

<p>1 Wednesday, 25 September, 2024</p> <p>2 (10.31 am)</p> <p>3 MR BEER: Good morning, sir, may I call James Dunkerley,</p> <p>4 please?</p> <p>5 JAMES DUNKERLEY (affirmed)</p> <p>6 THE CHAIR: Thank you, Mr Dunkerley. Do sit down.</p> <p>7 Questions from MR BEER</p> <p>8 MR BEER: Good morning. My name is Jason Beer and I ask</p> <p>9 questions on behalf of the Inquiry.</p> <p>10 Can you give us your full name, please.</p> <p>11 <b>A. James Christopher Dunkerley.</b></p> <p>12 Q. Mr Dunkerley, I think you have made an open witness</p> <p>13 statement dated 24 September, 2024 --</p> <p>14 <b>A. That's correct.</b></p> <p>15 Q. -- which is eight pages long. Do you have it in front</p> <p>16 of you there?</p> <p>17 <b>A. I have.</b></p> <p>18 Q. And is that your signature on the eighth page?</p> <p>19 <b>A. It is.</b></p> <p>20 Q. And are the contents of that witness statement true to</p> <p>21 the best of your knowledge and belief?</p> <p>22 <b>A. They are.</b></p> <p>23 Q. That witness statement will be published on</p> <p>24 the Inquiry's website --</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 1</p>	<p>1 <b>A. That's correct.</b></p> <p>2 Q. You tell us in your paragraph 9 that you are essentially</p> <p>3 a corporate witness for today's purposes in that you</p> <p>4 were not posted to Counter Terrorism Police North East's</p> <p>5 predecessor, NECTU, at the time of the events</p> <p>6 the Inquiry is considering.</p> <p>7 <b>A. That's correct.</b></p> <p>8 Q. And I think you had no direct personal knowledge of any</p> <p>9 of the events themselves.</p> <p>10 <b>A. No, I was not involved in any of those events.</b></p> <p>11 Q. And so your witness statement is based on information</p> <p>12 that you have obtained as a result of either reading</p> <p>13 documents or being briefed about documents; is that</p> <p>14 right?</p> <p>15 <b>A. That's correct.</b></p> <p>16 Q. Thank you very much.</p> <p>17 You tell us that the North East Counter Terrorism</p> <p>18 Unit, NECTU was set up in April 2007, following</p> <p>19 the July 2005 bombings, as part of a major</p> <p>20 reorganisation, essentially, of the counter terrorism</p> <p>21 network.</p> <p>22 <b>A. That's correct.</b></p> <p>23 Q. NECTU being a collaboration of the seven forces that you</p> <p>24 mention in your paragraph 10.</p> <p>25 <b>A. That's correct.</b></p> <p style="text-align: center;">Page 3</p>
<p>1 Q. -- and therefore I am not going to ask you questions</p> <p>2 about all of its contents; do you understand?</p> <p>3 <b>A. That's fine, yes.</b></p> <p>4 Q. Thank you.</p> <p>5 In terms of your background, I think you became</p> <p>6 a police officer 29 years ago in 1995; is that right?</p> <p>7 <b>A. That's correct.</b></p> <p>8 Q. In West Yorkshire Police, where apart from a period of</p> <p>9 secondment, you have remained; is that right?</p> <p>10 <b>A. I have, yes.</b></p> <p>11 Q. You presently hold the rank of Detective Chief</p> <p>12 Superintendent.</p> <p>13 <b>A. I do.</b></p> <p>14 Q. And you are the head of CTPNE, Counter Terrorism</p> <p>15 Policing, North East; is that right?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. You have held that role since October 2022; is that</p> <p>18 right?</p> <p>19 <b>A. That's correct.</b></p> <p>20 Q. Thank you. When did you first join CTPNE?</p> <p>21 <b>A. 2018.</b></p> <p>22 Q. 2018.</p> <p>23 <b>A. The latter half of 2018 as head of investigations.</b></p> <p>24 Q. So head of investigations from late '18 until October</p> <p>25 '22; October '22, head of unit.</p> <p style="text-align: center;">Page 2</p>	<p>1 Q. And you refer to it as NECTU throughout your statement,</p> <p>2 because it is the organisation's correct name at the</p> <p>3 time of these events.</p> <p>4 <b>A. That's correct.</b></p> <p>5 Q. Thank you.</p> <p>6 You tell us in your paragraph 15 that it was in, and</p> <p>7 is in, the nature of counter terrorism policing that the</p> <p>8 police liaise with both other police partners and</p> <p>9 non-police partners to share information that each needs</p> <p>10 to know.</p> <p>11 <b>A. That's correct.</b></p> <p>12 Q. You tell us in your paragraph 16 that:</p> <p>13 "Typically, and for obvious reasons, a person of</p> <p>14 concern ..."</p> <p>15 That's a person about whom there is concern:</p> <p>16 "... living in a given area will be the</p> <p>17 responsibility of the force or the [counter terrorism</p> <p>18 unit] ... covering the area [in which they live] ..."</p> <p>19 <b>A. Yes, that's correct.</b></p> <p>20 Q. In terms of systems, you tell us that before July 2017</p> <p>21 intelligence was held on a system called NSBIS, the</p> <p>22 National Special Branch Intelligence System; is that</p> <p>23 right?</p> <p>24 <b>A. That's correct.</b></p> <p>25 Q. And you say that it was held locally. What do you mean</p> <p style="text-align: center;">Page 4</p>

