

OPUS 2

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The Tunisia Inquests

Day 17

February 28, 2017

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1 Tuesday, 28 February 2017
 2 (10.00 am)
 3 Housekeeping
 4 JUDGE LORAINÉ-SMITH: Yes, good morning.
 5 There are one or two matters that we need to deal
 6 with before I move on to my judgment and my summing up
 7 and my conclusions.
 8 A report to prevent further deaths, first of all.
 9 MS LEEK: Sir, yes.
 10 JUDGE LORAINÉ-SMITH: Any suggested recommendations, if
 11 I was to ask for those, Mr Ritchie, within 28 days, that
 12 is 28 March.
 13 MR RITCHIE: Thank you.
 14 JUDGE LORAINÉ-SMITH: Will that give the families enough
 15 time to consider them?
 16 MR RITCHIE: It will.
 17 JUDGE LORAINÉ-SMITH: Then a response from TUI and
 18 Her Majesty's Government, if they feel it appropriate,
 19 by 28 April. Then I will consider all of those and
 20 decide whether there are any recommendations that
 21 I could properly make to prevent further deaths in the
 22 future. That is how that works. I may or may not.
 23 I don't know what it is that is going to be recommended,
 24 but whatever is recommended I promise I will give the
 25 greatest consideration to.

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1 The next matter is there is a lot of material on our
 2 system.
 3 MS LEEK: Sir, that is right. We have circulated a note
 4 relating to that. May I suggest that any responses to
 5 that be dealt with in writing. If it is necessary to
 6 make any sort of a ruling or to hear any submissions
 7 orally, perhaps you might deal with that at Southwark
 8 Crown Court, if necessary.
 9 JUDGE LORAINÉ-SMITH: I am always at Southwark, if there
 10 have to be any representations. I hope there won't have
 11 to be. I know the families won't want material being
 12 there unnecessarily.
 13 There is a statement that I know Her Majesty's
 14 Government have a view upon.
 15 MS LEEK: As I understand it, having spoken to Mr Ritchie
 16 and Mr Stevens this morning, there is no objection to
 17 that statement coming down.
 18 JUDGE LORAINÉ-SMITH: All right.
 19 MS LEEK: Perhaps we can deal with that behind the scenes.
 20 I don't think we need to trouble you with that this
 21 morning.
 22 JUDGE LORAINÉ-SMITH: All right.
 23 MS LEEK: Thank you, Sir.
 24 JUDGE LORAINÉ-SMITH: Thank you very much. All right, so
 25 that everybody knows what is going to happen today, I am

2

1 going to give my ruling on the matters raised last
 2 Thursday, I am then going to give my summing up, and
 3 then I am going to reach the conclusions, which I am
 4 sure you will understand.
 5 Can I apologise in advance for the very legalistic
 6 language that I am going to have to use in the ruling;
 7 it is a legal ruling and it has to be in legalistic
 8 language. The first half is very much in legalistic
 9 language; the second half of it is much less so.
 10 My summing up is not in legalistic language at all,
 11 nor are my conclusions, but if you feel that what I am
 12 saying at the outset is fairly unintelligible, it is
 13 directed to the lawyers rather than anybody else, and
 14 I will at one point at least stop and briefly explain in
 15 less legalistic language what it is that is going on and
 16 why I reached the conclusions that I told you about last
 17 Thursday.
 18 RULING ON CONCLUSIONS
 19 JUDGE LORAINÉ-SMITH: Mr Ritchie QC, on behalf of 22
 20 families, supported by Mr Wijeyaratne on behalf of
 21 Scott Chalkley, invited me to reach one of two possible
 22 conclusions in these Inquests.
 23 The first was that the deceased were unlawfully
 24 killed by a terrorist and that was contributed to in
 25 part because (a) the risk of a terrorist attack at the

3

1 RIU Imperial Marhaba Hotel was not recognised or taken
 2 seriously enough, and (b) appropriate security
 3 precautions to deter, prevent or counteract an attack
 4 were not put in place before or enforced during the
 5 attack.
 6 The second suggested conclusion was that the
 7 deceased were unlawfully killed by a terrorist and that
 8 was contributed to in part because (a) the risk of
 9 a terrorist attack on the RIU Imperial Marhaba Hotel was
 10 neglected, and (b) appropriate security precautions to
 11 deter, prevent or counteract an attack were neglected.
 12 Having read the written submissions and heard
 13 argument in open court, I indicated that I would not
 14 reach either of those conclusions. I will now give my
 15 reasons.
 16 This is not an Article 2 Inquest. Jane Marriott,
 17 when she gave evidence on behalf of the Foreign and
 18 Commonwealth Office, said that Her Majesty's Government
 19 had no foreknowledge of the attack that took place at
 20 Sousse on 26 June 2015. That evidence was unchallenged.
 21 I have considered the legal principles set out by
 22 Counsel to the Inquests back on 16 May 2016. These are
 23 not Inquests to which section 5, subsection 2 of the
 24 Coroners and Justice Act 2009 applies and nobody has
 25 suggested otherwise.

4

1 It follows that these Inquests have proceeded under
 2 the principles set out by Sir Thomas Bingham in R v
 3 Her Majesty's Coroner for North Humberside and
 4 Scunthorpe ex parte Jamieson, [1995] QB 1. The facts of
 5 that case concerned a prisoner who had hanged himself in
 6 his cell at a prison hospital. The Coroner directed the
 7 jury not to return a verdict which referred to lack of
 8 care. That direction was the subject of an appeal. In
 9 the course of his judgment, Lord Bingham reviewed the
 10 earlier authorities and then set out the principles
 11 which should be followed in inquests of this type.
 12 I start reading at page 20, paragraph F:
 13 "R v Her Majesty's Coroner for East Berkshire ex
 14 parte Buckley [1992] 157 JP 425, the court being
 15 Lord Justice Watkins and Mr Justice Laws. That arose
 16 from a death at Broadmoor Hospital. The deceased was
 17 a disturbed patient who died following an intramuscular
 18 injection. At the inquest, the Coroner refused to hear
 19 is a submission by counsel for the deceased's mother on
 20 whether the jury should be asked to consider lack of
 21 care. On an application for judicial review it was
 22 conceded that the Coroner should have allowed this
 23 submission to be made and that there was evidence upon
 24 which a reasonable jury might have found that there had
 25 been a lack of care."

5

1 Mr Justice Laws, giving the leading judgment, held
 2 these concessions to be correct. It could not, in his
 3 view, be said that no reasonable jury could have found
 4 lack of care. The Coroner's own strong beliefs was that
 5 there was none, but there was conflicting evidence and
 6 neither of the conflicting views was manifestly
 7 unreasonable or perverse. The judge went on to hold at
 8 pages 432 to 433 that three propositions were clear.
 9 These were:
 10 "(1) A lack of care verdict, whether freestanding or
 11 adjectival, is something wholly different from a finding
 12 of civil negligence. If it were otherwise,
 13 the Coroner's court would be making direct findings as
 14 to the presence or absence of civil liability and that
 15 is manifestly not the law.
 16 "(2) It follows that a lack of care verdict, where
 17 it is appropriate, is concerned with circumstances much
 18 narrower than those engaged in a trial of civil
 19 liability for negligence.
 20 "(3) Such a verdict only properly arises, where the
 21 jury are able to find that there was a lack of care by
 22 some person or persons in the events and circumstances
 23 immediately surrounding the death. In the environment
 24 of a prison or special hospital this cannot embrace any
 25 criticism of the regime in general, or indeed of the way

6

1 in which the deceased person was generally looked after.
 2 In that context, lack of care will only arise where some
 3 distinct act or omission is closely and directly
 4 associated with the death as its cause or one of its
 5 causes.
 6 "The judge therefore proposed that the question of
 7 lack of care should be dealt with at a future inquest."
 8 I resume the case of Jamieson at page 22,
 9 paragraph C:
 10 "The last authority which must be mentioned is The
 11 Queen v Her Majesty's Coroner for Western District of
 12 East Sussex, ex parte Homberg, [1994] 158 JP 357, the
 13 court being Lord Justice Simon Brown and
 14 Mr Justice Morland. Five people attending a party on
 15 the third floor of a house in Hove had died when the
 16 house had been deliberately set on fire. The Coroner
 17 advised the jury to return verdicts of unlawful killing,
 18 although indicating that the jury should add lack of
 19 care to their verdicts, if they wished.
 20 "The jury returned verdicts of unlawful killing, but
 21 read out a statement relating to the local authority's
 22 fire precautions. In seeking an order of judicial
 23 review, the applicants made a number of complaints. One
 24 of them was that the Coroner failed to direct the jury
 25 that they could incorporate within their verdict

7

1 specific reference to a culpable failure to provide
 2 a means of escape from fire. Their challenge failed."
 3 Giving the first judgment, Lord Justice Simon Brown
 4 accepted that 'how' means by what means, rather than in
 5 what broad circumstances. He quoted with approval the
 6 three propositions advanced by Mr Justice Laws in
 7 Buckley's case and continued at page 370:
 8 "To those three propositions, I would add a fourth.
 9 The verdict is the other side of the coin to
 10 self-neglect. It can arise only in circumstances where
 11 the deceased was in a dependent relationship to the
 12 putative carer, and where the lack of necessary physical
 13 care contributed to or aggravated whatever it was about
 14 the physical or mental condition of the deceased that
 15 required care. Obvious examples would be a failure to
 16 treat someone seriously ill, to clothe, shelter or feed
 17 the very young or very old, to leave unsupervised
 18 a mentally disordered person who thereupon committed
 19 suicide."
 20 He expressly rejected an argument that juries could
 21 incorporate into their verdicts whatever human failure
 22 might be thought to have contributed to the death. He
 23 said this:
 24 "It seems to me one thing to recognise a verdict of
 25 lack of care, the essential dependency of the

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1 relationship between the deceased and carer emphasising
2 as it does the directness and immediacy of the carer's
3 responsibility for the death, quite another to
4 incorporate within the verdict itself whatever in the
5 way of contributory causes could ultimately found
6 a successful civil liability claim. That would, in my
7 judgment, broaden and complicate the approach to inquest
8 verdicts beyond any possible compensating advantage.

9 "Mr Justice Morland favoured a broad approach to the
10 question how the deceased came by his death, but agreed
11 that any other verdict other than unlawful killing would
12 have been perverse, and since the case was not one of
13 dependency an ancillary verdict of lack of care would
14 not have been appropriate. He did, however, think that
15 paragraph 3 of the inquisition should have set out the
16 facts relating to the local authority's fire
17 precautions."

18 Against the background of those authorities,
19 Sir Thomas Bingham in Jamieson reached certain
20 conclusions. I cite only four. Conclusion 1:

21 "An inquest is a fact-finding inquiry conducted by
22 a Coroner, with or without a jury, to establish reliable
23 answers to four important but limited factual questions.
24 The first of these relates to the identity of the
25 deceased; the second to the place of his death; the

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1 third to the time of death. In most cases these
2 questions are not hard to answer, but in a minority of
3 cases the answer may be problematical. The fourth
4 question, and that to which evidence in inquiry are most
5 often and most closely directed, relates to how the
6 deceased came by his death. Rule 36 requires that the
7 proceedings and evidence shall be directed solely to
8 ascertaining these matters, and forbids any expression
9 of opinion on any other matter.

10 "Conclusion 6. There can be no objection to
11 a verdict which incorporates a brief neutral factual
12 statement - the deceased was drowned when high sailing
13 dinghy capsized in heavy seas; the deceased was killed
14 when his car was run down by an express train on a level
15 crossing; the deceased died from crush injuries
16 sustained when gates were opened at Hillsborough Stadium
17 - but such verdicts must be factual, expressing no
18 judgment or opinion, and it is not the jury's function
19 to prepare detailed factual statements.

20 "Conclusion 9. Neglect in this context means
21 a gross failure to provide adequate nourishment or
22 liquid, or provide or procure basic medical attention or
23 shelter or warmth for someone in a dependent position
24 (because of youth, age, illness or incarceration) ..."

25 I am going to take my legal hat off for a moment to

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1 give this explanation to the families.

2 Those words, which I have just read, limit the
3 circumstances in which I could reach a conclusion of
4 neglect and add that to one of unlawful killing. They
5 are at the heart of the decision that I reached. They
6 very substantially limit the circumstances in which
7 neglect can feature in a conclusion.

8 So I will go back to those words, they will appear
9 again in my ruling:

10 "Neglect in this context means a gross failure to
11 provide adequate nourishment or liquid, or provide or
12 procure basic medical attention or shelter or warmth for
13 someone in a dependent position (because of youth, age,
14 illness or incarceration) who cannot provide it for
15 himself."

16 I read on from Jamieson, with my legal hat back on:

17 "Failure to provide medical attention for
18 a dependent person whose physical condition is such as
19 to show that he obviously needs it, may amount to
20 neglect. So it may be, if it is the dependent's
21 person's mental condition which obviously calls for
22 medical attention, as it would, for example, if a mental
23 nurse observed that a patient had a propensity to
24 swallow razor blades and failed to report this
25 propensity to a doctor, in a case where the patient had

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1 no intention to cause himself injury but did thereafter
2 swallow razor blades, with fatal results. In both
3 cases, the crucial consideration will be what the
4 dependent person's condition, whether physical or
5 mental, appeared to be.

6 "Conclusion 12. Neither neglect nor self-neglect
7 should ever form any part of any verdict unless a clear
8 and direct causal connection is established between the
9 conduct so described and the cause of death."

10 The first question for me to ask myself is whether
11 the deceased in this case were in a dependent position
12 In a general non-legal sense they might be seen as such,
13 because they were guests in a hotel in a foreign
14 country. But the question for me is whether they were
15 in a dependent position in coronial law, as defined by
16 Jamieson.

17 The relevant words are "someone in a dependent
18 position (because of youth, age, illness or
19 incarceration)". That does not cover, it seems to me,
20 tourists who have voluntarily agreed to go on a holiday
21 abroad.

22 Mr Ritchie of Queen's Counsel accepts that and
23 recognises his difficulty -- "the first hurdle" as
24 I labelled it -- but his response is to say that the
25 common law is adaptable and should be adapted to cover

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1 this situation.
 2 While obviously I accept that the common law is
 3 adaptable and developed incrementally, there is
 4 absolutely no sign that it has adapted so far or indeed
 5 needs to be adapted so far as to cover a situation such
 6 as we find in these Inquests.
 7 It is for that reason that I began by asking him if
 8 there were any authorities that he could draw to my
 9 attention which indicated that there had been any
 10 expansion of the definition of the words "dependent
 11 position". There are none. It is instructive to note
 12 that in his guidance number 17, revised on
 13 14 January 2016, the then Chief Coroner, His Honour
 14 Judge Peter Thornton, Queen's Counsel, states as follows
 15 at paragraph 38:
 16 "The deceased must have been in a dependent position
 17 because of youth, age, illness or incarceration. The
 18 categories have therefore not been expanded since
 19 Jamieson in 1995."
 20 Mr Stevens of Queen's Counsel argued that a finding
 21 that the deceased in these Inquests were in a dependent
 22 position would be a quantum leap in the common law.
 23 I agree with him, and I am firmly of the view that in
 24 law it is not one that I would be entitled to make.
 25 Thus I find, as a matter of law, that the deceased

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1 were not in a dependent position in the sense required
 2 by Jamieson, and a conclusion that refers to lack of
 3 care or neglect is not, therefore, available to me.
 4 But what if I am wrong about that and the common law
 5 was capable of making that quantum leap?
 6 To reach a finding of neglect I would, in the
 7 certificates of these deaths, have to find that there
 8 was a gross failure to provide shelter, which is the
 9 only word in Jamieson which approaches the facts of
 10 these Inquests.
 11 Mr Ritchie, Queen's Counsel, is also further
 12 submitting that dependency should also be adapted so
 13 that it includes the concept of security.
 14 The simple but tragic truth in this case is that
 15 a gunman armed with a firearm, ammunition and grenades,
 16 went to that beach and entered that Hotel intent on
 17 killing as many tourists as he could.
 18 Mr Ritchie has submitted orally and in writing that
 19 there were a large number of deficiencies at the Hotel,
 20 the most important of which were that there were
 21 insufficient guards, not enough CCTV cameras, none of
 22 which were monitored, and no invacuation procedure.
 23 I return to the conclusions in Jamieson. Neither
 24 neglect nor self-neglect should ever form part of any
 25 verdict unless a clear and direct causal connection is

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1 established between the conduct so described and the
 2 cause of death.
 3 Unarmed guards could never have done very much to
 4 deal with a terrorist armed with a Kalashnikov and
 5 grenades, and I do not consider that the causative link
 6 has been made out on that topic.
 7 A better CCTV system might at best have meant that
 8 the police were notified of the attack a little sooner,
 9 but not much sooner.
 10 The attack was so sudden and unexpected that
 11 I cannot say that an invacuation procedure, if it had
 12 been recommended in these circumstances, would probably
 13 have made a difference.
 14 Mr Ritchie has further submitted that it was gross
 15 neglect for the National Guard not to have been informed
 16 of the attack at the same time as the police. They were
 17 not informed until approximately 11.55 am. The evidence
 18 certainly suggests that they were the most effective at
 19 dealing with the gunman, although "BH" thought that
 20 a constable of the tourist police was also one of those
 21 who finally shot the gunman.
 22 The evidence does not show that they were the only
 23 force responsible for tourist security. In fact,
 24 "Colonel DJ" told Juge Akremi that the intervention
 25 units were not assigned to provide security to the

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1 tourist resorts, with the exception of the patrol with
 2 the joint convoy or when questioned.
 3 The police most certainly were responsible for
 4 tourist security. They were informed of the attack at
 5 about 11.45 am; their response could and should have
 6 been effective.
 7 "Commander CE" of the Marine Guard accepted, when
 8 interviewed by Juge Akremi, that the RIU
 9 Imperial Marhaba Hotel was within his area of
 10 responsibility and it was his role to intervene when the
 11 gunman was in the process of firing at the tourists at
 12 the outside pool.
 13 He claims to have fired two rounds at them, then
 14 "overcome with terror, slipped and fell on to the floor
 15 and dropped his weapon".
 16 "AQ", who was working at the El Kantaoui Maritime
 17 Leisure Resort saw the marine guards arrive and
 18 disembark, but they then waited for about five minutes
 19 before going to confront the gunman.
 20 In summary, the police were notified and at least
 21 one armed officer was at the scene shortly after the
 22 attack began. The response by the police was at best
 23 shambolic, at worst cowardly. It was certainly
 24 completely ineffective until the eventual death of the
 25 gunman at the hands of the National Guard and, according

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1 to "BM", a constable from the tourist police.
 2 To return once more to Jamieson, I would have to
 3 find that there was a gross failure or failures and that
 4 there was a clear and direct causal connection between
 5 any possible deficiency or failings in the security
 6 arrangements at the hotel and the deaths of the
 7 tourists.

