

Monday, 12th October 2026

(10.00 am)

SIR ADRIAN FULFORD: Yes, Mr Moss.

MR MOSS: Thank you, sir. Our witness for today is Mr Emmett, if he could be sworn please.

MR JONATHAN EMMETT (sworn)

Questions by MR MOSS

SIR ADRIAN FULFORD: Thank you very much, Mr Emmett.

MR MOSS: Mr Emmett, good morning. Could you start by giving us your full name please.

A. I'm Jonathan Carl Emmett.

Q. Can we have on the screen please your first statement, you have provided two and the first one is HOM000964.

If we could go to page 150 HOM000964_0150, we see that your first statement is dated 31 July. You have signed it, we have redacted your signature, but can you just confirm please, first of all, that the contents of that statement are true to the best of your knowledge and belief?

A. I can.

Q. Thank you, and your second statement please could we have on the screen please, HOM000988. If we could go to page 6 please HOM000988_0006, we can see that that statement is dated 7 September, you have also signed that. Can you just confirm that your second statement

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roles in that organisation, culminating in the two most recently held roles. The first, prior to this one, as director for CONTEST, the Government's counter-terrorism strategy, a cross-Government role, and homeland security strategy, a Home Office focused role and then most recently as director for counter-terrorism which I have held, as I say, since November 2025.

That particular post encompasses both the cross-Government leadership of CONTEST, and I'm a member of the CONTEST counter-terrorism governance board and also delivery of the Home Office elements of the Prevent and Pursue aspects of CONTEST, and obviously I have deep professional experience across a range of counter-terrorism and national security issues.

Q. Thank you. Now, against that background and just so you have a bit of a roadmap of where we're going to be going and exploring the issues, I'm going to attempt to cover 12 topics with you, very briefly what they are. First of all, definitions. Secondly, cross-Government arrangements and responsibility for VFI or NIEV. Thirdly, the chronology of key policy developments. Fourthly, the Government's attempts to identify and quantify this cohort. Fifthly, risk assessment. Sixthly, information sharing. Seventhly, the role of Prevent and the management of VFI or NIEV risk.

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is also true to the best of your knowledge and belief?

A. I can.

Q. Thank you. So, if we can go back to your first statement, that's the one at HOM000964. That's going to be the bedrock of my questions, and go to page 3, paragraph 1 HOM000964_0003 please.

Your role, Mr Emmett is as -- you set out there you are director of counter-terrorism at the Home Office but you have been in that post since November 2025. Is that correct?

A. That is correct.

Q. You explain there that you are also the Chair of the NIEV Taskforce Strategic Delivery Board, is that right?

A. Yes, that is right.

Q. Could you just give us a brief synopsis of your civil service career, just giving us an idea of your breadth of experience?

A. Yes, I joined the service in 2000 by direct entry examination at the Charity Commission for England and Wales, but shortly after that I moved to a variety of central Government roles in national security and counter-terrorism, including Cabinet Office, Home Office and Foreign, Commonwealth and Development office. In 2006 I joined the Home Office in the then office for security and counter-terrorism. I held a variety of

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Eighthly, we want to look at the overview and overview of the existing multi-agency structures. Ninthly, the role of the internet. Tenthly, the effectiveness of existing interventions and legal orders. Eleventh, options for longer term reform. Twelfth, and finally, just touching on some recent developments. So those are the topics, as you know, from the evidence proposal that has been provided to you.

Can I say first of all, Mr Emmett, just this, that your statement, particularly your first statement goes into a great deal of detail. On any view, it is an exceptionally helpful statement and we are grateful for it. There is obviously not time to go through every aspect of your statement, but I will draw on certain aspects of it.

Can we start then with the first topic, which is definitions, and Mr Emmett, you will be aware that the initial context for this is that in the Inquiry's terms of reference, VFIs were defined as individuals at risk of extreme violence, where ideology is not the primary driver. If we could look though, please, at page 6, paragraph 7 HOM000964_0006 of your statement. 7(2) please. You explain there, that:

"The term 'Violence Fixated Individual' (VFI) was defined in 2025 by ..."

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1 A particular Cabinet Office body and you know that
 2 we don't need to go into quite who that was:
 3 "... to describe a type of individual who has both
 4 a fascination with extreme violence and intent to
 5 inflict extreme violence, where ideology is not the
 6 primary driver."
 7 So, should we understand from that, that was the
 8 early attempt by that Cabinet Office body at a VFI
 9 definition?
 10 A. Yes, that's absolutely correct.
 11 Q. Thank you. We have heard already in this Inquiry
 12 through our seminars, and it was something explored last
 13 week with our cadre of experts, that the Home Office and
 14 Government has started to move away from that and if we
 15 look, please, at page 55 HOM000964_0055, paragraph 155,
 16 so, just at the bottom there, you say that:
 17 "RICU and HSAI have now conducted research to test
 18 the application of the VFI definition and evaluated its
 19 practical application to Channel cases ..."
 20 Yes?
 21 A. Yes, that is correct.
 22 Q. RICU, the Research Information and Communications Unit,
 23 is that correct?
 24 A. Correct.
 25 Q. Just helping again with the definitions, HSAI, the

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1 "There is [therefore] broad consensus across
 2 government and policing intelligence and analytical
 3 teams that violence fascination may be better
 4 conceptualised as one feature, that can fit within
 5 a broader NIEV framework, rather than a standalone
 6 category of person or offender"
 7 So it is this sense that those who are fascinated
 8 with violence is being taken more as one sign, one
 9 aspect, but shouldn't be part of the definition, would
 10 that be fair?
 11 A. Yes, that's right and part of the thinking there, of
 12 course, in very simple terms, is that a fascination with
 13 violence can and does occur, for example, in terrorism
 14 cases.
 15 Q. So, that sense that whatever the key characteristic that
 16 really helps to define this particular cohort, that you
 17 would say can't be it, because that actually spans
 18 across --
 19 A. Can't be it solely.
 20 Q. Can't be it solely because it spans across into
 21 terrorism cases as well. Now, if we go down on the same
 22 page please. The Inquiry has been looking at this again
 23 with our expert. So for the moment I am going to take
 24 it relatively briefly but I'm going to come back to the
 25 detail. So in particular at 158:

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1 Homeland Security Analysis and Insight team?
 2 A. Correct.
 3 Q. Thank you, then over the page HOM000964_0056:
 4 "They found [that] the [Cabinet Office] definition
 5 of VFI presents significant limitations and would likely
 6 need to be altered to be operationalised in an early
 7 intervention context such as Prevent."
 8 Then this:
 9 "In particular assessing intent to commit extreme
 10 violence at the Prevent stage is inherently uncertain:
 11 it relates to someone's mental state; insufficient
 12 information about an individual's online activity is
 13 a general issue; and in any event, as Prevent is
 14 an early intervention programme, intent would not be
 15 expected to be fully formed, present or identifiable,
 16 and thus, application is inconsistent."
 17 It goes -- you go on to say that:
 18 "Furthermore, fascination with violence can occur
 19 across ideological and non-ideological contexts, which
 20 can be hard to distinguish and risks misclassification."
 21 So that was your helpful summary of the reasons why
 22 the initial definition of VFI has been moved away from.
 23 Have I understood it correctly?
 24 A. Yes.
 25 Q. Thank you. So, you say, in paragraph 156, that:

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1 "NIEV involves the use of threat or extreme violence
 2 that is not driven by a clear ideological purpose."
 3 This concept of it being communicative and then you
 4 give the short form, essential components, at 159. So:
 5 "The Act.
 6 "Extreme violence.
 7 "The purpose.
 8 "No clear ideological purpose."
 9 Then:
 10 "(Explicit or implicit) intent to shock, intimidate
 11 or outrage the wider audience."
 12 If we could then go over the page, thank you
 13 HOM000964_0057, what we see is that you go into detail,
 14 again, helpfully in your statement, of further
 15 descriptors of the Act and the purpose but in
 16 particular, on intent to shock, intimidate or outrage
 17 the wider audience with explanations on those points.
 18 If we can go back, please, to the previous page
 19 HOM000964_0056, you said in 157 that the Home Office is
 20 in the final stages of agreeing the policy definition,
 21 with stakeholders and that that work will be reflected
 22 in interim guidance that the NIEV team is working to
 23 deliver in the autumn of 2026.
 24 Now, I think you can confirm for us that
 25 yesterday -- and when I say it was disclosed yesterday

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1 I mean factually, it is not raised as a criticism, we
2 know it was a recent document, but can we have
3 HOM001011, and if we go to page 2 HOM001011_0002,
4 please. So, this is the interim guidance, and by its
5 definition of "interim" -- one understands that it is
6 not final, but has this now in fact been published, has
7 it been circulated or is it about to be?

8 **A.** So this guidance has now been circulated. It was
9 circulated on 8 October to all authorities in England,
10 Wales and Scotland. Further, it is being circulated by
11 partners in DHSC to their NHS contexts, in DfE to
12 schools and teachers and through our Counter Terrorism
13 Policing networks as well.

14 **Q.** Thank you. So, I want, for the moment, to focus on it
15 for definitions and we see in paragraph 6 -- it is fine
16 on the screen as it is at the moment, but:
17 "We have developed a working definition of NIEV for
18 the purposes of this guidance."

19 I pause there to acknowledge it is a working
20 definition:

21 "... and to support the development of relevant
22 policies for managing NIEV risks. The definition is not
23 statutory, legal or operational in nature ..."

24 Then it is given as:

25 "The use or threat of extreme violence, not driven

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1 there? We are really conscience that the guidance that
2 has been issued is exactly as it says, interim, and that
3 the intent is not to provide the definitive word on this
4 and, indeed, we make explicit reference in the guidance
5 both to the fact that the definition is non-statutory
6 and not operational and also to the work of the Inquiry
7 crucially as we know this is an area of concern to all
8 of you.

9 The balance really is in providing a piece of short,
10 accessible and practical guidance to a potentially very
11 large number of public sector professionals who might,
12 in the course of their duties, be confronted by
13 individuals who present risk factors associated with
14 non-ideological extreme violence. So it is always
15 a balance of how much detail we provide versus the
16 simplicity of the words on the page, and we have, in
17 this instance, having tested with groups in the
18 Non-Ideological Extreme Violence Taskforce including the
19 practitioners' working group, opted for a simpler
20 definition.

21 You will also note that later in the interim
22 guidance, for example, we do not list a very large set
23 of characteristics, we choose instead to focus on those
24 we consider, at the present time, to be perhaps the most
25 salient and the most associated with this particular

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1 by a clear ideological purpose, which is communicative
2 in nature and intended to shock, intimidate or outrage
3 the public or a section of the public."

4 If we could go over the page, please HOM001011_0007,
5 we see explained that:

6 "Current research on NIEV suggests there is no
7 single ... pathway."

8 It goes into matters of that kind. Just pausing
9 there. Mr Emmett, we have seen from your statement that
10 some quite careful explanation was required of what is
11 intended by the third aspect of -- if we can go back,
12 please, to your statement and just have it back on
13 screen, it is page 55, HOM000964_0055, please.

14 So that aspect of explicit or implicit -- sorry,
15 bottom of the page -- that aspect of the explicit or
16 implicit intent to shock, intimidate or outrage wider
17 audience.

18 If we go over the page, HOM000964_0057, the
19 explanation in your statement at 162. It might be
20 thought that there's a risk that without that further
21 explanation, in particular the aspects of explicit or
22 implicit, that the interim guidance may be setting the
23 bar quite high without having that further explanation.
24 What's your view on that?

25 **A.** I think there's always a balance to be struck, isn't

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1 form of threat and risk.

2 **Q.** Thank you. Before we look into this aspect a little bit
3 further, the Inquiry has received a statement from
4 Mr Abbott on behalf of the Cabinet Office. Sir, for
5 your note, the reference is CAB000003.

6 **SIR ADRIAN FULFORD:** Thank you.

7 **MR MOSS:** We don't need to bring it up on screen but, in
8 essence, what Mr Abbott says is that the Cabinet Office
9 take the position that neither VFI nor NIEV describe
10 a group with fixed boundaries, determined by a single
11 exhaustive set of criteria and at paragraph 120
12 CAB000003_0037 of his statement, he says:

13 "The difficulties are such that it is not clear, at
14 least to me, that there should be a single, standard
15 definition of a VFI which is capable of widespread,
16 consistent operational use across government and by
17 frontline partners."

18 So, again, where I'm pointing, Mr Emmett, as you
19 will understand, to different views across Government,
20 it is not raised critically, the Inquiry has been very
21 clear that it is looking for Government departments to
22 explain their position so that these aspects can be
23 openly and candidly explored. But there does seem to be
24 something of a difference of a view here in that the
25 Cabinet Office is doubting, at least in the opinion of

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1 Mr Abbott, whether there should be a single standard
 2 definition of a VFI. What's your view on that and the
 3 Home Office's view?
 4 A. So, not having Mr Abbott's statement in front of me,
 5 there may be context --
 6 Q. Shall we bring it up?
 7 A. I'm not sure it is strictly necessary. I think the
 8 distinction here is whether it is the best use of our
 9 effort and resource to attempt to kind of tightly define
 10 a group of individuals or whether, as I think expert
 11 witness to this Inquiry have already testified and my
 12 statement speaks to a degree, it is of greater utility
 13 to look at a range of risk factors which, taken
 14 together, in some individuals, give rise to a sense that
 15 they may be a threat, they may be at risk of committing
 16 an act of non-ideological extreme violence and then to
 17 put in place an appropriate set of interventions to seek
 18 to divert them from that course, as we do with the
 19 Prevent programme and terrorism, for example, when we
 20 are not looking at a kind of single homogenous group
 21 there. We are looking at a range of different risk
 22 factors which, in the terrorism case, ideology is one
 23 but there are many others and it can depend and we are
 24 trying to identify early, a broad group and then through
 25 their risk factors, design and support packages that can

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1 were because we don't retain -- we don't have
 2 a definition and therefore then we don't assess our
 3 cases against this standard.
 4 So, both of those might point strongly towards the
 5 fact that there is, in fact, a need for a clear
 6 definition across Government, would you agree?
 7 A. Yes, so I would certainly agree that there is a need for
 8 a very clear definition of the harm we are seeking to
 9 prevent. A clear definition of the harm we are seeking
 10 to prevent but I think, within that, we should be very
 11 cautious of then identifying that with a single profile
 12 of a person who commits that harm.
 13 Q. Of course.
 14 A. I think that has been well explored.
 15 Q. Yes. Thank you. So, looking -- if we can just go to
 16 page 56 HOM000964_0056 again, please, and just the
 17 bottom of the page, 159. I said I would come back to
 18 the definition. So, first of all, "non-ideological
 19 extreme violence", NIEV, as a phrase, just looking at
 20 the pros and cons, do you think that "non-ideological
 21 extreme violence", as a phrase itself, is good enough to
 22 get practitioners to understand at first glance the type
 23 of cohort that we are really concerned with?
 24 A. So, and I think that is the acid test because we can go
 25 for -- you know you could have a much longer explanation

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1 help to divert them away.

2 So I think it is very much more about trying to
 3 define in terms which are of utility a threat type and
 4 to then understand how that might manifest in
 5 an individual or group of individuals and what the best
 6 method is for addressing that. I don't think, in that
 7 sense, there's much of a difference between the position
 8 I outline here and the one outlined by Mr Abbott. It is
 9 perhaps slightly semantic.
 10 Q. Just to test that a little bit. A view has been
 11 forthcoming, both from the seminars and from the experts
 12 last week, the Inquiry's experts, that having a clear
 13 definition is important for two reasons. The first is
 14 so that there is a genuine joint understanding -- given
 15 how many agencies are involved, there is a genuine joint
 16 understanding of what is meant by the type of person
 17 that this work is focused on and, secondly -- and this
 18 is borne out by a number of aspects of your own
 19 statement, it might be thought -- that there is
 20 currently a significant lack of data collated by various
 21 agents and available -- a lack of significant data
 22 available for researchers about this cohort, stemming
 23 from a lack of definition. So various Government
 24 departments have told the Inquiry: we can't tell you how
 25 many cases we have had of this kind or what the outcomes

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1 and a much larger acronym or you could try to zero in on
 2 something which has instinctive recognition value. We
 3 have attempted, whilst of course being true to the
 4 underlying concern, to frame a phrasing that makes sense
 5 to, in essence, the layperson because we have
 6 distributed the guidance very widely and we have tested
 7 this with a number of colleagues before distributing it.
 8 "Non-ideological" is at the core of this and it makes
 9 a clear distinction between this and terrorism and
 10 I think that that is essential. "Extreme", which is
 11 intended to capture the meaning, for example, in
 12 fascination with extreme violence and mass casualty
 13 attacks, as we see it categorised in the terrorism
 14 space, but that "extreme" word is designed to lift that
 15 violence.

16 The NIVE acronym doesn't cover that implicit or
 17 explicit attempt to shock in the acronym itself, but it
 18 is a clear component of the risk as we see it, and
 19 again, I think that's been explored by a number of your
 20 expert witnesses. So we would not have put out the
 21 guidance if we didn't think that that framing speaks to
 22 the type of harm that we are seeking to prevent. But we
 23 are very explicit that it is interim and obviously we
 24 take into account the considerations of this Inquiry
 25 going forward.

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1 Q. So as you are aware Professor Cassam, looking at this
2 definition, raised a number of points. The first was
3 that the definition, at least in its essential
4 components, which is why I have got it on the screen at
5 159, doesn't serve to exclude gang violence, extreme
6 gang violence and some other forms of violence, so
7 interpersonal violence because of personal grievance.

8 If we go briefly over the page, you need the further
9 explanation of the purpose, so at paragraph 161, as it
10 were, to sort of make that good. So, Professor Cassam
11 is really raising a criticism that, at least in the
12 short form definition, you get false positives. What do
13 you think about that?

14 A. I mean, I think there is a risk with any short form
15 definition and it is a judgment that one has to take.
16 Although I would observe that, of course, there are
17 a variety of arrangements in existence to deal with
18 precisely the types of violence set out here, which
19 I would imagine would disambiguate it in the views of
20 those who are receiving it.

21 Q. Perhaps more fundamentally, Professor Cassam drew
22 attention to the fact that the inclusion, as
23 an essential component of what we see in paragraph 162,
24 of intent to shock, intimidate or outrage a wider
25 audience, could produce false negatives because the

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1 and perhaps the frontline practitioner? It might be
2 suggested that the inclusion of an intent to shock,
3 intimidate or outrage wider audience, risks having
4 an essential component that would serve to set the bar
5 higher or perhaps even disincentivise referrals being
6 made?

7 A. That could certainly be suggested. Conversely, we also
8 suggest that it is important to set the bar high in
9 order not to capture acts of gang violence, acquisitive
10 violence and so on and so forth. So we need to tread
11 a careful line here in where we get to.

12 Q. Yes, but that's the purpose aspect, paragraph 161. You
13 see in relation to the intention, if one goes back to
14 the previous page please, HOM000964_0056, at the very
15 top of the page, 155; it might be thought to be curious
16 that, in relation to the initial Cabinet Office body's
17 definition of "VFI" it was said: well, we should not
18 have "intent" there because, as per the third line:

19 "In particular assessing intent to commit extreme
20 violence at the Prevent stage is inherently uncertain."

21 Yet the NIEV definition has re-inserted a different
22 type of intent. Isn't that different type of intent
23 equally difficult, inherently uncertain, hard to judge,
24 et cetera?

25 A. So I mean these are two quite different types of intent.

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1 definition requires violence directed at an audience to
2 shock and intimidate and so would, on the face of it,
3 seem to exclude somebody whose interest in carrying out
4 a mass casualty attack, who is totally indifferent to
5 what the public made of it and was only interested in
6 carrying out a mass casualty attack for violence sake
7 itself.

8 A. I think -- so I recognise Professor Cassam's criticism.
9 My very strong sense here is that an individual carrying
10 out a mass casualty attack is implicit in their desire
11 to communicate, whether it's something that they have
12 crystallised in themselves or whether it is frankly, as
13 we say in the definition here, implicit, in the choice
14 of target, the method of violence, the behaviour of the
15 perpetrators, the scale of the violence itself is by its
16 nature communicative and again, I think that has come up
17 in some of your earlier expert seminars.

18 Q. One can see that, in a sense, it might be thought that
19 somebody in that position underlying this, it is
20 implicit that perhaps they are seeking notoriety and
21 implicit that the way they get notoriety is by shocking,
22 intimidating or outraging a wider audience, so you can
23 get there arguably by an indirect route, but there is
24 quite a difference is there not, Mr Emmett, between
25 somebody with your deep understanding of these matters

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1 So the actual intent to commit violence and interest and
2 the intent in the context of a violent act being
3 communicative, so they are quite different. I'm sorry
4 I have then lost the thread of your question in trying
5 to explain that.

6 Q. I think it is apparent that there are different types of
7 intent but that doesn't perhaps answer the question
8 because in the Cabinet Office's early definition it was
9 said thereafter, that assessing intent is too difficult
10 but a different type of intent has been inserted in the
11 NIEV definition, with all the caveats of it still being
12 open to further thought, but a different type of intent,
13 with the added assessment that it is sufficient if
14 that's implicit. One comes back to, why, if intent was
15 thought to be so problematic in the early definition,
16 has a different type of intent been reinserted for the
17 NIEV definition?

18 A. What underlies this is the very clear sense we are
19 getting from those who have studied the sort of limited
20 group that the performative nature of the violence is
21 a really important feature for some, perhaps the
22 majority of cases of this type and we felt that it was
23 really important in that sense to capture, on the face
24 of the definition, as clearly as we could that aspect of
25 the risk precisely so that to a wider audience it has

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1 sort of immediate utility rather than having to go to
 2 sort of codicils and so forth.
 3 **Q.** Yes, I don't wish to be misunderstood on this Mr Emmett.
 4 I am sure you understand that I'm not suggesting for
 5 a moment this is any deliberate attempt to narrow the
 6 cohort but one wonders whether, from the point of view
 7 of the frontline practitioner, maybe that there is
 8 a risk of unintended consequences here, that you need
 9 a good understanding about the performative nature,
 10 et cetera, to understand what this intent means. But to
 11 frontline practitioners, it may be difficult to apply in
 12 practice and may have the unintended consequence of
 13 setting the bar higher than is intended?
 14 **A.** There is a balance to be struck, yes. There can, with
 15 any piece of guidance, be the risk of unintended
 16 consequences.
 17 **Q.** Because Professor Cassam, just finally on this point,
 18 posed to the Inquiry in the seminar, now I have to pose
 19 it to you, the difficulty that, in the former Prime
 20 Minister's Southport statement, he referred to the fact
 21 that:
 22 "... now, alongside that we also see acts of extreme
 23 violence perpetrated by loners, misfits, young men in
 24 their bedroom, accessing all manner of material online,
 25 desperate for notoriety.