1 by "it was held locally"?

2 **A. Well, each area had access to NSBIS for their area, but**

3 **it was a, although it's described as a national system,**

4 **it was locally held and local information was on that**

5 **system. So it was more of a patchwork quilt rather than**

6 **one system covering the country.**

7 Q. Rather than a blanket?

8 **A. Yes.**

9 Q. So it was national in the sense that each special branch

10 or counter terrorism unit had one, but not national in

11 the sense each of them could speak to each other --

12 **A. Correct.**

13 Q. -- on that system.

14 **A. On that system.**

15 Q. You tell us that there wasn't a mechanism for the

16 sharing of information within NSBIS.

17 **A. No.**

18 Q. And so if information needed to be shared across counter

19 terrorism units, some other mechanism needed to be used

20 in order to share that intelligence.

21 **A. That's correct.**

22 Q. Thank you.

23 You say that in your paragraph 18 that at the

24 relevant time each of the other six forces, that's West

25 Yorkshire plus the other ones, making up the North East

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1 region:

2 "... had their own force information management

3 unit, FIMU function, as well as their own secure email

4 capabilities. Therefore, intelligence gathered in, for

5 example, Humberside may be securely emailed ... to, for

6 example, Manchester. NECTU would not necessarily be

7 sighted on this sharing of intelligence although, out of

8 courtesy, they would sometimes be notified."

9 **A. That's correct.**

10 Q. And the example that you give there, do I take it that

11 that was the common way that it was done?

12 **A. Yes, each area could share information with another area**

13 **and it was the force within the region. That's why the**

14 **courtesy was there, that actually we were a regional**

15 **structure but we had seven entities within that region.**

16 Q. And so area A might not know what information area B

17 possessed, but, more than that, area C might not know

18 that areas A and B had shared their intelligence.

19 **A. That's correct, yeah, that was always a risk.**

20 Q. You tell us, I think that this has changed to an extent

21 with the introduction of the national common

22 intelligence platform in July 2017.

23 **A. That's correct, it has put everyone on one application**

24 **where that visibility can be seen across the board with**

25 **the appropriate caveats of protecting the intelligence.**

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1 Q. Is there is the facility to share with everyone, but

2 that doesn't necessarily mean all intelligence is shared

3 with everyone.

4 **A. That's correct.**

5 Q. You say that:

6 "Intelligence can now be created by officers in any

7 location within the UK and shared with the relevant

8 destination FIMU, via the originating FIMU, all within

9 the NCIA platform."

10 **A. That's correct.**

11 Q. That means that there is no longer a localised system of

12 data storage.