8 While I accept that there were deficiencies, some of
 9 them appreciable, I have not found a clear and direct
 10 causal link between them and the deaths caused by the
 11 gunman.

12 The "what ifs" are endless. What if a marine guard
 13 done his duty and chased and shot the gunman? What if
 14 the gate to the beach had been locked; would the gunman
 15 have killed more tourists on the beach? What if the
 16 door in the hotel had been locked; would the gunman have
 17 killed more tourists trapped outside? What if he had
 18 broken into one of those rooms where a large number of
 19 tourists were hiding? And what if the National Guard
 20 had arrived earlier; would there have been a fire
 21 and how many could have been killed in that?

22 The one security measure which could have had
 23 a dramatic effect would have been the presence of an
 24 armed guard on the premises, but having reviewed the
 25 legal advice on gun law in Tunisia, obtained for the

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1 purposes of these Inquests, it is clear that that was
 2 not a realistic option.

3 I recognise that if some customers had seen and read
 4 the FCO Travel Advice they might very well have chosen
 5 not to travel to Tunisia, but that seems too remote from
 6 the matters which I would have to find if I were to
 7 reach a conclusion that included neglect.

8 It follows that when considering the issue of
 9 causation, I have found that nothing that the Hotel
 10 might have done before the attack could have done more
 11 than possibly make a difference. In *R v Khan* against
 12 Her Majesty's Corner for West Hertfordshire [2002] EWHC
 13 302 Admin, Mr Justice Richards put the law in these
 14 terms:

15 "It is necessary to establish causation to the
 16 requisite standard of proof."

17 In that case the criminal standard; in the present
 18 context a civil standard:

19 "The case does not support the proposition that
 20 causation can be established simply by showing that
 21 there was an opportunity to render care. It must be
 22 shown to the requisite standard of proof that care would
 23 have been rendered and that it would have saved or
 24 prolonged life."

25 So in conclusion, I have found that in law the

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1 deceased were not in a dependent position, and so no
 2 verdict that included the word "neglect" is open to me.

3 Further, although I have found that there were
 4 deficiencies in the security arrangements at the Hotel,
 5 I have not find that they were gross deficiencies or
 6 that they had a clear and direct causal link with the
 7 deaths.

8 Mr Ritchie's other suggested conclusion does not,
 9 however, involve the word "neglect", but it too seems to
 10 me one that I am not capable of reaching in law. His
 11 wording is taken from *R Middleton v West Somerset*
 12 *Coroner*, [2004] UKHL 10, [2004] AC 182, but *Middleton*
 13 was an Article 2 case. As was stated in the Chief
 14 *Coroner's* guidance number 17, to which I have already
 15 referred, in a non-Article 2 case a narrative conclusion
 16 should be a brief, neutral, factual statement; it should
 17 not express any judgment or opinion.

18 I propose, therefore, to begin by giving a summing
 19 up of the evidence that I have heard in these Inquests.
 20 It will not by any means cover all the evidence that we
 21 have heard over the last few weeks, only that evidence
 22 which seems to me to be particularly worthy of note and
 23 which is within my ruling on the scope of these
 24 Inquests. I have taken all the evidence into account in
 25 reaching my conclusions, even if I have not repeated it

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1 in this summing up.

2 There will then follow my conclusions on each
 3 deceased. They will be brief, neutral, factual
 4 statements as to how, when and where each deceased came
 5 by his or her death.

6 All right, this is going to be quite hard going and
 7 quite lengthy for you all, I am afraid. We will see how
 8 we go. I hope to finish my summing up by about 11.30,
 9 it should take about an hour. I may then take a break
 10 before I go to my conclusions, to give everybody
 11 a break. That is where we are going.

SUMMING UP

Introduction

12 JUDGE LORAIN-SMITH: I would like to begin this summing up
 13 by expressing my gratitude to a large number of people.

14 To begin with I must thank the London Borough of
 15 Fulham and Hammersmith and most particularly
 16 Alistair Ayres -- who I can't see, but I am sure is in
 17 here somewhere -- who have given me every possible
 18 assistance since I was appointed as the Coroner for
 19 these Inquests back in September 2015.

20 I turn now to the SO15 team from the
 21 Metropolitan Police who have been involved from the
 22 outset in investigating the events of 26 June 2015 and
 23 assisting the families. Under the able supervision of
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1 Detective Superintendent Mark Gower, they have amassed,
 2 ordered and examined a vast amount of material,
 3 totalling 800 witness statements, 2,600 exhibits, 6,400
 4 further documents and a vast amount of digital material
 5 obtained from open sources and media news agencies.
 6 They have been of enormous assistance to myself and to
 7 my legal team.

8 I would particularly wish to mention the team of
 9 Family Liaison Officers, led by Zak Idun and
 10 Paul Griffith, who have with great sensitivity liaised
 11 with the families and witnesses and kept them informed
 12 about these proceedings.

13 I turn now to the lawyers to thank them for the
 14 assistance that they have given me in my task.

15 Mr Andrew Ritchie, Queen's Counsel, and
 16 Ms Katherine Deal on behalf of 22 of the deceased,
 17 Mr Wijeyaratne on behalf of Scott Chalkley,
 18 Mr Howard Stevens, Queen's Counsel, on behalf of TUI,
 19 Claire Watson on behalf of the Metropolitan Police
 20 Service, and finally Andrew O'Connor, Queen's Counsel
 21 and Melanie Cumberland on behalf of Her Majesty's
 22 Government. I am very grateful to you all, most
 23 particularly for the sensible co-operation which allowed
 24 these proceedings to be held without the necessity for
 25 any hearings in camera.

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1 I now turn to the team appointed to assist me
 2 directly as Counsel and Solicitors to the Inquests.
 3 Ms Siân Jones, Ms Sinéad Lester, Ms Natasha Davis and
 4 Dominique Rai-Varming from Bircham Dyson Bell,
 5 Michael Collins my administrator, and Counsel to the
 6 Inquests Samantha Leek, Queen's Counsel, Jonathan Dixey
 7 and Aaron Moss, who could not have been more reliable,
 8 industrious or helpful.

9 And finally I would like to thank the families.
 10 It is difficult to imagine what each of you went through
 11 on 26 June 2015 and in the days and months that have
 12 followed. Throughout these hearings you have shown
 13 a quiet dignity of which your loved ones would have been
 14 extremely proud.

15 I now turn to the process of these Inquests. I have
 16 already alluded to the amount of material that has been
 17 gathered for my consideration. It did not include
 18 a fair amount of material that could have assisted me.
 19 My legal powers do not extend to Tunisia and there is
 20 much evidence that I would like to have had the
 21 opportunity to consider. Although the witness statement
 22 of Mehrez Saadi, the general manager of the RIU
 23 Imperial Marhaba Hotel, was very helpful, there remained
 24 a number of questions which I, and I have no doubt the
 25 families, would have liked to and asked him. The same

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1 goes for Zhora Driss, who has been described as the
 2 owner of the Hotel, but who, despite a number of
 3 requests, has never provided us with a statement. I am
 4 of course very grateful to Juge Akremi who provided me
 5 personally with a copy of his report which has answered
 6 many of the families' questions particularly concerning
 7 the very lengthy delay before the arrival of any police
 8 or security services. Without his report that would
 9 have been unexplained. But the core material which led
 10 to that report and most particularly an appreciable
 11 amount of CCTV recordings referred to therein has not
 12 been provided to me. And so there still remain some
 13 unanswered questions but I hope and believe that over
 14 the last few weeks the families have gained a pretty
 15 clear insight into how their loved ones came to lose
 16 their lives.

17 In the course of this hearing we have examined
 18 amongst other things the changes in security in Tunisia
 19 generally and at the RIU Imperial Marhaba Hotel in
 20 particular that took place following the attack on the
 21 Bardo Museum. We have examined the reaction to that
 22 attack in the Foreign and Commonwealth Office and the
 23 adequacy of the advice offered by them and by TUI to
 24 tourists. We have examined what is known about the
 25 gunman prior to 26 June 2015 and his actions on that day

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1 up to his death. We have examined the response or lack
 2 of response by the police, security services and army.
 3 We have heard about the individual personalities of each
 4 of the 30 deceased. We have heard in detail about the
 5 final moments of their lives before they were brutally
 6 killed. With the families in mind I do not think it is
 7 necessary to repeat those details today.

8 My role in this procedure is defined by the Coroners
 9 and Justice Act 2009. By section 5 the purpose of an
 10 investigation under this Act into a person's death is to
 11 ascertain:

- 12 (a) Who the deceased was; and.
- 13 (b) How, when and where the deceased came by his or
 14 her death.

15 Accordingly, I am limited by law in the findings
 16 that I can reach. By section 10(2) of the Act, I am
 17 precluded from framing any determination in such a way
 18 as to determine any question of criminal liability on
 19 the part of the named person or any civil liability.

20 The purpose of this summing up is to recap what
 21 I see as the essential facts that I have heard evidence
 22 about in the course of these Inquests, the facts that
 23 have caused me to reach the conclusions that I have
 24 reached. Although all of this evidence has been made
 25 available on the Inquest website the bereaved families

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1 have not all been present on each and every day and so
2 a summary is hopefully helpful to them as well as being
3 in the public interest.

4 So that everybody knows what to expect, the
5 structure of my summing up will be as follows. I shall
6 begin with a very brief history of Tunisia leading up to
7 the attack on the Bardo Museum on 18 March 2015.
8 I shall then outline the evidence about Foreign and
9 Commonwealth Office Travel Advice generally, before
10 detailing some of the changes made to this advice on
11 Tunisia following the Bardo attack.

12 I shall then outline chronologically the response of
13 the FCO and TUI to that attack.

14 I shall then examine what changes were made in
15 security measures at the Imperial Marhaba Hotel and the
16 state of its security on the day of the attack.

17 I shall then summarise what is known about the
18 gunman before summarising what he did on 26 June 2015.

19 I shall summarise the response of the Hotel staff and
20 then turn to the response of the police and military.
21 That will conclude my summing up.

22 I shall then turn to my formal conclusions upon each
23 individual deceased. That will consist of a brief
24 factual statement followed by a short form conclusion in
25 respect of each of the deceased in alphabetical order.

25

1 Tunisia's recent history

2 I begin with a brief outline of the history of
3 Tunisia leading up to the attack on the Bardo Museum.

4 Tunisia was the first country to become involved in
5 what came to be known as the Arab Spring. A revolution
6 in 2010 led to the departure of its dictator in 2011 and
7 democratic elections later that year and in 2014. The
8 security situation began to deteriorate and there were
9 a number of incidents of terrorist activity, including
10 successful and attempted assassinations of politicians
11 and attacks on the security forces. On 30 October 2013
12 there were two attacks. In the first a terrorist in
13 a bomb jacket tried to get into the Riadh Palm Hotel
14 from the beach. When he was challenged he blew himself
15 up. That hotel is not very far from the RIU Imperial
16 Marhaba Hotel. On the same day another terrorist
17 carrying a suicide bomb was disarmed near the Mausoleum
18 at Monastir.

19 Then on 18 March 2015 terrorists attacked the Bardo
20 Museum in Tunis. They killed 22 people, mostly
21 tourists, one of whom was a British national.

22 Foreign and Commonwealth Travel Advice.

23 I turn now to FCO Travel Advice. Since 1990 the
24 Foreign and Commonwealth Office have produced
25 travel advice for up to 225 countries. An online

26

1 version commenced in 1997 and now receives 40 million
2 hits per annum. A telephone hotline service was
3 available until 2013 when it was discontinued. There is
4 a Travel Advice Team consisting of four people who are
5 responsible in general for the service. The individual
6 country pages are the responsibility of the relevant
7 geographic desk officer and Tunisia in fact has its own.
8 The ultimate decision-maker is the Foreign Secretary or
9 a junior minister below him.

10 A range of sources are consulted in the writing of
11 the advice. They will vary from open source information
12 through to Government specific information which
13 includes intelligence gathered by our own Government or
14 obtained from other governments. The advice is
15 regularly updated to deal with changing circumstances.
16 The bottom line is that the decisions are based on the
17 potential impact on the safety and security of British
18 nationals.

19 The process is detailed in a document entitled "How
20 the Foreign and Commonwealth Office puts together its
21 Travel Advice", which is to be found on the Government
22 website.

23 The relevant passages read as follows:

24 "We sometimes advise against all travel or all but
25 essential travel to a particular place. In cases of

27

1 non-terrorist threats like coups, civil unrest or
2 natural disasters we will advise against travel only
3 when we consider the risk to British nationals is
4 unacceptably high.

5 "In the case of terrorism we will only advise
6 against travel in situations of extreme and imminent
7 danger where the threat is sufficiently specific,
8 large-scale or endemic to affect British nationals
9 severely."

10 The Bardo attack was horrific but the situation that
11 then existed in Tunisia was not considered one of
12 extreme and imminent danger where the threat was
13 sufficiently specific, large-scale or endemic to affect
14 British nationals severely. Her Majesty's Government
15 did not have prior notice of the intended attack in
16 Sousse. Examples of countries where that threshold has
17 been held to have been reached include Algeria, Libya
18 and Yemen. The FCO did not advise against any travel
19 following the attacks in Nairobi, Sydney or Paris.

20 It is not the policy of Her Majesty's Government to
21 advise against travel to every country where there is
22 a risk of terrorists operating. There were then four
23 levels of terrorism to be found in Travel Advice.

24 "A high threat from terrorism" which means a high
25 level of known terrorist activity.

28

1 "A general threat from terrorism" which means some
 2 level of known terrorist activity.
 3 "An underlying threat from terrorism" which means
 4 a low level of known terrorist activity.
 5 And finally "A low threat from terrorism" which
 6 means no or limited known terrorist activity.
 7 Even prior to the attack on the Bardo Museum, the
 8 FCO advice was to the effect that there was a high
 9 threat of terrorism in Tunisia. It advised against all
 10 but essential travel to areas south of and including
 11 Nefta, Douz, Médenine and Zarzis. The Travel Advice
 12 also advised that:
 13 "There is a high risk from terrorism including
 14 kidnapping. Attacks could be indiscriminate, including
 15 in places visited by expatriates and foreign travellers.
 16 The Ministry of Interior has warned of threats of
 17 industrial and tourist sites and has increased its level
 18 of vigilance.
 19 "Terrorist activity has increased in Tunisia since
 20 2013. In October 2013 there were failed attacks at
 21 a hotel in Sousse and the Bourguiba Museum in Monastir.
 22 Since then, members of the Tunisian Security Forces have
 23 been targeted in terrorist related incidents at various
 24 locations, namely near border areas, including the
 25 Chaambi Mountains.

