6 29:20 <b>mean</b> 18:8 <b>meaningfully</b> 21:24 <b>meetings</b> 22:6 <b>member</b> 10:11 22:20 <b>members</b> 22:25 27:8 <b>mention</b> 30:5 <b>MI5</b> 11:24 <b>MI6</b> 11:24 <b>Midlands</b> 11:3 14:17 15:4 <b>mind</b> 20:13 21:2 23:25 25:5 29:2 <b>minds</b> 3:21 <b>Minister</b> 18:2 <b>Ministerial</b> 17:14 <b>Ministry</b> 11:23 <b>Mole</b> 13:17 21:12 21:12 <b>moment</b> 2:8 9:12 27:4 28:18 <b>Monday</b> 27:21 <b>months</b> 9:11 <b>morning</b> 1:7 4:12	29:12 <b>needs</b> 8:11 9:20 <b>new</b> 14:16 <b>nine</b> 26:22 <b>note</b> 3:8,9 14:14 21:5 25:6 29:19 <b>notification</b> 24:4,5 <b>November</b> 5:21 11:9 24:20 26:2 <b>number</b> 14:5 22:3 22:24 23:6 <b>nutshell</b> 8:23	<b>ought</b> 10:20 18:3 <b>outlined</b> 13:21 <b>outstanding</b> 26:10 <b>outweigh</b> 19:12 <b>overlap</b> 2:7 <b>owner</b> 8:15 17:2	<b>place</b> 12:6 15:9 21:2 <b>play</b> 26:11 <b>please</b> 13:9 <b>point</b> 5:10 6:3 9:4 9:12,19 10:14 13:24 14:2 15:7 20:9,16 21:12 27:17 <b>points</b> 3:25 16:3,4 <b>police</b> 7:15 11:3 14:17 15:4 16:7 17:15 18:23 21:13 21:16 <b>policing</b> 14:20 17:24 18:18 <b>portrait</b> 22:21 <b>position</b> 8:17 9:17 18:4 26:16 <b>possession</b> 8:6 <b>possible</b> 4:22 13:15 14:10,23 25:5 29:3 <b>possibly</b> 15:21 28:7 <b>potential</b> 7:23 24:3 <b>potentially</b> 9:14 11:9 15:11 <b>practical</b> 13:2 25:20 <b>precipitously</b> 22:19 <b>precisely</b> 9:16 26:7 26:16 <b>predecessor's</b> 15:7 <b>predict</b> 26:6 <b>preliminary</b> 25:9 <b>preparation</b> 29:9 <b>prepare</b> 27:23 28:25 <b>preparing</b> 11:11 <b>present</b> 11:11 22:8 22:12 27:11 <b>presented</b> 26:11 <b>presenting</b> 19:11 <b>presents</b> 2:15 <b>press</b> 10:19	<b>pretty</b> 21:21 <b>prevent</b> 17:3 <b>previously</b> 3:2 7:7 16:9 26:2 <b>price</b> 15:21 <b>principle</b> 19:3 <b>principles</b> 19:1,2 <b>private</b> 17:18 <b>privately</b> 9:25 <b>probably</b> 7:18 <b>procedural</b> 9:10 <b>proceed</b> 1:20 4:11 4:13 <b>proceedings</b> 1:3 18:20,20,21,22 <b>process</b> 8:23,24 9:3 9:4 10:15,25 11:7 13:1,2,12,15 15:9 15:14,20,25 16:9 16:13,13,15,20,21 22:11 24:7 25:14 29:15 <b>processes</b> 13:3 <b>processing</b> 16:6 <b>produce</b> 3:8,9 <b>produced</b> 14:14,17 14:17 <b>producing</b> 21:23 <b>professional</b> 21:15 <b>Professor</b> 13:21 <b>progress</b> 3:6 <b>promptly</b> 14:23 <b>properly</b> 20:24 <b>proposal</b> 13:3 25:21 <b>propose</b> 7:17 10:25 22:14 <b>proposing</b> 3:22 23:12 <b>proposition</b> 25:20 <b>prosecutions</b> 21:2 <b>protect</b> 17:20 <b>protected</b> 18:3 19:13 <b>protecting</b> 15:12