13 **A. No, whoever the originator is for the intelligence would**

14 **create that intelligence, so you have one version of**

15 **that intelligence and that is -- that version of the**

16 **intelligence is the one that people can see wherever**

17 **they are in the country when they need to see that**

18 **intelligence. It's got one version of the truth, as it**

19 **were.**

20 Q. Thank you. I am going to skip over paragraph 21 and

21 turn to West Yorkshire Police's and NECTU's role in

22 relation to Syadul Hussain, Mohammed Syeedy and Mohammed

23 Kadir.

24 Looking at your paragraph 24, you say that, other

25 than what you are about to tell us, as far as you are

Page 7

1 aware:

2 "... neither West Yorkshire Police nor NECTU played

3 a role in the criminal proceedings relating to HUSSAIN

4 or the criminal trial relating to SYEEDY."

5 **A. That's correct.**

6 Q. And you tell us in your paragraph 25 that neither

7 West Yorkshire Police nor NECTU "played a role in any

8 investigations into HUSSAIN or SYEEDY during 2014-2016

9 or had any involvement in, or knowledge of ... such

10 investigations."

11 **A. That's correct.**

12 Q. In relation to Mohammed Kadir was the first time that

13 NECTU became aware of Kadir a date in 2015, in August,

14 when NECTU became aware of a Facebook profile in the

15 name of Mohammed Kadz, K-A-D-Z?

16 **A. That's correct.**

17 Q. Did that Facebook profile contain pro-ISIS or IS

18 content, and a threat to the "kuffar" collecting for the

19 charity Help for Heroes?

20 **A. It did.**

21 Q. And did that threat include:

22 "Otherwise they [the kuffar] will see more lee

23 ruby's [it was actually printed 'rugby's'] about. Ask

24 Rigby if it was worth it."

25 **A. That's correct.**

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<p>1 Q. Did NECTU make enquiries with a view to identifying 2 a number of individuals, including Mohammed Kadz? 3 <b>A. It did.</b> 4 Q. You set out, I think, for us in your closed statement 5 more detail of what action was taken. 6 <b>A. That's correct.</b> 7 Q. And I think you are prohibited by the terms of 8 a restriction order from describing in open session what 9 those steps were. 10 <b>A. That's correct.</b> 11 Q. You tell us in your paragraph 28 that: 12 "It is crucial to put into context that NECTU dealt 13 with intelligence in relation to very many individuals 14 across the country [of whom] 'Mohammed Kadz' was [but] 15 ... one ..." 16 Is that right? 17 <b>A. That's correct, yes.</b> 18 Q. And you tell us importantly that many of those 19 individuals were subsequently convicted of terrorism 20 offences, with some being sentenced to very lengthy 21 terms indeed, or had their activities disrupted in some 22 other way. 23 <b>A. That's correct.</b> 24 Q. You tell us more about that in paragraph 45, which is on 25 the last page of the statement.</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. In order to investigate Kadir? 2 <b>A. That's correct.</b> 3 Q. And is it your understanding that an investigative SIO 4 was identified from the North West in relation to 5 Mohammed Kadir? 6 <b>A. Yes, that's my understanding.</b> 7 Q. More than that, I think, you can't tell us by reason of 8 the restriction order that's in place. 9 <b>A. That's correct.</b> 10 Q. You do tell us, however, that the North East Counter 11 Terrorism Unit continued to obtain intelligence on 12 a number of individuals, numerous individuals, including 13 Mohammed Kadir. 14 <b>A. That's correct.</b> 15 Q. And you have provided detailed evidence about those in 16 relation to Kadir in particular in closed evidence. 17 <b>A. I have.</b> 18 Q. Was it the case on the 22 January, 2016, that NECTU made 19 it clear that it had reached a capacity issue? 20 <b>A. It had, yes.</b> 21 Q. And did they raise that capacity issue and the 22 geographical distribution of individuals with North West 23 Counter Terrorism Unit and the West Midlands Counter 24 Terrorism Unit for discussion at a meeting that was to 25 be held on 4 February, 2016?</p> <p style="text-align: center;">Page 11</p>
<p>1 <b>A. Yes, that's correct.</b> 2 Q. In the third line of paragraph 45 you say: 3 "For example, two people so convicted received life 4 sentences with minimum terms ... of a quarter of 5 a century or more." 6 I think that means a quarter of a century or more 7 each; is that right? 8 <b>A. That's correct, yes.</b> 9 Q. You say: 10 "It is very regrettable [you say] indeed that it was 11 not possible to stop Kadir and Hussain before they 12 murdered Jalal Uddin." 13 Going back, please, to paragraph 29. You say: 14 "In October 2015, 'Mohammed Kadz' was identified as 15 [a person based in] ... Manchester called Mohammed 16 KADIR." 17 Is that right? 18 <b>A. That's correct.</b> 19 Q. And was he assessed to be a person who was of high risk 20 and significant concern? 21 <b>A. He was.</b> 22 Q. Was it agreed in November 2015 that a senior 23 investigating officer, an SIO, should be appointed from 24 the North West Counter Terrorism Unit? 25 <b>A. That's correct.</b></p> <p style="text-align: center;">Page 10</p>	<p>1 <b>A. That's correct.</b> 2 Q. Did that meeting on February 4, 2016, take place? 3 <b>A. Yes, yes.</b> 4 Q. At that meeting did officers from NECTU meet with other 5 CTUs in Manchester, and NECTU officers request support 6 from other CTUs? 7 <b>A. Yes, that's correct.</b> 8 Q. Did the North West and the other CTUs agree in principle 9 to provide that support? 10 <b>A. Yes, there was an agreement by all present.</b> 11 Q. Looking back at the events that we have summarised in 12 quite high levels of -- in quite a high level, I think 13 it is the case that you are not in a position to remark 14 fairly on the quality and process of intelligence 15 sharing amongst agencies; is that right? 16 <b>A. That's correct.</b> 17 Q. You tell us that that's essentially because -- 18 <b>A. Of the restriction.</b> 19 Q. -- of the imposition of the restriction order. 20 <b>A. It is.</b> 21 Q. You do say that while intelligence sharing processes 22 have changed nationally, given the passage of time there 23 was nothing requiring a change or improvement for 24 West Yorkshire Police or NECTU. 25 <b>A. I don't believe that's -- I believe that's a fair</b></p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