29

1 "There is considered to be a heightened threat of
 2 terrorist attack globally against UK interests and
 3 British Nationals from groups or individuals motivated
 4 by the conflict in Iraq and Syria. You should be
 5 vigilant at this time. Keep up to date with this
 6 travel advice and follow the advice of the local
 7 authorities and your tour operator."
 8 Immediately after the attack on the Bardo Museum the
 9 advice was amended on a number of occasions to include
 10 details of the attack as they became known and the words
 11 "further attacks are possible" were later included.
 12 This advice was consistent with that given by most of
 13 the other countries who had lost citizens in the attack,
 14 such as Italy, France, Japan, Spain, Columbia and
 15 Russia. Only Poland advised against travel. And so the
 16 FCO Travel Advice to be found on their website in the
 17 month before the attack on 26 June 2015 was as follows:
 18 There was a map of the country divided into three
 19 parts, coloured red, orange and green. The parts marked
 20 in red included the extreme South and the border with
 21 Libya and carried the designation 'Advise against all
 22 travel'. The South and much of the area to the East up
 23 to the border with Algeria was in orange and carried the
 24 designation 'Advise against all but essential travel'
 25 and the rest of country, which covered Tunis and the

30

1 coastal resorts including Sousse, was in green and
 2 carried the designation "See our travel advice before
 3 travelling".
 4 The main body of the advice was as follows:
 5 "Latest update: Summary-removal of information on
 6 Ghirba Pilgrimage.
 7 "The Foreign and Commonwealth Office (FCO) advise
 8 against all travel to:
 9 "The Chaambi Mountain National Park area.
 10 "The Tunisia/Algeria border crossing points at
 11 Gharimaou, Hazua, and Sakiet Sidi Youssef.
 12 "The militarized zone south of, but not including,
 13 the towns of El Borma and Dhehiba.
 14 "Within 5km of the Libya border area from north of
 15 Dhehiba up to but not including the Ras Ajdir border
 16 crossing.
 17 "The FCO advise against all but essential travel to:
 18 "Areas south of, and including, the towns of Nefta,
 19 Douz, Médenine, Zarzis (including the Tunisia-Libya
 20 border crossing point at Ras Ajdir).
 21 "Within 30km of the border with Algeria south of,
 22 and including, the town of Jendouba. (This area
 23 includes the archaeological sites of Buulla Regia
 24 Chemtou).
 25 "The governorate of Kasserine, including the town of

31

1 Sbeitla.
 2 "If you travel to the interior of Tunisia, you
 3 should do with a reputable tour guide.
 4 "There is a high threat from terrorism, including
 5 kidnapping. Attacks could be indiscriminate, including
 6 in places visited by foreigners."
 7 The advice reads "See Terrorism"; I will come to
 8 that in a moment.
 9 "A terrorist attack took place at the Bardo Museum
 10 in the centre of Tunis on 18 March. A number of people
 11 were killed, including a British national. Further
 12 attacks are possible. You should be especially vigilant
 13 at this time and follow the advice of Tunisian security
 14 authorities and your tour operator.
 15 "424,707 British nationals visited Tunisia in 2014.
 16 Most British tourists stay in the coastal resorts and
 17 most visits are trouble free.
 18 "In the resort areas, the dress code is much like
 19 any European city of tourist area. In other parts of
 20 the country you should dress more modestly. See Local
 21 Laws and Customs.
 22 "Take out comprehensive travel and medical insurance
 23 before travelling."
 24 There then followed directions on safety and
 25 security, which included a section on the Political

32

1 Situation, Border Areas, Chaambi Mountains, Crime, Rail
 2 and Road Travel, Local Laws and Customs, and Entry
 3 Requirements, and a section which dealt with Terrorism
 4 which was in these terms:
 5 "Terrorism.
 6 "There is a high threat from terrorism, including
 7 kidnapping.
 8 "A terrorist attack took place at the Bardo Museum
 9 in the centre of Tunis on 18 March. 21 tourists were
 10 killed, including a British national. Tunisian security
 11 forces continue to carry out counter-terrorist
 12 operations following this incident.
 13 "Terrorists continue to threaten attacks in Tunisia
 14 and the Ministry of Interior has previously warned of
 15 threats to industrial and tourist sites. Attacks could
 16 be indiscriminate, including in places visited by
 17 foreigners.
 18 "You should be especially vigilant at this time and
 19 follow the advice of Tunisian security authorities and
 20 your tour operator.
 21 "Terrorist attacks have increased in Tunisia since
 22 2013. In October 2013, there were failed attacks in
 23 a hotel in Sousse and the Bourguiba Museum in Monastir.
 24 Since then, members of the Tunisian security forces have
 25 been targeted in terrorist-related incidents at various

33

1 locations, mainly near border areas including in the
 2 Chaambi Mountains.
 3 "There is considered to be a heightened threat of
 4 terrorist attack globally against UK interests and
 5 British nationals from groups or individuals motivated
 6 by the conflict in Iraq and Syria. You should be
 7 vigilant at this time. Keep up to date with this
 8 travel advice, and follow the advice of the local
 9 authorities and your tour operator."
 10 In 2015 there was a joint venture between the FCO
 11 and the travel industry entitled Know Before You Go
 12 (KBYG) to help make sure that British travellers were
 13 better prepared when they went abroad. The KBYG logo
 14 was not displayed prominently in the Thomson brochure.
 15 Partners were expected to flag up the Travel Advice.
 16 The only reference to the Foreign Office Advice to be
 17 found in the Thomson brochure was in reference to visas,
 18 and no visas were required for Tunisia.
 19 The response of the FCO and TUI to the Bardo attack
 20 I now turn to what happened after the attack on the
 21 Bardo Museum.
 22 On the day of the attack Jane-Marie Sturgess
 23 (Customer Operations, Thomson Airways) enquired of the
 24 Admin Team Manager of the TUI Group whether in the light
 25 of the hostage takings at the museum there was any

34

1 increased security at their hotels. The answer was as
 2 follows:
 3 "Each hotel has a guard on the gate and they stop
 4 cars as they go in to check whether is in the car, they
 5 also will check people on foot. This afternoon extra
 6 armed police have been brought into resort and there are
 7 extra checkpoints."
 8 The transcript of an IS threat made to the people of
 9 Tunisia back in December 2014 was drawn to the attention
 10 of Ian Chapman, the Regional Director of the Western
 11 Mediterranean for TUI, on the same day. IS has a record
 12 of saying that it is coming to attack western tourists.
 13 On the next day, 19 March, a cross-governmental
 14 meeting took place which included the Parliamentary
 15 under Secretary of State, Tobias Ellwood, the
 16 UK Ambassador to Tunisia and the Deputy Head of Mission.
 17 The conclusion of that meeting can be summarise had as
 18 follows:
 19 "There was agreement that, whilst we should not
 20 discourage tourism to Tunisia, our primary objective was
 21 tourist security. The UK Ambassador had made clear to
 22 the Minister of Interior during an earlier conversation
 23 the importance of a more visible police presence to
 24 reassure tourists and deter attacks. We needed to see
 25 an improvement in tourist security if we were to keep

35

1 the Travel Advice as it was. The Minister concluded
 2 that the criteria for advising against travel did not
 3 yet appear to have been reached, but that he would like
 4 to see a written submission on the question of whether
 5 or not to advise against travel based on an updated
 6 threat to British nationals. Following this meeting
 7 strengthened language was inserted into the
 8 Travel Advice on 19 March 2015 including 'further
 9 attacks are possible'.
 10 The UK Ambassador then met with the Minister of
 11 Foreign Affairs, Tourism and Transport, when he raised
 12 the need for greater physical security of tourism sites.
 13 Meanwhile the Honorary Consul met with the Governor of
 14 Sousse and was assured of the following: security had
 15 been increased on the main entrances to hotels; cars
 16 must now be registered before permission would be given
 17 to enter; security guards would be patrolling beaches;
 18 and there would be a further meeting between travel
 19 agents, tour operators, and the Governor to discuss
 20 issues specifically in the areas of Sousse and
 21 Port El Kantaoui.
 22 Two days after the attack, on 20 March, although the
 23 FCO had made a number of amendments and additions to its
 24 travel advice, TUI had made no alteration to its
 25 website. What they did do was to issue what has been

36

1 described in these Inquests as a "crib sheet". This was
 2 issued internally to salespeople to enable them to
 3 answer questions from customers who were concerned about
 4 the news from Tunis and who were worried about their
 5 personal safety.
 6 It begins with a statement in the following terms:
 7 "Thomson and First Choice always follow Foreign and
 8 Commonwealth Office (FCO) advice and the overall level
 9 of advice for Tunisia has not changed.
 10 "Thomson and First Choice customers stay in beach
 11 destinations, not Tunis, and we can confirm that none of
 12 our customers or staff were affected by the incident
 13 that took place there yesterday. As a precaution
 14 however we have cancelled our excursion programme for
 15 the coming days.
 16 "Customer safety is of paramount importance to us
 17 and we continue to work closely with the FCO and the
 18 British Consulate to monitor the situation. Tunisia
 19 remains a popular destination for us and customers are
 20 enjoying their holidays as normal."
 21 There then follow a number of questions which
 22 customers are likely to ask, followed by recommended
 23 answers.
 24 "General Q&A.
 25 "Question: Which excursions have you cancelled?

1 "Answer: As a precaution we have cancelled all of
 2 our excursions in Tunisia for the coming days.
 3 Excursions to Tunis itself have been cancelled for the
 4 next two weeks.
 5 "Question: Will customers due to travel be able to
 6 cancel?
 7 "Answer: Normal booking conditions apply.
 8 "Question: What about those customers who are due to
 9 travel to Tunisia in the next few days or weeks?
 10 "Answer: The overall level of advice for Enfidha and
 11 Djerba -- the only areas of Tunisia that we operate
 12 to -- has not changed. Normal booking conditions will
 13 apply should customers wish to amend or cancel their
 14 holiday details.
 15 "Question: How will customers be kept up-to-date of
 16 the situation?
 17 "Answer: The overall level of advice for Enfidha and
 18 Djerba -- the only areas of Tunisia we currently operate
 19 to -- has not changed and therefore our holidays to
 20 Tunisia are continuing to go ahead as planned. If it
 21 becomes necessary to advise our customers of a change to
 22 their holiday plans, they will be contacted directly or
 23 via their travel agent if they have booked through
 24 a shop and advised of the options which are available to
 25 them.

1 "Question: What about customers who are currently on
 2 their way to Tunisia?
 3 "Answer: The overall level of advice for Enfidha and
 4 Djerba -- the only areas of Tunisia that we currently
 5 operate to -- has not changed and therefore our holidays
 6 to Tunisia are continuing to go ahead as planned. Our
 7 customers in resort are continuing to enjoy their
 8 holidays.
 9 "Question: What if customers want to come home
 10 earlier than their original return flight?
 11 "Answer: As per our Terms and Conditions -- normal
 12 booking conditions will apply.
 13 "Question: Is Tunisia a safe destination to be
 14 sending your customers to?
 15 "Answer: The overall level of advice for Enfidha and
 16 Djerba -- the only areas of Tunisia that we currently
 17 operate to -- has not changed and therefore our holidays
 18 to Tunisia are continuing to go ahead as planned.
 19 "Flights.
 20 "Question: Will you cancel flights and repatriate
 21 customers?
 22 "Answer: Thomson and First Choice follow the advice
 23 of the UK Government's Foreign and Commonwealth Office
 24 (FCO). Currently the overall level of advice for the
 25 beach resorts of Enfidha and Djerba has not changed.

1 "Question: what is the cancellation policy for
 2 customers due to travel in the next few days?
 3 "Answer: Currently booking conditions to Enfidha and
 4 Djerba remain as normal. We continue to operate to
 5 Tunisia in line with FCO advice.
 6 "Cruise.
 7 "Question: What about your cruise programme?
 8 "Answer: We currently do not operate a cruise
 9 programme to Tunisia.
 10 "Tunisia as a destination.
 11 "Question: Will you stop operating to Tunisia
 12 altogether?
 13 "Answer: We continue to operate to Tunisia in line
 14 with the UK FCO advice.
 15 "Specific to beach resorts.
 16 "Question: What is the atmosphere like in the beach
 17 resorts?
 18 "Answer: It is business as usual in the beach
 19 resorts and the feedback from our teams in resort is
 20 that our customers are continuing to enjoy their
 21 holidays."
 22 Three things are notable about this document.
 23 Firstly, it does not give any details of the attack but
 24 only refers to "the incident that took place there
 25 yesterday". Secondly, it does not mention the word

1 "terrorism" or the phrase "risk of terrorism". And
2 thirdly, although it refers to the Foreign and
3 Commonwealth Office advice, it does not give any
4 guidance as to where it can be found.

5 A number of witnesses have given evidence to the
6 effect that they were told specifically by their tour
7 operators that Tunisia was safe. That evidence has been
8 disputed on behalf of TUI, and I have not found it
9 necessary to reach individual conclusions on the issue.
10 But a number of customers did believe that they had been
11 reassured as to their safety, and furthermore a number
12 of customers would not have gone to Tunisia if they had
13 seen the FCO Travel Advice.

14 Customers were also making enquiries about
15 cancelling their holidays. The suggested response to
16 questions about cancellation was that normal conditions
17 applied and the company would continue to operate in
18 line with FCO advice.

19 A number of customers did in fact contact the FCO on
20 the topic, as is apparent from an email from the head of
21 the Travel Advice Team dated 24 March which was in these
22 terms:

23 "Just so that you're aware, we've been fielding
24 a large number of emails and social media comments about
25 travel to Tunisia since the attacks took place last

41

1 week. We've replied to about 200 emails, 60 comments on
2 Facebook and 8 tweets. These are mainly from people
3 with future bookings to Tunisia who are unsure about
4 their safety or want to cancel their trips. Many are
5 critical of our Travel Advice for not advising against
6 travel following the attacks. The main reason for this
7 criticism is the linkage between the decisions made by
8 tour operators about whether or not to proceed with
9 trips and the use of Travel Advice as a reference point.
10 Unfortunately (and I'm afraid to say, as usual) some
11 customers are being told that their hands are tied by
12 our Travel Advice, which isn't true but neatly shifts
13 the complaints away from the tour operator onto us.
14 We've been deploying the attached lines as necessary."

15 The FCO "attached lines" were firstly that the
16 customer should see the Travel Advice, secondly that the
17 FCO are not advising against travel, and thirdly that
18 cancellation is a matter between the customer and the
19 tour company.

20 Meanwhile, on 22 March at a meeting attended by the
21 UK Honorary Consul, the Governor of Sousse and
22 representatives of the Gendarmerie and the army, the
23 Tunisian representatives indicated that a number of
24 additional security measures were being put in place in
25 tourist areas. These included security guards to patrol

42

1 beaches and security was being increased at the main
2 entrances to hotels, foreign schools, foreign owned
3 businesses and other high risk potential targets. It
4 was also noted the next day at a meeting between the
5 Ambassador and the tour operators that security appeared
6 to have increased since 18 March and that added security
7 was now evident on roundabouts and major junctions.
8 There was however a note of caution in the expression of
9 hope that this level of security would continue to be
10 maintained.

11 In a series of meetings between Her Majesty's
12 Ambassador, the Deputy Head of Mission, and tour
13 operators on 24 and 25 March 2015, a number of matters
14 were raised. These included an expectation that hotels
15 would raise their own security measures in line with the
16 increased security threat and it was announced that the
17 authorities would create a committee in an effort to
18 improve security.

19 The main points that arose from these meetings were
20 that local security would be ramped up and they would
21 ensure that the level was sustainable and not just
22 a short-term fix. Proactive measures should be
23 introduced to prevent a future terrorist attack and
24 security concerns, particularly at the airport, should
25 be highlighted.

43

1 The Ambassador met the Tourism Minister on 25 March
2 and highlighted the need for greater physical security
3 for tourism sites. On the same day the Tourism Minister
4 issued a circular to the President of the Tunisian
5 Federation of Hotels, the President of the Tunisian
6 Federation of Travel and Tourism Agencies and the
7 President of the Tunisian Federation of Tourist
8 Restaurants. The legal status of this document is
9 uncertain and it does not on the face of it purport to
10 make more than "recommendations". I quote the parts of
11 that document that are relevant to the issues in this
12 Inquest.

13 If it reads rather oddly, that of course is because
14 it has been translated:

15 "Subject: Concerning a comprehensive tightening up
16 of security for tourist facilities, vehicles and
17 excursions (reminder).