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1 this, I think, if we just go down the page a little bit
 2 so that paragraph 157 is visible, that the whole concept
 3 of non-ideological extreme violence in that definition
 4 is describing the nature of the violence rather than
 5 describing the individual and he saw advantage in
 6 describing the potential perpetrator rather than the
 7 type of violence. What is the driver for the Home
 8 Office's preference to have a definition that describes
 9 the type of violence rather than the type of person?
 10 **A.** There is no single profile. You know, all of the expert
 11 evidence that we have listened to tells us there is no
 12 single profile and so is the risk of attempting to --
 13 a sort of person-centric description is that you end up
 14 trying to address a very broad set of risks, whereas if
 15 you take a position of: this is the harm we are seeking
 16 to prevent, these are some of the risk factors
 17 associated with it, which you can then apply to
 18 an individual case, we think that that's a more
 19 effective way, frankly, of operating either an early
 20 intervention or a later stage intervention.
 21 **Q.** Thank you. So the alternative, as you know, that
 22 Professor Cassam put forward was a suggestion of NIVE,
 23 it may be that the acronyms don't get any easier, but
 24 "Non-Ideological Violent Extremist" and what he
 25 suggested as advantageous about that, is you have your

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1 "Sometimes inspired by traditional terrorist groups.
 2 But fixated on that extreme violence, seemingly for its
 3 own sake."
 4 Professor Cassam challenged the NIEV definition by
 5 saying: actually, violence for its own sake risks being
 6 excluded by a component that views it as essential that
 7 there is an intention to shock, intimidate or outrage
 8 a wider audience. In other words, it falls short, or at
 9 least different, to what the former Prime Minister
 10 himself identified the problem as.
 11 **A.** I mean, there's a lot in that potentially. So the
 12 former Prime Minister was speaking early in this
 13 process. We have conducted a process to look at some of
 14 the elements here. I think that the notion of violence
 15 for its own sake is, at the very least, disputed in the
 16 kind of academic literature. It is very likely,
 17 certainly from my awareness, including from listening to
 18 the seminars that this Inquiry has had, that there is
 19 more often than not, or perhaps even in almost every
 20 case, an underlying purpose to that violence. Even if
 21 the violence itself has become an obsessive factor for
 22 the individual, there are other grievances at play.
 23 Precisely why we look at trying to describe some of the
 24 factors of that type in the guidance.
 25 **Q.** The final aspect of Professor Cassam's criticism on

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1 non-ideological aspect in there but the suspect of
 2 violent extremist, on its face, excludes gang type of
 3 violence but doesn't include any necessary intention
 4 element.
 5 Now, has thought, since that seminar, been given by
 6 you and your team to that definition? There is
 7 an obvious issue about it, it might be thought, that
 8 "extremist" connotes extremism and there is a Government
 9 definition of "extremism" which is linked to ideology
 10 but what has the Home Office made of that alternative
 11 suggestion?
 12 **A.** I will try to be as brief as possible but really happy
 13 to explore this in more detail that you would like.
 14 A violent extremist is a terrorist and that is a fairly
 15 well accepted position, certainly in the UK Government
 16 and some international colleagues as well, because we
 17 are talking about extremism and extreme ideology and its
 18 combination with violence which is broadly a definition
 19 of a terrorist. When I talk to my international
 20 colleagues, for example in our working group, we would
 21 have a violent extremism working group, and that would
 22 be largely, although not necessarily exclusively
 23 concerned with terrorism, that's for later, I am sure.
 24 You rightly point out that the UK Government's
 25 definitions of both "terrorism" and "extremism" are

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1 closely aligned to the requirement for an ideology.
 2 Both of them are the advancement of an ideology. The
 3 definitions of them, terrorism, in law and extremism in
 4 a nonstatutory basis dating to 2024, are based on
 5 a holding of an ideology and the methods used to advance
 6 that ideology. So for that reason I think the NIVE
 7 definition is problematic, perhaps again, as I have
 8 heard discussion from a UK perspective but I also
 9 suspect slightly more broadly. Perhaps also more
 10 problematic because of the importance right now in
 11 policy terms of the notion of extremism and how it
 12 should be addressed and a desire not to conflate this
 13 non-ideological violence with ideologically-focused
 14 extremism which is a whole another ball game.
 15 **Q.** But even internationally, one thinks, for example, of
 16 the US Department of Justice's concept of "nihilistic
 17 violent extremism", I'm not sure it, is right -- you are
 18 far more expert than me, but I'm not sure it's right to
 19 say that internationally "extremism" as a word connotes
 20 ideological terrorism because the US uses "nihilistic
 21 violent extremism"?
 22 **A.** You are right and I wasn't meaning to -- I didn't mean
 23 to give any impression that internationally, that kind
 24 of definitions of extremism are fixed. Merely that in
 25 certain multilateral fora "violent extremism" is used as
 25

1 definition: the promotion or development of an ideology
 2 based on violence, hatred or intolerance that aims to
 3 negate or destroy fundamental rights or freedoms, or
 4 undermine or replace the UK system of a liberal
 5 parliamentary democracy, there are a set of expectations
 6 on all of us to counter extremism and a set of tools are
 7 available to do so. So there is a risk I think, and
 8 there is always a risk with these things, that if we end
 9 up conflating different threats -- and they are
 10 different threats in that sense -- that we can end up
 11 being less clear about what it is that we are trying to
 12 combat.
 13 **Q.** Forgive me, do you mean by that there is a particular
 14 importance because that triggers the Prevent duty?
 15 **A.** No, I mean there is a particular importance because we
 16 perceive -- and the Government was clear in its release
 17 of the "Protecting What Matters" document some time ago,
 18 that there is an extremism challenge in the UK which is
 19 based on an understanding of extremism grounded in that
 20 definition, and that that is ideologically motivated and
 21 ideologically based.
 22 That is not to say -- of course, there is
 23 a non-ideological extreme violence challenge, as we see
 24 it and we are here to talk about it, but this other
 25 thing exists as well and there is a risk, I think, in
 27

1 a sort of byword for terrorism because of the slightly
 2 different definitions of that phenomenon. On the US
 3 definition of "nihilistic violent extremism", NVE, my
 4 basic understanding of that is that the nihilism in that
 5 sense is the kind of extremist backdrop, the ideological
 6 backdrop to the violence, but others will be more
 7 expert.
 8 **Q.** Of course, the "terrorist" definition is based in
 9 statute but the definition of "extremism" is
 10 a discretionary non-statutory one, isn't it? It was
 11 reviewed, as I think you mentioned, in 2024. Is there
 12 merit, taking a different view and given, as we will
 13 come onto, what's assessed to be the rise in VFI type
 14 risk, whatever one calls it, is there a case for the
 15 contrary approach and saying: no, look at Southport,
 16 this type of violence should be recognised as a form of
 17 extremism?
 18 **A.** So I'm certain the case could be made for a contrary
 19 approach. I would be cautious and I would be cautious
 20 largely because, in another part of my role, I am
 21 concerned with countering extremism, ideological
 22 extremism and the Government's efforts to do that. In
 23 that sense, the non-statutory definition is really
 24 crucial because it helps us and it helps communities to
 25 understand that where they meet people who meet that
 26

1 starting to conflate the two in linguistic terms because
 2 I think distinction is important.
 3 **Q.** Mr Emmett, you understand very well the unusual
 4 landscape that we are in with an Inquiry running in
 5 parallel with Government policy developing. Can you
 6 just help us, as to expectations and timing on this
 7 aspect of definitions, as to when the Government and
 8 your taskforce may seek to, my words, go firm on
 9 a definition? Is it intended to await the Inquiry's
 10 report in Phase 2 or could it come before then? Could
 11 you give us the overview of what the intentions are and
 12 the timings are?
 13 **A.** Absent some other external factor which I can't predict,
 14 it is absolutely our intention to await the Inquiry's
 15 report on Phase 2 and the guidance will remain interim
 16 until that time.
 17 **Q.** Thank you. Can I move to the second topic then, please,
 18 and look at the responsibilities within Government.
 19 Mr Emmett, this is an area where, in particular, your
 20 statement gives a good amount of helpful detail and
 21 I won't seek to go through it all by any means but I do
 22 want to just look at some of the headlines, please,
 23 because it sets the context not just for your evidence
 24 but for evidence to come.
 25 So, if we can look at page 7 HOM000964_0007, please,
 28

paragraph 10. You set out there, it is the Home Office who is the lead department for national security and public safety and:

"... it has been agreed that the Home Office ... should hold coordination and policy development responsibility for addressing the risk posed by NIEV, although as set out below, delivery of mitigations ... is a cross-government effort."

You then touch on it very briefly, give helpful detail on this. So we see in the next paragraph that within the Home Office, it is the Homeland Security Group that leads on national security responsibilities, oversight of Counter Terrorism police and indeed MI5. Then over the page, please, HOM000964_0008, you explain that the Counter-Terrorism Directorate sits within the Homeland Security Group and then, if we can go to page 22 HOM000964_0022, please, paragraph 62.

You explain there that the NIEV taskforce was announced on 13 April. It is across Government but the Home Office leads and is the principal current delivery vehicle of the taskforce for delivering in this area.

If we can go over the page, to 64 HOM000964_0023. You say:

"The purpose of the taskforce is to develop effective and proportionate management of NIEV risk in

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tension between different demands upon different departments. Clearly in this case, there is a collective will to move forward with this work which is influenced by the very good representation that we get in both those formal governance meetings but crucially in the working group activity that takes place between those governance meetings and we have got positive engagement from a wide range of colleagues from across Government and beyond.

Q. Thank you. You set out in your statement, and I will take this as briefly as I may, why so many other Government departments are involved you and give us an outline of their responsibilities and obviously we will pick up the detail of this with witnesses later in Topic 1, but if we can just start on page 15 of your statement, please HOM000964_0015. If we just go down the page, please. Again, you see the "Cabinet Office" and you explain the role of the Cabinet Office. You set out, first of all, the relevant Secretariats within the Cabinet Office, starting with the Economic and Domestic Affairs Secretariat. If we go over the page HOM000964_0016, you set out the National Security Secretariat within the Cabinet Office and the role of the National Security Council, paragraph 41. Then, could we go to paragraph 42 please.

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the context of wider public safety and national security threats, by examining the end-to-end system for identification, risk management and intervention."

We will come back to this perhaps a little bit later, but in general terms, given the NIEV taskforce sits within the Home Office and your responsibilities for it, in real terms what influence and levers do you have over the other Government departments who have very important roles to play in the delivery of solutions?

A. So, setting up the taskforce, we drew on our experience of delivering counter-terrorism where there are a great deal of distributed levers across Government and where those are brought together in a set of governance which is well established. We have learned from that in establishing the NIEV taskforce, so we have ensured that there is sufficient senior oversight. My boss, the Director General of Homeland Security, chairs a senior steering group. I chair the Strategic Delivery Group and -- which has a cross-Government membership at director level and equivalent and includes operational partners as well, including policing.

Then we have a series of underlying working groups on which there is cross-Government representation. The question as to levers is these are the usual levers of Government. There is always -- you know there is always

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You refer there to the same Cabinet Office body as we saw in relation to definition of VFI and you explain there that they produce:

"... analysis and insights to support policy and decision-making at the centre of government ... [and they] provided analytical support to the National Security Secretariat on the VFIs work."

I think you can just confirm that that's the body that was involved -- I appreciate we are skating around the redaction here, but that was the body that was involved in the early work on definitions, is that right?

A. Yes, absolutely.

Q. Thank you. Then, again, just so that we have it in broad form, if we go to page 17 HOM000964_0017, please, paragraph 44 and onwards.

We have just got to deal in outline for the moment with the position of DSIT as was. So the former Department for Science, Innovation and Technology, as will be familiar to many, this is right, it previously held the responsibility for the Online Safety Act, yes?

A. That is correct.

Q. And in the machinery of Government changes, that came into effect I think on 21 July this year, so just before your statement was signed, the responsibility for the

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1 online safety aspects has passed to what is now called
 2 the Department for Digital, Culture, Media and Sport,
 3 have I got that right?
 4 **A.** That is correct.
 5 **Q.** Thank you, and then, still under the heading of the
 6 former department, DSIT, you detail the "Government
 7 Office for Science (GO-Science)". Just in brief terms,
 8 can you give us an indication of what GO-Science
 9 involvement was in the early stages of the work
 10 post-Southport?
 11 **A.** So my recollection in the early stages of the work
 12 post-Southport, the Government Office for Science
 13 performed a convening function across Government, trying
 14 to bring together experts at real pace to try and
 15 understand what we know about the potential cohort, what
 16 we know about what works and that included the
 17 Government's then chief scientific adviser.
 18 **Q.** Thank you. Where does that now sit, post-the machinery
 19 of Government changes, forgive me, I should know?
 20 **A.** My apologies. I probably should as well, but I don't.
 21 I am sure we can find the answer.
 22 **Q.** We will come back to that and maybe I am sure somebody
 23 can check that out for us in the adjournment. You then
 24 detail with the Department of Health & Social Care,
 25 paragraph 48 please. As you explain, that is the

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1 of children's social care and the role that children's
 2 social care plays in multi-agency dealing, your
 3 taskforce is going to have very careful consideration to
 4 the position of adult social care's role, given what is
 5 sometimes described as a cliff-edge when children reach
 6 18 and a vast difference of how services are organised
 7 in the social care setting between children's social
 8 care and adults?
 9 **A.** It will certainly require an understanding of how that
 10 works in practice and of course, we see some of that
 11 mirrored in our current experience of delivering Prevent
 12 in the counter-terrorism context where we deal with, of
 13 course, the full range of risk, children and adults.
 14 **Q.** Thank you. Then over the page, HOM000964_0018,
 15 paragraph 49 you detail the Ministry of Justice, so
 16 important responsibilities for youth justice, with the
 17 Youth Justice Policy Unit, as you have set out there.
 18 Then just a little bit further down, if we can have the
 19 totality of paragraph 50. You set out detail in
 20 relation to the counter-terrorism assessment and
 21 rehabilitation centre, CT-ARC. In the many pages that
 22 follow this, there is a number of places where you come
 23 back to the work of CT-ARC, their ability to give input
 24 into some important areas, the work that they are likely
 25 to have in future in this area. Can you just explain,

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1 Department that's responsible for adult social care as
 2 well as mental health care and obviously, also
 3 importantly, carries responsibility for support for
 4 autistic people, is that right?
 5 **A.** Yes, that is correct.
 6 **Q.** Just pausing there, one shouldn't overlook, is this
 7 right, in terms of potential options for change and
 8 multi-agency working, that aspect of the Department of
 9 Health & Social Care that deals with adult social care
 10 for this reason, that the cohort of those with which we
 11 are concerned does not stop at the age of 18, would you
 12 agree?
 13 **A.** I would certainly agree.
 14 **Q.** From our expert evidence we have heard that those
 15 particularly vulnerable in this area, maybe those with
 16 neuroimmaturity which includes those going through to
 17 late teens and early 20s, because -- my summary -- 18 is
 18 an arbitrary legal cut-off, but I think you would agree
 19 in broad terms that the risk group for age -- I'm not
 20 suggesting that 25 is a clear cut-off either -- but
 21 certainly doesn't stop at 18?
 22 **A.** I would certainly agree with that.
 23 **Q.** Would you agree, therefore, that, in looking at what
 24 often feels the central but very important role of
 25 children's social care and current guidance in the area

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1 in your own terms, what CT-ARC actually is?
 2 **A.** As I say here at paragraph 50, it is a HMPPS body. It
 3 is -- the crucial component of CT-ARC is its access to
 4 and ability to study in detail a group of offenders,
 5 namely terrorist offenders and for that reason, there
 6 is -- and that has huge utility in helping us to
 7 determine, in the counter-terrorism system, the types of
 8 risk indicators that we can see through eliciting, in
 9 some cases, long and detailed life and case histories of
 10 those individuals. So it is a really, really unique
 11 resource that they have, if you like, and a really,
 12 really unique capability that enables HMPPS to manage
 13 that cohort most effectively in detention. But we don't
 14 hold that knowledge there, we have made very deliberate
 15 efforts, particularly in prevention, to reach into
 16 CT-ARC and use them as this expert body that can help us
 17 to design crucial risk assessments -- and we'll get onto
 18 it later I am sure, but in the Prevent assessment
 19 framework, the CT-ARC had an absolutely central role in
 20 helping us to design that because of that unique access
 21 to that group of offenders.
 22 **Q.** We will pick it up with MoJ when they come to give
 23 evidence, but are you aware of any plans for
 24 an equivalent body for NIEV, NIVE or VFI offenders,
 25 however they are called, to have a similar focus?

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1 A. So there are no current plans for an equivalent body
 2 there but I would add, of course, that in the work that
 3 CT-ARC have done, the kind of role of violence
 4 fascination in terrorism cases is a legitimate area of
 5 interest for them and we have certainly engaged them as
 6 we have moved forward with the taskforce.
 7 Q. Thank you. So, this may be an unfair summary, but would
 8 it be right that CT-ARC are willingly lending assistance
 9 but it is in the form of, when looking at NIVE matters,
 10 by analogy by what we know about terrorists and then
 11 they are giving assistance?
 12 A. Yes, I think that's probably correct.
 13 Q. Thank you. Next you deal with the Ministry of Housing,
 14 Communities and Local Government, paragraph 51, and you
 15 detail there the cohesion/integration work and you
 16 explain that that work, taken forward by MHCLG, supports
 17 but is separate from the delivery of Prevent and
 18 CONTEST; is that right?
 19 A. Yes, that is correct.
 20 Q. Thank you, and then over the page, HOM000964_0019, we
 21 have the Department for Education and you set out
 22 obviously the very important role of DfE for schools,
 23 which is self-evident, but you make the point which we
 24 have seen obviously in our Phase 1, that in practice,
 25 schools and colleges are often the first institutions to

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1 Ms Dixon, will be happy to cover that in her evidence.
 2 Q. Yes, and again, I'm not going to press you in relation
 3 to the detail of that, but the reason why it is
 4 important, again, if we are thinking about multi-agency
 5 dealing and social care, there is, in Government, this
 6 divide whereby, for adult social care it is the
 7 Department of Health & Social Care and for children,
 8 those under 18, the framework is set by the Department
 9 for Education?

10 A. Yes.

11 Q. Thank you. Then CTPHQ, Counter Terrorism Police
 12 Headquarters, paragraph 53, you explain -- and the
 13 Inquiry is familiar with this, of course, by now --
 14 providing the national oversight of Counter Terrorism
 15 Policing network and supports and assures the regional
 16 counter-terrorism units, as you have set out there.

17 So that's that helpful section of your statement.
 18 I have gone through that quite quickly. There is a lot
 19 more detail, as I have said. Can I just ask some
 20 aspects about that.

21 In terms of the NIEV taskforce, we have seen that
 22 it's Home Office led. I think you are aware that
 23 Lord Anderson, in his Lessons for Prevent report,
 24 recommended that it should be a Cabinet Office-led
 25 taskforce. Sir, for your note, that's paragraph 5.4.4

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1 identify individuals who may present risk of serious
 2 violence, because they have the most consistent
 3 day-to-day contact with children and young people?
 4 A. Yes. Absolutely, the education sector, schools, are
 5 completely essential to the work that we do both in CT,
 6 my depth of experience, and to the future work in
 7 non-ideological extreme violence. Precisely -- it's
 8 exactly, as I say, because of that day to day contact
 9 and the ability to notice changes in individuals and
 10 when we get to it later -- I am sure we will -- when we
 11 look at the "notice, check, share" guidance in relation
 12 to Prevent referrals, for example, that it is very
 13 squarely aimed, amongst others, at that group, to enable
 14 a kind of structured decision-making process, where
 15 risks appear to be manifesting, about how to go about
 16 framing those and, if necessary, making a referral to
 17 Prevent.
 18 Q. Thank you. You and colleagues who worked on the
 19 statement had a great deal of ground to cover. But is
 20 it fair to observe that missing from the summary of the
 21 Department for Education responsibilities in the
 22 statement is that they are also the department who are
 23 responsible for setting the framework for children's
 24 social care?

25 A. That is a fair assumption, yes. I am sure my colleague,

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1 of the report at page 114.

2 **SIR ADRIAN FULFORD:** That's very helpful.

3 **MR MOSS:** Would there be greater powers for this taskforce
 4 if it was centred in the Cabinet Office? Would that be
 5 more efficient?

6 A. So, I do not think there would be any greater powers
 7 per se. The Cabinet Office has a crucial function at
 8 the centre of Government convening when there are
 9 cross-cutting issues and, you know, driving departments
 10 to deliver. But as I think my colleague Mr Abbott
 11 explains in his witness statement, we also cleave quite
 12 strongly to a lead Government department concept, where
 13 devolving delivery and coordination across Government to
 14 a lead Government department is something which is done
 15 and it is done. Where there is a clear lead in the
 16 respect of the NIEV taskforce, that is the Home Office
 17 for the reasons set out in my witness statement, which
 18 is that principally this is a matter of public
 19 protection and that is the Home Office's lead.

20 Again, I'm becoming a stuck record but we take a
 21 similar approach in counter-terrorism. The
 22 counter-terrorism lead department is the Home Office.
 23 The Home Secretary is the lead minister for
 24 counter-terrorism and obviously the Cabinet Office take
 25 a role, where there is a particular issue that might

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1 require Government to come together because it is novel
 2 or complex, but generally, the position is to push it
 3 out to departments.
 4 I think in making his recommendation -- the
 5 particular context for the recommendation that
 6 Lord Anderson makes is the Big Front Door concept and we
 7 will doubtless discuss this in some detail later.
 8 I think that were one to take a very expansive view of
 9 that and a sort of wholesale re-wiring of safeguarding
 10 and other associated processes, then, it would almost
 11 certainly be something more significant than
 12 an individual department even convening across
 13 Government can address and you probably would want
 14 something very, very large at the centre. But I think
 15 once you get into still very significant but more modest
 16 interpretations of that, that's certainly something
 17 I would consider to be in the remit of the taskforce as
 18 currently conceived. Although, as we will explore
 19 later, there are some other parts of Government working
 20 in similar spaces, i.e. the reform of violence
 21 prevention, which we must work in tandem.
 22 Q. Thank you. I am sure this is an unfair simplification
 23 but taking a step back from the detail, one can see, as
 24 set out in your statement, that the Cabinet Office did
 25 have a role in pulling relevant departments in and

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1 A. We would absolutely be prepared to use it were it
 2 necessary.
 3 Q. In terms of coordination at ministerial level, it seems,
 4 from open source, that the Minister of State, the
 5 Security Minister, Mr Jarvis, appears to have NIEV/VFI
 6 within his portfolio of responsibilities. Is that
 7 correct, in simple terms?
 8 A. So, certainly we regularly update the Minister of State
 9 but ultimate responsibility lies with the Home
 10 Secretary.
 11 Q. Below the level of the Home Secretary, would there be
 12 a case for having a minister who held cross-Government
 13 responsibility, given how complex it is and how many
 14 Government departments are involved?
 15 A. So, in seeking to convene ministers across Government,
 16 I would certainly rely on the Security Minister in that
 17 role.
 18 Q. Again, you must correct me if I have this wrong because
 19 I have taken this from open source, but is it relevant
 20 there that the security minister holds a joint position
 21 in the Cabinet Office as well as the Home Office?
 22 A. Yes.
 23 Q. Thank you. Then page 21, HOM000964_0021, paragraph 59
 24 please. You deal there with the VFI Unit, as was, from
 25 March to October 2025. So that unit was quite

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1 pressing for work and reporting at a high level, in
 2 broad terms, 2025 and perhaps early 2026. Then, after
 3 the creation, in April 2026, of the NIEV taskforce, it
 4 might be understood that to some extent the Cabinet
 5 Office has stepped back and I hesitate to use, in the
 6 context of Southport, the phrase "business as usual",
 7 but it seems that now it is with a Home Office led
 8 taskforce; is that a fair summary?
 9 A. I can assure you that my colleagues from the Cabinet
 10 Office remain very closely engaged in this work and
 11 candidly, very demanding of me and the taskforce. So
 12 I don't think I would characterise it as stepping back.
 13 Their interest, on behalf of the Prime Minister and
 14 Cabinet, in the work of this taskforce is significant.
 15 Q. Have there been, since the creation of the taskforce,
 16 any occasions where you have felt the need, perhaps with
 17 your director general, to go to the Cabinet Office and
 18 say, "We are not getting the results or the response
 19 from other Government departments that we need"?
 20 A. That is an option that is open to me and my director
 21 general --
 22 Q. Has it happened so far?
 23 A. Not one that we have exercised to date.
 24 Q. Thank you. Would you be prepared to use it if it were
 25 necessary?

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1 short-lived. What was the reason for change from a VFI
 2 Unit to the NIEV Taskforce?
 3 A. So, the unit was put together really very quickly
 4 indeed. I remember essentially appointing the head of
 5 the unit on a Sunday evening in order to get this
 6 moving. So it came together very quickly and it came
 7 together initially with staff from across the Home
 8 Office and then we pulled in colleagues from across
 9 Government, following an appeal from the Permanent
 10 Secretary -- I think you have Mr Rycroft's letter
 11 somewhere in the disclosure.
 12 That had to be a short-lived arrangement. It was
 13 aimed to do the things that are set out in my witness
 14 statement: initial mapping exercises, preliminary
 15 conclusions, and so on and so forth. Then there came
 16 a point where the staff secondments needed to be drawn
 17 to an end. Some key staff members who had already,
 18 prior to this being set up, got other roles to go to,
 19 needed to be moved on and there was a sort of natural
 20 point at which we needed to consider what our longer
 21 term response would look like. So the sort of closing
 22 down of the VFI unit then coincides with two things.
 23 First, the formation of the Counter-Terrorism
 24 Directorate within the Home Office, which was the
 25 merging of several parts of different directorates, the

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1 detail of which doesn't concern us, but crucially at
 2 that point, I and my boss had to take a decision about
 3 how we would seek to resource ongoing work in this area
 4 and the nature of the advice we would give to the Home
 5 Secretary about their role in this. I think you have
 6 that advice and the summation being, a taskforce, a unit
 7 in the Counter-Terrorism Directorate which would support
 8 that taskforce, the NIEV delivery unit, and the Home
 9 Secretary as the Minister. So all of those decisions
 10 post-October 2025, until the formal stand-up of those
 11 things were what was being worked through.

12 **Q.** Thank you. Looking at the intention behind the NIEV
 13 Taskforce and the sort of key product that it might
 14 deliver, if we look at page 22 HOM000964_0022 and
 15 paragraph 62, please. You say that it was announced on
 16 the date of publication of the report, the Inquiry's
 17 Phase 1 report, then onto page 23, HOM000964_0023, the
 18 next page, paragraph 66:
 19 "The outputs ... are expected to include ..."
 20 The following:
 21 "A cross-government evidence base on NIEV that
 22 supports the early identification of emerging risks,
 23 operational pressures and gaps in the current system."
 24 I appreciate that this is very difficult but can you
 25 put some sort of timescales on that, as to when it is

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1 that will never be finished either. But is that
 2 something that's going to follow as quickly as
 3 practicable after the Phase 2 report is published, for
 4 example?

5 **A.** So, in my mind, very clearly -- and here, sort of
 6 point 4 in paragraph 66 is relevant, in my mind quite
 7 clearly we are operating to a timescale dictated by this
 8 Inquiry and we will attempt to have done as much
 9 thinking as possible, informed by constant tracking of
 10 the work of this Inquiry, as well as our own work, on
 11 how policy might develop in order that we can give
 12 advice to ministers on key strategic choices. That, for
 13 me, is crucial.

14 That doesn't then preclude further work following
 15 that. It may be that some of those choices are -- there
 16 are options here and we want to pilot them at scale,
 17 that may be the nature of the choice at that stage,
 18 rather than we want to make systemic change now without
 19 a pilot. But very firmly in my mind there are at least
 20 two phases to this, at least two phases, but those two
 21 crucial phases: pre-your Phase 2 report and post.
 22 Crucially, the policy development, the evidence base
 23 that we do now must, in every way, support us being able
 24 to advise ministers at that point.

25 **Q.** Thank you. Mr Emmett, it will have been explained to

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1 envisioned that at least the initial output of that
 2 might be delivered?