1 **assessment, yes.**  
 2 Q. You tell us that for reasons that you explained more  
 3 fully in your closed evidence to us, that NECTU took  
 4 appropriate action.  
 5 **A. I do, yes.**  
 6 Q. I think you will understand that that's an assessment  
 7 for the chairman to reach.  
 8 **A. Very much, yes.**  
 9 Q. Albeit that's your view.  
 10 **A. Yes, yes.**  
 11 Q. You say that NECTU did not have the power to appoint  
 12 a senior investigating officer within the North West,  
 13 and you add that from the material that you have seen  
 14 you believe that the North West also took appropriate  
 15 action. More than that you can't say.  
 16 **A. I believe that to be the case, yes.**  
 17 Q. Can we turn to the time after Mr Uddin's murder, and  
 18 NECTU and West Yorkshire Police's involvement in the  
 19 murder investigation and the criminal proceedings.  
 20 After the murder, did the North West investigative  
 21 team ask an officer in NECTU, who had been appointed as  
 22 the disclosure officer for NECTU, to review the material  
 23 that had been obtained relating to Kadir?  
 24 **A. That's correct.**  
 25 Q. And was that in order that they, the North West, could

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1 from Mohammed Kadir.  
 2 **A. That's correct.**  
 3 Q. That post had been captured by NECTU back on  
 4 10 September 2015; is that right?  
 5 **A. 5 September.**  
 6 Q. Sorry?  
 7 **A. 5 September.**  
 8 Q. I think it is a post of 5 September --  
 9 **A. Of 5 September, sorry, yes --**  
 10 Q. -- but it had been captured --  
 11 **A. Sorry, I am with you, yes.**  
 12 Q. -- on 10 September.  
 13 **A. The 5 September post, correct.**  
 14 Q. So the post of 5 September had been captured --  
 15 **A. That's correct.**  
 16 Q. -- by NECTU on 10 September, and you tell us that that  
 17 was part of a wider intelligence gathering exercise into  
 18 people potentially motivated by an extremist ideology,  
 19 including those who were associated with proscribed  
 20 organisations.  
 21 **A. That's correct.**  
 22 Q. And you tell us that when viewing the intelligence  
 23 closely, some Facebook posts can be seen, albeit not all  
 24 of the posts, nor all of the contents.  
 25 **A. That's correct.**