18 "Within the framework of comprehensively tightening
19 up preventative measures against terrorist risks and
20 threats relating to the security of tourists and tourist
21 facilities, and to thoroughly tighten up security for
22 tourist facilities, vehicles and excursions,
23 particularly in the wake of the recent events the
24 country has witnessed, you are asked to call upon those
25 under your supervision to comply with and implement the

44

1 following recommendations:
 2 "1. At the level of enhancing self-security
 3 measures for tourist facilities.
 4 "Maximum caution, vigilance and care and greater
 5 self-security measures in terms of permanent guarding of
 6 entrances, shelters and back doors and on the beach
 7 strip 24 hours a day.
 8 "Provide security personnel with badges and
 9 communications devices to guarantee the benefit.
 10 "Proper use and deployment of approved technological
 11 and technical means of self-security in terms of camera
 12 and radio communications, networks and systems to record
 13 telephone calls and identify the speakers' numbers.
 14 "Provide sufficient lighting throughout tourist
 15 establishments.
 16 "Ensure emergency exit doors function properly and
 17 there is nothing obstructing their use.
 18 "Involve all workers and staff in the security
 19 process, each according to their function and where they
 20 are (search plant pots, waste containers, rooms and open
 21 spaces before guests arrive and after they leave,
 22 monitor unattended cars in shelters and around tourist
 23 facilities and notify the security units regarding
 24 them).
 25 "Periodically inspect technical sites and sensitive

45

1 points at the establishment (fuel, gas and chemical
 2 stores, electricity generators, electric lifts,
 3 ventilation, purification and drainage channels, etc).
 4 "Keep track of those arriving at tourist
 5 establishments, observe their unusual movements,
 6 behaviour, meetings and communications, and take action
 7 to co-ordinate with the security authorities in all
 8 suspect situations and suspicious circumstances.
 9 "Increase protection at tourist establishments that
 10 make use of energising music (amusement parks,
 11 nightclubs, tourist restaurants, etc).
 12 "Advise reception staff to check that the
 13 information given by guests on the guest card matches
 14 their identity cards and make sure that the personal
 15 photograph matches the identity card.
 16 "Procure a valid safety certificate and install the
 17 requisite mechanism and plans to protect against the
 18 risks of fire and panic.
 19 "1. At the level of enhancing self-security
 20 measures for tourist facilities:
 21 "Call on the owners of tourist establishments to
 22 meet the requirement for enhanced self-protection and
 23 make guards and workers sensitive to the need for total
 24 vigilance and to protect their own establishments during
 25 this sensitive time and notify immediately anything that

46

1 draws attention.
 2 "Install a camera system, designate a control room
 3 to operate and appoint someone to be in charge of it.
 4 "Reinforce and fortify the infrastructure of tourist
 5 establishments in accordance with the applicable
 6 standards.
 7 "An early warning network, metal detectors and
 8 a sufficient number of communications devices and
 9 safety, prevention and protection measures must be
 10 provided.
 11 "Install a number reader in the telephone system at
 12 reception to identify the numbers of telephones calling.
 13 "Camera surveillance systems, electrical networks
 14 and firefighting systems must be subject to periodic
 15 inspection, maintenance and monitoring in order to
 16 detect any fault at the time it occurs.
 17 "Provide the requisite number of guards and equip
 18 them with the essential tools for the job.
 19 "Monitor the entrances and exits of open tourist
 20 spaces and all access to them; provide distinctive
 21 badges for workers and staff and register to record all
 22 those arriving (guests, suppliers, etc).
 23 "Co-ordinate in advance with the security
 24 authorities when appointing workers and security guards.
 25 "Comprehensive security for locations set aside for

47

1 keeping and storing hazardous materials.
 2 "Put staff and workers through training courses in
 3 security awareness and safety.
 4 "Draw up a plan for evacuation and assistance."
 5 The circular is dated 25 March 2015 but does not
 6 seem to have been promulgated to the President of the
 7 Tunisian Federation of Hotels until 30 March 2015 and to
 8 the President of the Tunisian Federation of Travel and
 9 Tourism Agencies until 1 April. It is unclear to what
 10 extent it was further promulgated. It only came to
 11 light in these proceedings because it was mentioned in
 12 a Tourmag article dated 9 April 2015 and the most that
 13 Mr Ellacott, the then Customer Operations Director of
 14 TUI, was able to say about it was that if it had been
 15 brought to the Board's attention it would have been
 16 a matter for discussion and that some steps would have
 17 been taken.
 18 On 26 and 29 March 2015, Her Majesty's Ambassador
 19 met firstly with the Interior Minister and then with the
 20 Foreign Affairs Minister and raised the need for greater
 21 physical security for tourism sites.
 22 On 6 April 2015 Tunisotel provided to each of its
 23 hotels, including the RIU Imperial Marhaba Hotel,
 24 a generic security protocol for them to update and
 25 implement. The terms included: checking the beach door

48

1 and lock, denying access to non-customers and the Head
2 of Security to check surveillance cameras and ensure
3 that they recorded on a daily basis.

4 In May 2015 Her Majesty's Ambassador chose to take
5 his family on holiday to Sousse.

6 On 21 and 22 May 2015, Tobias Ellwood, the FCO
7 Minister, and the National Security director,
8 Jonathan Allen, visited Tunisia and met the Interior
9 Minister and the Deputy Foreign Minister. The briefing
10 note contains the following passage:

11 "The Tunisians have a better story to tell in terms
12 of their capacity and progress up a steep learning curve
13 since 2012. Their problem is that their jihadi
14 opponents have been developing equally swiftly, if not
15 more, over the same period, including acquiring skills
16 in Syria, Iraq and now Libya.

17 "As the Bardo attack showed, extremist targeting has
18 also evolved. With the fastest growing number of
19 tourists of any European country (up 20% on 2010, while
20 French and German numbers have been in steep decline)
21 that means increasing vulnerabilities for us too --
22 hence the importance of our security engagement."

23 On 25 May a meeting took place between
24 Paul Summerell, the TUI area manager, Venancio Lorente
25 Lopez, the manager of Tunisie Voyages, and their

49

1 Tunisian counterparts, which was arranged by the British
2 Embassy. They were informed that security measures had
3 been increased on the beaches and that 400 new officers
4 were contracted to patrol the beaches.

5 On 25 June 2015 a video conference took place with
6 the Embassy in Tunis. It was noted that there had been
7 no change in terrorist tactics and the main target
8 remained the security forces, "shoot and scoot" and
9 IEDs. The biggest threat was considered to be an attack
10 similar to Bardo staged from Libya and it was noted that
11 Djerba was only two hours from the border with Libya.
12 The Travel Advice was discussed and it was agreed that
13 the FCO should reach out to tour operators to ensure
14 that they brought Travel Advice to customers' attention
15 and to discourage them from taking tours to areas where
16 the advice was against travel.

17 So you know, I am about two-thirds of the way
18 through my summing up.

19 Security at the RIU Imperial Marhaba Hotel.

20 In January 2015 an Embassy staff member, concerned
21 about the terrorist attack in Mumbai, had arranged for
22 a recce of nine hotels, one of which was the RIU
23 Imperial Marhaba Hotel. The draft report was not
24 prepared by an expert but its conclusion was that
25 "despite some good secure infrastructure in and around

50

1 the hotels and resorts, there seemed little in the way
2 of effective security to prevent or respond to an
3 attack".

4 Mehrez Saadi was the manager of the Hotel. When he
5 was asked what had happened there after the Bardo attack
6 he only mentioned the purchase of mirrors for examining
7 cars and a hand held detector. He did say that about
8 a year before the attack in June 2015 the Hotel was
9 informed of an increased threat level. The Hotel had
10 doubled its number of security officers by using
11 gardeners as security personnel but that lasted only
12 a week and then the gardeners resumed their normal
13 duties. The Hotel had a total of seven or eight guards
14 in 2014, rising to 10 or 11 after the Bardo attack.

15 None of the guards were equipped with walkie-talkies.

16 The Hotel had six CCTV cameras, two of which were
17 not working. There was one on the main gate, one at the
18 delivery drive, one on the north side lifts and one on
19 the south side lifts. Those were all working. There
20 was one on the front door and one on the terrace doors.
21 Neither of those were working. There were two cameras
22 overlooking the entrance to the Thalasso Spa. There was
23 also one camera by the water sports centre on the beach
24 which appears to be separate from the Hotel. Following
25 the attack other hotels in the area were surveyed to see

51

1 what CCTV cameras they had. All of them had more
2 cameras, most of them had many more. All of them had
3 one or more control rooms. The RIU Imperial Marhaba had
4 none.

5 The staff received no training in dealing with any
6 incident such as occurred on 26 June and there was no
7 procedure for an evacuation.

8 A wire fence separated the Hotel grounds from the
9 beach. There were two gates in that fence. According
10 to the manager, Mehrez Saadi, the one by the water
11 sports was only used when they needed to move things on
12 to or off the beach and the other was manned 24 hours
13 per day.

The gunman

14 The gunman, and for reasons I will explain I am
15 satisfied on the available evidence that there was only
16 one, was a Tunisian national born on 19 August 1992 by
17 the name Seifeddine Rezgui. He became radicalised in
18 the last 18 months of his life.

19 A terrorist cell operating in the Sousse region had
20 been asked to monitor an easy target for an attack.
21 They identified the RIU Imperial Marhaba Hotel as
22 a possible target because a considerable number of
23 foreign tourists and only a few Tunisians stayed there.
24 The cell reconnoitred the Hotel, contacted the gunman
25

52

1 and he in turn was guided through the location and
2 carried out his own observations.
3 He was informed that the attack would take place on
4 26 June. He was supplied with a Kalashnikov rifle, five
5 magazines (each containing 30 bullets), three hand
6 grenades and fireworks which were intended to cause
7 confusion amongst the civilians. He was provided with
8 a beach umbrella in which to conceal his weapon. It was
9 intended that he should continue the attack until he was
10 killed.

11 The gunman's actions on 26 June 2015
12 The gunman was picked up at approximately 11.25 am.
13 He had taken a drug, the effect of which was to enhance
14 his physical performance and he was driven to a side
15 road, one block to the north of the Bellevue Hotel in
16 La Rue Effluve. Although there is CCTV recording of him
17 getting out of the car and getting the gun from the back
18 of the car, neither that car nor the driver have been
19 identified.

20 He then proceeded to walk along the beach in front
21 of the Bellevue Hotel, before reaching what was his
22 chosen destination, the RIU Imperial Marhaba Hotel.

23 On the beach in front of that Hotel he shot and
24 killed 20 people. Of these, 14 were British nationals.
25 They were:

53

1 Trudy Jones.
2 Janet Stocker.
3 John Stocker.
4 Philip Heathcote.
5 Suzanne Davey.
6 Scott Chalkley.
7 Stephen Mellor.
8 Denis Thwaites.
9 Elaine Thwaites.
10 Eileen Swannack.
11 John Welch.
12 Claire Windass.
13 Raymond Fisher.
14 Angela Fisher.
15 He then moved into the grounds of the Hotel. In the
16 outdoor pool area he shot and killed seven people, five
17 of whom from British nationals. They were:
18 Christopher Bell.
19 Sharon Bell.
20 David Thompson.
21 Ann McQuire.
22 James McQuire.
23 He then walked up the steps on the south side of the
24 Hotel and walked into the side entrance that leads
25 towards the indoor pool. In this area he shot and

54

1 killed five people, all of whom were British nationals.
2 They were:
3 Bruce Wilkinson.
4 Adrian Evans.
5 Charles Evans.
6 Joel Richards.
7 Lisa Graham.
8 He then left the pool area, walked through the
9 reception area and through a door into the
10 administration area. From there he went up to the first
11 floor where he detonated an explosive device. He then
12 shot and killed three British nationals:
13 William Graham.
14 Lisa Burbidge.
15 Carly Lovett.
16 He then made his way down to the car park at the
17 front of the Hotel. There he shot and killed
18 John Stollery and Christopher Dyer. He also killed
19 Stuart Cullen, who died from fragment wounds to the neck
20 and head.

21 The gunman then made his way through the Hotel and
22 on to the beach where he firstly turned north, walking
23 about 100 metres towards the Palm Marina Hotel but he
24 then turned back south and walked slowly along the beach
25 in front of the RIU Imperial Marhaba Hotel. He then

55

1 threw his mobile into the sea. He continued walking
2 north past the Bellevue Hotel and then turned inland up
3 a side road.
4 The attack is likely to have started very shortly
5 before 11.45 am. The camera (E) at the water sports
6 centre on the beach recorded the time between when
7 tourists can first be seen fleeing and the time when the
8 gunman, having left the Hotel grounds by the main beach
9 gate, walked south and then turned back north walking in
10 front of the same camera as being just over 22 minutes.
11 Using the available CCTV recordings and the video film
12 taken by Aiman Dar Hassine, it appears that the time
13 between the gunman shooting his first victim on the
14 beach and his last in the car park is somewhere between
15 14 and a half and 16 minutes. Precise times are
16 impossible because there is incomplete evidence of the
17 speed at which he walked away from the Hotel or the
18 route that he took.
19 A short time after that he was confronted by
20 officers of the National Guard and others who shot him
21 dead.
22 A number of witnesses have referred to the existence
23 of a second gunman. On all of the evidence which has
24 been called before me in these Inquests, I am satisfied
25 that there was only one. No second gunman can be seen

56

1 on the CCTV with which we have been provided and
2 Juge Akremi's investigation did not find evidence of
3 a second gunman carrying out the attack. The marine
4 guard wearing red shorts picked up a gun and police and
5 security forces did eventually arrive in a disorganised
6 fashion at the scene. In the horrific circumstances
7 which prevailed at the time they could very easily have
8 been mistaken for other terrorists.

9 The response of the Hotel staff

10 On the day of the attack only three guards were on
11 duty. One guard was on the main gate. He saw
12 frightened tourists leaving the Hotel and was told there
13 was a terrorist attack. He telephoned the police and
14 the National Guard. He made good his escape and went to
15 the Soviva Hotel nearby. A second guard was monitoring
16 visitors to the Thalasso Spa. He heard gunfire coming
17 from inside the Hotel. He went and spoke to the guard
18 at the main gate, locked the gate to the Thalasso Spa
19 and he too made good his escape. He did not have
20 a mobile phone. The third guard was on the beach. His
21 role was mainly to provide services for the residents of
22 the Hotel but he was also meant to refuse entry to those
23 who had no right to enter. When he saw the gunman
24 shooting tourists on the beach he went and hid behind
25 the building in which the water sports equipment was

57

1 kept. He did not have a mobile phone. A fourth guard
2 was at home at the time of the attack and was rung by
3 the guard on the main gate and told that it was taking
4 place. He arrived before the security forces
5 intervened.

6 Although in general the response of the staff was
7 disorganised and chaotic, some of them displayed
8 conspicuous personal courage in trying to protect their
9 guests. It should also be noted that conspicuous
10 personal courage was displayed by a number of the
11 guests.

12 The response of the police and military

13 A few minutes prior to the attack a number of
14 witnesses had noticed two mounted police officers
15 patrolling the beach. They were each armed with
16 a Browning pistol and five rounds of ammunition.
17 According to them, they were about 2.5 kilometres from
18 the incident when it began and did not attend for about
19 30 minutes, by which time the terrorist had been killed.
20 A witness described them being on the beach outside the
21 Hotel during the shooting. They did nothing to confront
22 the gunman.

23 Two marine guards arrived at the scene by an
24 inflatable boat. One of them was armed with a Steyr
25 rifle and two magazines, each containing 20 rounds of

58

1 ammunition. The other was unarmed. After delaying for
2 a period of time, the two guards entered the Hotel
3 grounds where the gunman was. The armed guard fired two
4 rounds at the gunman but missed. The gunman then threw
5 a hand grenade in his direction. It did not explode
6 but, on the guard's own account, he fainted through
7 terror and panic, dropping his weapon in the process.
8 When he retained consciousness he fled and hid behind
9 a parasol on the beach. The other guard took off his
10 shirt to hide the fact that he was an officer.

11 The weapon was picked up by a speedboat driver who
12 had heard gun shots and gone to the scene. He was
13 wearing red shorts and was bare chested. He had seen
14 the guard trying to shoot the gunman and faint when
15 a hand grenade was shown at him. The boat driver picked
16 up the gun and tried him to shoot the gunman but he was
17 unable to fire it. He then went to the beach where he
18 handed the gun to one of his colleagues.

19 With the exception of the two marine guards, no
20 police or security officer entered the Hotel grounds
21 until the gunman had killed all 38 tourists.

22 A division of the Tourist Security Police were
23 informed about the attack at around 11.45 am when they
24 were about two minutes away from the scene. Instead of
25 driving there directly, the senior officer ordered the

59

1 driver to go to the National Security Police Station on
2 the pretext that they required more weapons. They were
3 already in possession of two Steyr assault rifles, two
4 bulletproof vests and two ballistic helmets. They had
5 everything they required to confront the gunman and
6 could have been on the scene within minutes. Estimates
7 for how long it would have taken them to get to the
8 scene range from between two and seven at the most.
9 Instead of going straight to the scene, they went
10 straight to the police station and CCTV shows they
11 remained there for more than eight minutes before
12 setting off again. That delay was deliberate and
13 unjustifiable. It ultimately took this team more than
14 30 minutes to arrive at the scene. When the senior
15 officer arrived at the Hotel, he remained outside and
16 did not fire a single shot.

17 At around 11.55 am the Operations Room of the
18 Military were informed of the attack, although it may be
19 that some members of the National Guard were aware of it
20 earlier. Soldiers of the National Guard attended the
21 scene and they and others exchanged fire with the gunman
22 who was eventually killed as a result of gunshot wounds.
23 A post-mortem revealed that he had been shot 20 times.

24 That concludes my summing up. I think that is
25 a good moment for a break. I will give everyone

60

1 a quarter of an hour break and then I will go through
2 the conclusions that I have reached.

3 My conclusions are that all 30 were unlawfully
4 killed. I will deal with them in alphabetical order and
5 I should think that that will take me about quarter of
6 an hour.