3 **A.** So we have a clear view now of the state of the evidence
 4 base which again, I believe has been shared with the
 5 Inquiry and if not, I can certainly make arrangements
 6 for it to be so. What's necessary is to prioritise
 7 those gaps in the evidence which we believe are most
 8 pertinent to the next phase of work and also those gaps
 9 which can be filled, given the kind of paucity of data
 10 in some spaces.

11 So that is the status of that work. I don't think
 12 it will ever be complete, just as, for example, the work
 13 to develop our terrorism evidence base is never
 14 completed, so it is constantly evolving. I'm afraid,
 15 I'm not really able either to give a view when it will
 16 sort of reach a stage of adequate, because much depends
 17 on what the next phases of research do across a whole
 18 range of different products.

19 **Q.** Can I ask the same about 2:
 20 "A coherent cross-government programme of policy
 21 development, including pilot activity."
 22 Now, littered throughout your statement are examples
 23 of ways in which policy is being developed, including
 24 pilot activity. But are you able to say anything about
 25 the envisaged timescales? I am sure you will say: well,

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1 you that part of my role involves raising concerns and
 2 indeed questions that are tendered to the Inquiry on
 3 behalf of Core Participant teams, including the victims,
 4 and they have asked about the deliverables for this and
 5 include subsection 4 within that, "Advice to ministers
 6 on key strategic choices, trade-offs, resourcing issues
 7 and delivery risks".

8 Now, you will be aware, if the Chair will forgive me
 9 putting it in this way, that it is no part of the
 10 Inquiry's role to suggest that Government should pause
 11 on its work while the Inquiry does its work. But can
 12 you just give us, in a nutshell, how your taskforce and,
 13 indeed, the Home Office is striking that balance between
 14 getting on with work and improvements and awaiting the
 15 findings of Phase 2 of the Inquiry?

16 **A.** So it is a challenging balance to strike and we have
 17 a unique circumstance here. I think the key is
 18 maintaining absolutely our duty of candour to the
 19 Inquiry about all of the steps that we are taking and
 20 being very conscious that we do not, in the work that we
 21 do, close any doors which might unduly constrain the
 22 recommendations that the Inquiry makes and that's
 23 absolutely not our intention. So, in crude terms, those
 24 strategic choices, trade-offs, resourcing, delivery
 25 risks, they have to wait. But we have to build the

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confidence of the community across Government to understand the issue, to understand the policy challenges and the operational challenges that sit within it and that is the best preparation that I can think of for being able to respond fully and in a timely fashion to the recommendations that this Inquiry eventually makes.

In other words, to attempt to reduce the timescale between recommendation and formal Government response and formal Government action, should ministers decide that that is the route to take.

Q. Thank you.

I just want to pick up on a point of detail in paragraph 60, page 22 HOM000964_0022, please. You deal there with the Violence Fixated Individuals Analytical Group, VFIAG, and you explain that that group led work on VFIs in early 2025:

"[This group] comprising a cross-[Government] Senior Analytical Leadership Team and the Chief Scientific Adviser Network ..."

You then say that it is now going to be carried out by the NIEV Taskforce. So we should understand, should we, that the Violence Fixated Individuals Analytical Group has now been disbanded and taken over by the NIEV Taskforce and a subgroup within the NIEV Taskforce?

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able to understand who is doing what, why and when and whether it is consistent, in crude terms. So for me, as a kind of longstanding national security professional, I am used to arrangements of this type and my colleagues from Government departments, law enforcement and elsewhere, are also very well used to arrangements of this type where we come together on a particular theme.

The complexity with this work, of course, arises from the fact that it sits in a space effectively between a national security world concerned with countering terrorism largely because of the role of the Prevent programme as a kind of early indicator of this threat rising, and a very safeguarding and social care focused world elsewhere. But that is not unique either because we have, for many years in our counter-terrorism practice of course, been reaching out to and fully involving the Department of Health & Social Care and the Department for Education precisely because of the nature of the threat changed and the nature of the way in which we need to respond to it changed.

So yes, there is complexity here. I do recognise that it will appear and to the extent that I'm an observer, but for Government, this is a manner of working to which we are used to.

Q. Thank you. I am going to turn to our third topic now,

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A. Yes, that is correct, the analytical working group within the NIEV Taskforce.

Q. Was there any particular reason behind that, other than just thinking that it's: that work now fits better within the NIEV Taskforce? There's not something lying behind that group being somehow abandoned or disbanded or no longer resourced --

A. No, and in practice, the membership will be pretty much analogous. I could get you detail if you are interested but all of the relevant departments and agencies which were previously represented in the VFIAG will be part of the NIEV Taskforce Analytical Working Group. The Chair has changed. It is now chaired by the Home Office Homeland Security Analysis and Insight Deputy Director.

Q. Thank you. The complexity of these arrangements, I am sure are ones that form part of your everyday working life and so you will understand them. Is there a danger for other parts of Government as to how complex these arrangements are in relation to NIEV and the cross-Government responsibilities, do you think?

A. Thank you for the kind of implicit point early in your statement, but government is complex. When of there is a cross-cutting issue or harm that touches the responsibilities of several different departments, we need to come together in some form of governance to be

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the chronology of policy development work to date and we will make a little headway before we take our mid-morning break.

This is a section which you provided again a detailed narrative summary of the initial policy development work and, sir, for your note, it runs from paragraphs 116 through to 151.

SIR ADRIAN FULFORD: Thank you.

MR MOSS: Mr Emmett, we could take a day exploring just this issue. So, again, I just want to pick up on some main headlines and for that reason I'm not going to cover the period at all of the date of the Southport attack in July 2024 to January 2025 because, insofar as relevant, those were picked up in our Phase 1 work.

Could we start, therefore, in January 2025 and could we just look at page 40, HOM000964_0040, paragraph 120. You say there that Counter Terrorism Police, the National Police Chiefs' Council and the National Crime Agency made proposals for wide-ranging inclusions of a package response to the attack.

Could we just have a look, please, at HOM000254, partly just to get that letter on the record. So it is the 28 January letter. That's the letter to which I think you were referring, is that right?

A. Yes.

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1 Q. We see that it was a letter, in terms of its
 2 seriousness, that was sent directly to the Home
 3 Secretary from these three bodies, yes?
 4 A. That's correct.
 5 Q. If we can go back to your statement, please, at page 40,
 6 HOM000964_0040 paragraph 120. If we can have the bottom
 7 half of the page. So, because of the importance of this
 8 I'm just going to read out your very helpful summary of
 9 key points that were being put forward. So you say that
 10 the factors that the police highlighted included, in
 11 particular:
 12 "(1) The increased number of referrals to Prevent
 13 following [the] attack and [his] conviction and the
 14 resulting pressures on the Prevent system;
 15 "(2) The role other parts of the system -- in
 16 particular health and education -- had to play in the
 17 identification and management of risk;
 18 "(3) The importance of there being clear and
 19 definitive ownership for the support provided to
 20 individuals and the management of the risk [that] they
 21 posed."
 22 Those were all matters being flagged at that high
 23 level to the Home Secretary as early as January 2025,
 24 yes?
 25 A. Yes, that's correct. I recall this letter being very

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1 programme consists of Young Future Hubs, which are
 2 delivered by the Department for Digital, Culture, Media
 3 and Sport, as it now is, and Young Futures Panels
 4 delivered by the Home Office, and you explain that they
 5 have been piloted in 20 areas across the country since
 6 late 2025 and evaluation is ongoing.
 7 In relation to that, in terms of -- we may come back
 8 to this later today or tomorrow -- their potential role,
 9 do you know what percentage of areas in England and
 10 Wales have currently covered by the pilots? When you
 11 say 20 areas, do you know how that looks in percentage
 12 terms?
 13 A. I'm afraid, I don't have that figure. I am sure we can
 14 find it for you.
 15 Q. That may be useful, if you could let us know.
 16 Paragraph 102, you set out how they are multi-agency
 17 teams, but without denigrating that at the moment, we
 18 also see that you have set out, see the last sentence,
 19 that panels don't have a case management function at
 20 present. Is that right?
 21 A. Yes, that's correct.
 22 Q. Thank you. Sir, I wonder if that would be a convenient
 23 moment to break for our mid-morning break?
 24 SIR ADRIAN FULFORD: You have a better sense of time in
 25 relation to this than I do, Mr Moss. How long?

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1 significant at the time and it remains so. I would add,
 2 I suspect, to that list, the role of the online
 3 environment which I cover in paragraph 120, that was
 4 also a very significant feature of that letter.
 5 Q. Thank you. We know, if we look at paragraph 121, that
 6 also early in 2025, there were proposals for the Young
 7 Futures Prevention Partnerships panels. Sir, for your
 8 note, HOM000261 is the particular proposal but we don't
 9 need to turn the detail of that up for now. If we could
 10 look, please, at a separate section of your statement,
 11 page 31, HOM000964_0031 paragraph 101. Page 34,
 12 HOM000964_0034, paragraph 101. I am sure that was my
 13 fault, I'm sorry. It must be a previous page. Thank
 14 you.
 15 So, Young Futures Panels:
 16 "Young futures Panels are part of the Government's
 17 Young Futures Programme, a manifesto commitment which
 18 aims to ensure children and young people aged between
 19 10-17 who are deemed vulnerable to being drawn into
 20 crime, and in particular are at risk of violence, are
 21 identified earlier and supported in a more systematic
 22 way, as well as creating opportunities for young people
 23 in their communities, through the provision of open
 24 access to mental health and careers support."
 25 Then you set out how it is divided so that the

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1 MR MOSS: Shall we take 15 minutes?
 2 SIR ADRIAN FULFORD: Certainly. We will sit again at
 3 11.40 am.
 4 (11.25 am)
 5 (A short break)
 6 (11.40 am).
 7 SIR ADRIAN FULFORD: Thank you, Mr Emmett. Yes, Mr Moss.
 8 MR MOSS: Thank you, sir. In the break the information the
 9 Inquiry has is that GO-Science is now part of DBIS, the
 10 Department for Business, Innovation, Science and Trade
 11 and if we have got that wrong, perhaps someone in your
 12 team can put us right.
 13 A. I will let you know.
 14 Q. Thank you. So, we were dealing with Topic 3, the
 15 chronology of key policy developments. Can we pick it
 16 up at page 41 HOM000964_0041, please, your
 17 paragraph 124.
 18 So you tell us that by:
 19 "By March 2025 it was recognised that there were
 20 challenges in analysing existing datasets on VFIs given
 21 the absence of a strict single definition."
 22 Mr Emmett, you and I have covered that ground to
 23 some extent already this morning:
 24 "There were also limitations to data [being] drawn
 25 from the Prevent Case Management Tracker ..."

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1 Various other sources were looked at. Should we
 2 take it, in general terms, that that difficulty of there
 3 being significant problems with analysing existing
 4 datasets remains, because datasets still won't carry
 5 clearly marked information on VFIs because of the lack
 6 of a definition?

7 **A.** Yes. Not solely because of the lack of a definition but
 8 yes, the limitation in available datasets continues to
 9 dog us, I'm afraid.

10 **Q.** Yes. Paragraph 125 over the page, HOM000964_0042, you
 11 set out there, on 5 and 6 March the cross-Government
 12 roundtables convened by GO-Science, which we don't need
 13 to go to but I don't want to overlook. Then at
 14 paragraph 127, page 44, HOM000964_0044, at the bottom of
 15 the page, you have got into the 27 March with the
 16 Cabinet Office body, as we are referring to it,
 17 circulating the paper:

18 "... providing an analytical assessment of the VFI
 19 cohort which addressed the scale of the VFI threat [and]
 20 the working definition of VFIs ..."

21 That we have explored. Right at the bottom of the
 22 page, we can see that, at that stage, the number of VFIs
 23 was thought to be likely in the hundreds, between
 24 100-999 with medium confidence ascribed to that
 25 assessment. Is that right? That's the best assessment

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1 touchpoints are where in Government, where in local
 2 services, do VFIs touch systems and that gives us
 3 a sense of where we might need to sensitise frontline
 4 professionals to the risk factors associated. That is
 5 my understanding of that action.

6 **Q.** Thank you. So those six actions -- as I say I won't go
 7 through them all because you have set them all out, but
 8 if we could go to page 47 HOM000964_0047, where you
 9 start to deal with the cross-government work to meet
 10 those actions, so paragraph 130, you say that:

11 "In May 2025, the Home Office Policy Unit,
 12 commissioned by the VFI Unit, prepared a report entitled
 13 'Violence Fixated Individuals: Review of Available
 14 Interventions'~..."

15 Could we turn that one up, please, it's HOM000332.

16 We see that, again, we have to navigate, I'm afraid,
 17 some redactions in this document. But if we could turn
 18 to page 4 HOM000332_0004, please. Perhaps I will just
 19 deal with the introduction so I don't take it too much
 20 out of context:

21 "[The] Home Office Policy Unit (HOPU) were recently
 22 tasked by the Violence Fixated Individuals (VFI) Unit in
 23 [the] Homeland Security Group ... to undertake a review
 24 of the public services available to the VFI cohort and
 25 how the risks or vulnerabilities within this cohort are

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1 that could be done in March 2025?

2 **A.** That is correct.

3 **Q.** We will look at how that developed when we look at one
 4 of our later topics. Page 46, please, HOM000964_0046,
 5 paragraph 128, again just picking up some of the
 6 headlines, into April we see that:

7 "... at the conclusion of the cross-government
 8 process initiated by the Cabinet Secretary on
 9 29 January 2025, the Senior Coordination Meeting of the
 10 VFIAG was convened and further actions were set ..."

11 I'm not going to go through them all because they
 12 are set out in detail but we see, for example, number
 13 (2) was:

14 "Work to enhance the working definition of VFIs by
 15 setting out which categories do not qualify ..."

16 We have touched on that, gang-related violence.
 17 Point (5), I'm afraid I didn't understand, so can you
 18 help us:

19 "The Home Office VFI Unit [was] to provide an update
 20 on progress regarding work on potential system
 21 touchpoints."

22 What are "potential system touchpoints", in plain
 23 English please?

24 **A.** So this is the action as recorded and I asked a similar
 25 question in this context. So, potential system

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1 currently managed."

2 Then if we could go down to "Overlapping landscape"
 3 at the bottom of the page, please:

4 "As detailed in HOPU's initial service mapping paper
 5 (March 2025)~..."

6 Can I just pause and put a pin in that, that I think
 7 we are seeking assistance of your team for the
 8 disclosure of that initial service mapping paper, which
 9 I think -- and no criticism -- is an outstanding
 10 request. It is a detailed point, but we would like to
 11 see that, please:

12 "... the landscape of service provision nationally
 13 is complex, inconsistently implemented and overlapping,
 14 with many services providing near duplicative functions
 15 with variation across localities in terms of
 16 accessibility and capacity. Additionally, there is no
 17 clear central repository of the interventions that each
 18 service refers cases onto, which adds to the confused
 19 picture and further hinders effort to accurately
 20 identify and support this cohort -- a task which is
 21 already difficult given that VFI risk factors are also
 22 prevalent in the general, non-dangerous population (for
 23 example, those experiences mental ill health). This is
 24 compounded by a lack of understanding of the behaviours
 25 and profile of VFIs.

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1 "Particularly for those at the earlier stage of
2 a VFI's pathway there is no centralised risk ownership
3 of a case when it is referred onto an intervention; risk
4 ownership depends on the nature of the risk and the lead
5 agency which has the most equities in that risk from
6 a statutory basis. This system runs the risk of
7 allowing cases to fall between the cracks."

8 So, I go to that for obvious reasons. It is
9 a somewhat bleak but candid assessment of the scale of
10 the problems, would you agree?

11 A. Yes, I would.

12 Q. Particularly -- and you have dealt with it in your own
13 statement -- that sense of the landscape of service
14 provision nationally, being complex, inconsistently
15 implemented and overlapping, with many services
16 providing near duplicative functions, with variation
17 across localities in terms of accessibility and
18 capacity; would you agree that that is a good
19 encapsulation of the central challenge in trying to work
20 out the way forward because the landscape is so complex
21 in terms of current agency involvement, current
22 interventions?

23 A. Yes, I would. I slightly pause on "duplicative" simply
24 because I'm very conscious of the resource constraints
25 under which services operate, so any sense that they are

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1 the Young Futures Prevention Panels' pilot was in
2 formulation at the time, so will have been sort of
3 clearly visible to colleagues in the centre of the Home
4 Office and that, I suspect, is why that connection is
5 drawn. That is not to say that the Young Futures
6 Prevention Panels or something analogous might not have
7 a role but I think it would be overstating to say that
8 it was preferred.

9 Q. So again, I'm afraid in my layperson's terms, would this
10 be fair: those were both hot topics within the Home
11 Office because they were being developed at the time?

12 A. Yes.

13 Q. Rather than saying: this is the potential solution?

14 A. Yes.

15 Q. Thank you. Then, onto paragraph 131, you explain that
16 in May 2025, 19 May:

17 "... JTAC produced a report on Non-Ideological
18 Extreme Violence to provide an assessment of whether the
19 trend of [it] was increasing ..."

20 Is this right, that looking at your paragraph 131,
21 key aspects that we should draw out of this are that
22 JTAC judged, firstly, that NIEV was a growing problem
23 and the cohort of individuals posing a risk of NIEV is
24 increasing?

25 A. Yes, that is right.

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1 sort almost in duplication there I think is perhaps less
2 well evidenced. But certainly complex, inconsistently
3 implemented and overlapping, I would entirely agree.

4 Q. Thank you. That can come down, thank you. If we can go
5 back to the statement, page 47, HOM000964_0047
6 paragraph 130. So referring to that report, you set out
7 a good summary of the aspects that I have gone to. Then
8 you say:

9 "Recommendations were made as to the importance of
10 data sharing [which we will come onto] to ensure
11 interventions of potential relevance to managing VFI
12 risk and their effect could be tracked; preparation of
13 guidance as to The Range of available services to VFIs,
14 and the role of Young Futures Prevention Panels and
15 Violence Reduction Units in addressing VFI risk and
16 options for threat management systems."

17 Just pausing there, should we take it from that at
18 this stage, May 2025, appreciating that views were still
19 being formulated, that Young Futures Prevention Panels
20 and Violence Reduction Units were, in the early
21 assessments, seen to be the most likely candidates for
22 taking forward the management of VFIs?

23 A. No, I think to say the "most likely candidate" is
24 overstating. So I think I'm right in saying -- and
25 I will correct if not -- that the policy in relation to

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1 Q. So while there might be difficulty in providing the
2 numbers by a significant Government body looking at
3 this, there was an assessment at high levels of
4 Government that the problem was on the rise?

5 A. Yes, that is correct.

6 Q. Secondly, as you have set out, that in the absence -- my
7 words, not your statement -- but in the absence of more
8 definitive data, the best proxy that could be identified
9 was to look at the Prevent data and find, within the
10 Prevent data, those who may fall within this category?

11 A. Yes, that's correct. The best proxy data set is the
12 right way to describe it.

13 Q. Thank you, and then we also see that you emphasise that
14 JTAC's methodology had been to examine 16 case studies
15 and as you helpfully footnote at your footnote 18, sir,
16 for your note that included the case studies that this
17 Inquiry has looked at under the labels C, D and F.

18 SIR ADRIAN FULFORD: Thank you.

19 MR MOSS: Then:

20 "JTAC identified that the most common risk factors
21 across the case studies~..."

22 Bottom of the page:

23 "... although noted the interaction of these factors
24 was highly [just over the page, please HOM000964_0048]
25 likely to be more significant than any single factor and

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1 [JTAC] emphasised that potential risk factors were not
 2 exhaustive nor universal ..."
 3 Is that right?
 4 **A.** Yes, that's correct.
 5 **MR MOSS:** Thank you. Sir, that's HOM000539 for the report
 6 itself, but I don't think we need to go to it given
 7 Mr Emmett's helpful summary.
 8 **SIR ADRIAN FULFORD:** Thank you.
 9 **MR MOSS:** Then paragraph 135 please, page 49 HOM000964_0049.
 10 The Cabinet Secretary had a meeting convened for 9 June
 11 and you set out that in advance of that meeting, the VFI
 12 Unit had sought to identify, with assistance of
 13 Government colleagues and Counter Terrorism Police:
 14 "... the strategic issues and choices facing the
 15 Government."
 16 Again, these are quite important. So I'm afraid I'm
 17 going to just briefly put them on the record. The key
 18 issues were:
 19 "(1) Limited evidence on the scope and scale of the
 20 threat from NIEV.
 21 "(2) A known cohort presents risk but action may not
 22 be being taken to address it.
 23 "(3) None of the wide range of multi-agency
 24 frameworks are adequate for managing cases of NIEV.
 25 "(4) Uncertainty about effective interventions to

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1 "... that NIEV/VFIs sits outside the scope of the
 2 Counter Terrorism system."
 3 Is that right?
 4 **A.** That is correct.
 5 **Q.** You also comment there that:
 6 "There were different professional views about the
 7 best approach to addressing the NIEV risk ..."
 8 Are you able to give us just a thumbnail sketch of
 9 what those different professional views or emphasis
 10 were?
 11 **A.** Gosh, give me a moment. I think from context here, not
 12 having immediate eyes on the comments from our
 13 colleagues in the Home Office Child Sexual Abuse Unit,
 14 it would have been essentially a question of whether
 15 a sort of counter-terrorism-like approach was the right
 16 one to take or whether we might be at risk of
 17 overlooking learning from other approaches, such as, for
 18 example, the work that my colleagues in TCSAU, then, now
 19 the Child Sexual Abuse Unit, had done, looking at child
 20 sexual abuse online and some really interesting work
 21 that they have done over the years. I should add now,
 22 those colleagues from the Home Office Child Sexual Abuse
 23 Unit are very closely engaged with the work of the
 24 taskforce and indeed sit on the Strategic Delivery
 25 Board.

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1 prevent NIEV.
 2 "(5) No clear ownership across law enforcement for
 3 NIEV.
 4 "(6) The online environment is increasingly acting
 5 as an accelerant and enabler of NIEV."
 6 You, Mr Emmett, just pausing there, had flagged how
 7 that had been, in the joint letter of 28 January from
 8 the three agencies to the Home Secretary:
 9 "(7) There is ineffective information-sharing, both
 10 operationally and post-incident, including
 11 communications with the public."
 12 So, Mr Emmett, on any view, that's a significant
 13 series of challenges and I don't say this critically but
 14 shortcomings in the systems as they were, including,
 15 would you agree, flagging up some worrying unknowns?
 16 **A.** Yes, and you know, the -- absolutely, the intent behind
 17 putting any note of that type together and that note
 18 specifically is absolutely to get at the strategic
 19 issues and not to shy away from them in any sense.
 20 **Q.** Then if we could have paragraph 136, please. You say
 21 there that:
 22 "Significant feedback was provided by [Counter
 23 Terrorism Police] and other departments."
 24 At that stage Counter Terrorism Police were
 25 emphasising:

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1 **Q.** Thank you. So, if we can go onto the next page, 50,
 2 HOM000964_0050, paragraph 137, still looking at the
 3 Cabinet Secretary's meeting of 9 June, you say that:
 4 "Informed by work within the VFI Unit and at the
 5 request of the Cabinet Secretary's Office ... the Home
 6 Office provided a 1-page summary of the (unfunded) ..."
 7 Your words, but I know it is derived from the
 8 document:
 9 "... high ambition response to the VFI risk
 10 challenge."
 11 Is that right?
 12 **A.** Yes, that's correct.
 13 **Q.** If we can have a look briefly, again so that we have
 14 this document in our evidence set, HOM000355.
 15 We are dealing, if that can be expanded please, with
 16 a document that's heavily redacted. But, the four
 17 points there -- and you can see why I say high ambition
 18 response was in your statement, but it's drawn from the
 19 document. So:
 20 "High ambition response to the VFI challenge.
 21 "There is a growing body of evidence and assessment
 22 that the risk from Violence Fixated Individuals ... is
 23 increasing. There is highly likely overlap between this
 24 group of risk and the prominence of Self-Initiated
 25 Terrorists (SITs) in our [Counter Terrorism] work, as

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1 well as wider safeguarding cohorts. The online
2 information environment plays a key role enabling and
3 exacerbating both."

4 Then this was in bold and underlined:

5 "A high ambition response to this challenge would
6 require investment in four critical areas. All of these
7 options are unfunded and would require more money to be
8 delivered."

9 Then, although aspects of the detail are redacted
10 out, the headlines are available in open and they were:

11 "(1) A serious and sustained effort to reduce the
12 risk factors in the online information environment.

13 (2) Prevention Partnerships to reduce the pool of
14 extreme violence risk.

15 (3) A National Prevention Gateway backed by
16 efficient and effective multi-agency systems.

17 (4) Scale and strengthen Prevent to handle the
18 sustained surge and broader range of referrals."

19 So, in pithy, one-page terms, those four areas of
20 what a high ambition response would look like were being
21 put to the Cabinet Secretary; do you agree?

22 A. Yes.

23 Q. Now, if we can go back to your statement please,
24 page 50, HOM000964_0050, paragraph 137.

25 Thank you. You, Mr Emmett, very fairly if I may say
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1 made decisions in the context of the spending review.

2 Q. No, I understand that.

3 A. So for context, the high ambition paper was produced at
4 the explicit request of the Cabinet Secretary's office;
5 first point. Second point, in the context of a spending
6 review. Third point, in the course of the department's
7 negotiations with His Majesty's Treasury, those options
8 were not taken forward and that would be a matter for
9 the centre of the Home Office and the ministers at the
10 time.

11 Q. Because, in the way that it is set out in your
12 statement, you say:

13 "... by this time the Home Office ... recognised
14 that in the short term at least ...