<hr/> <b>N</b> <hr/> <b>name</b> 17:19,20 18:17 <b>narrow</b> 2:14 <b>national</b> 8:13 17:6 18:16 <b>necessary</b> 10:16 21:10 22:21 23:15 29:1 <b>need</b> 1:16 8:19 9:20 13:12 14:20 20:7 27:7 28:13 29:11	<hr/> <b>O</b> <hr/> <b>Oakley</b> 6:21,23 <b>obligation</b> 18:13,14 <b>obtain</b> 28:1 <b>obviously</b> 12:24 13:1 14:2 23:19 24:7 28:11,21 29:2 30:8 <b>occur</b> 11:7 <b>October</b> 1:1 5:2,4 5:15 <b>Office</b> 11:22,23 <b>officer</b> 21:13,17 <b>omitted</b> 30:5 <b>Once</b> 8:4 <b>open</b> 12:5 20:25 <b>opening</b> 1:6,25 20:17 30:18 <b>openly</b> 18:13 19:9 19:11 <b>operation</b> 18:18 <b>opine</b> 2:1 <b>opinion</b> 21:18 <b>opportunity</b> 24:5 28:25 <b>orally</b> 6:17 7:18 <b>order</b> 18:13 26:11 <b>ordinarily</b> 20:7 <b>organisation</b> 11:22 <b>organisations</b> 12:1 16:17 <b>original</b> 23:20 <b>originating</b> 11:22	<hr/> <b>P</b> <hr/> <b>painful</b> 13:13 <b>paragraphs</b> 5:14 <b>part</b> 22:17,24 27:18 <b>particular</b> 2:5,13 3:14,21,24 10:6 10:10 11:4 16:24 17:6,24,25 18:18 20:5 23:24,25 24:23 <b>particularly</b> 27:9 <b>parties</b> 14:23 <b>Partly</b> 28:6 <b>Patrick</b> 5:12,13,23 6:2 14:2 15:1 23:3 24:14 29:7 <b>paused</b> 14:16 <b>pen</b> 22:21 <b>pending</b> 6:11 14:16 <b>people</b> 18:14 <b>permission</b> 13:5 <b>perpetrator</b> 23:23 <b>person</b> 10:10,11,12 22:4 <b>person's</b> 17:23 <b>personal</b> 8:10,25 <b>persons</b> 3:10,16 7:8 8:6,18 9:19 10:18 12:5 15:10,11 18:6 19:12 20:15 20:21 21:9 22:7 23:10 <b>picking</b> 1:8 20:9 <b>piece</b> 17:1 18:23 <b>PII</b> 11:2 12:16 16:13,20,21 17:11 24:24 25:18 26:1 <b>PIR</b> 1:8 24:19,20 25:24		

17:6 18:16 <b>protection</b> 8:11 12:17 20:4 <b>protects</b> 18:8 <b>provide</b> 4:7 8:17 <b>provided</b> 14:5,10 15:4 <b>providing</b> 21:18 <b>provisional</b> 1:15 2:9,21 6:7 26:25 <b>public</b> 8:22 9:8,22 10:21 15:15 17:10 17:12,14,17,20,24 18:2,11,12,15 19:6,7,8,10,12 24:24 25:2,22 <b>publicly</b> 10:1 17:21 <b>purposes</b> 11:12 <b>put</b> 6:2 13:20 21:21 25:6 28:3 <b>putting</b> 30:8	12:21 13:2 14:7 <b>receive</b> 12:12 <b>received</b> 7:14 10:18 12:8,11,19 23:9 <b>recognition</b> 14:14 <b>redact</b> 20:13 <b>redacted</b> 11:5 12:21 20:7 <b>redaction</b> 12:14,16 14:3,4,6 20:4,5 <b>redactions</b> 12:21 19:24 20:1 <b>reference</b> 1:23 <b>referred</b> 