7 I will rise and we will sit again in a quarter of an
8 hour.

9 (11.35 am)

10 (A short break)

11 (11.50 am)

12 JUDGE LORAIN SMITH: I turn now to my conclusions, as

13 I said I would.

14 FINDINGS AND CONCLUSIONS

15 My conclusions are that all 30 were unlawfully
16 killed. The forms will be prepared and signed by me
17 this afternoon and -- sorry, I have never been told my
18 voice is too low before. That is a first.

19 I am in competition with the air conditioning.

20 I see. Right, much louder.

21 I will be signing the forms this afternoon and they
22 will be available from the Solicitors to the Inquests.

23 I am now going to reach my conclusions. As
24 I indicated earlier, my conclusion in relation to each
25 of the deceased is that they were unlawfully killed.

1 I will now go through them one-by-one alphabetically.

2 Christopher Bell

3 At approximately 11.45 am on the morning of
4 26 June 2015, a terrorist, who was armed with a high
5 velocity firearm and improvised explosive devices, began
6 shooting at the tourists who were on the beach at the
7 rear of the RIU Imperial Marhaba Hotel in Sousse in the
8 Republic of Tunisia. The terrorist moved from the beach
9 into the grounds of the Hotel. Christopher Bell was
10 killed beside the outdoor swimming pool within the
11 grounds of the re Imperial Marhaba Hotel, as a result of
12 gunshot wounds to the face, neck and chest, having been
13 shot at by the terrorist.

14 Sharon Bell

15 At approximately 11.45 am on the morning of
16 26 June 2015, a terrorist, who was armed with a high
17 velocity firearm and improvised explosive devices, began
18 shooting a the tourists who were on the beach at the
19 rear of the RIU Imperial Marhaba Hotel in Sousse in the
20 Republic of Tunisia. The terrorist moved from the beach
21 into the grounds of the Hotel. Sharon Bell was killed
22 beside the outdoor swimming pool within the grounds of
23 the RIU Imperial Marhaba Hotel, as a result of a gunshot
24 wound to the chest and abdomen, having been shot at by
25 the terrorist.

1 Lisa Burbidge

2 At approximately 11.45 am on the morning of
3 26 June 2015, a terrorist, who was armed with a high
4 velocity firearm and improvised explosive devices, began
5 shooting at the tourists who were on the beach at the
6 rear of the RIU Imperial Marhaba Hotel in Sousse in the
7 Republic of Tunisia. The terrorist moved from the beach
8 into the grounds and inside of the Hotel. Lisa Burbidge
9 was killed in an office adjacent to the indoor swimming
10 pool of the RIU Imperial Marhaba Hotel, as a result of
11 a gunshot wound to the head, having been shot at by the
12 terrorist.

13 Scott Chalkley

14 On the morning of 26 June 2015, Scott Chalkley was
15 on the beach at the rear of the RIU Imperial Marhaba
16 Hotel in Sousse in the Republic of Tunisia. At
17 approximately 11.45 am, a terrorist, who was armed with
18 a high velocity firearm and improvised explosive
19 devices, began shooting at the tourists who were on the
20 beach. Scott Chalkley was killed on the beach as the
21 result of a gunshot wound to the chest, abdomen and
22 pelvis, having been shot at by the terrorist.

23 Stuart Cullen

24 At approximately 11.45 am on the morning of
25 26 June 2015, a terrorist, who was armed with a high

1 velocity firearm and improvised explosive devices, began
2 shooting at the tourists who were on the beach at the
3 rear of the RIU Imperial Marhaba Hotel in Sousse, in the
4 Republic of Tunisia. The terrorist moved from the beach
5 into the grounds and inside of the Hotel and through the
6 car park at the front of the Hotel. Stuart Cullen was
7 killed in the car park at the front of the RIU Imperial
8 Marhaba Hotel as a result of blast-generated fragment
9 wounds to the head and neck. Mr Cullen was shot by the
10 terrorist.

11 Suzanne Davey

12 On the morning of 26 June 2015, Suzanne Davey was on
13 the beach at the rear of the RIU Imperial Marhaba Hotel
14 in Sousse in the Republic of Tunisia. At approximately
15 11.45 am, a terrorist, who was armed with a high
16 velocity firearm and improvised explosive devices, began
17 shooting at the tourists who were on the beach.
18 Suzanne Davey was killed on the beach as a result of
19 gunshot wounds to the chest and neck, having been shot
20 at by the terrorist.

21 Christopher Dyer

22 At approximately 11.45 am on the morning of
23 26 June 2015, a terrorist, who was armed with a high
24 velocity firearm and improvised explosive devices, began
25 shooting at the tourists who were on the beach at the

1 rear of the RIU Imperial Marhaba Hotel in Sousse in the
 2 Republic of Tunisia. The terrorist moved from the beach
 3 into the grounds and inside of the Hotel and through the
 4 car at the front of the Hotel. Christopher Dyer was
 5 killed in the car park at the front of the RIU
 6 Imperial Marhaba Hotel as a result of gunshot wounds to
 7 the head, having been shot at by the terrorist.

8 Adrian Evans

9 At approximately 11.45 am on the morning of
 10 26 June 2015, a terrorist, who was armed with a high
 11 velocity firearm and improvised explosive devices, began
 12 shooting at the tourists who were on the beach at the
 13 rear of the RIU Imperial Marhaba Hotel in Sousse in the
 14 Republic of Tunisia. The terrorist moved from the beach
 15 into the grounds and inside of the Hotel. Adrian Evans
 16 was killed at the side of the indoor swimming pool of
 17 the RIU Imperial Marhaba Hotel, as a result of gunshot
 18 wounds to the neck and trunk, having been shot at by the
 19 terrorist.

20 Charles Evans

21 At approximately 11.45 am on the morning of
 22 26 June 2015, a terrorist, who was armed with a high
 23 velocity firearm and improvised explosive devices, began
 24 shooting at the tourists who were on the beach at the
 25 rear of the RIU Imperial Marhaba Hotel in Sousse in the

65

1 Republic of Tunisia. The terrorist moved from the beach
 2 into the grounds and inside of the Hotel. Charles Evans
 3 was killed at the side of the indoor swimming pool of
 4 the RIU Imperial Marhaba Hotel, as a result of a gunshot
 5 wound to the head, having been shot at by the terrorist.

6 Angela Fisher

7 On the morning of 26 June 2015, Angela Fisher was on
 8 the beach at the rear of the RIU Imperial Marhaba Hotel
 9 in Sousse in the Republic of Tunisia. At approximately
 10 11.45 am a terrorist, who was armed with a high velocity
 11 firearm and improvised explosive devices, began shooting
 12 at the tourists who were on the beach. Angela Fisher
 13 was killed on the beach, as a result of gunshot wounds
 14 to the head, neck, chest and abdomen, having been shot
 15 at by the terrorist.

16 Raymond Fisher

17 On the morning of 26 June 2015, Raymond Fisher was
 18 on the beach at the rear of the RIU Imperial Marhaba
 19 Hotel in Sousse in the Republic of Tunisia. At
 20 approximately 11.45 am, a terrorist, who was armed with
 21 a high velocity firearm and improvised
 22 explosive devices, began shooting at the tourists who
 23 were on the beach. Raymond Fisher was killed on the
 24 beach, as a result of gunshot wounds to the neck and
 25 chest, having been shot at by the terrorist.

66

1 Lisa Graham
 2 At approximately 11.45 am on the morning of
 3 26 June 2015, a terrorist, who was armed with a high
 4 velocity firearm and improvised explosive devices, began
 5 shooting at the tourists who were on the beach at the
 6 rear of the RIU Imperial Marhaba Hotel in Sousse in the
 7 Republic of Tunisia. The terrorist moved from the beach
 8 into the grounds and inside of the Hotel. Lisa Graham
 9 was killed in a corridor on the first floor
 10 administration area of the RIU imperial Marhaba Hotel,
 11 as a result of a gunshot wound to the chest, having been
 12 shot at by the terrorist.

13 William Graham

14 At approximately 11.45 am on the morning of
 15 26 June 2015, a terrorist, who was armed with a high
 16 velocity firearm and improvised explosive devices, began
 17 shooting at the tourists who were on the beach at the
 18 rear of the RIU Imperial Marhaba Hotel in Sousse in the
 19 Republic of Tunisia. The terrorist moved from the beach
 20 into the grounds and inside of the Hotel.
 21 William Graham was killed in a corridor on the first
 22 floor administration area of the RIU Imperial Marhaba
 23 Hotel, as a result of a gunshot wound to the chest,
 24 having been shot at by the terrorist.

67

1 Philip Heathcote
 2 On the morning of 26 June 2015, Philip Heathcote was
 3 on the beach at the rear of the RIU Imperial Marhaba
 4 Hotel in Sousse in the Republic of Tunisia. At
 5 approximately 11.45 am a terrorist, who was armed with
 6 a high velocity firearm and improvised explosive
 7 devices, began shooting at the tourists who were on the
 8 beach. Philip Heathcote was killed on the beach, as
 9 a result of gunshot wounds to the chest and abdomen,
 10 having been shot at by the terrorist.

11 Trudy Jones

12 On the morning of 26 June 2015, Trudy Jones was on
 13 the beach at the rear of the RIU Imperial Marhaba Hotel
 14 in Sousse in the Republic of Tunisia. At approximately
 15 11.45 am, a terrorist, who was armed with a high
 16 velocity firearm and improvised explosive devices, began
 17 shooting at the tourists who were on the beach.
 18 Trudy Jones was killed on the beach, as a result of
 19 a gunshot wound to the neck and chest, having been shot
 20 at by the terrorist.

21 Carly Lovett

22 At approximately 11.45 am on the morning of
 23 26 June 2015, a terrorist, who was armed with a high
 24 velocity firearm and improvised explosive devices, began
 25 shooting at the tourists who were on the beach at the

68

1 rear of the RIU Imperial Marhaba Hotel in Sousse in the
2 Republic of Tunisia. The terrorist moved from the beach
3 into the grounds and inside of the Hotel. Carly Lovett
4 was killed in the first floor administration area of the
5 RIU Imperial Marhaba Hotel, as a result of a gunshot
6 wound to the chest, having been shot at by the
7 terrorist.

8 Ann McQuire

9 At approximately 11.45 am on the morning of
10 26 June 2015, a terrorist, who was armed with a high
11 velocity firearm and improvised explosive devices, began
12 shooting at the tourists who were on the beach at the
13 rear of the RIU Imperial Marhaba Hotel in Sousse in the
14 Republic of Tunisia. The terrorist moved from the beach
15 into the grounds of the Hotel. Ann McQuire was killed
16 on the steps leading from the outdoor swimming pool to
17 the terrace area within the grounds of the RIU
18 Imperial Marhaba Hotel, as a result of a gunshot wound
19 to the chest, having been shot at by the terrorist.

20 James McQuire

21 At approximately 11.45 am on the morning of
22 26 June 2015, a terrorist, who was armed with a high
23 velocity firearm and improvised explosive devices, began
24 shooting at the tourists who were on the beach at the
25 rear of the RIU Imperial Marhaba Hotel in Sousse in the

69

1 Republic of Tunisia. The terrorist moved from the beach
2 into the grounds of the Hotel. James McQuire was shot
3 by the terrorist whilst on the steps leading from the
4 outdoor swimming pool to the terrace area within the
5 grounds of the RIU Imperial Marhaba Hotel.
6 James McQuire received medical treatment from an
7 off-duty nurse and eventually paramedics. James McQuire
8 was transported to the rear of an ambulance. Whilst
9 en route to hospital James McQuire died as a result of
10 gunshot wounds to the pelvis.

11 Stephen Mellor

12 On the morning of 26 June 2015, Stephen Mellor was
13 on the beach at the rear of the RIU Imperial Marhaba
14 Hotel in Sousse in the Republic of Tunisia. At
15 approximately 11.45 am, a terrorist, who was armed with
16 a high velocity firearm and improvised explosive
17 devices, began shooting at the tourists who were on the
18 beach. Stephen Mellor was killed on the beach, as
19 a result of gunshot wounds to the chest and abdomen,
20 having been shot at by the terrorist.

21 Joel Richards

22 At approximately 11.45 am on the morning of 26 June
23 2015, a terrorist, who was armed with a high velocity
24 firearm and improvised explosive devices, began shooting
25 at the tourists who were on the beach at the rear of the

70

1 RIU Imperial Marhaba Hotel in Sousse in the Republic of
2 Tunisia. The terrorist moved from the beach into the
3 grounds and inside of the Hotel. Joel Richards was
4 killed at the side of the indoor swimming pool of the
5 RIU Imperial Marhaba Hotel, as a result of a gunshot
6 wound to the head, having been shot at by the terrorist.

7 Janet Stocker

8 On the morning of 26 June 2015, Janet Stocker was on
9 the beach at the rear of the RIU Imperial Marhaba Hotel
10 in Sousse in the Republic of Tunisia. At approximately
11 11.45 am, a terrorist, who was armed with a high
12 velocity firearm and improvised explosive devices, began
13 shooting at the tourists who were on the beach.
14 Janet Stocker was killed on the beach, as a result of
15 a gunshot wound to the pelvis, having been shot at by
16 the terrorist.

17 John Stocker

18 On the morning of 26 June 2015, John Stocker was on
19 the beach at the rear of the RIU Imperial Marhaba Hotel
20 in Sousse in the Republic of Tunisia. At approximately
21 11.45 am, a terrorist, who was armed with a high
22 velocity firearm and improvised explosive devices, began
23 shooting at the tourists who were on the beach.
24 John Stocker was killed on the beach, as a result of
25 gunshot wounds to the pelvis, having been shot at by the

71

1 terrorist.

2 John Stollery

3 At approximately 11.45 am on the morning of
4 26 June 2015, a terrorist, who was armed with a high
5 velocity firearm and improvised explosive devices, began
6 shooting at the tourists who were on the beach at the
7 rear of the RIU Imperial Marhaba Hotel in Sousse in the
8 Republic of Tunisia. The terrorist moved from the beach
9 into the grounds and inside of the Hotel and through the
10 car park at the front of the Hotel. John Stollery was
11 killed in the car park at the front of the RIU Imperial
12 Marhaba Hotel, as a result of a gunshot wound to the
13 head, having been shot at by the terrorist.

14 Eileen Swannack

15 On the morning of 26 June 2015, Eileen Swannack was
16 on the beach at the rear of the RIU Imperial Marhaba
17 Hotel in Sousse in the Republic of Tunisia. At
18 approximately 11.45 am, a terrorist, who was armed with
19 a high velocity firearm and improvised explosive
20 devices, began shooting at the tourists who were on the
21 beach. Eileen Swannack was killed on the beach, as
22 a result of gunshot wounds to the chest, having been
23 shot at by the terrorist.

24 David Thompson

25 At approximately 11.45 am on the morning of

72

1 26 June 2015, a terrorist, who was armed with a high
2 velocity firearm and improvised explosive devices, began
3 shooting at the tourists who were on the beach at the
4 rear of the RIU Imperial Marhaba Hotel in Sousse in the
5 Republic of Tunisia. The terrorist moved from the beach
6 into the grounds of the Hotel. David Thompson was
7 killed on the steps leading from the outdoor swimming
8 pool to the terrace area within the grounds of the
9 RIU Imperial Marhaba Hotel, as a result of gunshot
10 wounds to the chest, having been shot at by the
11 terrorist.

12 Elaine Thwaites

13 On the morning of 26 June 2015, Elaine Thwaites was
14 on the beach at the rear of the RIU Imperial Marhaba
15 Hotel in Sousse in the Republic of Tunisia. At
16 approximately 11.45 am, a terrorist, who was armed with
17 a high velocity firearm and improvised explosive
18 devices, began shooting at the tourists who were on the
19 beach. Elaine Thwaites was killed on the beach, as
20 a result of gunshot wounds to the chest and pelvis,
21 having been shot at by the terrorist.

22 Denis Thwaites

23 On the morning of 26 June 2015, Denis Thwaites was
24 on the beach at the rear of the RIU Imperial Marhaba
25 Hotel in Sousse in the Republic of Tunisia. At

73

1 approximately 11.45 am, a terrorist, who was armed with
2 a high velocity firearm and improvised explosive
3 devices, began shooting at the tourists who were on the
4 beach. Denis Thwaites was killed on the beach, as
5 a result of a gunshot wound to the chest, having been
6 shot at by the terrorist.

7 John Welch

8 On the morning of 26 June 2015, John Welch was on
9 the beach at the rear of the RIU Imperial Marhaba Hotel
10 in Sousse in the Republic of Tunisia. At approximately
11 11.45 am, a terrorist, who was armed with a high
12 velocity firearm and improvised explosive devices, began
13 shooting at the tourists who were on the beach.
14 John Welch was killed on the beach, as a result of
15 gunshot wounds to the neck and chest, having been shot
16 at by the terrorist.