15 So that's why -- I'm not seeking to put this at the
16 door of the Cabinet Secretary for a moment, but:

17 "... by this time the Home Office ... recognised
18 that in the short term ... work on [this] would need to
19 focus on cost neutral improvements ..."

20 I may risk unfairness but that might, to the
21 outsider, look like, as it were, self censoring the
22 options: we know this can't be afforded within the
23 current spending review, so we, the Home Office, are not
24 going to press them because it's not affordable?

25 A. Well, I think it is almost the reverse in self censoring
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1 so, candidly set out exactly those points in your
2 statement and then say this:

3 "However, by this time the Home Office -- in
4 anticipation of the Spending Review -- recognised that
5 in the short term at least the work on the future system
6 would need to focus on cost neutral improvements to
7 strengthen existing risk management systems and the
8 links between them, rather than the high ambition
9 proposal (although as set out at paragraph 144 below, in
10 July 2025 the VFI Unit did scope an initial policy
11 proposal for a broader violence prevention gateway)."

12 I want to take a moment to explore the significance
13 of that with you, Mr Emmett, because it does seem, on
14 the face of the record, and you candidly set it out in
15 your statement, that what were described as "high
16 ambition responses" were deliberately not taken forward
17 at this time because of the limitations of funding in
18 the then cycle of the spending review?

19 A. Yes, that's correct.

20 Q. Whose decision was it not to press -- and I appreciate
21 that this is pre-November 2025, so it is before your own
22 time, but whose decision was it not to press the higher
23 ambition solutions to the Cabinet Secretary because of
24 a lack of funding within the spending review?

25 A. Well, it wouldn't have been the Cabinet Secretary who
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1 options. We have put the options out there, we put them
2 out there to a cross-government audience as clearly and
3 succinctly as we could but, you know, a departmental
4 settlement is a matter for negotiation between the
5 Secretary of State and His Majesty's treasury and it is
6 in that context that the department has to decide what
7 to prioritise.

8 Q. Yes, and Mr Emmett, I acknowledge straight away, as
9 I have done already, but it is important that this is
10 not raised of course critically of you and it may just
11 be that it is dealing with the realities, but we remind
12 ourselves that in the former Prime Minister's statement,
13 after the conviction, Sir Keir Starmer said this:

14 "Thirdly, there are also questions about the
15 accountability of the Whitehall and Westminster system.

16 "A system that is far too often driven by circling
17 the institutional wagons.

18 "That does not react until justice is either
19 hard-won, by campaigners or until appalling tragedies
20 like this finally [put a] spur a degree of action.

21 "Time and again we see this pattern and people are
22 right to be angry about it.

23 "I am angry about it.

24 "Southport must be a line in the sand."

25 It might be said, by some outside observers, that
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1 that sentiment doesn't sit entirely comfortably with
 2 an acceptance that the spending review meant that high
 3 ambition responses would need to be, at least for the
 4 moment, put on hold?

5 **A.** So part of the context for this decision-making -- for
 6 the decision-making at this stage, of course, is the
 7 fact that the Inquiry is already underway, we understood
 8 that the second part of the Inquiry would, in due
 9 course, make strategic recommendations and with
 10 reference to the thinking at the time, I think we would
 11 all have a fairly high degree of confidence that, if we
 12 were thinking in these terms, at the point that the
 13 Inquiry concluded there would be a significant moment
 14 where ministers would need to take decisions about what
 15 the strategic response looked like and, therefore, that
 16 trying to push forward with those propositions at some
 17 cost at that time, might not be the right decision.

18 **Q.** Thank you. If we can go to page 52, HOM000964_0052, and
 19 paragraph 144, please. You say there that:

20 "[While] the assessment remained that a National
 21 Prevention Gateway model was not feasible at that
 22 time ..."

23 We remind ourselves that that was one of the high
 24 ambition responses:

25 "... given that it was both an NSC action and

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1 that paper, we started to explore questions of different
 2 types of scope and I'm certain that we will come to that
 3 later.

4 **Q.** So one shouldn't think, just to take one example, that
 5 there is only one type of Big Front Door --

6 **A.** Exactly so.

7 **Q.** -- in different ways?

8 **A.** Exactly so.

9 **Q.** I follow, thank you. Then back to page 50
 10 HOM000964_0050, please, 139. You explain that in
 11 preparation for that same Cabinet Secretary's meeting,
 12 a summary of cross-government work was prepared, drawing
 13 together the policy work to date. Sir, for your note,
 14 that is CAB000024, I think is the new reference for that
 15 but we don't need to bring it up.

16 **SIR ADRIAN FULFORD:** Thank you.

17 **MR MOSS:** Then onto paragraph 142, page 51, HOM000964_0051,
 18 you say that:

19 "in July 2025 the Home Secretary received an update
 20 from the Home Office regarding the work done ..."

21 And:

22 "This included the case for a National Prevention
 23 Gateway to bring coherence to the system for all serious
 24 violence concerns regardless of motivation. However,
 25 given the scale of [the] change required ... together

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1 a recommendation by Lord Anderson, the VFI Unit scoped
 2 an initial policy proposal for a broader violence
 3 prevention gateway with the intention of awaiting the
 4 outcome of the Southport Inquiry before seeking a final
 5 decision on fundamental reform ..."

6 I think, to some extent, that reflects the point you
 7 have just given?

8 **A.** Exactly, the point I have just given.

9 **Q.** Sir, you will note the reference there is HOM000996.
 10 I'm not going to bring that up because the issue about
 11 which I want to ask is redacted and you have been given
 12 notice of my question, so that hopefully you can give us
 13 some assistance of what sits behind the redaction.

14 Can you give the Inquiry some indication of what the
 15 costings, in broad terms, were for a new violence
 16 prevention gateway and can you give us a broad
 17 indication of what the timescales for implementation
 18 were thought to be, how much lead-in time would be
 19 required?

20 **A.** So at that time, in broad terms -- and you know, there
 21 would be caveats associated with this, of course -- we
 22 scoped the costs in the low hundreds of millions and the
 23 timescales being multi-year, that is to say at least
 24 three years and potentially longer. But I must really
 25 emphasise that so much depends on scope and that even in

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1 with the fiscal context, this was not currently feasible
 2 and in the immediate term incremental measures,
 3 including strengthening existing frameworks and
 4 interventions, would be pursued."

5 So that was the decision taken, that one would have
 6 to, my words, live within the means of the spending
 7 review?

8 **A.** Yes, that is correct.

9 **Q.** Thank you. If we go over the page, please
 10 HOM000964_0052, the recommendations -- and I think we
 11 now seem to see that the seeds for some of the matters
 12 that have been developed since. So, more cost
 13 neutral -- which I'm sure don't come without cost -- but
 14 more cost neutral measures:

15 "(1) An offence criminalising the creation and
 16 sharing of extreme violence content ..."

17 Which you note is now being implemented through the
 18 National Security Bill, yes?

19 **A.** That is correct.

20 **Q.** "(2) A harms-based offence categorising extreme violent
 21 material as illegal because it is linked to a special
 22 harm or crime [which you note is] (not currently
 23 progressing)."

24 That, I think, needs to be read with (3):

25 "An offence for the preparation of non-terrorist

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1 mass casualty attacks (also being implemented through
 2 the National Security Bill ..."
 3 You give more detail later on, but in short form
 4 that is to plug the gap that Mr Jonathan Hall had
 5 identified, is that right?
 6 **A.** Exactly so, yes.
 7 **Q.** Sir, I just note, so that it is apparent on the face of
 8 the transcript, that there is a fourth matter, which is
 9 subject to a type 1 redaction. Sir, obviously you have
 10 access to everything that sits behind the redactions but
 11 the Core Participants have access to what sits behind 4,
 12 but I can't deal with it in an open hearing, at least at
 13 the moment.
 14 Paragraph 145, please, on page 52 HOM000964_0052.
 15 So you say:
 16 "The VFI Unit also conducted a mapping review of
 17 existing Civil Orders ..."
 18 Cutting to the chase on this, at the bottom of
 19 paragraph 145, you say:
 20 "The new Youth Diversion Orders were identified as
 21 the most suitable tool but these were a [Counter
 22 Terrorism] risk management tool and, absent a connection
 23 with terrorism, they would not (once in force) be
 24 applicable."
 25 Now, we have seen that in a number of contexts. Can

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1 So this was looking at interventions and you say:
 2 "With caveats that the review was not systematic,
 3 there were limitations to the datasets ..."
 4 They reported on a number of matters. Again, these
 5 are important. So:
 6 "(1) Internationally the evidence supported
 7 behaviour based, multi-agency, individual interventions
 8 rather than profiling or prediction."
 9 So, just pausing there. Should we understand that
 10 that on the whole, the international evidence points
 11 towards the fact that you can't profile an individual or
 12 predict their behaviour; what you need to do is look, in
 13 a multi-agency, at what their behaviour is and draw risk
 14 from that analysis?
 15 **A.** Yes.
 16 **Q.** (2):
 17 "Bystander interventions are a critical prevention
 18 resource as most attackers show warning signs prior to
 19 attack ..."
 20 That is the concept of leakage, yes?
 21 **A.** Yes, that is.
 22 **Q.** In general terms at the moment, just trying to establish
 23 some headlines, would you agree that that means that, as
 24 Government goes forward with NIEV work, communicating to
 25 peers and to education providers and to parents the

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1 you help with this, was there any pressure at that stage
 2 to say: well, the new Youth Diversion Orders are
 3 current -- as currently envisioned will be a terrorism
 4 tool but surely we should be expanding them now so that
 5 they cover the VFI/NIEV risk? Was that pressed for at
 6 that time?
 7 **A.** So it was not felt to be feasible at that time to expand
 8 the Youth Diversion Order. If the Inquiry requires more
 9 detail on that, I am sure I can find it.
 10 I should note that -- well, we may come onto Youth
 11 Diversion Orders later.
 12 **Q.** Do you know in essence -- I don't wish to cut you off at
 13 all from coming back later, we are not in litigation,
 14 but do you know, in high-level terms, why that was
 15 thought not to be feasible? Is it just that it was too
 16 far down the line as a counter-terrorism --
 17 **A.** I'm afraid, I'm not certain. My strong suspicion is it
 18 was too far down the line. It may even have passed
 19 through relevant stages of Parliamentary process. I can
 20 come back with detail if necessary.
 21 **Q.** Thank you. Page 53, HOM000964_0053, please,
 22 paragraph 148. You then set out that in early 2026, at
 23 the request of the Cabinet Office, the Homeland Security
 24 Analytics and Insight team HSAI, if I have got the
 25 acronym right, reported a number of conclusions.

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1 importance of warning signs based on leakage,
 2 communication of intention, is extremely important and
 3 facilitating and encouraging the reporting of that is
 4 extremely important?
 5 **A.** Yes.
 6 **Q.** Thirdly:
 7 "Early community based and multi-agency support that
 8 addresses people's wider social, psychological and
 9 practical needs, building relationships and
 10 strengthening community cohesion works better than
 11 security-led measures alone. The design of Channel
 12 support is based on best practice for interventions in
 13 this complex space."
 14 So although it may be an oversimplification, anybody
 15 who was to think that the answer is to go firm, have
 16 a police-led response and deal with this as a security
 17 policing problem, would be grossly oversimplifying both
 18 the risk and what's most likely to be the best
 19 interventions?
 20 **A.** Yes, and that would fly in the face of our experience of
 21 preventing terrorism over the last 20 years, which is
 22 precisely to take a safeguarding-led approach in order
 23 to ensure public protection.
 24 **Q.** Fourthly:
 25 "It was very challenging to assess and evaluate the

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1 success of interventions designed to prevent extreme or
2 mass casualty violence for name of reasons (difficulties
3 in defining or recognising success, limitations or
4 evaluation, [and over the page HOM000964_0054]
5 frameworks -- short term or administratively convenient
6 factors such as the absence of further concerns, need to
7 consider short, medium and long term impacts of
8 interventions [and] related challenges in determining
9 value for money of interventions)."

10 Now, that is part of the data difficulty, would you
11 agree, that others have touched on?

12 A. Yes and it has been well attested already.

13 Q. Then:

14 "(5) A more detailed, systematic review would likely
15 yield further insights, as could conducting research on
16 VFI outside of Prevent/CT programming."

17 Sixthly:

18 "When interventions are designed they should have
19 evaluation tools embedded [within them]."

20 Seventhly:

21 "Exploration of interventions in digital spaces
22 should be a priority for future work."

23 So that was all being emphasised by the HSAI in
24 early 2026, yes?

25 A. Yes, that is correct.

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1 period for which we are, when looking at estimates,
2 forced to either take proxies, the Prevent datasets,
3 which is imperfect, for reasons I could outline, or we
4 are forced to look at historic cases, where the amount
5 of detail available is very variable and the sheer
6 effort required to go back through all of those and sort
7 of retroactively look for a common thread is really
8 hard.

9 So there are really limitations to this and it is
10 going to be order of magnitude only. I suppose the only
11 observation that I would make which is not well
12 supported by data but there are some indications is, if
13 we look at incidences of attacks, which is a very poor
14 measure because, of course, we -- there's significance
15 strenuous efforts in all sorts of ways to try to prevent
16 attacks. There are more incidents of a terrorist nature
17 than there are of a non-ideological extreme violence
18 nature, by some measures in the recent past. So as
19 an order of magnitude, less significant in pure numbers
20 terms than the terrorism risk. But as we have already
21 explored in a number of place, the Venn diagram of this
22 stuff is complex and I would be really reticent about
23 putting any sort of firm conclusion on that.

24 Q. Obviously, and sadly it comes in so many places in so
25 many topics, but even if the number, relatively

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1 Q. Thank you. Then paragraph 149, that brings us to
2 April 2026 and I'm going to call it your taskforce --
3 but the NIEV Taskforce being established to take forward
4 work in those areas?

5 A. Yes.

6 Q. Thank you. Could we move then forward to Topic 4,
7 identifying and quantifying the cohort.

8 So, if we could start on this at page 60,
9 HOM000964_0060, paragraph 171 please. You say there:

10 "We do not have sufficient data to enable
11 a well-informed estimate of the number of individuals
12 who pose a risk of NIEV. The analytical work over the
13 course of 2025 identified the inherent difficulties in
14 compiling and analysing data about ..."

15 That and you say that the outcome of all of that is
16 that the Home Office cannot make a well-informed
17 estimate of the number of people who pose a risk of
18 NIEV.

19 Does that remain the case?

20 A. Yes, it does. And -- I think you have said already --
21 are sort of littered through my witness statement and
22 doubtless many others, the inherent challenge of
23 estimating the size of a risk cohort, if you like, for
24 which we don't have a settled definition, for which
25 there has not been systematic gathering of data over any

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1 speaking, may be less than terrorist attacks, anybody
2 looking at Southport recognising -- would recognise that
3 the impacts can be equally devastating?

4 A. Absolutely.

5 Q. In broad terms, before we look at some of the figures,
6 and I appreciate it is a difficult question, but how
7 does your taskforce propose to remedy this? What is in
8 train to try to get a better handle on the size of the
9 cohort?

10 A. So, the Analytical Working Group has conducted
11 an exercise to look at kind of across the questions that
12 we have and to set out what the state of the art is now
13 and how challenging it will be to fill that gap. This
14 is one of the most difficult gaps to fill. But the
15 other part of that work has been to look at the utility
16 of the information and how we might wish to use it. So,
17 is an order of magnitude understanding of scale of
18 challenge important? Yes, it is. Is a detailed
19 understanding of the scale absolutely necessary in order
20 for us to do some things? No, it is not.

21 So we have, I would suggest, enough information to
22 define, broadly, the type of harm that we are seeking to
23 prevent. We have some understanding of the risk factors
24 that pertain to that. We have a knowledge of the
25 systems that might encounter it and we can place that

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1 knowledge of the type of harm and the risk factors in
2 the hands of the systems and so on and so forth. So
3 yes, of course, we are seeking to improve our
4 understanding of the scale of the threat, but that is
5 not, in any sense, an excuse for not moving to do
6 a whole load of other things which, by the way, in the
7 doing of them will surface cases of this type or may be
8 this type and will improve our knowledge base, so it has
9 to be an iterative process.

10 Q. Without meaning to suggest that it is necessary to be
11 able to count precise numbers at all, I just want to
12 explore this relatively briefly, if I may. Because we
13 can see from your statement, paragraphs 171 to 173 --
14 and part of that is on screen at the moment -- that work
15 was done to use the Prevent referrals data as the proxy.
16 If we just look at the second half of this page and 173.
17 Forgive me, it may be over the page, HOM000964_0061,
18 I think.

19 Thank you. That in doing that work, again, cutting
20 to the bottom line figure, at the bottom of 173, the
21 Prevent dataset for the year ending March 2025 showed
22 8,778 referrals and an indicative estimate that could be
23 drawn from those referrals was 5,386 for this cohort,
24 which comprised, as I have understood it, the referrals
25 that were made for fascination with extreme violence or

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1 I think, on analysis of the Prevent data by Counter
2 Terrorism Police. 35 out of 43 police forces looking at
3 it, giving an estimate of 1,542 potential cases over
4 that period. So that was that strand of work.

5 But we also see, if we look at paragraph 175, that
6 a different strand of work. I think HSAI and RICU have
7 conducted detailed case analysis on the referrals into
8 that FEVMCA category and Channel panels and they have
9 identified at least 50 out of 155 cases that would meet
10 that Cabinet Office body's working definition of VFI,
11 noting that's no longer the working definition.

12 So a number of different figures there set out in
13 the statement and I know that, very helpfully, you are
14 trying to flag up what the different figures were.
15 Where does that currently sit? I mean, one understands
16 that you say: well, we don't need to know the precise
17 figure, but what is the current best estimate or range
18 of the size of the cohort; could you help us with that?

19 A. So I don't have a formal estimate or range as to the
20 size of the cohort which is precisely why I layout the
21 figures as they stand there. There are pros and cons
22 with all of those measures. I think the thing we can
23 say with certainty, the cohort exists, the risk exists,
24 it does, tragically, manifest and it also seen in our
25 prevention work. But I cannot give assurance that that

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1 mass casualty attacks, it is one of the Prevent
2 categories, or no ideology or no ideology
3 susceptibility. With the figures for those three being
4 469, 3,009 and 1,908 respectively, making the 5,386.
5 Have we understood it correctly?

6 A. You have. I mean, the very significant caveat to that,
7 of course, is in the preceding line where I talk about
8 the very upper limit of the scale of this issue. Now,
9 I should caveat that further by saying the very upper
10 limit of the scale of this issue in the Prevent dataset.
11 But, you know, I'm not for one moment suggesting that
12 every single one of those 5,386 cases would have all of
13 the components, the risk factors associated with
14 non-ideological extreme violence, but they could.

15 Q. Yes. So, in my layperson's terms, that figure of 5,386
16 may be too high because it is capturing the total number
17 of referrals within that cohort but on the other hand,
18 it may be an underestimate because that's looking only
19 at cases that get referred into Prevent, not
20 unidentified cases in the community, in the health
21 system, et cetera?

22 A. Yes, they have both of those challenges with that
23 figure.

24 Q. Yes. Then, in -- lower down, at paragraph 174, we can
25 see a different work that has been done but also,

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1 is the full scale of the risk, for the reasons set out
2 here. I kind of go back to JTAC's original judgment as
3 well which I think is really instructive that is, in
4 essence, the cohort exists and there are indications
5 that the incidents are increasing.

6 Q. Yes, thank you. Could we look next, please, at the
7 question of how the system currently works for those who
8 may have VFI or NIEV concerns but are not adopted into
9 Prevent. One way into that is to look at the recent
10 report of the Children's Commissioner for England. Can
11 we have that on screen, please? It is CCE000017.

12 If we could go to -- sorry, it is the statement
13 rather than the report itself, but this is the statement
14 from the Commissioner, forgive me. Could we look at
15 page 6, CCE000017_0006, paragraph 32 please.

16 So, we see the Commissioner saying that:

17 "The findings of the data gathered for the Prevent
18 report found that a significant proportion (71%) of the
19 group of children referred to Prevent had no fixed
20 ideology and were therefore categorised as VFIs."

21 Just pausing as to whether or not that's quite
22 right, but leave that to one side:

23 "These children were not associated with Islamist,
24 right-wing or other identifiable extremist ideologies,
25 but instead demonstrated a fascination with extreme

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1 violence, weapons, mass casualty attacks or violent
2 online material. On receiving this data, the
3 commissioner determined that the Prevent report should
4 primarily focus on how public bodies [respond] to the
5 VFI cohort."

6 Referring to her report:

7 "The report sets out that this cohort as
8 a significant safeguarding concern and concludes that
9 existing arrangements risk leaving such children without
10 effective assessment or support."

11 If we could then go on to page 7, CCE000017_0007,
12 paragraph 46 of her statement, Dame Rachel's statement,
13 she says:

14 "Additionally, the report shows, the majority of
15 children referred to Prevent have their cases closed and
16 do not progress to an intervention."

17 She said this:

18 "Of the 4,715 Prevent referrals for children between
19 April 2024 and March 2025, 21% had their case discussed
20 at panel and 18% had their case adopted by Channel. 79%
21 were closed without progressing through the Prevent
22 programme. Children with no ideology are more likely to
23 have their case closed without being discussed at panel.
24 86% of referrals for children with no clear ideology are
25 not progressed to panel discussion, [go over the page,

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1 following the progress or monitoring risk in cases where
2 are closed to Prevent? Who holds responsibility for
3 those cases? Are there arrangements in place for
4 assurance?

5 **A.** So responsibility sits with the statutory services to
6 whom the referrals are made. They will each have their
7 own processes and they will each have their own
8 assurance regimes.

9 **Q.** But there is no way even to track the outcomes or the
10 measures, whether they go on to offend? There is no
11 statistical eye being kept on that?

12 **A.** No, there is no centralised body with that information.

13 **Q.** Is that a significant shortcoming in the current system?

14 **A.** I think it is an inevitable consequence of a very
15 complex system dealing with a very large number of
16 referrals and of a patchwork landscape of delivery of
17 all sorts of different interventions relating to
18 different risks, safeguarding and otherwise.

19 **Q.** Is it a significant shortcoming in the current system?

20 **A.** To describe it as a "shortcoming", we would need to
21 assume that it were practicable and desirable to track
22 every single referral made through a Big Front Door.

23 So, in effect, by describing it as a shortcoming I would
24 be endorsing that concept. I think it is a better
25 discussion better had in terms of how a Big Front Door

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1 CCE000018] compared to 60% of those with a clear
2 ideology."

3 Apart from work that was done on the below
4 thresholds pilot, what level of oversight does central
5 Government currently have of those individuals, the
6 86 per cent that the Children's Commissioner is
7 referring to there, in terms of what then happens when
8 they are not taken on at a panel discussion?

9 **A.** So, central Government, nor Counter Terrorism Policing
10 who operationally deliver large parts of Prevent, has
11 any oversight over that pool because they have been
12 referred onwards to other services.

13 **Q.** Does it follow that at present there is no mechanism
14 centrally organised by Government to track how they do?

15 **A.** That's correct. There was a pilot, the below thresholds
16 pilot which I think you referred to, to look into how
17 that might work in practice in a small number of areas
18 but that is not something that we have chosen to
19 continue with.

20 **Q.** And, again, as you will understand, Mr Emmett, sometimes
21 I wish to draw into my own questioning questions that
22 come directly from the victim's teams and one of their
23 questions is: you say Prevent has no means to follow the
24 progress of cases which are referred signposted to other
25 services, is there any body or person responsible for

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1 would work and what are the shortcomings.

2 **Q.** So if one puts it in the frame of moving forward, what
3 you want to ensure is that cases that are not taken up
4 by Prevent do have consistent follow-up if the concern
5 is fascination with violence. Because, not least for
6 data terms, you want to track the progress of those
7 cases, you also want to have assurance, as would be the
8 case if they were taken on by Prevent, about the quality
9 of the interventions and so on?

10 **A.** So, yes, those are all desirable outcomes. Yes.

11 **Q.** Thank you. Could we move then next, please, to the
12 fifth topics of risk assessment and risk factors. Could
13 we look, please, at page 59 of your statement
14 HOM000964_0059. It is paragraph 169, please.

15 Mr Emmett you have touched on this several times
16 already but I think that the position of the Home Office
17 is this, that there's no conclusive identifying risk
18 factors or characteristics that have been identified but
19 the best that can be done drawing, as you say, from
20 a number of sources, not in priority order, is the
21 helpful list of factors (a) through to (q), which you
22 have set out in your paragraph 169?

23 **A.** That's correct. There is no single recipe for
24 an individual. I might add, as I think I did earlier
25 though, when we issued the interim guidance of course we

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1 chose to emphasise a smaller set of more unusual risk
2 factors in order that that guidance should be digestible
3 to frontline professionals.

4 **Q.** Thank you. So on this, would you agree that this
5 analysis, in your statement, holds good with the expert
6 cadre from whom we heard last week, who said, in their
7 report: we don't treat any single diagnosis,
8 vulnerability or behaviour as predictive of serious
9 violence. They said that their analysis considered the
10 accumulation and interaction of relevant concerns and
11 where information was held by different professionals or
12 services, bringing that information together would have
13 materially changed the picture available at the time.
14 So they are really suggesting again, no single factors;
15 you have to look at the totality of the pictures and how
16 they intersect in any individual?

17 **A.** Absolutely.