20:11 21:14 <b>reflect</b> 27:22 <b>regard</b> 21:8 <b>related</b> 25:23 <b>relating</b> 7:5 25:1 26:8 <b>relation</b> 11:15 16:14 <b>relationship</b> 10:12 <b>relatively</b> 4:4 7:11 <b>relatives</b> 22:9 <b>releasing</b> 18:6 <b>relevance</b> 7:24 12:17 16:22 19:3 20:5,19 <b>relevant</b> 3:14 6:11 8:2,3,5,14 9:5,13 12:20,20,25 15:12 16:8,10,25 18:5 18:10 19:4,5 29:1 <b>remain</b> 1:12 <b>remarks</b> 1:6 30:18 <b>remember</b> 22:22 <b>reminder</b> 1:17 3:23 <b>removed</b> 8:12 <b>report</b> 13:17 14:16 21:20,23 <b>reports</b> 13:17,18 <b>represented</b> 4:23 11:20 <b>represents</b> 3:1	<b>request</b> 22:18 27:18 28:20 <b>requested</b> 21:21 <b>requests</b> 6:19 15:20 30:8 <b>required</b> 16:24 18:11 23:16,17 25:1,22 <b>resolved</b> 16:12 <b>respect</b> 6:4 8:7,24 14:15 20:15 21:5 21:12 24:22 26:10 27:14 <b>respond</b> 3:24 6:18 11:13 <b>response</b> 16:4 <b>result</b> 15:17 <b>resumed</b> 1:8 <b>resumption</b> 15:8 <b>review</b> 12:5,6 13:4 19:20 20:22 <b>reviewed</b> 8:11 12:3 12:10,10,18,19 <b>reviews</b> 7:22 <b>right</b> 1:25 8:25 10:8,10,20 15:22 26:15 <b>risk</b> 10:16 <b>role</b> 9:21 <b>ruling</b> 25:16 <b>rushed</b> 15:18	<b>Scott</b> 12:18,22 20:11 <b>seamless</b> 13:15 <b>second</b> 7:2 <b>secret</b> 18:24 <b>security</b> 8:13 <b>see</b> 4:10 20:14 28:19 30:4 <b>seek</b> 11:20 12:14 15:20 24:6 <b>seen</b> 20:19,23 23:8 <b>selection</b> 23:6 <b>sends</b> 5:24 <b>senior</b> 15:14 17:15 21:13 <b>sense</b> 21:17 <b>sensibly</b> 16:1 <b>sensitive</b> 7:14 9:14 9:25 15:13 16:25 19:5 20:6 22:13 <b>sensitives</b> 8:7,9 9:7 15:6 16:11 <b>sensitivities</b> 15:9 <b>sensitivity</b> 7:16 18:9 <b>sent</b> 24:2 <b>sentiments</b> 22:25 <b>separate</b> 20:12 <b>services</b> 23:24 <b>serving</b> 21:13 <b>set</b> 1:19 2:3 6:7 24:11 28:13 <b>shan't</b> 29:25 <b>sharp</b> 11:1 16:12 <b>shut</b> 20:24 <b>side</b> 20:20 <b>sign-off</b> 12:2 <b>significant</b> 2:24 3:1 3:25 <b>similar</b> 20:22 <b>Similarly</b> 2:16 <b>simply</b> 14:8,13 29:11 <b>Sir</b> 1:7 2:3 4:2,12 4:21 5:3,5,9,13,23	6:16 8:20 9:12,20 10:17 11:15,16 12:7,12,17,22 13:8,16,21,25 14:2 15:3,23 16:2 16:3,23 18:12,25 22:16 23:3,8 24:10,14 25:21 27:13,17 28:17,20 29:6,8 30:3,7,13 <b>sit</b> 28:9 <b>situation</b> 10:5 <b>Skelton</b> 1:5,6,7 4:2 4:4,7,15 6:4 7:2,5 7:22 9:4,7,9 10:5 15:3 16:3,21 17:6 17:9,12 18:25 19:2,24 22:2 23:6 23:18,22 24:9,18 24:22 25:5,8,15 26:5,10,14,19,22 26:24 27:6,13 30:18 <b>Skelton's</b> 29:23 <b>sketch</b> 9:10 <b>sketched</b> 16:9 <b>slightly</b> 23:20 <b>solicitor</b> 7:7 28:1 30:3 <b>solicitors</b> 29:13 <b>somebody's</b> 6:24 <b>somewhat</b> 23:23 <b>sooner</b> 26:17 <b>sorry</b> 13:8 16:18 <b>sorts</b> 20:1,22 <b>sought</b> 11:25 <b>sound</b> 21:5 <b>speak</b> 4:24 <b>speaking</b> 21:13 <b>Special</b> 11:24 <b>specifically</b> 16:14 <b>speed</b> 13:2 <b>Squires</b> 11:19 <b>stage</b> 12:14 <b>stakeholder</b> 8:15
<b>Q</b>				
<b>question</b> 4:15 6:8 <b>questionnaire</b> 23:7 24:4 <b>questions</b> 28:2 29:1 <b>quite</b> 7:10 18:21 25:14				
<b>R</b>				
<b>raise</b> 12:12 14:2 30:1 <b>raised</b> 6:8 29:8 <b>reach</b> 9:17 <b>reached</b> 18:4 <b>reaches</b> 10:13 <b>read</b> 5:1,16,17 6:25 20:8 <b>ready</b> 25:18 27:23 <b>really</b> 1:16 2:4,21 3:22 12:17 17:3 <b>reason</b> 14:4 18:24 24:6 <b>reasoned</b> 15:15 <b>reasons</b> 7:13 8:11				
		<b>Sadly</b> 29:19 <b>safety</b> 8:25 17:23 <b>satisfactory</b> 9:18 <b>save</b> 27:25 <b>saying</b> 22:19 <b>says</b> 4:10 27:10 <b>Schedule</b> 12:18,22 20:11 <b>scope</b> 1:19,19 2:3 2:19 5:7,7,20,21 7:24 21:4 23:21 23:23 25:16,19 26:1 27:2		

8:20 19:15 <b>stakeholders</b> 8:5 9:15 <b>stands</b> 2:15 <b>start</b> 1:25 2:4 19:3 22:14 <b>started</b> 9:4 <b>State</b> 2:10,18 <b>statement</b> 22:21 <b>statements</b> 16:16 22:3,23 <b>Steelhouse</b> 3:4 <b>step</b> 21:10 25:9 <b>STI</b> 14:11 <b>straight</b> 1:14 <b>Strictly</b> 21:13 <b>subject</b> 12:24 <b>submission</b> 14:3 <b>submissions</b> 4:9,20 4:24 5:1,14,17,17 5:20,21 6:10,12 6:17,20 7:1 10:18 13:18,22,24 14:19 15:11 22:1 23:4,5 23:9 24:11,17 25:12 28:14 29:1 29:8 30:7,19,20 30:21,22,23 <b>submit</b> 4:24 13:3 27:25 <b>submitted</b> 4:24 <b>substance</b> 18:10 <b>success</b> 28:24 <b>successful</b> 15:14 <b>Suffice</b> 23:13 <b>suggest</b> 13:1,12 <b>summons</b> 24:2 <b>supplement</b> 29:10 <b>support</b> 3:19 6:16 14:3 29:11 <b>sure</b> 14:25 15:24 22:18 <b>swathe</b> 10:23 <b>swiftly</b> 11:7 15:21 <b>system</b> 10:24	<b>T</b>	16:19 24:18 25:21 26:16 <b>topic</b> 20:18 22:2 <b>topics</b> 1:15,23 2:4 2:12,22,25 4:22 6:7 <b>touches</b> 5:8 <b>truly</b> 15:12,13 <b>try</b> 17:2 <b>trying</b> 2:14 <b>Tuesday</b> 25:25 <b>turn</b> 1:14 7:2 22:2 <b>two</b> 13:17 <b>types</b> 3:14 7:16	<b>vein</b> 15:16 <b>view</b> 7:25 10:13 11:9 17:14,17 20:19,23 23:21 <b>viewing</b> 21:5 <b>views</b> 11:12 22:8 23:10 <b>visit</b> 3:5 <b>volume</b> 15:5	19:18 <b>witness</b> 3:3 7:6 21:15 <b>WMP</b> 11:2 21:22 <b>WMP's</b> 21:20 <b>words</b> 18:8 20:20 <b>work</b> 7:8,12 15:8 29:24 <b>worked</b> 15:6 27:2 <b>working</b> 27:3 <b>writing</b> 2:12 6:17 30:8 <b>written</b> 4:24 5:14 6:12 13:22 23:3,8 24:11 29:7