17 Bruce Wilkinson

18 At approximately 11.45 am on the morning of
19 26 June 2015, a terrorist, who was armed with high
20 velocity firearm and improvised explosive devices, began
21 shooting at the tourists who were on the beach at the
22 rear of the RIU Imperial Marhaba Hotel in Sousse in the
23 Republic of Tunisia. The terrorist moved from the beach
24 into the grounds and inside of the Hotel.
25 Bruce Wilkinson was killed in a corridor on the ground

74

1 floor of the RIU Imperial Marhaba Hotel, as a result of
2 a gunshot wound to the neck, having been shot at by the
3 terrorist.

4 Claire Windass

5 On the morning of 26 June, 2015, Claire Windass was
6 on the beach at the rear of the RIU Imperial Marhaba
7 Hotel in Sousse in the Republic of Tunisia. At
8 approximately 11.45 am, a terrorist, who was armed with
9 a high velocity firearm and improvised explosive
10 devices, began shooting at the tourists who were on the
11 beach. Claire Windass was killed on the beach, as a
12 result of a gunshot wound to the neck, having been shot
13 at by the terrorist.

14 Further housekeeping

15 Ms Leek, are there any other formal matters that
16 I have to deal with? I will be signing the forms this
17 afternoon containing the conclusions that you have heard
18 me reading.

19 MS LEEK: Thank you, Sir, no. Just to clarify that what you
20 have just read out will be the wording in box 3 of the
21 individual inquisition forms, and the conclusion of
22 "Unlawful Killing" will be in box 4, and that you will
23 complete the forms with the particulars required for the
24 Registration Acts.

25 JUDGE LORAIN SMITH: That I will do now.

75

1 That concludes these Inquests. Can I thank
2 everybody again, especially the families. I will rise.
3 (12.15 pm)

4 (The Inquests were concluded)

76

1	INDEX	
2		PAGE
3	Housekeeping	1
4	RULING ON CONCLUSIONS	3
5	SUMMING UP	20
6	Introduction	20
	Tunisia's recent history	26
	Foreign and Commonwealth Travel Advice	26
7	The response of the FCO and TUI to the	34
	Bardo attack	
8	Security at the RIU Imperial Marhaba	50
	Hotel.	
9	The gunman	52
	The gunman's actions on 26 June 2015	53
10	The response of the Hotel staff	57
	The response of the police and military	58
11	FINDINGS AND CONCLUSIONS	61
	Christopher Bell	62
12	Sharon Bell	62
	Lisa Burbidge	63
13	Scott Chalkley	63
	Stuart Cullen	63
14	Suzanne Davey	64
	Christopher Dyer	64
15	Adrian Evans	65
	Charles Evans	65
16	Angela Fisher	66
	Raymond Fisher	66
17	Lisa Graham	67
	William Graham	67
18	Philip Heathcote	68
	Trudy Jones	68
19	Carly Lovett	68
	Ann McQuire	69
20	James McQuire	69
	Stephen Mellor	70
21	Joel Richards	70
	Janet Stocker	71
22	John Stocker	71
	John Stollery	72
23	Eileen Swannack	72
	David Thompson	72
24	Elaine Thwaites	73
	Denis Thwaites	73
25	John Welch	74

77

1	Claire Windass	75
2	Further housekeeping	75
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

78

A	agents (1) 36:19 aggravated (1) 8:13 agree (1) 13:23 agreed (3) 9:10 12:20 50:12 agreement (1) 35:19 ahead (3) 38:20 39:6 39:18 Aiman (1) 56:12 air (1) 61:19 airport (1) 43:24 Airways (1) 34:23 Ajdir (2) 31:15,20 Akreimi (3) 15:24 16:8 23:4 Akreimi's (1) 57:2 Algeria (3) 28:17 30:23 31:21 Alistair (1) 20:18 Allen (1) 49:8 allowed (2) 5:22 21:23 alluded (1) 22:16 alphabetical (2) 25:25 61:4 alphabetically (1) 62:1 alteration (1) 36:24 altogether (1) 40:12 amassed (1) 21:1 Ambassador (8) 35:16 35:21 36:10 43:5 43:12 44:1 48:18 49:4 ambulance (1) 70:8 amend (1) 38:13 amended (1) 30:9 amendments (1) 36:23 ammunition (3) 14:15 58:16 59:1 amount (6) 11:19 21:2 21:4 22:16,18 23:11 amusement (1) 46:10 ancillary (1) 9:13 Andrew (2) 21:15,20 Angela (5) 54:14 66:6 66:7,12 77:16 Ann (4) 54:21 69:8,15 77:19 announced (1) 43:16 annum (1) 27:2 answer (16) 10:2,3 35:1 37:3 38:1,7,10 38:17 39:3,11,15 39:22 40:3,8,13,18 answered (1) 23:5 answers (2) 9:23 37:23 anybody (1) 3:13 apologise (1) 3:5 apparent (1) 41:20 appeal (1) 5:8 appear (2) 11:8 36:3 appeared (2) 12:5 43:5 appears (2) 51:24 56:12 applicable (1) 47:5 applicants (1) 7:23 application (1) 5:21 applied (1) 41:17 applies (1) 4:24 apply (3) 38:7,13 39:12 appoint (1) 47:3 appointed (2) 20:20 22:1 appointing (1) 47:24 appreciable (2) 17:9 23:10	approach (2) 9:7,9 approaches (1) 14:9 appropriate (5) 1:18 4:2,10 6:17 9:14 approval (1) 8:5 approved (1) 45:10 approximately (32) 15:17 53:12 62:3 62:15 63:2,17,24 64:14,22 65:9,21 66:9,20 67:2,14 68:5,14,22 69:9,21 70:15,22 71:10,20 72:3,18,25 73:16 74:1,10,18 75:8 April (4) 1:19 48:9,12 48:22 AQ (1) 16:16 Arab (1) 26:5 archaeological (1) 31:23 area (19) 16:9 30:22 31:9,14,22 32:19 49:24 51:25 54:16 54:25 55:8,9,10 67:10,22 69:4,17 70:4 73:8 areas (13) 29:10,24 31:18 32:18 33:1 34:1 36:20 38:11 38:18 39:4,16 42:25 50:15 argued (1) 13:20 argument (2) 4:13 8:20 arises (1) 6:20 armed (38) 14:15 15:4 16:21 17:24 35:6 58:15,24 59:3 62:4 62:16 63:3,17,25 64:15,23 65:10,22 66:10,20 67:3,15 68:5,15,23 69:10 69:22 70:15,23 71:11,21 72:4,18 73:1,16 74:1,11,19 75:8 army (2) 24:2 42:22 arose (2) 5:15 43:19 arranged (2) 50:1,21 arrangements (2) 17:6 19:4 arrival (1) 23:7 arrive (4) 16:17 45:21 57:5 60:14 arrived (4) 17:20 58:4 58:23 60:15 arriving (2) 46:4 47:22 article (3) 4:16 19:13 48:12 ascertain (1) 24:11 ascertaining (1) 10:8 aside (1) 47:25 asked (5) 5:20 22:25 44:24 51:5 52:21 asking (1) 13:7 assassinations (1) 26:10 assault (1) 60:3 assigned (1) 15:25 assist (1) 22:1 assistance (4) 20:20 21:6,14 48:4 assisted (1) 22:18 assisting (1) 20:25 associated (1) 7:4 assured (1) 36:14 atmosphere (1) 40:16 attached (2) 42:14,15 attack (57) 3:25 4:3,5	4:9,11,19 15:8,10 15:16 16:4,22 18:10 23:20,22 25:7,11,13,16 26:3 28:10,15 29:7 30:2 30:8,10,13,17 32:9 33:8 34:4,19,20,22 35:12 36:22 40:23 43:23 49:17 50:9 50:21 51:3,5,8,14 51:25 52:21 53:3,9 56:4 57:3,10,13 58:2,13 59:23 60:18 77:7 attacked (1) 26:19 attacks (16) 26:11,12 28:19 29:14,20 30:11 32:5,12 33:13,15,21,22 35:24 36:9 41:25 42:6 attempted (1) 26:10 attend (1) 58:18 attended (2) 42:20 60:20 attending (1) 7:14 attention (9) 10:22 11:12,17,22 13:9 35:9 47:1 48:15 50:14 August (1) 52:17 authorities (10) 5:10 9:18 13:8 30:7 32:14 33:19 34:9 43:17 46:7 47:24 authority (1) 7:10 authority's (2) 7:21 9:16 available (7) 14:3 24:25 27:3 38:24 52:16 56:11 61:22 aware (2) 41:23 60:19 awareness (1) 48:3 Ayres (1) 20:18	70:13,18,18,25 71:2,9,13,14,19,23 71:24 72:6,8,16,21 72:21 73:3,5,14,19 73:19,24 74:4,4,9 74:13,14,21,23 75:6,11,11 beaches (4) 36:17 43:1 50:3,4 began (34) 13:7 16:22 26:8 58:18 62:5,17 63:4,19 64:1,16,24 65:11,23 66:11,22 67:4,16 68:7,16,24 69:11,23 70:17,24 71:12,22 72:5,20 73:2,18 74:3,12,20 75:10 begins (1) 37:6 behalf (9) 3:19,20 4:17 21:16,17,18 21:19,21 41:8 behaviour (1) 46:6 beliefs (1) 6:4 believe (2) 23:13 41:10 Bell (9) 22:4 54:18,19 62:2,9,14,21 77:11 77:12 Bellevue (3) 53:15,21 56:2 benefit (1) 45:9 bereaved (1) 24:25 Berkshire (1) 5:13 best (2) 15:7 16:22 better (3) 15:7 34:13 49:11 beyond (1) 9:8 BH (1) 15:19 biggest (1) 50:9 Bingham (3) 5:2,9 9:19 Bircham (1) 22:4 blades (2) 11:24 12:2 blast-generated (1) 64:8 blew (1) 26:14 block (1) 53:15 BM (1) 17:1 Board's (1) 48:15 boat (2) 58:24 59:15 body (1) 31:4 bomb (2) 26:13,17 booked (1) 38:23 booking (4) 38:7,12 39:12 40:3 bookings (1) 42:3 border (11) 29:24 30:20,23 31:10,14 31:15,20,21 33:1 34:1 50:11 Borma (1) 31:13 born (1) 52:17 Borough (1) 20:16 bottom (1) 27:16 Bourguiba (2) 29:21 33:23 box (2) 75:20,22 break (5) 20:9,11 60:25 61:1,10 brief (6) 10:11 19:16 20:3 25:6,23 26:2 briefing (1) 49:9 briefly (1) 3:14 British (19) 26:21 27:17 28:3,8,14 30:3 32:11,15,16 33:10 34:5,12 36:6 37:18 50:1 53:24 54:17 55:1,12	broad (2) 8:5 9:9 broaden (1) 9:7 Broadmoor (1) 5:16 brochure (2) 34:14,17 broken (1) 17:18 brought (3) 35:6 48:15 50:14 Brown (2) 7:13 8:3 Browning (1) 58:16 Bruce (3) 55:3 74:17 74:25 brutally (1) 24:5 Buckley (1) 5:14 Buckley's (1) 8:7 building (1) 57:25 bulletproof (1) 60:4 bullets (1) 53:5 Burbidge (4) 55:14 businesses (1) 43:3 Buulla (1) 31:23	caused (2) 17:10 24:23 causes (2) 7:5 9:5 caution (2) 43:8 45:4 CCTV (9) 14:21 15:7 23:11 51:16 52:1 53:16 56:11 57:1 60:10 CE (1) 16:7 cell (3) 5:6 52:20,25 centre (4) 32:10 33:9 certain (1) 9:19 certainly (3) 15:18 16:3,23 certificate (1) 46:16 certificates (1) 14:7 Chaambi (4) 29:25 31:9 33:1 34:2 Chalkley (7) 3:21 21:17 54:6 63:13 63:14,20 77:13 challenge (1) 8:2 challenged (1) 26:14 change (2) 38:21 50:7 changed (6) 37:9 38:12,19 39:5,17 39:25 changes (3) 23:18 25:10,14 changing (1) 27:15 channels (1) 46:3 chaotic (1) 58:7 Chapman (1) 35:10 charge (1) 47:3 Charles (4) 55:5 65:20 66:2 77:15 chased (1) 17:13 check (4) 35:4,5 46:12 49:2 checking (1) 48:25 checkpoints (1) 35:7 chemical (1) 46:1 Chemtou (1) 31:24 chest (18) 62:12,24 63:21 64:19 66:14 66:25 67:11,23 68:9,19 69:6,19 70:19 72:22 73:10 73:20 74:5,15 chested (1) 59:13 Chief (2) 13:13 19:13 Choice (3) 37:7,10 39:22 chose (1) 49:4 chosen (2) 18:4 53:22 Christopher (8) 54:18 55:18 62:2,9 64:21 65:4 77:11,14 chronologically (1) 25:12 circular (2) 44:4 48:5 circulated (1) 2:3 circumstances (10) 6:17,22 8:5,10 11:3 11:6 15:12 27:15 46:8 57:6 cite (1) 9:20 citizens (1) 30:13 city (1) 32:19 civil (7) 6:12,14,18 9:6 18:18 24:19 28:1 civilians (1) 53:7 claim (1) 9:6 claims (1) 16:13 Claire (6) 21:19 54:12 75:4,5,11 78:1 clarify (1) 75:19 clear (9) 6:8 12:7 14:25 17:4,9 18:1
				C		
				C (1) 7:9 call (2) 44:24 46:21 called (1) 56:24 calling (1) 47:12 calls (2) 11:21 45:13 camera (7) 21:25 45:11 47:2,13 51:23 56:5,10 cameras (6) 14:21 49:2 51:16,21 52:1 52:2 cancel (4) 38:6,13 39:20 42:4 cancellation (3) 40:1 41:16 42:18 cancelled (4) 37:14,25 38:1,3 cancelling (1) 41:15 capable (2) 14:5 19:10 capacity (1) 49:12 capsized (1) 10:13 car (13) 10:14 35:4 53:17,18,18 55:16 56:14 64:6,7 65:4,5 72:10,11 card (2) 46:13,15 cards (1) 46:14 care (18) 5:8,21,25 6:4 6:10,16,21 7:2,7,19 8:13,15,25 9:13 14:3 18:21,22 45:4 carer (2) 8:12 9:1 carer's (1) 9:2 Carly (4) 55:15 68:21 69:3 77:19 carried (4) 30:21,23 31:2 53:2 carry (1) 33:11 carrying (2) 26:17 57:3 cars (4) 35:4 36:15 45:22 51:7 case (12) 5:5 7:8 8:7 9:12 11:25 12:11 14:14 18:17,19 19:13,15 28:5 cases (4) 10:1,3 12:3 27:25 categories (1) 13:18 causal (5) 12:8 14:25 17:4,10 19:6 causation (3) 18:9,15 18:20 causative (1) 15:5 cause (5) 7:4 12:1,9 15:2 53:6		