18 **Q.** Thank you. Dr Irani, in her seminar, drew attention to
19 academic work in the terrorism field and the TRAP-18
20 assessment tool and did highlight work that tended to
21 identify some more proximal warning behaviours. Is that
22 taken account of in the guidance that's given at the
23 moment? Does that feature, for example, in the interim
24 guidance?

25 **A.** So from memory -- I could check -- I do not believe that
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1 Chair's Phase 1 report and the absence of common risk
2 assessment mechanism leaving a significant gap. Then
3 397, your acceptance of a system needs to have
4 an appropriate framework to assist risk which, in
5 Prevent, is the Prevent Assessment Framework, but there
6 are a range of other tools in operation and you refer to
7 OASys in probation services, for example. Then you say:
8 "The Home Office is clear that development of a risk
9 assessment tool for NIEV risk would be advantageous to
10 strengthen early intervention and diversion for
11 individuals and provide consistency for decision
12 making."

13 How far has Home Office work progressed to ensuring
14 that such a risk assessment is available?

15 **A.** I know that there has been a lot of work, through the
16 relevant taskforce working groups, on risk assessment
17 tools but I don't have, to hand, how far that has
18 progressed. But I'm very happy to come back to you on
19 it.

20 **Q.** Thank you. Mr Emmett, can I say, certainly speaking
21 just for my part, that everyone will understand that we
22 are asking you to act as a single voice for the Home
23 Office and there will be many teams and you will have
24 needed much assistance with your statement. So I do not
25 raise that critically at all but if you might be able to
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1 the interim guidance highlights proximal warnings
2 behaviours. Let me check on that, perhaps in the break,
3 to be certain. Certainly, in the context of our
4 counter-terrorism work, the ongoing risk assessment with
5 the Channel case, for example, absolutely takes into
6 account proximal warning indicators.

7 **Q.** Thank you. Is there any plan to -- accepting that you
8 will never have a formula prediction -- but is there any
9 plan to evaluate your sort of factors (a) through to (q)
10 to track how effective they are in identification? Is
11 that something that's being formalised?

12 **A.** So that would be a very long-term piece of work. It has
13 parallels -- sorry to be a stuck record -- with work
14 that we do in the counter-terrorism space and you had
15 Professor Paul Gill here describing some of his work
16 that looks in the same space. So, yes, that is
17 something which we will consider doing in the context of
18 the kind of recommendations which the Inquiry makes and
19 how Government then decides to respond as to managing
20 this risk. But yes, you would assume that tracking the
21 state of the art, as it relates to the potential signs
22 of non-ideological extreme violence, is certainly
23 something we would wish to do.

24 **Q.** Thank you. If we could look, please, in your statement
25 at page 136 HOM000964_0136, and you refer to the learned
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1 provide a summary of that, by way of a follow-up, that
2 would be helpful and it may be that the learned Chair
3 will give you permission overnight to make inquiries
4 about that and you may be able to assist tomorrow but if
5 not, perhaps in writing?

6 **SIR ADRIAN FULFORD:** If it is possible for tomorrow,
7 Mr Emmett, that would be very helpful.

8 **A.** Certainly.

9 **MR MOSS:** Thank you.

10 We have heard, in our evidence, of a number of
11 different tools that are available, so TRAP-18 is one
12 but also the AREVA assessment which is not yet
13 available, is currently being tested in work
14 internationally by Dr Borum, and the SAVRY. Do you know
15 which of the various tools -- either those that already
16 exist but aren't exactly a fit, and the AREVA tool which
17 is in development, do you know whether any of those are
18 being treated effectively as the sort of lead contender?

19 **A.** I'm afraid I don't have that level of detail but, as we
20 just referred to, I will ensure that you have it
21 tomorrow.

22 **Q.** Thank you. It may be the same answer, and if so, please
23 do just repeat it, but as far as you know, is the Home
24 Office and the taskforce -- and it will be obviously one
25 of the subgroups -- but are they monitoring the
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1 developments in that field by external specialists, so
 2 like Dr Borum, or is there work that is directly
 3 commissioning and funding work on a risk assessment
 4 tool?
 5 **A.** So there's certainly monitoring the state of the art in
 6 external work. I can't comment on the detail of any
 7 commissioning that has been done but again, I will
 8 revert to you tomorrow.
 9 **Q.** Thank you. So, following his seminar, Dr Taylor, whose
 10 role in the CTS you will be familiar with, has written
 11 into the Inquiry. Can we just have a look at that,
 12 please, it is DRT000011.
 13 If we look at the bottom of page 3, DRT000011_0003,
 14 one of the very useful features of this post-seminar
 15 letter is Dr Taylor's, I am sure justified, reminder to
 16 the Inquiry to be careful about its language, or
 17 I should say my language. Because he said that there is
 18 a three-way distinction which he explores in more detail
 19 in this letter. It says:
 20 "Screening is case finding: asking whether
 21 a referral raises concern at all and whether further
 22 assessment is needed, as in population screening
 23 programmes such as cervical screening."
 24 Then:
 25 "Triage is prioritisation: sorting the cases of
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1 very clearly.
 2 **Q.** Thank you. If we can go back, please, to Mr Emmett's
 3 statement, page 136, HOM000964_0136, paragraph 398.
 4 Page 136.
 5 You say there that:
 6 "... any tool would need multi-agency collaboration
 7 for completion and result in a shared plan for
 8 intervention [and] support."
 9 In the taskforce's current thinking, is it envisaged
 10 that it is going to be possible to have some kind of
 11 central risk assessment or are there going to need to be
 12 separate assessments carried out in particular by health
 13 teams, or is it possible to have one that covers the
 14 different agencies and is a single assessment?
 15 **A.** So I don't think you will ever get away from the need
 16 for more detailed professional assessments to be
 17 conducted by the teams with the relevant specialism.
 18 The important thing with any sort of central risk
 19 assessment tool is that it is able to take into account
 20 the conclusions of any other process that has been gone
 21 through and to represent them in a way which is --
 22 allows the whole case to be seen. Again, our experience
 23 of counter-terrorism, the Prevent assessment form does
 24 not seek to replicate, for example, a report from
 25 a mental health team but it would clearly reference the
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1 concern by urgency [then over the page, DRT000011_0004]
 2 and nature so that limited resources go to the right
 3 cases in the right order, as with the Ottawa rules on
 4 who needs an ankle X-ray"
 5 Then thirdly:
 6 "Action checklists, such as aviation, pre-flight and
 7 [World Health Organisation] pre-surgical action
 8 checklists, do a third job: they do not detect or sort
 9 cases at all, but make sure that the actions already
 10 known to reduce risk have actually been taken."
 11 It may be that that was Dr Taylor's very polite way
 12 of drawing on the seminar where there was a tendency to
 13 say a triage stage or a screening stage interchangeably.
 14 Would you agree that Dr Taylor's tripartite
 15 distinction there is very useful when one is thinking
 16 about risk assessment and screening tools and so on?
 17 **A.** Yes.
 18 **Q.** That we have to think carefully about what type of tool
 19 for what stage in the process?
 20 **A.** Yes, I found Dr Taylor's letter fascinating. This,
 21 I thought, was particularly well set out. Is has
 22 parallels for me, very clearly, in the processes
 23 currently undertaken by Prevent which, of course, is
 24 interested in precisely these things. Although, we do
 25 not use exactly that terminology, I recognise the stages
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1 existence of such a report and the salient factors in
 2 relation to a terrorism risk in that context.
 3 **Q.** Thank you, I follow.
 4 Could we look at page 62 HOM000964_0062, of your
 5 statement please. I want to turn to the connected but
 6 also distinct issue of neurodiversity and the role of
 7 mental health in understanding the risk. So at
 8 paragraph 177, you say:
 9 "It is important to recognise that at this point in
 10 time our evidence base for understanding the interplay
 11 between mental health and/or neurodivergence and NIEV
 12 risk is limited. However, in the far more mature
 13 environment of the [Counter Terrorism] space, we have
 14 greater confidence and it is likely that, as this work
 15 progresses, we will continue to draw significant
 16 learning from the CT experience."
 17 Then, paragraph 178, you set out there data based on
 18 the year ending 31 March 2025 for fascination with
 19 extreme violence or mass casualty attacks. I think it
 20 is right, is it, 48 per cent I think is the figure of
 21 those referrals that have at least one mental health or
 22 neurodivergent condition?
 23 **A.** That's correct.
 24 **Q.** And that that is a greater prevalence than in wider
 25 Prevent referral cohorts where the figure is
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1 33 per cent?

2 A. Yes, that's correct, and indeed I should point out,

3 since the date of my witness statement, we have released

4 further statistics and more detailed statistics about

5 prevalence of mental health and neurodiversity

6 conditions in the Prevent cohort.

7 Q. Yes, and those were looked at in the seminar?

8 A. Yes.

9 Q. I think in addition to that, Dr Taylor in his seminar

10 presentation, sir, for your note, it is pages 72 to 73,

11 but we don't need to turn it up, said that of the

12 1,534 Prevent cases referred to the CCS, 90 per cent

13 were male, a preponderance of young teenage population,

14 40 per cent were outside of the tradition ideology

15 groups and that there was a significant

16 over-representation with Autism Spectrum Disorder at

17 40 per cent and ADHD at 30 per cent. So although there

18 is more data in subsequent -- from the subsequent year,

19 that the pattern, would you agree, seems to be clear?

20 A. Yes.

21 Q. Can I ask you to deal, in general terms, with how that

22 over-representation, particularly of young people with

23 neurodivergence is currently understood by the Home

24 Office?

25 A. Well, it is understood to exist and it is understood to

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1 Office recognise the sensitivity of neurodivergence as

2 a factor in this and that although there is a very clear

3 pattern of over-representation within the cohort, one

4 must be careful not to see that as direct causation?

5 A. Absolutely.

6 Q. At page 61, HOM000964_0061, paragraph 182 of your

7 statement -- you say, at the end of that paragraph, so

8 page 61 -- 182. Forgive me, I may have a false

9 reference there. Can we jump ahead to the next page and

10 again, please HOM000964_0064. Thank you.

11 You say, at the end of 182.

12 "The shortage in assessments and support for both

13 neurodiversity and mental [health] impacts the ability

14 of national security systems to manage cases and reduce

15 risk and vulnerability."

16 Now, from the terms of that and when you referred to

17 national security systems, it may be that you are

18 drawing on terrorism experience of that, but does that

19 also read across to the NIEV cohort?

20 A. My assumption is that it would read across to the NIEV

21 cohort, yes.

22 Q. Paragraph 183:

23 "Cases with identified terrorism risk are sitting on

24 long waiting lists."

25 A. Correct.

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1 enormously complicate the role that we ask Prevent

2 counter-terrorism case officers to undertake at their

3 assessment stage, which I have no doubt, my colleagues

4 in Counter Terrorism Policing will talk to and it hugely

5 complicates the role that we ask Channel panels to

6 undertake in assessing risk and designing intervention

7 plans.

8 It also implies a significant demand signal from our

9 counter-terrorism work into those local health providers

10 who might be asked to provide interventions based on

11 those risk factors. It also -- you know, in designing

12 the support plan around an individual, which is designed

13 to mitigate the risk that they may present,

14 understanding how those either mental health or

15 neurodiversity factors impact that individual is crucial

16 because it allows the intervention provider, if one is

17 utilised, to be selected properly, so to understand that

18 they have an understanding of how that works and also it

19 guides how they would approach their work with that

20 young person in order to have the maximum chance of

21 success. So a whole range of factors are really

22 important in that context.

23 Q. Thank you, and we can pick up some of these matters on

24 Wednesday with DAC Evans from Counter Terrorism Policing

25 Headquarters, but should we understand that the Home

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1 Q. 184:

2 "Research and practice are increasingly recognising

3 that the relevance of mental ill-health may be most

4 significant when the mental health need is unmet."

5 So, when you piece those things together, is there

6 a case for supporting accelerated access to mental

7 health and neurodiversity support, and treatment in the

8 case of mental health conditions, as an intervention for

9 the NIEV cohort?

10 A. So I think there is a case for ensuring that where

11 decisions are taken on priority, clinical decisions,

12 that those are informed by public protection risk.

13 Q. Yes, and if I can jump ahead, I don't know whether that

14 difficult area of public policy is what you had in mind

15 at page 141, HOM000964_0141, paragraph 415. At 415, you

16 say:

17 "Given, as I have explained ... that some

18 individuals when being considered for support under

19 multi-agency structures may not meet the relevant

20 statutory thresholds for support, or may not be

21 prioritised for support given the relative needs of

22 others, and the challenge this can pose for mitigation

23 of public protection risk, cross government

24 consideration has already been given to the need to

25 prioritise those who pose a public protection risk in

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1 a range of support services and healthcare."
 2 What's the reference, in real terms, to
 3 "cross-government consideration has already been given",
 4 what's actually in concrete terms been done about that?
 5 **A.** So it has been highlighted as an issue. We have
 6 explored a number of different avenues associated with
 7 this. As Dr Taylor set out, the creation of the
 8 Clinical Consultancy Service is, in many ways,
 9 a response to exactly this challenge, which is
 10 an attempt to provide an alternative means of delivering
 11 that assessment where other resources are not available.
 12 It remains a subject of significant policy debate.
 13 **Q.** Yes, and in 416, you allude to that, I think, when you
 14 say:
 15 "In order to secure prioritisation of support
 16 services and healthcare on a consistent basis where
 17 individuals pose a NIEV risk, or indeed a wider risk to
 18 the public, it may be necessary to put in place
 19 additional statutory requirements. This is a largely
 20 unexplored and extremely challenging concept, with
 21 complex ethical and practical implications."
 22 Now, cutting through that there, were you
 23 referencing there how difficult it is to have
 24 a situation where, for some, it might be thought that
 25 people in this category are being able to jump the
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1 Framework, how those things should factor in,
 2 absolutely. Are there challenges with practice as the
 3 review discovered? Yes, there are. Obviously one of
 4 our focuses inside the Prevent system is to try to
 5 ensure that there isn't variability in the assessment,
 6 partly through the use of the one, single Prevent
 7 assessment form.
 8 **MR MOSS:** Thank you.
 9 Sir, I have come to the end of my Topic 5 and given
 10 that we are three minutes to 1 pm, I wonder if that
 11 might be a convenient moment and I wonder if we might
 12 take 45 minutes as a lunch break?
 13 **SIR ADRIAN FULFORD:** I was going to suggest the same.
 14 **MR MOSS:** Thank you, sir.
 15 **SIR ADRIAN FULFORD:** We will sit again at 1.40 pm.
 16 (12.56 pm)
 17 (The short adjournment)
 18 (1.40 pm)
 19 **SIR ADRIAN FULFORD:** Thank you, Mr Emmett. Yes, Mr Moss.
 20 **MR MOSS:** Thank you, sir. So Mr Emmett, if we could move to
 21 the fifth topic, information sharing and I suspect the
 22 general context for this will be familiar to you, so you
 23 will be aware, from the Inquiry's Phase 1 report, that
 24 the learned Chair found that in AR's case there was
 25 important information that was not shared, as well as
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1 waiting list?
 2 **A.** It is exactly that concern that's foremost in my mind
 3 there but I have to balance that with the importance
 4 of -- the overriding importance for the work which I do
 5 of public protection and wanting to use all of the
 6 available tools available to reduce the risk to the
 7 public and it is in that context that that should be
 8 understood.
 9 **Q.** Thank you. Then page 61, paragraph 181, finally, on
 10 this topic, HOM000964_0064, you say that:
 11 "The MHND Review found that cognitive biases and
 12 variability in risk assessment[s] are particularly
 13 pronounced in cases involving MHND where there is no
 14 clear or coherent ideological driver. The review made
 15 a number of recommendations that collectively aim to
 16 improve how Prevent understands the relationship between
 17 [mental health and neurodivergent conditions] and risk
 18 and improve the quality of risk assessment for
 19 individuals with MHND."
 20 You refer to your statement dealing with that in
 21 more detail later on.
 22 Is there now an agreed policy approach to the way in
 23 which neurodevelopmental conditions should be factored
 24 into the risk assessment?
 25 **A.** So it is certainly very clear, in the Prevent Assessment
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1 within agencies, a failure to ensure that past
 2 information that was recorded was readily visible to
 3 practitioners.
 4 Last week the Inquiry's joint expert cadre observed
 5 in their report that similar information sharing
 6 failures, effectively, were endemic in wider
 7 safeguarding practice. In their live evidence, they
 8 cautioned against the kind of 200 or 300-page joint
 9 chronology approach, but suggested that what was
 10 required was multi-agency dealing that achieved the
 11 agencies having a good summary of key events that also
 12 highlighted key vulnerabilities in a document that was
 13 maintained and kept up to date and shared.
 14 And just against that context, one of the questions
 15 that the victims' legal teams have raised is: in general
 16 terms, is it possible for a common risk picture to be
 17 created without going so far as to require every agency
 18 to hold every piece of information? In the Home
 19 Office's assessment of information sharing, how much
 20 information sharing is required to enable accurate risk
 21 assessment?
 22 Now, those are broad and difficult questions but can
 23 I seek your assistance on them?
 24 **A.** Yes, I mean in relation to the first, yes, it is
 25 possible. We know it is possible because it is done
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today. So if we consider, again, the example of Prevent and the counter-terrorism work, information is held in a common risk assessment, which is the responsibility of the Counter Terrorism Case Officer to hold and complete but contains information from the whole range of bodies involved with the management of that particular case. So it is perfectly possible to do it.

Q. Perhaps if we can explore this further by reference to your paragraph 194, so page 67 HOM000964_0067, please, bottom of the page, I think:

"... our ability to identify, collectively, NIEV risk in casework, and associated risk factors, characteristics and behaviours or to assess the utility of interventions is inhibited by issues with data sharing and data synthesis across central and local government and public services."

Then, "As", and there is a reference again to the Cabinet Office body:

"... explained, some of the most significant barriers to data sharing are cultural (e.g. risk aversion as departments or organisations do not trust each other [over the page, please, HOM000964_0068] with their data or misalignment of incentives, where the department or organisation sharing the data or funding the resource to undertake it does not always benefit)

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two things.

In terms of options, so our colleagues from the Cabinet Office and part of the work of the taskforce are taking forward a piece of work looking, in broad policy terms, at options around the challenge of data sharing. That's yet to be completed. It is referenced in my colleague Mr Abbott's witness statement. So we await the production of that. Having said that, again in the context of our work on Prevent, this is kind of not a new challenge and one of the ways in which we seek to overcome this challenge is (a) by the statutory nature of the duty that pertains to Channel panels, their duty to co-operate, that that includes the sharing information and by the practical measures which we put in place, or which we encourage panels to put in place, through the Prevent assessment form, through the construction of a structured support plan.

These kind of national standards are obviously designed to be flexible to the circumstances the panels find themselves in but to deliver them, to do them properly, you must share information and our experience is that that is now better than it has ever been and continuously improving.

Q. But while there is a concern, see AR's case as one example, of those who are referred to Prevent but not

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[from sharing it], or technical (e.g. differing data quality, interoperability of systems), but some are perceived legal and governance issues (e.g. convoluted data sharing processes that are difficult to understand and can lead of themselves to risk aversion, lack of understanding or confidence in other's arrangements) and ethical (e.g. fear of stigmatising individuals) ..."

So I don't raise this critically, Mr Emmett, of the approach in your statement, but it is easier perhaps to identify the problems than the solutions in this area, and as we raised with the experts last week, barely a public inquiry goes by without identifying problems in this area. What options are being proposed by the Home Office to try to drive change in this area?

A. So, I think the first thing to just be clear on is when we are talking about data and information sharing, there is a kind of broad waterfront here and I think this section of my witness statement is dealing both with the challenge of sharing of sort of large bodies of data, if you like, to enable the assessment of the risk cohort and so on and so forth, and some of the challenges associated with essentially case management data. We see differences between the two and it is important, you know, when we get to a level of detail, to look at the common factors but also the differences between those

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taken on, there's also concern about the wider NIEV cohort and those that don't reach Prevent at all or, like AR, are not taken on. So improvements in the way that Channel shares information are not going to directly read across to that cohort and one goes to the 86 per cent of cases who don't reach panel discussion?

A. Yes.

Q. What about outside of Prevent?

A. Yes, absolutely. So we refer to that in brief but important terms in our interim guidance, which is to emphasise the statutory duties that apply to the relevant agencies, the importance of information sharing and that -- and in broad terms, some of the bases that might be relied on and we felt that was a particularly important thing to emphasise because, as we allude to here, there are a number of challenges associated with information sharing. They are frequently described as legal and governance but in fact more akin to sort of policy cultural and practical.

We can, at the very least, and must, at the very least, be really clear on their legal bases that they exist and that they should be used. We can be clear on the expectations. The cultural and the practical are more challenging to address, I would suggest, and this is -- I am not able to evidence it at a great level of

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1 detail but I would suggest that the practical -- and
 2 this comes across in some cases of which I'm aware --
 3 the practical should not be underestimated and that is
 4 simply the time taken to record and to share information
 5 properly in the context of large caseloads and also the
 6 receipt and kind of in-boarding of information into
 7 different agency's systems where, for example, there is
 8 a handover or where information from one agency is
 9 relevant to the intervention or risk that another agency
 10 is seeking to manage.

11 **Q.** So obviously there is a great deal of complexity in
 12 these areas and the topics that I'm seeking to explore
 13 with you, as I am sure you will agree, all overlap. But
 14 can I test this by reference to this, last week with our
 15 experts -- and again, it appears in some of the witness
 16 evidence to come -- there is what may be thought, on any
 17 fair view, to be an improvement in the children's social
 18 care context, in that amendments brought about through
 19 the Children's Wellbeing and Schools Act 2026
 20 effectively make stronger provision for information
 21 sharing in relation to safeguarding for children.

22 But that legislation is in terms of information to
 23 safeguard the child, and one of the issues that arose
 24 last week in discussions with the cadre of experts was
 25 whether that would necessarily be understood to extend

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1 a great many terms. As I have indicated, the position
 2 which I would take from my position of knowledge is that
 3 a safeguarding risk can and should encompass the risk of
 4 criminality, violent criminality on the part of that
 5 child, such that it needs to be taken into account.

6 There doesn't appear to me to be a world where you don't
 7 or can't take that into account. I think it is clearly
 8 implicit. As to the development of that legislation,
 9 the detail of that, my colleague Kate Dixon from the
 10 Department for Education could speak to it.

11 **Q.** Right. We needn't perhaps turn it up, but sir, for your
 12 note, HOM001011 at page 7, HOM001011_0007, paragraph 20
 13 of the interim guidance, it is the part that says:

14 "Relevant agencies have a duty to share information
 15 where it relates to safeguarding and promoting the
 16 welfare of children."

17 Is that the passage that you had in mind, that you
 18 referred to a moment ago?

19 **A.** Yes.

20 **Q.** So that's on the record, thank you.

21 Just to round that point off, we know that the 2026
 22 amendments to the 2004 Act -- again, I appreciate that
 23 you say these are matters to pick up to a large extent
 24 with others, but in terms of that duty to share
 25 information, includes a specific exemption if, to share

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1 to cases where the child is a risk to others and you
 2 then fall into a debate about whether a child's risk to
 3 other children is itself a safeguarding risk for the
 4 child who may be the perpetrator of violence.
 5 **A.** I'm certainly familiar with the terms of that debate.
 6 I would suggest it shouldn't be much of a debate and
 7 that it is self-evident that if a child is a risk to
 8 others, that is a risk that also applies to them because
 9 they are at risk of carrying out in some cases really
 10 horrendous acts. So it should be part and parcel of the
 11 same safeguarding considerations.

12 **Q.** To that extent, you align with Ms Gianfrancesco who
 13 expressed exactly that view. But we know, from Phase 1
 14 of this Inquiry's work, that that's not always the case
 15 and at least with some of the social care workers who
 16 were working on AR's case, the risk of a child being
 17 violent to others wasn't, in all cases, understood and
 18 I suppose the test is this: wouldn't it have been better
 19 for that legislation to expressly provide for that so as
 20 to help, in this area, VFIs to put it beyond doubt?

21 The additional question to that is: if Government
 22 was really joined up in this, wouldn't that have been
 23 addressed?

24 **A.** So I'm not an expert in that particular piece of
 25 legislation. Of course, it is possible to legislate in

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1 the information may be of detriment to the child. So,
 2 there again, it might be thought that that may bring in
 3 for some practitioners an element of doubt if the risk
 4 involved is the child being violent and whether sharing
 5 that information may be of detriment to the child. It
 6 might put that element of doubt in a practitioner's
 7 mind?

8 **A.** I think I would be in good company in arguing that the
 9 alternative detriment is more significant.

10 **Q.** Thank you. In broad terms, in what direction is the
 11 Home Office moving on this; is it ongoing guidance and
 12 training or is there at least a body of thought that the
 13 time has come to give a statutory underpinning to at
 14 least the right to share information, if not a duty to
 15 share information, set out in statute?

16 If I can put it very bluntly, to end the culture
 17 whereby practitioners are afraid of being reported to
 18 the Information Commissioner?

19 **A.** So, no options are off the table. We are taking no
 20 decision as yet. So we rely always on explaining the
 21 law and encouraging others to be clear on the basis for
 22 information sharing and as you have seen in our interim
 23 guidance we do that regularly. There are various other
 24 options available to us. Yes, one of them is putting
 25 certain types of information sharing beyond doubt in

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1 statute. We do that partly in Section 38 of the
2 Anti-terrorism, Crime and Security Act in relation to
3 information around Prevent. Although, we also there
4 make reference to other statutes.

5 I think there also is a role here potentially for
6 the regulators, where the concerns around the ICO's
7 position are frequently cited, there is something
8 I think that we might press with the regulator on how
9 they talk about how these duties apply, which might be
10 a fruitful avenue. But all of those are in our minds.