		<b>U</b>		<b>X</b>
		<b>ultimate</b> 8:3 <b>ultimately</b> 8:16 9:21 11:4 22:12 <b>unbroadcast</b> 11:17 <b>underlined</b> 29:5 <b>understand</b> 12:9 <b>understanding</b> 18:9 <b>undertaken</b> 29:19 <b>undertaking</b> 12:2 <b>undertakings</b> 11:25 <b>undisclosed</b> 20:17 <b>unforeseeable</b> 28:16 <b>unfortunate</b> 5:25 <b>Unfortunately</b> 5:25 <b>unused</b> 20:17 21:6 <b>update</b> 7:18 <b>updated</b> 7:8 <b>uphold</b> 8:21 <b>use</b> 9:23,25 14:20 17:18 21:24 24:25 25:21 <b>useful</b> 7:19 <b>usual</b> 10:15 26:25 <b>usually</b> 17:13,15	<b>W</b>	<b>Y</b>
			<b>want</b> 3:17 9:15 20:21,21 24:6 <b>Ware's</b> 11:17 <b>watchword</b> 2:21 <b>way</b> 1:17,22 3:22 3:23 13:7,15 14:12 15:10 18:5 18:6,7 20:10 22:12,22 26:25 <b>Wednesday</b> 1:1 <b>week</b> 27:19,24 28:6 28:20 29:3 <b>weeks</b> 3:11 11:8 26:20 27:18 <b>weighing-up</b> 19:10 <b>welcome</b> 4:21 6:5 30:11 <b>well-established</b> 19:1 <b>West</b> 11:3 14:17 15:4 <b>whilst</b> 15:12 <b>wholly</b> 21:3 <b>Williams</b> 5:24 <b>Williams'</b> 5:20 <b>willing</b> 13:11,14 <b>wish</b> 6:15,21 13:20 19:15 22:17,25 23:15 28:2 30:1 <b>wishes</b> 21:9 <b>withheld</b> 9:15 10:14 11:5,6 <b>withhold</b> 9:23 11:10 25:2 <b>withholding</b> 8:22	<b>year</b> 1:9,18 5:19 7:9 24:20 26:6 <b>years</b> 3:13
				<b>Z</b>
				<b>0</b>
				<b>1</b>
				1 4:20 5:10 30:18 30:19 <b>10.00</b> 1:2 <b>10.30</b> 1:4 <b>11</b> 26:15,20 <b>11.10</b> 30:16 <b>13</b> 5:7 <b>14</b> 5:20 <b>17</b> 26:6 <b>18</b> 26:15,20 <b>18th</b> 25:24,25 <b>19</b> 5:4 <b>1974</b> 18:15 21:3 <b>1975</b> 21:3
				<b>2</b>
				2 7:1 10:7,8 30:20 <b>2016</b> 5:22
		<b>V</b>		
		<b>vast</b> 7:22 10:23		

<b>2017</b> 5:7,18,21				
<b>2018</b> 1:1				
<b>2019</b> 26:15,16				
<b>22</b> 5:15 30:21				
<b>23</b> 5:2,18,21 24:20 30:22				
<b>24</b> 30:23				
<hr/> <b>3</b> <hr/>				
<b>3</b> 14:18 22:1,3 30:21				
<b>31</b> 1:1				
<hr/> <b>4</b> <hr/>				
<b>4</b> 23:5,6 30:19,22				
<hr/> <b>5</b> <hr/>				
<b>5</b> 24:17 30:23				
<hr/> <b>6</b> <hr/>				
<b>6</b> 5:14				
<hr/> <b>7</b> <hr/>				
<b>7</b> 5:14 30:20				
<hr/> <b>8</b> <hr/>				
<hr/> <b>9</b> <hr/>				