19:6 23:15 35:21 closely (3) 7:3 10:5 37:17 clothe (1) 8:16 co-operation (1) 21:23 co-ordinate (2) 46:7 47:23 coastal (2) 31:1 32:16 code (1) 32:18 coin (1) 8:9 colleagues (1) 59:18 Collins (1) 22:5 Colonel (1) 15:24 coloured (1) 30:19 Columbia (1) 30:14 come (2) 32:7 39:9 coming (5) 2:17 35:12 37:15 38:2 57:16 Commander (1) 16:7 commenced (1) 27:1 comments (2) 41:24 42:1 committed (1) 8:18 committee (1) 43:17 common (4) 12:25 13:2,22 14:4 Commonwealth (11) 4:18 23:22 25:9 26:22,24 27:20 31:7 37:8 39:23 41:3 77:6 communications (4) 45:9,12 46:6 47:8 company (2) 41:17 42:19 compensating (1) 9:8 competition (1) 61:19 complaints (2) 7:23 42:13 complete (1) 75:23 completely (1) 16:24 complicate (1) 9:7 comply (1) 44:25 comprehensive (3) 32:22 44:15 47:25 comprehensively (1) 44:18 conceal (1) 53:8 conceded (1) 5:22 concept (1) 14:13 concerned (4) 5:5 6:17 37:3 50:20 concerning (2) 23:6 44:15 concerns (1) 43:24 concessions (1) 6:2 conclude (1) 25:21 concluded (2) 36:1 76:4 concludes (2) 60:24 76:1 conclusion (17) 4:6 9:20 10:10,20 11:3 11:7 12:6 14:2 18:7 18:25 19:8,15 25:24 35:17 50:24 61:24 75:21 conclusions (24) 1:7 3:3,11,16,18,22 4:14 9:20 14:23 19:25 20:2,10 24:23 25:22 41:9 61:2,3,12,14,15,23 75:17 77:4,11 condition (4) 8:14 11:18,21 12:4 conditioning (1) 61:19 conditions (6) 38:7,12 39:11,12 40:3 41:16	conduct (2) 12:9 15:1 conducted (1) 9:21 conference (1) 50:5 confirm (1) 37:11 conflict (2) 30:4 34:6 conflicting (2) 6:5,6 confront (3) 16:19 58:21 60:5 confronted (1) 56:19 confusion (1) 53:7 connection (3) 12:8 14:25 17:4 consciousness (1) 59:8 consider (6) 1:15,19 5:20 15:5 22:21 28:3 considerable (1) 52:23 consideration (3) 1:25 12:3 22:17 considered (5) 4:21 28:11 30:1 34:3 50:9 considering (1) 18:8 consist (1) 25:23 consistent (1) 30:12 consisting (1) 27:4 conspicuous (2) 58:8,9 constable (2) 15:20 17:1 Consul (2) 36:13 42:21 Consulate (1) 37:18 consulted (1) 27:10 contact (1) 41:19 contacted (2) 38:22 52:25 containers (1) 45:20 containing (3) 53:5 58:25 75:17 contains (1) 49:10 context (4) 7:2 10:20 11:10 18:18 continue (8) 33:11,13 37:17 40:4,13 41:17 43:9 53:9 continued (2) 8:7 56:1 continuing (5) 38:20 39:6,7,18 40:20 contracted (1) 50:4 contributed (4) 3:24 4:8 8:13,22 contributory (1) 9:5 control (2) 47:2 52:3 conversation (1) 35:22 convoy (1) 16:2 copy (1) 23:5 core (1) 23:9 Corner (1) 18:12 Coroner (12) 5:3,6,13 5:18,22 7:11,16,24 9:22 13:13 19:12 20:20 Coroner's (3) 6:4,13 19:14 Coroners (2) 4:24 24:8 coronial (1) 12:15 correct (1) 6:2 corridor (3) 67:9,21 74:25 counsel (12) 4:22 5:19 12:22 13:14,20 14:11 21:15,18,20 22:2,5,6 counter-terrorist (1) 33:11 counteract (2) 4:3,11 counterparts (1) 50:1 countries (3) 26:25 28:16 30:13 country (9) 12:14 26:4	27:6 28:21 30:18 30:25 32:20 44:24 49:19 coups (1) 28:1 courage (2) 58:8,10 course (5) 5:9 23:4,17 24:22 44:13 courses (1) 48:2 court (5) 2:8 4:13 5:14 6:13 7:13 cover (4) 12:19,25 13:5 19:20 covered (1) 30:25 cowardly (1) 16:23 create (1) 43:17 crib (1) 37:1 Crime (1) 33:1 criminal (2) 18:17 24:18 criteria (1) 36:2 critical (1) 42:5 criticism (2) 6:25 42:7 cross-governmental ... 35:13 crossing (4) 10:15 31:10,16,20 Crown (1) 2:8 crucial (1) 12:3 cruise (3) 40:6,7,8 crush (1) 10:15 Cullen (5) 55:19 63:23 64:6,9 77:13 culpable (1) 8:1 Cumberland (1) 21:21 currently (7) 38:18 39:1,4,16,24 40:3,8 curve (1) 49:12 customer (5) 34:23 37:16 42:16,18 48:13 customers (23) 18:3 37:3,10,12,19,22 38:5,8,13,15,21 39:1,7,9,14,21 40:2 40:20 41:10,12,14 41:19 42:11 customers' (1) 50:14 Customs (2) 32:21 33:2	D (1) 77:1 daily (1) 49:3 danger (2) 28:7,12 Dar (1) 56:12 date (2) 30:5 34:7 dated (3) 41:21 48:5 48:12 Davey (5) 54:5 64:11 64:12,18 77:14 David (4) 54:20 72:24 73:6 77:23 Davis (1) 22:3 day (12) 23:25 25:1,16 26:16 34:22 35:11 35:13 43:4 44:3 45:7 52:13 57:10 days (7) 1:11 22:11 36:22 37:15 38:2,9 40:2 dead (1) 56:21 deal (8) 1:5 2:7,19 15:4 21:16 27:15 61:4 75:16 dealing (2) 15:19 52:5 dealt (3) 2:5 7:7 33:3 death (16) 5:16 6:23 7:4 8:22 9:3,10,25 10:1,6 12:9 15:2 16:24 20:5 24:1,10	24:14 deaths (6) 1:8,21 14:7 17:6,10 19:7 deceased (27) 3:23 4:7 5:16 7:1 8:11 8:14 9:1,10,25 10:6 10:12,13,15 12:11 13:16,21,25 19:1 20:3,4 21:16 24:4 24:12,13 25:23,25 61:25 deceased's (1) 5:19 December (1) 35:9 decide (1) 1:20 decision (1) 11:5 decision-maker (1) 27:8 decisions (2) 27:16 42:7 decline (1) 49:20 deficiencies (4) 14:19 17:8 19:4,5 deficiency (1) 17:5 defined (2) 12:15 24:8 definition (1) 13:10 delay (2) 23:7 60:12 delaying (1) 59:1 deliberate (1) 60:12 deliberately (1) 7:16 delivery (1) 51:18 democratic (1) 26:7 Denis (5) 54:8 73:22 73:23 74:4 77:24 denying (1) 49:1 departing (1) 26:6 dependency (3) 8:25 9:13 14:12 dependent (13) 8:11 10:23 11:13,18 12:4,11,15,17 13:10,16,21 14:1 19:1 dependent's (1) 11:20 deploying (1) 42:14 deployment (1) 45:10 Deputy (3) 35:16 43:12 49:9 described (5) 12:9 15:1 23:1 37:1 58:20 designate (1) 47:2 designation (3) 30:21 30:24 31:2 desk (1) 27:7 despite (2) 23:2 50:25 destination (4) 37:19 39:13 40:10 53:22 destinations (1) 37:11 detail (1) 24:4 detailed (2) 10:19 27:19 detailing (1) 25:10 details (4) 24:7 30:10 38:14 40:23 detect (1) 47:16 Detective (1) 21:1 detector (1) 51:7 detectors (1) 47:7 deter (3) 4:3,11 35:24 deteriorate (1) 26:8 determination (1) 24:17 determine (1) 24:18 detonated (1) 55:11 developed (1) 13:3 developing (1) 49:14 device (1) 55:11 devices (32) 45:9 47:8 62:5,17 63:4,19 64:1,16,24 65:11	65:23 66:11,22 67:4,16 68:7,16,24 69:11,23 70:17,24 71:12,22 72:5,20 73:2,18 74:3,12,20 75:10 Dhehiba (2) 31:13,15 dictator (1) 26:6 died (5) 5:17 7:15 10:15 55:19 70:9 difference (2) 15:13 18:11 different (1) 6:11 difficult (1) 22:10 difficultly (1) 12:23 digital (1) 21:4 dignity (1) 22:13 dinghy (1) 10:13 direct (7) 6:13 7:24 12:8 14:25 17:4,9 19:6 directed (4) 3:13 5:6 10:5,7 direction (2) 5:8 59:5 directions (1) 32:24 directly (4) 7:3 22:2 38:22 59:25 directness (1) 9:2 director (3) 35:10 48:13 49:7 disarmed (1) 26:17 disasters (1) 28:2 discontinued (1) 27:3 discourage (2) 35:20 50:15 discuss (1) 36:19 discussed (1) 50:12 discussion (1) 48:16 disembark (1) 16:18 disordered (1) 8:18 disorganised (2) 57:5 58:7 displayed (3) 34:14 58:7,10 disputed (1) 41:8 distinct (1) 7:3 distinctive (1) 47:20 District (1) 7:11 disturbed (1) 5:17 divided (1) 30:18 division (1) 59:22 Dixey (1) 22:6 DJ (1) 15:24 Djerba (7) 38:11,18 39:4,16,25 40:4 50:11 doctor (1) 11:25 document (4) 27:19 40:22 44:8,11 documents (1) 21:4 Dominique (1) 22:4 door (4) 17:16 48:25 51:20 55:9 doors (3) 45:6,16 51:20 doubled (1) 51:10 doubt (1) 22:24 Douz (2) 29:11 31:19 draft (1) 50:23 drainage (1) 46:3 dramatic (1) 17:23 draw (2) 13:8 48:4 drawn (1) 35:9 draws (1) 47:1 dress (2) 32:18,20 Driss (1) 23:1 drive (1) 51:18 driven (1) 53:14 driver (4) 53:18 59:11 59:15 60:1	driving (1) 59:25 dropped (1) 16:15 dropping (1) 59:7 drowned (1) 10:12 drug (1) 53:13 due (3) 38:5,8 40:2 duties (1) 51:13 duty (2) 17:13 57:11 35:22 39:10 60:20 65:4 77:14 Dyson (1) 22:4	equally (1) 49:14 equip (1) 47:17 equipment (1) 57:25 equipped (1) 51:15 escape (3) 8:2 57:14 57:19 especially (3) 32:12 33:18 76:2 essential (7) 8:25 24:21 27:25 29:10 30:24 31:17 47:18 establish (2) 9:22 18:15 established (3) 12:8 15:1 18:20 establishment (1) 46:1 establishments (6) 45:15 46:5,9,21,24 47:5 Estimates (1) 60:6 European (2) 32:19 49:19 evacuation (1) 48:4 Evans (8) 55:4,5 65:8 65:15,20 66:2 77:15,15 events (3) 6:22 20:24 44:23 eventual (1) 16:24 eventually (3) 57:5 60:22 70:7 everybody (4) 2:25 20:10 25:4 76:2 evidence (22) 4:17,20 5:23 6:5 10:4,7 15:17,22 19:19,20 19:21,24 22:20 24:21,24 25:8 41:5 41:7 52:16 56:16 56:23 57:2 evident (1) 43:7 evolved (1) 49:18 EWHC (1) 18:12 ex (3) 5:4,13 7:12 examine (1) 25:14 examined (5) 21:2 23:17,21,24 24:1 examining (1) 51:6 example (1) 11:22 examples (2) 8:15 28:16 exception (2) 16:1 59:19 exchanged (1) 60:21 excursion (1) 37:14 excursions (5) 37:25 38:2,3 44:17,22 exhibits (1) 21:3 existed (1) 28:11 existence (1) 56:22 exit (1) 45:16 exits (1) 47:19 expanded (1) 13:18 expansion (1) 13:10 expatriates (1) 29:15 expect (1) 25:4 expectation (1) 43:14 expected (1) 34:15 expert (1) 50:24 explain (2) 3:14 52:15 exploration (1) 11:1 explode (1) 59:5 explosive (31) 55:11 62:5,17 63:4,18 64:1,16,24 65:11 65:23 66:11,22 67:4,16 68:6,16,24 69:11,23 70:16,24 71:12,22 72:5,19
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O	owners (1) 46:21	place (16) 4:4,19 9:25 23:20 27:25 32:9 33:8 35:14 37:13 40:24 41:25 42:24 49:23 50:5 53:3 58:4	prison (2) 5:6 6:24 prisoner (1) 5:5 Proactive (1) 43:22 probably (1) 15:12 problem (1) 49:13 problematical (1) 10:3 procedure (4) 14:22 15:11 24:8 52:7 proceed (1) 42:8 proceeded (2) 5:1 53:20 proceedings (4) 10:7 21:12,24 48:11 process (5) 16:11 22:15 27:19 45:19 59:7 procure (3) 10:22 11:12 46:16 produced (1) 26:24 programme (3) 37:14 40:7,9 progress (1) 49:12 prolonged (1) 18:24 prominently (1) 34:14 promise (1) 1:24 promulgated (2) 48:6 48:10 proof (2) 18:16,22 propensity (2) 11:23 11:25 Proper (1) 45:10 properly (3) 1:21 6:20 45:16 propose (1) 19:18 proposed (1) 7:6 proposition (1) 18:19 propositions (3) 6:8 8:6,8 protect (3) 46:17,24 58:8 protection (2) 46:9 47:9 protocol (1) 48:24 proud (1) 22:14 provide (14) 8:1 10:21 10:22 11:11,11,14 11:17 14:8 15:25 45:8,14 47:17,20 57:21 provided (7) 23:3,4,12 47:10 48:22 53:7 57:1	questions (8) 9:23 10:2 22:24 23:6,13 37:3,21 41:16 quiet (1) 22:13 quite (3) 9:3 20:6,7 quote (1) 44:10 quoted (1) 8:5	reference (4) 8:1 34:16,17 42:9 referred (4) 5:7 19:15 23:11 56:22 refers (3) 14:2 40:24 41:2 refuse (1) 57:22 refused (1) 5:18 regarding (1) 45:23 Regia (1) 31:23 regime (1) 6:25 region (1) 52:20 Regional (1) 35:10 register (1) 47:21 registered (1) 36:16 Registration (1) 75:24 regularly (1) 27:15 Reinforce (1) 47:4 rejected (1) 8:20 related (1) 29:23 relates (2) 9:24 10:5 relating (4) 2:4 7:21 9:16 44:20 relation (1) 61:24 relationship (2) 8:11 9:1 relevant (4) 12:17 27:6,23 44:11 reliable (2) 9:22 22:7 remain (2) 23:12 40:4 remained (4) 22:23 50:8 60:11,15 remains (1) 37:19 reminder (1) 44:17 remote (1) 18:5 render (1) 18:21 rendered (1) 18:23 repatriate (1) 39:20 repeat (1) 24:7 repeated (1) 19:25 replied (1) 42:1 report (6) 1:8 11:24 23:5,8,10 50:23 representations (1) 2:10 representatives (2) 42:22,23 Republic (30) 62:8,20 63:7,16 64:4,14 65:2,14 66:1,9,19 67:7,19 68:4,14 69:2,14 70:1,14 71:1,10,20 72:8,17 73:5,15,25 74:10 74:23 75:7 reputable (1) 32:3 requests (1) 23:3 required (6) 8:15 14:1 34:18 60:2,5 75:23 requirement (1) 46:22 Requirements (1) 33:3 requires (1) 10:6 requisite (4) 18:16,22 46:17 47:17 residents (1) 57:21 resort (5) 16:17 32:18 35:6 39:7 40:19 resorts (8) 16:1 31:1 32:16 39:25 40:15 40:17,19 51:1 respect (1) 25:25 respond (1) 51:2 response (17) 1:17 12:24 16:5,22 24:1 24:2 25:12,19,20 34:19 41:15 57:9 58:6,12 77:7,10,10 responses (1) 2:4 responsibility (3) 9:3 16:10 27:6	responsible (3) 15:23 16:3 27:5 rest (1) 30:25 restaurants (2) 44:8 46:11 result (31) 60:22 62:11,23 63:10,21 64:8,18 65:6,17 66:4,13,24 67:11 67:23 68:9,18 69:5 69:18 70:9,19 71:5 71:14,24 72:12,22 73:9,20 74:5,14 75:1,12 results (1) 12:2 resume (1) 7:8 resumed (1) 51:12 retained (1) 59:8 return (5) 5:7 7:17 14:23 17:2 39:10 returned (1) 7:20 revealed (1) 60:23 review (2) 5:21 7:23 reviewed (2) 5:9 17:24 revised (1) 13:12 revolution (1) 26:5 Rizgui (1) 52:18 Riadh (1) 26:13 Richards (5) 18:13 55:6 70:21 71:3 77:21 rifle (2) 53:4 58:25 rifles (1) 60:3 right (7) 2:3,18,22,24 20:6 57:23 61:20 rise (2) 61:7 76:2 rising (1) 51:14 risk (7) 3:25 4:8 28:3 28:22 29:13 41:1 43:3 risks (2) 44:19 46:18 Ritchie (10) 1:11,13 1:16 2:15 3:19 12:22 14:11,18 15:14 21:15 Ritchie's (1) 19:8 RIU (59) 4:1,9 16:8 22:22 23:19 26:15 48:23 50:19,22 52:3,22 53:22 55:25 62:7,19,23 63:6,10,15 64:3,7 64:13 65:1,5,13,17 65:25 66:4,8,18 67:6,10,18,22 68:3 68:13 69:1,5,13,17 69:25 70:5,13 71:1 71:5,9,19 72:7,11 72:16 73:4,9,14,24 74:9,22 75:1,6 77:8 road (3) 33:2 53:15 56:3 role (3) 16:10 24:8 57:21 room (2) 47:2 60:17 rooms (3) 17:18 45:20 52:3 roundabouts (1) 43:7 rounds (4) 16:13 58:16,25 59:4 route (2) 56:18 70:9 Rue (1) 53:16 Rule (1) 10:6 ruling (8) 2:6 3:1,6,7 3:18 11:9 19:23 77:4 run (1) 10:14 rung (1) 58:2 Russia (1) 30:15		
	P	planned (3) 38:20 39:6,18 plans (2) 38:22 46:17 plant (1) 45:20 pm (1) 76:3 point (3) 3:14 31:20 42:9 points (3) 31:10 43:19 46:1 Poland (1) 30:15 police (23) 15:8,16,20 16:3,20,22 17:1 20:23 21:19 23:7 24:2 25:20 35:6,23 57:4,13 58:12,14 59:20,22 60:1,10 77:10 policy (2) 28:20 40:1 Political (1) 32:25 politicians (1) 26:10 pool (13) 16:12 54:16 54:25 55:8 62:10 62:22 63:10 65:16 66:3 69:16 70:4 71:4 73:8 popular (1) 37:19 Port (1) 36:21 position (10) 10:23 11:13 12:11,15,18 13:11,16,22 14:1 19:1 possession (1) 60:3 possible (7) 3:21 9:8 17:5 20:19 30:11 32:12 52:23 possibly (1) 36:9 possibly (1) 18:11 post-mortem (1) 60:23 potential (2) 27:17 43:3 pots (1) 45:20 powers (1) 22:19 precaution (2) 37:13 38:1 precautions (4) 4:3,10 7:22 9:17 Precise (1) 56:15 precluded (1) 24:17 premises (1) 17:24 prepare (1) 10:19 prepared (3) 34:13 50:24 61:16 presence (3) 6:14 17:23 35:23 present (2) 18:17 25:1 President (5) 44:4,5,7 48:6,8 pretext (1) 60:2 pretty (1) 23:14 prevailed (1) 57:7 prevent (6) 1:8,21 4:3 4:11 43:23 51:2 preventative (1) 44:19 prevention (1) 47:9 previously (1) 33:14 primary (1) 35:20 principles (3) 4:21 5:2 5:10 prior (4) 23:25 28:15 29:7 58:13	Poland (1) 30:15 police (23) 15:8,16,20 16:3,20,22 17:1 20:23 21:19 23:7 24:2 25:20 35:6,23 57:4,13 58:12,14 59:20,22 60:1,10 77:10 policy (2) 28:20 40:1 Political (1) 32:25 politicians (1) 26:10 pool (13) 16:12 54:16 54:25 55:8 62:10 62:22 63:10 65:16 66:3 69:16 70:4 71:4 73:8 popular (1) 37:19 Port (1) 36:21 position (10) 10:23 11:13 12:11,15,18 13:11,16,22 14:1 19:1 possession (1) 60:3 possible (7) 3:21 9:8 17:5 20:19 30:11 32:12 52:23 possibly (1) 36:9 possibly (1) 18:11 post-mortem (1) 60:23 potential (2) 27:17 43:3 pots (1) 45:20 powers (1) 22:19 precaution (2) 37:13 38:1 precautions (4) 4:3,10 7:22 9:17 Precise (1) 56:15 precluded (1) 24:17 premises (1) 17:24 prepare (1) 10:19 prepared (3) 34:13 50:24 61:16 presence (3) 6:14 17:23 35:23 present (2) 18:17 25:1 President (5) 44:4,5,7 48:6,8 pretext (1) 60:2 pretty (1) 23:14 prevailed (1) 57:7 prevent (6) 1:8,21 4:3 4:11 43:23 51:2 preventative (1) 44:19 prevention (1) 47:9 previously (1) 33:14 primary (1) 35:20 principles (3) 4:21 5:2 5:10 prior (4) 23:25 28:15 29:7 58:13	prison (2) 5:6 6:24 prisoner (1) 5:5 Proactive (1) 43:22 probably (1) 15:12 problem (1) 49:13 problematical (1) 10:3 procedure (4) 14:22 15:11 24:8 52:7 proceed (1) 42:8 proceeded (2) 5:1 53:20 proceedings (4) 10:7 21:12,24 48:11 process (5) 16:11 22:15 27:19 45:19 59:7 procure (3) 10:22 11:12 46:16 produced (1) 26:24 programme (3) 37:14 40:7,9 progress (1) 49:12 prolonged (1) 18:24 prominently (1) 34:14 promise (1) 1:24 promulgated (2) 48:6 48:10 proof (2) 18:16,22 propensity (2) 11:23 11:25 Proper (1) 45:10 properly (3) 1:21 6:20 45:16 propose (1) 19:18 proposed (1) 7:6 proposition (1) 18:19 propositions (3) 6:8 8:6,8 protect (3) 46:17,24 58:8 protection (2) 46:9 47:9 protocol (1) 48:24 proud (1) 22:14 provide (14) 8:1 10:21 10:22 11:11,11,14 11:17 14:8 15:25 45:8,14 47:17,20 57:21 provided (7) 23:3,4,12 47:10 48:22 53:7 57:1 public (1) 25:3 purchase (1) 51:6 purification (1) 46:3 purport (1) 44:9 purpose (2) 24:9,20 purposes (1) 18:1 put (4) 4:4 18:13 42:24 48:2 putative (1) 8:12 puts (1) 27:20	Q	Q&A (1) 37:24 QB (1) 5:4 QC (1) 3:19 quantum (2) 13:22 14:5 quarter (3) 61:1,5,7 Queen (1) 7:11 Queen's (8) 12:22 13:14,20 14:11 21:15,18,20 22:6 question (19) 7:6 9:10 10:4 12:10,14 24:18 36:4 37:25 38:5,8,15 39:1,9,13 39:20 40:1,7,11,16 questioned (1) 16:2	R	R (4) 5:2,13 18:11 19:11 radicalised (1) 52:18 radio (1) 45:12 Rai-Varming (1) 22:4 Rail (1) 33:1 raise (1) 43:15 raised (4) 3:1 36:11 43:14 48:20 ramped (1) 43:20 range (2) 27:10 60:8 Ras (2) 31:15,20 Raymond (5) 54:13 66:16,17,23 77:16 razor (2) 11:24 12:2 reach (11) 3:3,21 4:14 11:3 14:6 18:7 24:16,23 41:9 50:13 61:23 reached (7) 3:16 9:19 11:5 24:24 28:17 36:3 61:2 reaching (3) 19:10,25 53:21 reaction (1) 23:21 read (7) 4:12 7:21 11:2,16 18:3 27:23 75:20 reader (1) 47:11 reading (2) 5:12 75:18 reads (2) 32:7 44:13 realistic (1) 18:2 rear (31) 62:7,19 63:6 63:15 64:3,13 65:1 65:13,25 66:8,18 67:6,18 68:3,13 69:1,13,25 70:8,13 70:25 71:9,19 72:7 72:16 73:4,14,24 74:9,22 75:6 reason (2) 13:7 42:6 reasonable (2) 5:24 6:3 reasons (2) 4:15 52:15 reassure (1) 35:24 reassured (1) 41:11 recap (1) 24:20 recce (1) 50:22 received (2) 52:5 70:6 receives (1) 27:1 reception (3) 46:12 47:12 55:9 recognise (2) 8:24 18:3 recognised (1) 4:1 recognises (1) 12:23 recommendations (4) 1:10,20 44:10 45:1 recommended (4) 1:23,24 15:12 37:22 reconnoitred (1) 52:25 record (3) 35:11 45:12 47:21 recorded (2) 49:3 56:6 recording (1) 53:16 recordings (2) 23:11 56:11 red (4) 30:19,20 57:4 59:13