11 **Q.** Thank you. On a connected issue, has the Home Office
12 developed a position as yet on the issue of where
13 parental consent is not forthcoming and the VFI or the
14 person about whom there is a VFI concern is a child?

15 **A.** So, consent -- it really depends upon the stage of
16 a risk, the stage of a threat, risk/threat, and the type
17 of system that we are talking about. In an early
18 intervention system, because they are in the
19 pre-criminal space, they clearly rely on consent to
20 a very significant degree and there are very good
21 reasons for so doing. If parental consent is refused,
22 again, in the early intervention context, it may be
23 appropriate -- and indeed this is what we do in
24 Prevent -- that there are reviews built into a case
25 where, in effect, the factors are reconsidered

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1 provisions under the Mental Health Act, for example.
2 **Q.** If one is trying to look at a broad desirability of
3 equivalence between ideological cases and
4 non-ideological cases where the risk of an attack might
5 be similar, or the risks of being drawn in towards
6 a mindset towards attack may be similar; if you looked
7 at the case that is taken on by Prevent so that it meets
8 the threshold for Channel, but consent to Channel
9 interventions is not forthcoming; without going into
10 fine details about it, the obvious option in that case
11 would be for the risk to be monitored by a police-led
12 partnership, as we understand it. Is that right, in
13 simplistic terms?

14 **A.** Yes, that's correct.

15 **Q.** For cases where there is a real concern about the level
16 of violence fascination but it is not currently
17 a Prevent case because the person is not thought to be
18 vulnerable to be drawn into terrorism, they are not
19 taken on by Prevent, they are referred to the most
20 appropriate agency, which may be social care, it may be
21 health, it may be early intervention youth offending
22 services. If consent to those early interventions is
23 not forthcoming outside of the Prevent sphere, there is
24 no equivalent at the moment, is there, as a national
25 policy of the PLP?

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1 notwithstanding that lack of consent and consent may be
2 sought again.

3 We have also investigated the potential of a Gillick
4 competency which I know you have also indicated you wish
5 to raise and that certainly could apply in such cases.
6 I have asked teams, we haven't got -- I am not aware of
7 any cases where that has actually arisen in practice but
8 it certainly could arise. So there are options
9 available to us. Of course, as you move further down
10 a continuum of risk, where actions by agencies, in
11 particular including -- well, actions by agencies
12 including health, as has been explained by some previous
13 expert witnesses under law enforcement, are not based
14 upon consent. That is a route that you can get taken
15 down.

16 So that, for me, is how it works as you -- the
17 further, in effect, upstream of the threat we are, the
18 more we are looking at -- it is necessary to operate in
19 a place where consent is required in one form or another
20 and the further we get towards the potential
21 manifestation of a threat, when certain risk factors
22 arise, for example, that is the point when other
23 statutory powers kick in and consent is less of
24 a concern.

25 I was very struck by the points made about the

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1 **A.** There is not an equivalent to that, no.

2 **Q.** And --

3 **A.** I should caveat, your words, there is no equivalent as
4 a national policy. We are aware of various different
5 local arrangements, where police are engaged --

6 **Q.** Anecdotally, on a local arrangement, you might have
7 territorial policing involved on that --

8 **A.** Exactly.

9 **Q.** -- but would you agree that what is lacking there is
10 a consistency of approach in such cases?

11 **A.** Yes, I would.

12 **Q.** Thank you. Just before we leave this topic, may I just
13 cover another of the aspects that's helpfully been
14 raised by the victims, which is whether, in relation to
15 Working Together to Safeguard Children, which you have
16 referenced in your statement, whether it would help for
17 that guidance to overtly refer to NIEV or VFI risk,
18 which I think at the moment it doesn't. Has
19 consideration been given to that?

20 **A.** So I'm aware that consideration has been given to that.
21 I'm afraid, I don't have the details with me at the
22 moment. My colleague Ms Dixon will know but I'm also
23 happy to update the Inquiry.

24 **Q.** All right. Again, could that be added, if you would, to
25 the shopping list perhaps for follow-up in writing.

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1 Thank you.

2 I want to turn now to the seventh topic, of the role
3 of Prevent in the management of VFI risk. And can we
4 just try to bring up, on this occasion, the report
5 itself. So that's CHAIR000002 I think.

6 Page 89 CHAIR000002_0089 and paragraph 124. So the
7 learned Chair identified in the report, that:

8 "A critical issue for the purpose of the Inquiry is
9 whether someone who is intent on inflicting serious
10 violence but has not demonstrated any material terrorist
11 ideology or a vulnerability to being drawn into
12 terrorism nonetheless can come within the ambit of the
13 Prevent programme." (As read)

14 So I want to look at matters framed in that way, and
15 it is right, of course, that as a matter of the
16 statute -- and it is Section 36.1 of the 2016 Act -- the
17 Channel panel duty arises with the function of assessing
18 the extent to which identified individuals are
19 vulnerable to being drawn into terrorism. Yes?

20 A. Correct.

21 Q. The Prevent Duty Guidance 2023, can we just have
22 ASCL000001 please, it is page 9 ASCL000001_0009, and
23 I hope paragraph 36, yes, at the top of the page,
24 recognised that at the same time:

25 "There is no single profile of a radicalised person,
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1 theoretical example; if you took the case of, say,
2 a 15-year-old boy who had taken a knife into school, he
3 had also been convicted of a serious assault, he had
4 a background of looking up or trying to look up gore and
5 very violent material at school, the school were
6 concerned. In the context of the assault for which he
7 had been convicted, however, territorial policing had
8 got access to his device and that showed that that boy
9 was totally scornful of religion, had no interest in
10 scornful of religion or religious extremism, had no
11 interest in political causes at all, but had thousands
12 of violent gore images and hadn't just been consuming it
13 but had been sharing it and that included school
14 massacres material, that that boy had been active on
15 sites and was boasting about the numbers killed and had
16 gone so far as to say that he was interested in
17 emulating them. Now, that is the sort of case that
18 would be a very serious concern for law enforcement,
19 yes?

20 A. Yes.

21 Q. But if, on any interpretation of the devices, it was
22 clear that the boy had no interest at all in ideological
23 terrorism, the conclusion from that case might well be:
24 he's not vulnerable to being drawn into terrorism, he is
25 fascinated with violence and there is a real worry that

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1 nor is there a single pathway or 'conveyor belt' to
2 being radicalised. There are many factors which can,
3 either alone or combined, lead someone to subscribe to
4 terrorist or terrorism-supporting ideology. These
5 factors often include exposure to radicalising
6 influences, real and perceived grievances -- often
7 created or exacerbated through grievance narratives
8 espoused by extremists -- and a person's own
9 susceptibility."

10 Now, against that background, can we, first of all,
11 agree on this: there will be those who are fascinated by
12 violence, mass casualty attacks, where it can fairly be
13 assessed that they may be drawn towards terrorism
14 because of their vulnerabilities, yes?

15 A. Yes.

16 Q. As things are currently organised, that would be your
17 classic case of somebody who may not show any particular
18 ideological leanings in terms of traditional terrorism,
19 but the combination of their interests in mass casualty
20 attacks and their vulnerability to be radicalised into,
21 whether it is Far Right extremism or Islamist extremism,
22 means that they would meet the statutory test? So some
23 cases would work in that way, would you agree?

24 A. Yes.

25 Q. Can I test, however, by an admittedly simplified and
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1 he will carry out an attack, but hand on heart, he's not
2 vulnerable to being drawn into terrorism.

3 A. It is really difficult to be -- I appreciate the
4 sentiment behind the question. It is very, very
5 difficult to drawn on hypotheticals, isn't it, because
6 we have described a case where we, in effect, assume
7 perfect knowledge at the point of referral. There are
8 two challenges with that. One, it is perfect knowledge
9 at a point and it is not necessarily predictive of
10 future risk; and secondly, that perfect knowledge is
11 rarely, if ever, in fact, in my professional knowledge,
12 never a thing.

13 So, you know, it is perfectly possible for me to say
14 that: yes, with that perfect knowledge that this person
15 will, in effect, never become a terrorist, on the face
16 of it they are not suitable. But putting myself in the
17 shoes of individuals who would have to make those
18 decisions, looking at the context, looking at, for
19 example, the significant online activity which, from my
20 professional experience, I would suggest would almost
21 certainly include material adjacent to if not directly
22 terrorist-related, if you were consuming gore.

23 Knowing that in those communities it's also pretty
24 common for material relating to terrorist radicalisation
25 to circulate alongside that, there would also be

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1 a perfectly reasonable judgment that, even if no
2 ideological motivator were present or assessed to be
3 present at that time, that's not to say that one might
4 not be developed in the future.

5 I know that that is a long answer, but I'm really
6 trying to say these are incredibly nuanced decisions.
7 I think we can all agree that there is a line. What is
8 unbelievably difficult and what we ask people to do
9 every day and try to support them as best we can, is to
10 determine that line with reference to individual
11 circumstances at the point of referral.

12 **Q.** I readily confess the difficulties with taking examples
13 and I readily admit that my example is exaggerated to
14 illustrate the point. But it is not unrealistic, is it,
15 to assume a case where, for example, that boy had
16 been -- the school had done an invention of sorts, it
17 had had a safeguarding conversation and talked about
18 radicalising risk and the boy had been absolutely clear
19 in that context that he had no interest in Far Right, no
20 interest in politics at all and gave whatever
21 explanation for the violent material.

22 Is there a risk in all of this, putting it bluntly,
23 that really what might be happening is a desire,
24 a well-intentioned desire, by Prevent to take the
25 serious end of such cases? What I mean by that is that

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1 system for doing that, with a clear set of risk
2 assessment frameworks that is resourced to do this work,
3 is the Prevent system. So it is unsurprising, if you
4 like -- and I think Lord Anderson referred to this, it
5 is unsurprising that we see these types of cases
6 accumulating in our space and that is difficult, by the
7 way, in the context of an increasing threat --

8 **Q.** Unsurprising that you see a large number of referrals
9 and unsurprising that some of those cases would be taken
10 on. I emphasise the benign in this, done for the best
11 of reasons, but can I explore this further by reference,
12 please, to page 108 HOM000964_0108 of your own
13 statement, if we may, please, Mr Emmett, and it is
14 paragraph 334.

15 So you draw, again candidly and helpfully, to
16 a difference between the Home Office and CTPHQ in the
17 development of the FEVMCA guidance, and you say that:

18 "In the final version of the policy CTPHQ introduced
19 the word 'committing' to the definition of [Fascination
20 with Extreme Violence Mass Casualty] cases, (i.e.
21 'evidence of a fascination in [your underlining]
22 committing extreme violence and mass casualty
23 attacks') ..."

24 Then, you say:

25 "I understand this addition reflected feedback from

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1 where the evidence, taken together in the context of
2 non-ideological fascination with violence, if the person
3 seems to be a significant risk in that area, going some
4 way down the path to an attack, that, for wholly benign
5 reasons, the Home Office and Counter Terrorism Policing
6 would absolutely wish to keep that case and to deal with
7 it on a par with ideological terrorism. But not, in
8 truth, because that person is vulnerable to being drawn
9 into terrorism, more because they might do
10 a non-ideological attack that would be as bad as
11 a terrorist attack?

12 **A.** There is certainly a risk of that. We are dealing with
13 a deeply professional system filled with people who want
14 to prevent harm. That's the purpose of it and I have no
15 doubt that, faced with those sorts of circumstances,
16 they would act with the tools at their disposal to seek
17 to do so. That doesn't necessarily suppose an adoption
18 to Prevent. It could be an alternative local
19 multi-agency structure, supplied with the information as
20 you have described, that could effectively put
21 an appropriate safeguarding plan around that
22 individual -- a plan both safeguarding that individual
23 and for the purpose of public protection.

24 At the moment, the challenge which we have is that
25 the most developed -- the only nationally standardised

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1 CTP regions but the [Prevent Delivery Unit] was not
2 consulted on this particular addition and have some
3 concerns about the impact of the change. In summary,
4 PDU's concern is that requiring evidence that a person
5 is fascinated with 'committing' extreme violence and
6 mass casualty attacks may risk being interpreted as
7 raising the threshold for a referral to Channel under
8 Section 36 of the CTSA ('reasonable grounds to believe
9 that a person is vulnerable to being drawn into
10 terrorism')."

11 Obviously, this is a point that we will pick up with
12 DAC Evans on Wednesday of this week. But on one view,
13 it might be said that that reflects the risk that I have
14 just been exploring with you, that for the most benign
15 of reasons, Counter Terrorism Police Headquarters are
16 seeking to retain cases at the serious end of the
17 spectrum but are wanting to sift out those that are not
18 at that end of the spectrum and fascination, not with
19 extreme violence but committing extreme violence, is
20 a proxy to do that, and I emphasise for benign reasons.
21 But is there not a risk that that's what's really going
22 on?

23 **A.** I think that is a risk. I don't want to over-emphasise
24 this point. I included it largely by way of
25 illustration of the complexity and the nuance involved

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1 in these judgments, and also the judgments that have to
2 be applied at different stages of the lifetime of
3 a case. We ask Counter Terrorism Case Officers to
4 perform a particularly difficult function acting, as
5 they do, as a sort of gateway to onward, and it is
6 absolutely a matter for Counter Terrorism Police
7 Headquarters, the guidance that is given. But I use it
8 as illustrative of the challenge and yes, the
9 circumstances which you describe might certainly arise.

10 Q. So, DAC Evans, in her statement says -- I won't bring it
11 up because it is self-evidently the case according to
12 the statute, but it is paragraph 57, sir, for your note.

13 She says that:

14 "CTCOs can only consider cases in terms of
15 an individual's vulnerability to being drawn into
16 terrorism regardless of the nature of the risk that they
17 pose." (As read)

18 Self-evidently that's right, according to the
19 statute, would you agree?

20 A. Yes, absolutely.

21 Q. This can't be raised as a criticism of you or others
22 because currently the system is bound by that statute
23 but has the Home Office considered that, in reality,
24 that statutory test of vulnerable to be drawn into
25 terrorism, isn't a perfect fit for the NIEV cohort?

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1 the point of referral, there may be a reasonable belief
2 that that person is vulnerable.

3 There may also, I suspect, be cases, your worked
4 example being one, where there is not space for
5 a reasonable belief. So it is a really challenging
6 area. That arises from the fact that the system for
7 which I and others are responsible, which delivers early
8 intervention to prevent people being drawn into
9 terrorism, is designed to do exactly that and it is not
10 designed to prevent people committing acts of
11 non-ideological extreme violence. But because of its
12 nature, i.e. we are looking in a pre-criminal space and
13 we are an early intervention scheme, we are seeing, in
14 effect, a societal phenomenon coming at us and there are
15 people inside the system doing their best to manage that
16 and the system has adapted to it. But we are stretching
17 the bounds of statute as it stands in order to do so.
18 I think that is the best description I can come up with.

19 Q. Yes, thank you. So obviously one route is to have
20 a system for NIEV cases that are not taken on by Prevent
21 but recognising the way in which, at the moment, Prevent
22 support is bound by statute -- and we emphasise again it
23 can't be a criticism that a different approach is being
24 taken at the moment when it is bound by statute -- but
25 another possibility, which is referenced in some of the

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1 A. Well, it is certainly not a perfect fit for the NIEV
2 cohort.

3 Q. For distinguishing the different types of cases in the
4 NIEV cohort and distinguishing cases that you would want
5 CTPHQ to take on?

6 A. I think we just need to pause on -- "definitions" is the
7 wrong term -- just need to pause on Venn diagrams, if
8 you like. So there are a cohort of individuals who are
9 vulnerable of being drawn into terrorism who might
10 display some of the risk characteristics associated with
11 violence fascination and isolation and so on and so
12 forth. They are dealt with under our current system,
13 they are dealt with under that statute.

14 There are also a group of individuals who we have
15 some examples of, who don't display that vulnerability
16 to being drawn into terrorism, for which we have coined
17 the phrase "Non-Ideological Extreme Violence" to
18 describe them and they, self-evidently, are not caught
19 and cannot be caught by this statute. But the nuance
20 arises when presented with a case, not knowing how that
21 case will develop over time, whether, at the point of
22 referral, there is reasonable grounds to believe that
23 the individual is vulnerable and it is quite possible,
24 in a number of those cases, that later turn out, in
25 effect, to be non-ideological extreme violence, that at

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1 underlying papers, is to revisit the statutory test for
2 Prevent.

3 Can we look at it through a different angle and if
4 we could have again, the Phase 1 report please, at
5 CHAIR000002. It is page 85, CHAIR000002_0085,
6 paragraph 127. Sorry, it may be page 85 in the internal
7 pagination, could you just scroll a couple of pages
8 until we get to 127.

9 Previous page, thank you, bottom of the page:

10 "This is a complex and difficult issue for those
11 responsible for public safety, not least because of the
12 risk to the Prevent programme of being overwhelmed with
13 referrals which relate to individuals who have not
14 demonstrated a terrorist susceptibility. The attempt to
15 capture this latter group, at least to an extent, while
16 simultaneously avoiding a change to the remit of the
17 Prevent programme has resulted in a description of the
18 relevant criteria which, in my view, remains ambiguous,
19 unsatisfactory and hard for ground-level [Counter
20 Terrorism Police] officers to implement consistently.
21 Although this lack of clarity has been longstanding, the
22 dilemma is undoubtedly significant: the wider the scope
23 of intended appropriate subjects [over the page, please]
24 of Prevent, the more difficult it will be to avoid
25 excessive referrals which itself will risk the most

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1 dangerous cases not receiving adequate focus.
 2 Ms Ellsmore candidly accepted ..." (as read)
 3 It is, of course, the Home Office witness in
 4 Phase 1:
 5 "... a tension in relation to the approach of CTCOs
 6 to ideology and that the role of Prevent as part of the
 7 'broader safeguarding and violence protection system' is
 8 'challenging'. In that context, it is also relevant
 9 that the threat, or perception of threat, from Violence
 10 Fixated Individuals has changed and evolved in recent
 11 years, albeit that is dealt with in detail below, both
 12 the Home Office and CTP recognise this as far back as
 13 mid-2019." (as read)

14 So that was the Phase 1 finding, and recognising
 15 that tension, could we just look at the results of the
 16 Inquiry's Phase 2 questionnaires. So that's the Crest
 17 report, please, at ILT000219. It is page 46
 18 ILT000219_0046, please. If we could have the bottom
 19 half of the page. So:

20 "Concerns over suitability of existing statutory
 21 frameworks for VFI cases.

22 "Respondents from [Counter Terrorism Police],
 23 Channel and MAPPA were asked about the suitability of
 24 the statutory or operational frameworks within which
 25 they manage VFI-related risk. Views varied between the

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1 and if you can go on please. Thank you, if we just go
 2 on to page 48 ILT00029_0048:
 3 "MAPPA respondents" are dealt with. Then there is
 4 a section that begins.
 5 "Some respondents also questioned whether extending
 6 existing statutory arrangements to encompass VFI-related
 7 risk would necessarily provide an appropriate solution.
 8 One CTP Respondent expressed concern that doing so could
 9 extend Prevent beyond its existing purpose: 'General
 10 consensus that Prevent are not the right
 11 agency/department to be managing such risk. The
 12 addition of the VFI cohort has had a detrimental effect
 13 upon Prevent efficiency in managing ideological risk.
 14 It has watered down the roles and remit of Prevent'."

15 Just pausing there, there is a number of findings
 16 that are addressed in that, but what comes out, it might
 17 be thought quite strongly, at ground level in Counter
 18 Terrorism Units is a concern about how well matched
 19 Prevent is to the VFI cohort risk. Do you see that?

20 A. Yes, absolutely.

21 Q. It might also be thought that this report supports
 22 a view that there is an ongoing tension between the VFI
 23 type of case and them being taken on when they are
 24 vulnerable to being drawn into terrorism but not
 25 otherwise, as being the linchpin test?

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1 three groups, although concerns about the extent to
 2 which existing arrangements are suited to this form of
 3 risk were evident across the responses."

4 Then the report authors say this:

5 "Counter-terrorism units expressed the strongest
 6 concerns. Nine in ten CTP Respondents (90%) indicated
 7 that the existing CTP structures and working practices
 8 are not well suited to identifying, assessing and
 9 managing non-ideological or violence-fixation risk. All
 10 CTUs (100%) also reported that, within the current
 11 framework and level of resourcing, CTP was not effective
 12 in practice at managing this form of risk. One
 13 respondent described the perceived statutory limitation
 14 as ..."

15 Go over the page, please ILT000219_0047:

16 "Section 36 states that there must be reasonable
 17 grounds to believe that the individual is vulnerable to
 18 being drawn into terrorism, however this often does not
 19 align with VFI-type cases ... Similarly, the Prevent
 20 Assessment Framework is not designed with VFI in mind
 21 and so some aspects of it are not applicable to these
 22 cases'."

23 Then it goes on to deal with Channel Chairs, the
 24 more mixed views, as they are set out, and if we go down
 25 to the next bit of text, regional variation within that

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1 A. So I mean absolutely there is certainly that kind of
 2 tension and it arises because Prevent is, in effect,
 3 a highly developed component of a wider landscape of
 4 safeguarding and it is highly developed to do
 5 a particular thing and that's to identify those who may
 6 be vulnerable to becoming terrorists or supporting
 7 terrorism and support them away from that.

8 Now, over time, the shifts in terrorist threat have
 9 made that a more challenging process, as we have seen
 10 less clarity of ideology amongst terrorist cases and so
 11 we have developed the way in which Prevent and Channel
 12 operate. We have developed our intervention providers.
 13 As well as offering ideological interventions, they
 14 offer practical mentors and so on and so forth to draw
 15 that terrorist cohort away. But I'm unsurprised by and
 16 would agree with the conclusions of this report because
 17 of the status of Prevent as it stands. That is how it
 18 is going to work.

19 Q. So, if we look at how this potentially plays out for
 20 practitioners. If we could go back to your statement,
 21 page 103 HOM000964_0103 and paragraph 319.

22 This is in your section over "Identifying cases for
 23 referral" and "Support for Frontline Professionals ..."

24 You helpfully draw attention to the relatively
 25 recent:

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1 "... Key Principles of Prevent document, together
2 with FAQs and Case Studies, published in
3 February 2026 ..."
4 You say that is:
5 "... part of the effort to ensure frontline
6 professionals are clear on what basis they should make
7 a referral."

8 You emphasise, quite rightly, that:
9 "The Key Principles do not introduce new policies or
10 expectations but clarify practices that have been
11 operational since 2019."

12 Yes?

13 A. Yes.

14 Q. Thank you. So if we could have a look at it together
15 please, it is CTPHQ000411 and under paragraph 1, first
16 of all, we see:

17 "Prevent aims to stop people from becoming
18 terrorists or supporting terrorism."

19 Perhaps we ought to just go to the footnote. It
20 will be on the last page of this document, please,
21 CTPHQ000411_0004, if we just scroll through to the end.
22 Thank you. So we see footnote 1 that is referred to
23 there gives the Terrorism Act reference, including,
24 second bullet point:

25 "for the purpose of advancing a political,
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1 mandatory to make or adopt a Prevent referral" is no
2 doubt right, if I may say so, and helpful.
3 But if one goes on to see how that then plays out.
4 If you look at paragraph 5 next, please. So over the
5 page CTPHQ000411_0005, practitioners are being asked, in
6 bold:

7 "If a person is considered at risk of being drawn
8 into terrorism, a Prevent referral should be made or
9 adopted to Channel."

10 So having said in paragraph 3, my paraphrase,
11 ideology isn't required, practitioners are then being
12 guided to ask themselves the question whether the person
13 is at risk of being drawn into terrorism. Do you agree?

14 A. Yes.

15 Q. And then paragraph 6:

16 "Making a referral.

17 "Frontline professionals, when deciding whether to
18 make a referral, should consider whether they believe
19 the person they are concerned about may be on a pathway
20 that could lead to terrorism."

21 Then some references are given. So, this document,
22 publicly accessible, no doubt drafted with considerable
23 care, might be thought does its best to give guidance
24 that is loyal to the statutory test, but ultimately,
25 isn't it at risk of saying, first of all, ideology isn't

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1 religious, racial or ideological cause."

2 So there we have ideology. If we can go back to
3 page 1 CTPHQ000411_0001, please. So having given
4 practitioners the cue that Prevent aims to stop people
5 from becoming terrorists or supporting terrorism and a
6 reference to the statutory test, at paragraph 3:

7 "While ideology is an important consideration,
8 a clear identifiable ideology is not mandatory to make
9 or adopt a Prevent referral. As the Independent Prevent
10 Commissioner noted, 'adherence to an extreme ideology is
11 in law neither a necessary nor a sufficient condition
12 for entry into Prevent or Channel'. As an early
13 intervention programme, Prevent must consider
14 susceptibility to terrorist ideology or involvement,
15 rather than limiting Prevent to cases where a terrorist
16 ideology has already taken hold. For some people, it
17 might take spending time and building trust with
18 a professional before an ideology becomes clear. It is
19 important to consider that emerging movements could
20 evolve to meet the definition of terrorism, and to
21 remain alert to new potential threats."

22 So I read all of that so I'm not thought to be
23 cherry-picking particular sections and on any view,
24 guidance to frontline practitioners that "while ideology
25 is important, a clear, identifiable ideology is not

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1 necessary but to make a referral you do have to be
2 concerned that they are on a pathway that could lead to
3 terrorism, while giving them the definition that
4 terrorism includes ideology. In other words, it remains
5 an uncomfortable compromise?