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1 comply with their disclosure obligations under the CPIA  
 2 1996?  
 3 **A. That's correct.**  
 4 Q. Did officers from the North West also review material,  
 5 and identify some relevant Facebook posts?  
 6 **A. That's correct, they did.**  
 7 Q. And were they exhibited by an officer?  
 8 **A. They were.**  
 9 Q. You tell us in your paragraph 37 that West Yorkshire  
 10 Police:  
 11 "... has provided a number of statements and  
 12 exhibits, produced for the criminal investigation to  
 13 this Inquiry. [And] As far as you are aware,  
 14 [West Yorkshire Police and] ... NECTU had no further  
 15 involvement with the murder proceedings ..."  
 16 **A. That's my understanding, yes.**  
 17 Q. You are not able to say which statements and exhibits  
 18 were actually produced at court.  
 19 **A. No.**  
 20 Q. Your understanding is that no NECTU officers were  
 21 required to give live evidence at court.  
 22 **A. That's my understanding.**  
 23 Q. Thank you. You tell us that during their detailed  
 24 review, the NECTU officer that had been appointed as  
 25 disclosure officer identified a Facebook post of note

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1 Q. You then, on your page 7, set out the post of the  
 2 5 September 2015.  
 3 **A. Yes.**  
 4 Q. I am not going to read that, we have seen it in its  
 5 original form, we have seen it described, and people  
 6 have spoken to it already.  
 7 **A. Okay.**  
 8 Q. You tell us in your paragraph 44 that "the available  
 9 evidence", that means the evidence that's available to  
 10 you, "indicates that these posts", the posts of  
 11 5 September, "were not seen by anyone at NECTU ... at  
 12 the time."  
 13 **A. That's correct.**  
 14 Q. Given that they were part of a large volume of  
 15 information.  
 16 **A. That's correct.**  
 17 Q. You say that:  
 18 "Even if they had been seen, it is highly unlikely  
 19 that they would have been considered significant at the  
 20 time."  
 21 **A. That's my understanding, yes.**  
 22 Q. You tell us in your paragraph 46 that:  
 23 "The posts that were uncovered after Mr Uddin's  
 24 murder were a small part of a much larger collection of  
 25 information concerning many people and were found

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1 following work undertaken at a time when [Mohammed]  
 2 Kadir was [himself] ... suspected of ... murder."  
 3 **A. That's correct.**  
 4 MR BEER: Thank you very much. Those are the questions that  
 5 I ask. Thank you for answering them.  
 6 **A. Thank you.**  
 7 THE CHAIR: Are there any questions from anybody else? No.  
 8 Thank you very much, Mr Dunkerley, for assisting  
 9 the Inquiry.  
 10 **A. Thank you.**  
 11 THE CHAIR: That's the end of your evidence, and I think the  
 12 end of the hearing.  
 13 MR BEER: It is, sir, that's the end of the open evidence  
 14 that we call before you in this Inquiry.  
 15 THE CHAIR: Yes, and as you have indicated, the relevant  
 16 statements will be uploaded to the website.  
 17 MR BEER: Yes, I think that's the end of the open hearings.  
 18 THE CHAIR: Thank you very much. My thanks to everybody  
 19 concerned for helping in the conduct of this very  
 20 expeditious hearing. Any other matters we need to  
 21 discuss at this stage?  
 22 MR BEER: No, thank you.  
 23 THE CHAIR: Thank you.  
 24 (10.52 am)  
 25 (The hearing concluded)

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 2 I N D E X  
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 5 JAMES DUNKERLEY (affirmed) .....1  
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 7 Questions from MR BEER .....1  
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