66:1,9,19 67:7,19
68:4,14 69:2,14
70:1,14 71:2,10,20
72:8,17 73:5,15,25
74:10,23 75:7
Tunisia's (2) 26:1 77:6
Tunisia-Libya (1)
31:19
Tunisia/Algeria (1)
31:10
Tunisian (13) 29:22
32:13 33:10,19,24
42:23 44:4,5,7 48:7
48:8 50:1 52:17
Tunisians (2) 49:11
52:24
Tunisie (1) 49:25
Tunisotel (1) 48:22
turn (10) 20:22 21:13
22:1,15 25:20,22
26:23 34:20 53:1
61:12
turned (4) 55:22,24
56:2,9
tweets (1) 42:2
two (21) 1:5 3:21
16:13 26:12 36:22
38:4 50:11 51:16
51:21 52:9 58:14
58:23,25 59:2,3,19
59:24 60:3,3,4,8
two-thirds (1) 50:17
type (1) 5:11

U

UK (8) 30:2 34:4 35:16
35:21 36:10 39:23
40:14 42:21
UKHL (1) 19:12
ultimate (1) 27:8
ultimately (2) 9:5
60:13
umbrella (1) 53:8
unable (1) 59:17
unacceptably (1) 28:4
unanswered (1) 23:13
unarmed (2) 15:3 59:1
unattended (1) 45:22
uncertain (1) 44:9
unchallenged (1) 4:20
unclear (1) 48:9
underlying (1) 29:3
understand (2) 2:15
3:4
unexpected (1) 15:10
unexplained (1) 23:9
Unfortunately (1)
42:10
unintelligible (1) 3:12
units (2) 15:25 45:23
unjustifiable (1) 60:13
unlawful (5) 7:17,20
9:11 11:4 75:22
unlawfully (5) 3:23
4:7 61:3,15,25
unnecessarily (1) 2:12
unreasonable (1) 6:7
unrest (1) 28:1
unsupervised (1) 8:17
unsure (1) 42:3
unusual (1) 46:5
up-to-date (1) 38:15
update (2) 31:5 48:24
updated (2) 27:15
36:5
use (5) 3:6 42:9 45:10
45:17 46:10
usual (2) 40:18 42:10

V

v (5) 5:2,13 7:11 18:11
19:11
valid (1) 46:16
various (2) 29:23
33:25
vary (1) 27:11
vast (2) 21:2,4
vehicles (2) 44:16,22
velocity (30) 62:5,17
63:4,18 64:1,16,24
65:11,23 66:10,21
67:4,16 68:6,16,24
69:11,23 70:16,23
71:12,22 72:5,19
73:2,17 74:2,12,20
75:9
Venancio (1) 49:24
ventilation (1) 46:3
venture (1) 34:10
verdict (14) 5:7 6:10
6:16,20 7:25 8:9,24
9:4,11,13 10:11
12:7 14:25 19:2
verdicts (6) 7:17,19,20
8:21 9:8 10:17
version (1) 27:1
vests (1) 60:4
victim (1) 56:13
video (2) 50:5 56:11
view (3) 2:14 6:3
13:23
views (1) 6:6
vigilance (3) 29:18
45:4 46:24
vigilant (4) 30:5 32:12
33:18 34:7
visas (2) 34:17,18
visible (1) 35:23
visited (5) 29:15 32:6
32:15 33:16 49:8
visitors (1) 57:16
visits (1) 32:17
voice (1) 61:18
voluntarily (1) 12:20
Voyages (1) 49:25
vulnerabilities (1)
49:21

W

waited (1) 16:18
wake (1) 44:23
walk (1) 53:20
walked (6) 54:23,24
55:8,24 56:9,17
walkie-talkies (1)
51:15
walking (3) 55:22 56:1
56:9
want (3) 2:11 39:9
42:4
warmth (2) 10:23
11:12
warned (2) 29:16
33:14
warning (1) 47:7
waste (1) 45:20
water (4) 51:23 52:10
56:5 57:25
Watkins (1) 5:15
Watson (1) 21:19
way (8) 6:25 9:5 24:17
39:2 50:17 51:1
55:16,21
we've (3) 41:23 42:1
42:14
weapon (4) 16:15
53:8 59:7,11
weapons (1) 60:2

wearing (2) 57:4
59:13
website (4) 24:25
27:22 30:16 36:25
week (2) 42:1 51:12
weeks (4) 19:21 23:14
38:4,9
Welch (5) 54:11 74:7
74:8,14 77:25
went (10) 6:7 14:16
22:10 34:13 55:10
57:14,17,24 59:17
60:9
West (2) 18:12 19:11
western (3) 7:11
35:10,12
whilst (3) 35:19 70:3,8
wholly (1) 6:11
Wijeyaratne (2) 3:20
21:17
Wilkinson (3) 55:3
74:17,25
William (4) 55:13
67:13,21 77:17
Windass (5) 54:12
75:4,5,11 78:1
wire (1) 52:8
wish (2) 21:8 38:13
wished (1) 7:19
witness (3) 21:3 22:21
58:20
witnessed (1) 44:24
witnesses (4) 21:11
41:5 56:22 58:14
word (4) 14:9 19:2,9
40:25
wording (2) 19:11
75:20
words (5) 11:2,8 12:17
13:10 30:10
work (1) 37:17
workers (5) 45:18
46:23 47:21,24
48:2
working (4) 16:16
51:17,19,21
works (1) 1:22
worried (1) 37:4
worst (1) 16:23
worthy (1) 19:22
wound (15) 62:24
63:11,21 66:5
67:11,23 68:19
69:6,18 71:6,15
72:12 74:5 75:2,12
wounds (17) 55:19
60:22 62:12 64:9
64:19 65:6,18
66:13,24 68:9
70:10,19 71:25
72:22 73:10,20
74:15
writing (3) 2:5 14:18
27:10
written (2) 4:12 36:4
wrong (1) 14:4

X

X (1) 77:1

Y

year (2) 26:7 51:8
Yemen (1) 28:18
yesterday (2) 37:13
40:25
young (1) 8:17
Youssef (1) 31:11
youth (4) 10:24 11:13
12:18 13:17

Z

Zak (1) 21:9
Zarzis (2) 29:11 31:19
Zhora (1) 23:1
zone (1) 31:12

0

1

1 (7) 5:4 6:10 9:20
45:2 46:19 48:9
77:3
10 (2) 19:12 51:14
10(2) (1) 24:16
10.00 (1) 1:2
100 (1) 55:23
11 (1) 51:14
11.25 (1) 53:12
11.30 (1) 20:8
11.35 (1) 61:9
11.45 (33) 16:5 56:5
59:23 62:3,15 63:2
63:17,24 64:15,22
65:9,21 66:10,20
67:2,14 68:5,15,22
69:9,21 70:15,22
71:11,21 72:3,18
72:25 73:16 74:1
74:11,18 75:8
11.50 (1) 61:11
11.55 (2) 15:17 60:17
12 (1) 12:6
12.15 (1) 76:3
14 (3) 13:13 53:24
56:15
157 (1) 5:14
158 (1) 7:12
16 (2) 4:22 56:15
17 (2) 13:12 19:14
18 (6) 25:7 26:19
32:10 33:9 43:6
52:19
182 (1) 19:12
19 (3) 35:13 36:8
52:17
1990 (1) 26:23
1992 (2) 5:14 52:17
1994 (1) 7:12
1995 (2) 5:4 13:19
1997 (1) 27:1

2

2 (5) 4:16,23 6:16
19:13,15
2,600 (1) 21:3
2.5 (1) 58:17
20 (7) 5:12 36:22
53:24 58:25 60:23
77:5,5
20% (1) 49:19
200 (1) 42:1
2002 (1) 18:12
2004 (2) 19:12,12
2009 (2) 4:24 24:9
2010 (2) 26:6 49:19
2011 (1) 26:6
2012 (1) 49:13
2013 (6) 26:11 27:3
29:20,20 33:22,22
2014 (4) 26:7 32:15
35:9 51:14
2015 (54) 4:20 20:21
20:24 22:11 23:25
25:7,18 26:19
30:17 34:10 36:8
43:13 48:5,7,12,18
48:22 49:4,6 50:5
50:20 51:8 53:11
62:4,16 63:3,14,25

64:12,23 65:10,22
66:7,17 67:3,15
68:2,12,23 69:10
69:22 70:12,23
71:8,18 72:4,15
73:1,13,23 74:8,19
75:5 77:9
2016 (2) 4:22 13:13
2017 (1) 1:1
21 (2) 33:9 49:6
22 (7) 3:19 7:8 21:16
26:20 42:20 49:6
56:10
225 (1) 26:25
24 (4) 41:21 43:13
45:7 52:12
25 (5) 43:13 44:1 48:5
49:23 50:5
26 (43) 4:20 20:24
22:11 23:25 25:18
30:17 48:18 52:6
53:4,11 62:4,16
63:3,14,25 64:12
64:23 65:10,22
66:7,17 67:3,15
68:2,12,23 69:10
69:22 70:12,22
71:8,18 72:4,15
73:1,13,23 74:8,19
75:5 77:6,6,9
28 (4) 1:1,11,12,19
29 (1) 48:18

3

3 (4) 6:20 9:15 75:20
77:4
30 (8) 24:4 26:11 48:7
53:5 58:19 60:14
61:3,15
302 (1) 18:13
30km (1) 31:21
34 (1) 77:7
357 (1) 7:12
36 (1) 10:6
370 (1) 8:7
38 (2) 13:15 59:21

4

4 (1) 75:22
40 (1) 27:1
400 (1) 50:3
424,707 (1) 32:15
425 (1) 5:14
432 (1) 6:8
433 (1) 6:8

5

5 (2) 4:23 24:9
50 (1) 77:8
52 (1) 77:9
53 (1) 77:9
57 (1) 77:10
58 (1) 77:10
5km (1) 31:14

6

6 (2) 10:10 48:22
6,400 (1) 21:3
60 (1) 42:1
61 (1) 77:11
62 (2) 77:11,12
63 (3) 77:12,13,13
64 (2) 77:14,14
65 (2) 77:15,15
66 (2) 77:16,16
67 (2) 77:17,17
68 (3) 77:18,18,19
69 (2) 77:19,20

7

70 (2) 77:20,21
71 (2) 77:21,22
72 (3) 77:22,23,23
73 (2) 77:24,24
74 (1) 77:25
75 (2) 78:1,2

8

8 (1) 42:2
800 (1) 21:3

9

9 (2) 10:20 48:12