6 A. So it remains a nuanced decision that we are asking
7 people to take. There is clarity in the view that, at
8 the point of referral, it is not necessary for
9 an ideology to be present or well developed if it is
10 present. It is re-stated, in effect, at 5 and 6, using
11 slightly different language, "at risk", "on a pathway
12 to". But we are still, I think, in the space --
13 certainly the intent -- and we can debate the language,
14 but the intent is to make clear that where there is
15 a vulnerability, a potential, a risk, a potential
16 pathway, then a referral can and should be made and that
17 is reflecting Prevent's status as an early intervention
18 programme.

19 We do not know which of these individuals will go on
20 to become terrorists without intervention. We seek to
21 determine who may be vulnerable to that and, where
22 appropriate, to intervene, to divert them from that
23 path.

24 Q. Yes, but certainly in the way that matters are decided
25 at the moment the statutory test for Prevent, would you

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1 agree with this, really compels those drafting this sort
2 of guidance to remain loyal to the statutory test of
3 being drawn into terrorism?

4 A. Yes.

5 Q. Even though, in reality, one would want practitioners,
6 in the way that the system is currently set up, to refer
7 cases where individuals have a very troubling
8 fascination with extreme violence, even if it is
9 non-ideological. Even if they are not at risk of being
10 drawn into terrorism, if they have a serious risk of,
11 for example, a mass -- I appreciate that at the very
12 high end they would be contacting law enforcement and
13 999. But if they are seriously worried about
14 fascination with mass school shootings, in reality that
15 should go to Prevent is what one would want to achieve,
16 regardless of the risk of being drawn into terrorism?

17 A. So that is not a position I can take. I'm bound by
18 statute, as you will recognise. I think the position
19 that I do take and that my colleagues will take is that
20 we are, and have, stretching the definition of Prevent
21 as far as it is practicable to do so. David Anderson
22 I think was quite clear on this in his contribution.
23 But there are limits. Again, in a hypothetical example,
24 it is possible to describe a type of case which in
25 effect could not meet the threshold and that is, at

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1 cases in terms of an individual's vulnerability to being
2 drawn into terrorism ..."

3 A matter to which I took you earlier:

4 "... regardless of the nature of the risk that they
5 pose. This is a statutory requirement and any
6 broadening or other change to the relevant legislation
7 is a matter for government."

8 She does go on to give the warning that any
9 increasing of that risks reducing the availability of
10 resources and focus for terrorist cases.

11 So that's one view, I think broadly speaking
12 consistent with what you have explained a moment ago.
13 There is a slightly different -- and again, this isn't
14 a criticism, it is healthy and important to explore
15 these matters. Could we see the NCA's corporate
16 statement, Helen Rance, please, NCA000032. Page 12
17 NCA000032_0012 please, starting at paragraph 57. Again,
18 we will be exploring this later in the week. It is the
19 bottom of the page:

20 "At present, some individuals who pose a risk of
21 serious violence are identified by organisations with
22 a statutory obligation to refer those at risk of
23 radicalisation into Prevent. Individuals with
24 a non-ideological fascination with violence are not
25 likely to meet [NCA000032_0013] the criteria for

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1 least in part, why we are here, to determine what, if
2 any additional arrangements might be necessary to meet
3 cases of that type.

4 I sort of come back to the earlier point I was
5 making. We have designed Prevent to do a particular
6 thing and because of the thing that it is doing, it also
7 happens to have possibly the best lens on an emerging
8 risk, which is non-terrorist in nature or at least some
9 manifestations of this are non-terrorist in nature and
10 some, frankly are, when we talk about the self-initiated
11 terrorist phenomenon. That is a real challenge to us
12 which arises from the statute but it also arises from,
13 frankly, Prevent's position as part of
14 a counter-terrorism system which is designed to address
15 a particular threat which is defined in a particular
16 way.

17 Q. Another way of looking at this, could we have a look,
18 please, at DAC Evans' statement. So it is CTPHQ000409.
19 If we could go, please, to page 19 CTPHQ000409_0019 and
20 paragraph 57. So, she says that:

21 "It is important to note that the statutory bounding
22 of Prevent, as a Counter Terrorism programme, has
23 remained unchanged since 2015 and [Counter Terrorism
24 Police] is required to operate within those statutory
25 limits. As such this means that CTCOs can only consider

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1 a Prevent response. Whilst the NCA does not sit on MASH
2 panels, I understand that they focus on the safeguarding
3 of victims and do not routinely receive referrals for
4 offenders.

5 "In my opinion, there therefore appears to be a gap
6 in current arrangements concerning individuals who do
7 not [neatly] fit existing safeguarding, criminal justice
8 or counter-terrorism pathways. One option, as set out
9 in Lord Anderson's report Lessons for Prevent, is to
10 expand the remit of the counter-terrorism ... Prevent
11 programme to include non-ideological extreme violence.
12 I understand that this model has being been adopted and
13 implemented with success by Canadian counterparts via
14 The Canada Centre for Community Engagement and
15 Prevention of Violence programme.

16 "A second option, which has been considered by the
17 Home Office, is the establishment of a separate entity
18 with overarching responsibility for the identification,
19 assessment and management of VFIs."

20 Then paragraph 60, please:

21 "However, the NCA's assessment is that this is not
22 fundamentally a question of which single organisation
23 should own a cohort known as 'Violence Fixated
24 Individuals'. Rather, it is a question of whether the
25 current system has adopted an overly narrow

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1 understanding of harm and risk, based upon 'ideological'
2 and 'non-ideological' distinctions which are
3 increasingly difficult to sustain in practice."

4 So, there might be thought to be, at the very least,
5 a difference of emphasis there with the NCA flagging, my
6 simplistic paraphrase, but: perhaps it is time to step
7 back and ask more fundamental questions about whether
8 the distinction between ideological and non-ideological
9 motivations are appropriate, bearing in mind the nature
10 of recent threat developments in terms of VFIs which are
11 an expanding group.

12 Where does the Home Office sit in this, other than
13 saying: well, currently we have to do what the law tells
14 us?

15 **A.** That's a potentially extremely broad question. So I'm
16 not sure I wholly agree with -- well, I think the points
17 put across in the witness statement on the screen are
18 sort of part of the picture, if you like. So yes, that
19 is one way of looking at it, and yes, that is one way of
20 looking at it. There are other ways of looking at this
21 challenge. I would suggest that the concern we have in
22 the Home Office which reflects the establishment of the
23 taskforce is we are seeing what we think is
24 an increasing incidence of a type of threat which feels
25 new and novel -- relatively new and novel, I should say,

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1 set of duties which would have the effect of the system?
2 There are all sorts of options here but I don't think
3 sort of boiling it down to ideological versus
4 non-ideological distinction is actually that helpful.
5 I am much more interested in the practical sort of: how
6 do we get after this threat, what are the tools that we
7 need and where should they sit?

8 Sorry, that is a slightly long and perhaps not
9 particularly well formed answer.

10 **Q.** Thank you. Is there merit in thinking about a threshold
11 test for adoption by Prevent for non-ideological cases
12 which is based, not on a concept of vulnerable to being
13 drawn into terrorism, but is based upon the seriousness
14 of the risk that, in other words, would say: the nature
15 of the risks in this case, non-ideological though they
16 are, are so concerning that we would want this case
17 dealt with and reviewed by Counter Terrorism Police as
18 if it were ideological terrorism?

19 **A.** So, I suppose another way of addressing that question
20 is: is it worth kind of re-thinking a prioritisation to
21 base it on severity of potential violence?

22 **Q.** For the non-ideological case, because it might be
23 thought that that is consistent with bringing
24 counter-terrorism capabilities to the most important
25 case and it may, in fact, be clearer to apply than what

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1 you can always find more when you look backwards.

2 We understand that it touches a variety of different
3 systems. We understand that the Prevent system, because
4 of the way it works, is particularly, if you like, well
5 suited to identifying it inside itself because it has
6 a national framework and a clear risk assessment and so
7 on and so forth. So we can't really talk about the
8 incidence of this type of risk in MASH caseloads, for
9 example. We just don't know.

10 So the question for me at least is not: oh, there is
11 a problem with ideological and non-ideological
12 distinctions because I don't think anybody would suggest
13 there is a problem with terrorism versus not terrorism,
14 frankly. Well, some may but I don't think that is the
15 case. The question is, practically speaking, when we
16 see a different character of threat arising, which is
17 not ideological in nature but has certain
18 characteristics, what is the practical response to that?

19 Is it, perfectly right to consider, to expand an
20 existing system which appears to have most of the
21 relevant skills, but not all, most of the relevant
22 skills to deal with it? There would be a cost to doing
23 that and there would be challenges in doing it. Is it,
24 instead -- to look at a more fundamental review of the
25 broader landscape, is it to create a different sort of

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1 some might say is an artificiality or a compromise in
2 defining those who are ideological or don't appear to be
3 ideological to be vulnerable to be drawn into
4 ideological terrorism.

5 **A.** Look, I think it is really important to distinguish
6 between an early intervention and many some of the later
7 points of intervention and again, as is covered in
8 I think my colleagues' witness statements and to
9 a certain degree in mine, there are capabilities
10 available to counter-terrorism -- Jonathan Hall was
11 particularly good on this -- which are rightly
12 ring-fenced to that threat because of the nature of the
13 threat from terrorism. If we are talking about early
14 intervention -- I do apologise, I have lost the thread
15 of your question, it is my fault.

16 **Q.** It is really whether there might be benefit in the test
17 being judged by the severity of risk. I appreciate that
18 you would say if the risk is so high that it would --

19 **A.** It could certainly be done but it would be a fairly
20 fundamental reform of the way that we think about
21 different threats to UK society.

22 **SIR ADRIAN FULFORD:** Can I run the risk of muddying the
23 waters on this just slightly, Mr Emmett, and the only
24 point I would want to raise at this stage is what you
25 set out at paragraph 334 of your statement, when dealing

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1 with the final version of the policy by CTPHQ, where
 2 there was the introduction of the word "committing".
 3 So, reserving the VFI cases to those where there's
 4 evidence of fascination in committing extreme violence
 5 and mass casualty attacks.

6 So for the non-ideological, if you had a restriction
 7 of that kind in relation to the most serious anticipated
 8 threat posed by the individual?

9 **A.** So the risk in that, sir, is that -- I think, as
 10 I layout in the paragraph -- where you are thinking
 11 about early intervention, it is a really very, very
 12 difficult judgment to ask someone to make in the early
 13 stages of a case. So not impossible to do, indeed, that
 14 is CTPHQ's current policy guidance but it is very, very
 15 nuanced.

16 **MR MOSS:** Mr Emmett, just rounding off this difficult topic,
 17 and we are grateful for your assistance, some questions
 18 raised in this broad area by the victims' teams. First
 19 of all: is the current approach effectively one of
 20 Prevent first, i.e. referrals are made to Prevent in the
 21 first instance and then sent onwards if the Section 36
 22 threshold is not met? If that is the case, is this the
 23 right approach, to triage all cases for
 24 counter-terrorism risk in the first instance?

25 **A.** So, that is not the current policy but it is the
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1 factors behind it is reflected in the way in which the
 2 current terrorism threat level is set. There is
 3 a severe level of threat and we would expect there to be
 4 a consummate level of referrals.

5 In terms of resourcing, Prevent is delivered
 6 locally, it is resourced locally. So the organisations
 7 that bear the brunt of that increased number of
 8 referrals are local authorities, health authorities and
 9 so on and so forth up and down the country, who are
 10 having to devote more time to considering referrals and
 11 devising plans and it is to our colleagues in Counter
 12 Terrorism Policing -- and I am sure that DAC Evans will
 13 want to talk about their resourcing of this when she
 14 speaks to you, but I am given to understand that they
 15 have increased resourcing, at some cost to other
 16 national security work.

17 Within the Home Office, similarly, the resources
 18 which I am able to bring to bear to the kind of overall
 19 system management have not increased over this period
 20 and that has meant that we have to be very plan-ful
 21 about the particular changes to the system that we
 22 entertain and we have to sequence them according to the
 23 resources that we have to bring to bear.

24 **Q.** Does that extend to the funding of the NIEV Taskforce?

25 **A.** So, the funding of the NIEV Taskforce and the finding of
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1 practical effect in a great many cases.

2 **Q.** Is it desirable that it is that way?

3 **A.** I think yes, it is -- from a counter-terrorism
 4 perspective, yes, it is desirable, where there is the
 5 threat of serious violence that we understand whether or
 6 not that is terrorist in nature and are able to divert
 7 it appropriately to kind of CT mechanisms, yes.

8 **Q.** Thank you, and then please choose your lines of
 9 sensitivity as you see fit with the expertise that you
 10 have, but an additional question referenced the fact
 11 that Mr Basu, our counter-terrorism expert for the
 12 cadre, identified the increase in the amount of cases
 13 which Prevent is managing -- and of course many others
 14 have done so -- and the question was whether resourcing
 15 for Prevent has increased to reflect that and whether
 16 funding constraints affect the feasibility of Prevent as
 17 an option for managing the risk posed by NIEV. It may
 18 be that there might be limitations on precise details of
 19 Prevent funding, but can you help in general terms?

20 **A.** Yes. I'm really happy to help in general terms. So
 21 there is a well documented increase in referrals to
 22 Prevent. We do not fully understand what lies behind
 23 that and I do not think that it is adequately explained
 24 with reference to the subject of this Inquiry. I think
 25 there are a number of factors behind it and one of the
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1 resource for the NIEV Taskforce is something that I have
 2 managed within the Counter-Terrorism Directorate's
 3 allocation.

4 **Q.** It is pointless to ask if you would like more resources
 5 because the answer to that is usually "yes", but do you
 6 feel that the NIEV Taskforce funding is adequate for the
 7 magnitude of the task?

8 **A.** I feel it is, and I have particularly in mind there the
 9 two stages that I described. There is a crucial stage
 10 which we are now in. There will be the recommendations
 11 which this Inquiry makes and then there will be the
 12 decisions which Ministers make. Following those
 13 decisions, there will need to be a recalibration of
 14 resources depending on what it is we are asked to
 15 deliver.

16 **Q.** So in terms of the, in itself, difficult tasks of
 17 looking at the policy options, ensuring that analysis of
 18 those options, analysis of the data and all the work
 19 that you have set out as a taskforce, those are not
 20 minor tasks, but that current funding you consider is
 21 adequate?

22 **A.** Yes, I do.

23 **Q.** But when it gets to the stage of what global terms might
 24 be thought to be the solutions, short, medium and
 25 long-term, those may have a price-tag associated with
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1 them, far beyond the taskforce funding itself?

2 A. Certainly, yes.

3 Q. At the risk of stating the obvious.

4 A. Yes.

5 Q. Thank you. Could we move, then, please to the eighth

6 topic, overviewing the existing multi-agency structures.

7 Again, this is an area in which your statement, if I may

8 say so, is extremely helpful and you have set out

9 extensively, in your statement, existing multi-agency

10 structures and given some comment on how they may be

11 changed.

12 If we can stick, for the moment, to the existing

13 structures and I'm not going to go through this in

14 detail but partly to help those who wish to navigate

15 this by reference to your statement, if we could look at

16 page 32 HOM000964_0032 please, first of all. You have

17 a section, first of all, on Community Safety

18 Partnerships, if we could have the bottom half of the

19 page:

20 "... multi-agency statutory partnerships that were

21 introduced by Section 6 of the Crime and Disorder Act

22 1998."

23 So that is the first of the structures that you talk

24 about. If we go over the page HOM000964_0033, at the

25 top, paragraph 97, you point out that the:

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1 individual cases will vary, even within the areas that

2 do have them?

3 A. Yes. So I should point out that where VRUs aren't

4 present, the Serious Violence Duty partnerships perform

5 a similar role and my understanding here is that, in

6 essence, both of those constructs are about identifying

7 particular serious violence-related challenges, creating

8 local capacity and capability for the provision of

9 interventions and making that available, rather than as

10 a route to case management of who should receive the

11 particular intervention.

12 Q. So they would need to, dreadful phrase, pivot

13 significantly in their focus to meet the need?

14 A. Yes, I mean they are essentially strategic in nature.

15 Q. Young Futures Panels next, but I touched on that earlier

16 on. Novel, being run as a pilot, 20 areas at the

17 moment. We looked at this earlier on. Paragraph 101.

18 Bottom of the page, paragraph 102, don't have case

19 management function; yes?

20 A. Yes.

21 Q. Then over the page, HOM000964_0035, Multi-Agency

22 Safeguarding Hubs (MASH); and in paragraph 105, the

23 second half of 105, towards the bottom of the page, you

24 say:

25 "Given increasing strain, both as to caseload and

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1 "CSPs don't have a defined role in identifying NIEV

2 and there is no referral process for individual cases,

3 [and there is no] case management function, although

4 issues [could] be raised at a CSP based on specific

5 cases to inform strategy ..."

6 So my blunt summary, but would it be fair to say

7 that those are looking at strategic community safety

8 issues rather than individual case management, as they

9 are currently set up and resourced?

10 A. Yes, that's correct.

11 Q. Thank you. Then "Violence Reduction Units", we see,

12 comes next. We see by reference to the fact that they

13 are in place in 20 police forces, that one of the issues

14 there is that they are not nationwide in England and

15 Wales. Not in all policing areas, I think?

16 A. That's correct, yes.

17 Q. And paragraph 99, again, the detail is in the statement

18 but right at the end of the page:

19 "Individual cases can be [HOM000964_0034] referred

20 onto VRU-commissioned interventions, although referral

21 processes will vary between VRUs and specific

22 interventions."

23 So, again, in very short summary, potentially in the

24 right area but not nationwide at the moment, not in all

25 areas and the extent to which they deal currently with

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1 funding, and competing priorities local provision will

2 automatically apply lesser weight to non-statutory

3 commitments. Within that safeguarding landscape, the

4 NIEV risk cohort will not be a 'distinct group or

5 cohort' requiring assessment or support."

6 In addition to those factors, I think you recognise

7 that there is wide variability in MASH in local

8 authorities. Most local authorities, I think, have

9 a form of MASH but they won't always, for example, apply

10 to adults and in many areas, they won't hold a case

11 management focus at all. They will more be signposting

12 to the most appropriate team for support rather than

13 holding case management functions?

14 A. Yes, that's correct.

15 Q. Thank you, and over the page, HOM000964_0036, MAPPA

16 next. If you will forgive me, we touched on quite a lot

17 of this with our experts but one recognises, bottom of

18 the page, your paragraph 109(3):

19 "Category 3 is for persons who have been cautioned

20 for or convicted of an offence that indicates they are

21 capable of causing serious harm and that requires

22 multi-agency management."

23 So at the moment, they couldn't, as a matter of

24 statute I think, operate in the pre-criminal sphere

25 completely, there needs to be a caution. Our experts

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1 last week were keen to observe that even if there was
2 an expansion of MAPPA category 3, one distinct downside
3 of MAPPA would be that, for the most part, although it
4 is not by definition excluded from dealing with the
5 cases of children, it is in general an adult-orientated
6 set of arrangements. So children are not excluded, but
7 our experts thought that in general terms, MAPPA would
8 not hold strong adolescent expertise. Would you agree
9 with that?

10 A. I would, yes.

11 Q. Then you deal, under your heading, just above
12 paragraph 102, page 37 HOM000964_0037, please, with
13 another range of services, so the Fixated Threat
14 Assessment Centre, FTAC, about which we have heard some
15 information, as set out.

16 In broad terms, that's a highly specialised, joint
17 NHS-police unit -- would this be right -- focusing on
18 fixated individuals in the sense of those who have
19 a fixation on members of the Royal Family, MPs and so
20 on, taking a reasonably small number of referrals, as
21 things stand at the moment?

22 A. Yes, that is correct. It is a very narrow, specialised
23 capability for a very particular type of threat.

24 Q. Thank you. That puts it much better than I was
25 struggling to in my question. Integrated Offender

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1 challenges when you are in the pre-criminal, early
2 intervention space, that can be challenging.
3 Q. Thank you. Then "Integrated Care (Vanguard) Sites".
4 Again, we had information on a good example in our
5 seminars:
6 "... units which integrate services around children
7 with and young people with complex needs and concerning
8 behaviours ..."

9 Paragraph 115:

10 "... psychiatrically-informed plans for effective
11 risk and harm mitigation ... vary from local area to
12 local area. [But] there are currently 11 in place,
13 covering 19% of England ... focus is on children and
14 young people already involved in the justice system."

15 Again, it seems to be taking its cohort from those
16 who have been convicted and are problematic, in that
17 sense, in terms of presumably reasonably persistent
18 offenders?

19 A. That's my assumption. I'm afraid, I don't have the
20 detail.

21 Q. Thank you. So again, there is much more detail of that
22 set out very helpfully in your statement. In Lessons
23 for Prevent, Lord Anderson described the existing
24 overlapping multi-agency structures as "complex and
25 overcrowded" and he said it is doubtful whether

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1 Management, at the bottom of the page:

2 "... a more intensive than usual form of ongoing
3 supervision ..."

4 But the difficulty there is that it is focused on
5 persistent re-offenders at the moment and I think
6 particularly, it is focused, top of page 38,
7 HOM000964_0038, on cases of burglary and theft.
8 Although it can in theory include those posing a risk of
9 violence?

10 A. Yes, that is correct.

11 Q. So post-offence is one problem, but really, at the
12 moment, principally focusing on a different area of
13 criminality?

14 A. Yes.

15 Q. Thank you. Then the Potentially Dangerous Person
16 Panels, paragraph 114, we are going to hear evidence
17 about that later this week with a good example of such
18 a panel.

19 But while they deal with those who may be
20 pre-conviction, is this right, that one of the concerns
21 there is that they are non-statutory in the way that
22 they work?

23 A. Yes, that they are non-statutory -- and you will hear
24 more about this next week, that they are policing-led as
25 well, which, when we come to some of the cultural

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1 an accurate or complete map of that landscape even
2 exists.

3 He referred then to the mapping work and the
4 document that we have asked if can be pulled out.
5 I think in fairness, not least through evidence to the
6 Inquiry, more work has been done on mapping what
7 currently exists. But as we saw earlier on, with that
8 early paper, in a sense, the work that's been done on
9 NIEV and current interventions totally supports
10 Lord Anderson's finding, doesn't it --

11 A. It does.

12 Q. -- as to how complex the position is and overlapping it
13 is; would you agree with that?

14 A. Yes, I would.

15 Q. I appreciate again that this is taking things at
16 a general level, is there a risk in this area that some
17 of what has been happening, again, no doubt, for benign
18 reasons, is that there has been an element of pilot
19 schemes and initiatives, well intentioned to bring about
20 improvement in particular areas, but they serve to put
21 patch and patch and patch, and so what you end up with
22 is a very complicated patchwork of innovations and
23 schemes which don't perhaps make a rational whole?

24 A. So I think that is certainly a risk. It always is with
25 any complex system. I think, you know, reflecting the

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1 views of the department in relation to, for example,
 2 the -- I'm sorry, I may get the wrong title, but the
 3 Prevention Partnership Panels, for example, there are
 4 efforts to put a bit more consistency around some parts
 5 of this, but there are efforts to bring consistency in
 6 a very patchwork, a very complex space, exactly as
 7 Lord Anderson pointed out.

8 **Q.** Has consideration been given to more fundamental
 9 attempts to rationalise all of these different
 10 interventions? So, as part of what may need to be done
 11 in relation to NIEV or VFIs, because one only needs to
 12 go through the acronyms: CSPs, VRU, MACE, MARAC, MAPPA,
 13 Young Futures Panel, IOM, Vanguard, PDP and one could go
 14 on. Obviously one concern in relation to VFIs is you
 15 could design a system, and there would be many ways of
 16 doing it, but there would be a natural concern that you
 17 are adding a further multi-agency process on top of that
 18 extensive patchwork. Has anyone stood back and thought:
 19 this is all too complex and needs to be rationalised?

20 **A.** So, I'm aware of two pieces of work in that regard
 21 which -- I refer to both briefly in my witness statement
 22 but the Inquiry may wish to seek more detail on. The
 23 first is I refer briefly to, I think at paragraph 381
 24 and again at 55, a DfE ministerial initiative to try to
 25 map safeguarding with a degree of more clarity and to

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1 currently understand of this work and its implications
 2 for the work of the taskforce. I suggest that I will
 3 disclose that paper to the Inquiry as soon as I receive
 4 it from my colleagues in the Home Office.

5 **Q.** Thank you. Again, it is, I'm afraid, a deliberately
 6 high-level question but one of the challenges in this
 7 area is how to strike the balance between appropriate
 8 regional discretion so that local areas can respond to
 9 their priorities in an appropriate way and how to have
 10 a consistency of approach for NIEV so that, for example,
 11 firstly, in cross-boundary cases, so as with AR, living
 12 in one authority but going to school in another, but
 13 also just in terms of frontline practitioners having
 14 a consistency of understanding of how things work but
 15 also in terms of having national leadership for whatever
 16 is put in place for NIEV. How do you see those factors
 17 that, to some extent, are intention, being resolved?

18 **A.** So there are many ways that it could be resolved. The
 19 way in which we resolve this in relation to Prevent and
 20 Channel is to devolve delivery locally, but to have very
 21 clear national standards, both for the delivery of the
 22 Counter Terrorism Policing components, which my
 23 colleague DAC Evans will no doubt speak to, and for the
 24 delivery of the panel itself and the components that are
 25 delivered by the other duty-holders, particularly the

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1 bring forward proposals for reform there.

2 Then, much more recently, I'm aware that the
 3 Ministry of Justice has appointed Kate Green, the
 4 Deputy Mayor of Greater Manchester, as an expert adviser
 5 on youth justice devolution, that is work that would be
 6 supported by DfE, the Home Office and the Ministry of
 7 Justice. I'm not clear the extent to which the
 8 aforementioned work from the DfE will be part of
 9 Ms Green's portfolio, and that she will be working with
 10 those departments to consider the opportunities that the
 11 re-wiring the state initiative provides to improving our
 12 approach to preventing and tackling youth offending,
 13 with a particular focus on youth crime prevention and
 14 how we might rationalise the statutory and operational
 15 landscapes around youth justice, safeguarding and crime
 16 prevention, to support joined-up delivery at the local
 17 authority level. So about devolving delivery but making
 18 sure there are appropriate structures.

19 I don't know, at the present time, what the
 20 timescale is for that work nor indeed the level of
 21 ambition for it. I would suggest my colleague from the
 22 Ministry of Justice will be able to talk to it in
 23 high-level terms. I have asked, in my role chairing the
 24 NIEV Taskforce Strategic Delivery Board, for a paper --
 25 I have commissioned a paper that sets out what we

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1 local authority.

2 So clear national standards, that we back those up
 3 with national training offers, which can then be
 4 supplemented locally and we back all of that up with
 5 an ongoing programme of expert assessment of the types
 6 of threats and risks that we see inside the system. So
 7 we spoke earlier about the role of RICU, for example,
 8 their role in researching the terrorist use of the
 9 internet, how that manifests, how that might manifest in
 10 risk factors and the sharing of that information as far
 11 as we can, down into the system.

12 So there is support -- there is local discretion and
 13 local delivery, supported by national standards and
 14 national expertise where that is necessary and I suppose
 15 the final component for Prevent -- and I'm dealing with
 16 at a very high level -- is the national capability which
 17 is the intervention providers. So in Channel, of course
 18 many statutory interventions may be provided, mental
 19 health, education, housing, whatever it is, but there is
 20 a crucial component of Home Office-approved intervention
 21 providers whose particular skill-set is made available
 22 to those local panels effectively as a resource to draw
 23 on.

24 So you can see there the way in which we have got
 25 through the tension of local versus national is really

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1 clear standards, expert advice and support but local
 2 delivery and that is backed up in statutes with
 3 obviously the ability to quality assure that local
 4 delivery and if necessary, to make directions if that
 5 local delivery falls short of what's required by law.
 6 **Q.** Thank you. So just two final points on this topic
 7 before we take our afternoon break, if we may. Could we
 8 have a look at page 137 HOM000964_0137 of your statement
 9 please and paragraph 401 and I'm digging into a topic
 10 that I will come to tomorrow in more detail but looking
 11 at the way forward on the big questions. But on the
 12 ownership of risk, you say:

13 "We know from existing risk management systems,
 14 whether they relate to safeguarding, early intervention
 15 or prevention, or public protection -- that
 16 a multi-agency approach is preferred, due to the often
 17 multiple and complex needs an individual may have, and
 18 in order to access a broad range information in order to
 19 best understand an individual's risk and needs."

20 Then this:

21 "It follows that any approach to managing NIEV risk
 22 must be multi-agency in nature, and involve at a minimum
 23 policing, health, social care and education specialists,
 24 as well as the local authority, justice services, and
 25 wider services or individual expertise where relevant."

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1 **Q.** Thank you.
 2 **A.** On account of the Home Secretary's public protection
 3 duty.
 4 **Q.** Yes, and as I say, we will come back to this tomorrow,
 5 but -- and we can look at the detail for this, but one
 6 of the victims team's questions was: which system do you
 7 consider, of the existing ones, to be closest to what
 8 NIEV requires? Which, in some senses, is the
 9 \$10 million question. As I say, I would like to explore
 10 that further, but do you have a view going through that
 11 complicated patchwork of current multi-agencies which
 12 you consider to be most promising and the closest fit as
 13 it currently is?
 14 **A.** So I refer a bit to my earlier answer about the nature
 15 of the development of the Prevent system and what it was
 16 put in place to do and how it does it. When I set that
 17 against the nature of the NIEV risk, I see the
 18 components of Prevent and the way in which we identify
 19 risk, assess triage, manage in a multi-agency way and
 20 have clear national standards and so on and so forth.
 21 All of those things are highly desirable in a system set
 22 up to manage NIEV risk. That does not mean that I am
 23 advocating for an expansion of the Prevent system as it
 24 stands, merely that I note that those components are
 25 perhaps the best suited to the management of this sort

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1 Now, in identifying the centrality of multi-agency
 2 working, it may be that no one would dare contradict
 3 that and it is an obvious and central aspect. But in
 4 addition to that list of "at a minimum", would you also
 5 include the need for clear national leadership, so that,
 6 as with Prevent, you have a Home Office role in relation
 7 to that ultimately but you also have CTPHQ for Counter
 8 Terrorism Police; would you accept that whatever the
 9 solution is, it needs to have that national leadership
 10 aspect?
 11 **A.** Yes, and you are right to draw it out. I think I expand
 12 elsewhere in my witness statement on the components of
 13 a system and it is possible, just from memory, that
 14 I kind of imply national leadership through some of the
 15 capabilities that we set up, but yes, I would absolutely
 16 agree with that.
 17 **Q.** Having regard even if one takes the approach that you
 18 are indicating -- and we may come back to this
 19 tomorrow -- and the advice of Mr Hall which Government
 20 has accepted, in terms of not expanding the definition
 21 of "terrorism", taking all that as read, is there
 22 a strong case that when you have regard to the nature of
 23 the NIEV risk, that it should be the Home Office for
 24 whom national leadership sits?
 25 **A.** Yes.

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1 of risk.
 2 **Q.** So, in essence, a system parallel to Prevent for the
 3 NIEV cases that are not taken on by Prevent but which
 4 draws from all of that Prevent learning?
 5 **A.** Is one option.
 6 **Q.** Are there any of the existing structures outside of
 7 Prevent which you think currently come closest to that,
 8 or are the most promising? As I say, we will return to
 9 this tomorrow.
 10 **A.** It is a really difficult question. One could foresee,
 11 for example, the -- I'm so sorry, the acronym escapes
 12 me, but the panels --
 13 **Q.** PDPs?
 14 **A.** Not the PDPs, no, the prevention panels.
 15 **SIR ADRIAN FULFORD:** MAPPA?
 16 **A.** Not MAPPA, I'm afraid either, Chair. With apologies,
 17 I could find the reference given a moment. All of those
 18 could potentially have some or all of the components
 19 that I described, made available to them; national
 20 leadership, common standards and so on and so forth.
 21 I note that one of the other components, of course, of
 22 Prevent that I consider to be absolutely vital to its
 23 success is the statutory nature. I think that point has
 24 been made by a number of witnesses in their evidence.
 25 **MR MOSS:** Thank you. Sir, might we break there until, say,

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1 3.30 pm?

2 **SIR ADRIAN FULFORD:** We shall. 3.30 pm.

3 (3.16 pm)

4 (A short break)

5 (3.30 pm)

6 **SIR ADRIAN FULFORD:** Yes, Mr Moss.

7 **MR MOSS:** Thank you, sir.

8 Mr Emmett, you were kind enough to indicate, just in
9 the short adjournment that we have just had, that it was
10 Young Futures Panels, I think, that you were struggling
11 to remember the name for?

12 **A.** That's correct.

13 **Q.** Thank you very much. So can we move to the ninth topic
14 please, the role of the internet and online harms.

15 If we could start that, please, by looking at
16 page 70 HOM000964_0070 of your own statement,
17 paragraph 200. Again, I appreciate that it is starting
18 with very obvious points, that you say that:

19 "There is a huge volume of [extreme violent content]
20 online, defined in this context as material which
21 depicts real-world acts of violence and resulting
22 injuries against humans or animals, depicted clearly and
23 in graphic detail."

24 So that's what you are addressing and the volume of
25 it. Then paragraph 201, again for context, at the
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1 a number of violent and dangerous online
2 communities ..."

3 So you reference examples of that as the niche
4 groups, Com groups and communities interested in
5 nihilistic violence or misanthropic violence. So would
6 it be fair to say that, in general and simplistic terms,
7 that some of the sites where extreme violent and gore
8 material are available is exactly where dangerous and
9 nefarious groups who would seek to prey on vulnerable
10 people and recruit them will be active online?

11 **A.** Yes.

12 **Q.** Thank you. If we turn please to page 71, bottom of the
13 page, you say that:

14 "The operational experience, in particular of
15 [Counter Terrorism Police], is that there is 'a direct
16 line of sight between online consumption of harmful
17 materials and the risk of someone poses' and there is
18 consensus that the online environment acts as
19 an accelerant and enabler to the risk of both
20 ideological and non-ideological violence ..."

21 But you add the caveat, that:

22 "... there is work to be done to understand better
23 the correlation between exposure to violent material and
24 the motivation and capability of individuals to commit
25 extreme violence and in what circumstances that risk is
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1 bottom of the same page, you give examples of that. So
2 a clear-cut example is:

3 "... videos of [the] mass casualty attacks such as
4 the Christchurch shootings, high quality CCTV footage of
5 stabbings or other attacks, or animal torture ..."

6 And the like, and you say that:

7 "Consumption of [extreme violence content] has
8 become more mainstream, including on platforms such as
9 Instagram, where posts sharing [extreme violent content]
10 and gore material have millions of views."

11 Then you also refer to the fact that there are,
12 sadly, bespoke platforms specifically for extreme
13 violent content. If we go over the page,
14 HOM000964_0071, I just wanted to draw this out from your
15 evidence as context for this entire section. You say
16 that:

17 "Recent research indicated that the top 24 gore
18 websites collectively receive over 1 million monthly
19 visits from UK users."

20 Is that right?

21 **A.** That is correct. It is not Government research, but it
22 is properly conducted.

23 **Q.** Thank you. You go on to explain, in paragraph 202,
24 that:

25 "[Extreme violent content] is strongly linked to
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1 more likely to materialise ..."

2 So just pausing there and thinking about those
3 aspects, that sense of "a direct line of sight" means
4 what?

5 **A.** So, as many of your expert witnesses have already said,
6 correlation is not causation and I'm not suggesting for
7 a moment that the consumption of extreme violent
8 material will turn everybody violent. But for some
9 people, given the particular risk factors in their
10 lives, our professional experience is that that
11 consumption of violent material and at times, that
12 obsessive consumption of that violent material is
13 material to the risk that they pose and how it develops.

14 I am sure my colleague DAC Evans will be able to
15 round out in more detail CTP's particular statement
16 there but it is one with which I would wholeheartedly
17 agree.

18 **Q.** Thank you. So at paragraph 205, against that
19 background, you say:

20 "On ongoing preliminary synthesis of the literature
21 being conducted by CT-ARC at present suggests that
22 violence fixation/fascination more broadly is pathway
23 relevant but not universal across cases of mass
24 violence ... and terrorism offending."

25 Again, could you expand on that to just clarify the
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1 meaning somewhat, "pathway relevant but not universal",
 2 meaning what?
 3 **A.** So in the context of this section of the witness
 4 statement, the consumption of that material is
 5 observable and relevant to the risk in some cases of
 6 mass violence and terrorist offending. It is not
 7 universally seen but it is seen regularly.
 8 **Q.** Thank you. So over the page, HOM000964_0072, again, you
 9 make the point about research gaps remaining. But
 10 I think in general terms, the point here would be that,
 11 it is important to focus on the individual case and what
 12 the consumption, or sharing, or greater involvement in
 13 gore and extreme violent materials, might mean to
 14 an individual because for some who have particular
 15 vulnerabilities or grievances, it definitely may play
 16 a role in escalation or mobilisation towards violence.
 17 Would that be a fair summary?
 18 **A.** Yes, that is a fair summary. I would go ever so
 19 slightly further, which is to really make certain that
 20 we distinguish between the linked phenomenon of the
 21 consumption of the material and the participation in, or
 22 engagement with communities. The two frequently sit
 23 alongside each other but I think that they are distinct.
 24 **Q.** Thank you. In paragraph 206, you touch on that aspect
 25 that you have mentioned a moment ago, that

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1 material, but if there is not evidence that it directly
 2 causes violence and harm, there shouldn't be
 3 interference in free speech and the right to circulate
 4 it?
 5 **A.** There is a balance in all these things, and I absolutely
 6 recognise that there is a really important right to free
 7 speech, which needs to play into this. But on the other
 8 hand, there are other important kind of fundamental
 9 rights which are impinged by the risks that might arise.
 10 So the role of Government is to find that balance and to
 11 find it in the right place and we do so in regard to
 12 other forms of content and as I am sure we will get onto
 13 later, that is foremost in our minds when bringing
 14 forward the proposals that we have around the management
 15 of extreme violence content online.
 16 I would also suggest that, in broad terms, there is
 17 a precautionary principle that could be said to apply in
 18 some cases, as it does in other sort of consumer law and
 19 all the rest of it. You know, that is foremost in my
 20 mind as well when trying to come to judgments in this
 21 area.
 22 **Q.** So I wanted to pick up on precisely that aspect of the
 23 precautionary principle. In general terms, is it
 24 important to recognise, as the Inquiry's expert cadre
 25 drew out last week and the seminar speakers did as well,

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1 desensitisation and seeking more violent content may be
 2 the result of repeated exposure, Desensitisation has not
 3 been established, and as you mentioned a moment ago:
 4 "Most people exposed to [extreme violent content] do
 5 not commit violence."
 6 Effects are unlikely to be direct. Then you say:
 7 "... instead they are likely to be mediated or
 8 moderated by person-based factors and environmental
 9 variables."
 10 I appreciate that you may be there citing underlying
 11 material, but can you -- the polite way to say it is can
 12 you clarify the meaning, the less polite is: can you put
 13 it in plain English?
 14 **A.** Yes, I mean, let's look at the full circumstances,
 15 right? To my earlier statement, for some people, this
 16 is material and it is material because of other factors
 17 that are also present. So if we look at a range of risk
 18 factors, the consumption of extreme violent material
 19 online is a really significant one, where other risk
 20 factors are present and it interacts with them in ways
 21 which are quite problematic.
 22 **Q.** Again, I appreciate this is a high level of generality,
 23 but what is the Home Office's view or response to those
 24 who may say: well, look, in the absence of evidence of
 25 direct effects, you may not like violence or gore

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1 that you can't ethically run testing to prove the
 2 positive because it is not ethical to do a prospective
 3 blind study, to feed horrendous gore material to
 4 youngsters and see if it makes them violent? It is
 5 different from a first-person video game. If it is
 6 extreme material, you would never get ethical approval
 7 to do that.
 8 So, would this be right, that it is the old adage
 9 that the absence of evidence is not evidence of absence?
 10 That is the precautionary principle?
 11 **A.** Yes.
 12 **Q.** Thank you. And so, going a little bit deeper into that,
 13 if you can't ethically get the evidence of actual harm,
 14 the proponents of free speech in this area can't rely on
 15 the absence of such direct evidence to suggest that
 16 there's no risk, or that extreme violence and gore
 17 material is safe?
 18 **A.** So, just my note of caution is that there's not
 19 an absence of all evidence. I mean, there is some
 20 evidence of this and we rely upon it and we will rely
 21 upon it in this context. But, sort of applying the
 22 precautionary principle is about scales of harm and
 23 whose rights are impinged if you consider broad-based
 24 measures, for example, as the Government is doing in the
 25 space of extreme violent content, which do, on the face

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1 of it, restrict freedom of speech in some ways for some
 2 people who might enjoy that form of content but appear
 3 to us to be proportionate when considered against the
 4 risks which we see correlating quite clearly with
 5 consumption of that type of content for some people.

6 **Q.** Yes, so, you refer to, there is some evidence. So
 7 again, generalising from the seminars and to an extent
 8 from the experts, in the absence of a top tier of what
 9 would be for medical literature, the top tier of
 10 evidence of blind prospective studies which you can't
 11 do, you can legitimately look at case studies and see
 12 the role that such material may have played in case
 13 studies, AR being one of them in terms of the material
 14 that he had on his systems, and put that into the
 15 scales, adopting a precautionary approach?

16 **A.** Yes, it is essential to do so.

17 **Q.** Yes, thank you. If we go to page 72, HOM000964_0072,
 18 paragraph 208, it maybe the same page. Respecting that
 19 the other end of the scales:

20 "... whilst long periods of online exploration and
 21 research of violence may be a predictive indicator in
 22 an individual, broad online surveillance alone is
 23 unlikely to generate useful predictive value for
 24 non-ideological violence because there is now so much
 25 [extreme violent content] online."

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1 mere consumption that's not of concern?

2 **A.** Yes.

3 **Q.** Thank you. If we turn, then, to algorithm and
 4 recommender systems. If we have paragraph 211, page 73,
 5 HOM000964_0073. So you say that:

6 "Algorithms and recommender systems may drive online
 7 users towards increasingly extreme content ... As
 8 a primary ecology shaping young people's environment
 9 (especially for vulnerable individuals), online
 10 platforms may play a role in shaping their behaviour
 11 through normalisation and personalisation ..."

12 Then you say that there are three common features:

13 "First, algorithms push more of the same or similar
 14 content to users to what they have actively sought out.
 15 [Secondly], algorithms that push more extreme or intense
 16 versions of those forms of content. [And] third,
 17 algorithms that push to users content that is not
 18 related to what they have sought out at all."

19 Now, the first may be the most obvious that many
 20 people will have an experience of, but you seem to be
 21 highlighting there a concern that algorithms don't just
 22 push more of the same but it gets more extreme and,
 23 thirdly, worst of all, algorithms can push to users
 24 content that's not related to what they have searched
 25 for at all, is that right?

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1 Just pausing there. I think we have touched on
 2 aspects of this, that fascination with online violence
 3 or gore, relevant but not of itself a predictive
 4 indicator for an individual to go on and carry out
 5 attacks; would that be right?

6 **A.** Yes, that's right.

7 **Q.** Linked to that:

8 "... an approach of broad online surveillance is
 9 highly impractical due to the scale of this material and
 10 engages the UK's responsibility to protect fundamental
 11 rights and freedoms under the ECHR."

12 So -- I don't raise this critically, but so that we
 13 are clear about the parameters, it seems that the Home
 14 Office, for those reasons, is reasonably clear that
 15 a process that would start from some sort of
 16 surveillance operation of who is consuming extreme
 17 violence content and gore and trying to derive from
 18 that, cases for concern for interventions, effectively,
 19 is not the way forward?

20 **A.** Exactly, as I layout in the witness statement, yes.

21 **Q.** Yes, and no doubt, when one then goes back to that
 22 sobering statistic of the number of UK visits to gore
 23 sites in a month totaling in the millions, or
 24 one million, that just goes to show how impossible it
 25 would be to weed out, reliably, cases of concern for

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1 **A.** Yes.

2 **Q.** In paragraph 212, you say that that:

3 "... dynamic has catalysed ..."

4 You don't entirely single out TikTok because you say
 5 it is used by many other platforms, but TikTok's "for
 6 you" style of page:

7 "... feeds are curated by algorithmic amplification
 8 rather than the accounts followed. [And that's] shaped
 9 an individually tailored experience for all social media
 10 users whose personal interests and in some cases
 11 grievances, however extreme or problematic, are
 12 facilitated through the design of algorithmic
 13 reinforcement. Users can be fed increasingly extreme
 14 content (due to its tendency to be more engaging)
 15 without the need actively to seek it out. This has
 16 likely driven the growth of highly personalised and
 17 hybridised extremist belief systems."

18 So, Dr Church last week, as our expert forensic
 19 psychiatrist, was really saying that he did not have
 20 doubt about the dangerous of this material, in the
 21 context of algorithms, of desensitisation and more and
 22 more being amplified, despite the absence of first-tier
 23 evidence, and it seems that from your statement -- I am
 24 sure carefully worded -- when you say "this has likely
 25 driven the growth of highly personalised and hybridised

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1 extremist belief systems", you are speaking there from
 2 your seniority of oversight of Prevent and
 3 counter-terrorism and what you are saying there is it is
 4 likely to have had that effect?

5 **A.** Yes, I am.

6 **Q.** We know from Phase 1, that -- and we will pick this up
 7 with platforms in our Topic 2 -- online platforms, X as
 8 an example, are keen to use the town square analogy.
 9 I am sure you are familiar with that?

10 **A.** I am.

11 **Q.** In other words, the platforms might say: we are only
 12 facilitating a modern version of the town square, where
 13 we are allowing people to share views in a public space.
 14 It is just a modern way of doing it. It might be said,
 15 against the background of what you are saying about
 16 algorithms, that a concern here is that a youth is
 17 coming to the modern town square, they might see
 18 something by happenstance that is violent, but in the
 19 modern way with algorithms, the Mayor of the town is
 20 then saying: if you come back tomorrow, I will let you
 21 see more and more violence and it will get more extreme.
 22 Do you agree that that encapsulates both a concern
 23 and the inadequacy of the town square analogy upon which
 24 online platforms rely?

25 **A.** I would, yes.

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1 derive similar conclusions, not through groups but
 2 through becoming initiated by the consumption of this
 3 material, becoming increasingly fascinated by the
 4 cultures, without necessarily hostile actors pushing
 5 particular views on them?

6 **A.** Yes, I think that's very strongly the case. It is
 7 certainly the case that there are, as you put it,
 8 hostile actors who, for whatever reason, want to drive
 9 others to commit that act of violence and indeed other
 10 criminal activity, but I wouldn't want to -- and that's
 11 very serious, I wouldn't want to over-index on it.
 12 People are perfectly capable of engaging with content
 13 and communities and of that having a material impact on
 14 them without the agency of another.

15 **Q.** Yes, and I don't need to dwell on it too much because
 16 the Inquiry has heard evidence from its seminars and
 17 experts, but page 74, HOM000964_0074, paragraph 215,
 18 please, bottom of the page. Again, a good, useful,
 19 pithy summary. So, matters of concern: violence being
 20 trivialised through the use of memes, humorous edits,
 21 celebrate the perpetrators of attacks, the gamification
 22 of violence and so-called "saints culture", the
 23 veneration and I think you can confirm that,
 24 sickeningly, that involves, for example, scores being
 25 attached to how many have been killed and other scoring

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1 **Q.** Paragraph 213, please, at page 74 HOM000964_0074.
 2 Dealing with Com Networks and other niche networks, you
 3 say that:
 4 "Violent online communities likely mobilise
 5 individuals to violence through offering powerful
 6 solution-orientated frames for individual-level
 7 grievances and unmet needs."
 8 Again, can you just unpick that for us a little bit
 9 and explain what you mean by that?

10 **A.** I mean this is, in essence: violence as a solution
 11 oriented frame; your life will be better if... look at
 12 the notoriety that these people have achieved; this is
 13 a positive thing. That is a solution-orientated frame.
 14 At the most extreme end: if you conduct this attack,
 15 then you will be, you know, venerated as a saint, which
 16 we see, for example, in extreme right-wing culture.

17 **Q.** So this is playing on the vulnerabilities of those who
 18 might feel isolated or marginalised and I think some of
 19 the phrasing that's used around agency: were you to do
 20 this, you would be powerful, you would have notoriety,
 21 you wouldn't feel isolated because you would feel
 22 venerated for the attack?

23 **A.** Exactly so.

24 **Q.** So that's one part of the risk, but do we also have to
 25 keep an eye on the risk of the self-initiated, who may

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1 systems for the nature of mass casualty attacks and that
 2 sort of material, perhaps sickening to right-minded
 3 people, unfortunately is prevalent online; would you
 4 agree?

5 **A.** Yes, I would.

6 **Q.** Thank you. I want to turn to pathways from online
 7 activity to real-world harm. Can we look at
 8 paragraph 216, page 75, HOM000964_0075. You say that
 9 the understanding in those areas -- you reference
 10 Dr Clemmow's work, but you say:
 11 "Understanding of the pathways between online
 12 activity and real-world harm is still
 13 [a] developing ..."
 14 Area, yes?

15 **A.** Yes, that is correct.

16 **Q.** In paragraph 217, you say that:
 17 "A key principle within terrorism research is
 18 equifinality ..."
 19 Again, quoting Clemmow's work:
 20 "... the idea that there are multiple pathways to
 21 common outcomes such as terrorism or other forms of mass
 22 violence."
 23 Can you just expand on what you think the
 24 significance is of that, for the NIEV cohort?

25 **A.** I think this is a concept which we have already come

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1 across today. There are different risk factors that
2 pertain to an individual, hence multiple pathways
3 towards violence as an eventual outcome, and the reason
4 for raising it in this context is to make the point that
5 online activity may play different roles in different
6 cases and participation may vary, but it is strikingly
7 present in a great many cases, I think I would rest on.

8 **Q.** Thank you. Then paragraph 218, lower down on the page,
9 please:

10 "Research considered by RICU on school massacre
11 suggests that the ultimate goal of such violence is ...
12 the restoration of agency."

13 This is the point I was picking up with you a moment
14 ago:

15 "In many cases attackers may view themselves as
16 marginalised and victimised by individuals,
17 institutions, and wider society. Crucially, this rests
18 on self-perception, rather than objective measurement.
19 In the school massacre fandom, previous attackers are
20 memorialised, and in some cases celebrated, as examples
21 of actors who took violent action to address their
22 grievances. Attackers can take inspiration from
23 previous attackers with whom they identify."

24 Now, at the risk of going back to ground that we
25 have already covered, if one thinks about the ultimate
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1 explicitly in the production of this guidance and I'm
2 confident that his attack would have met the essential
3 components of this definition.

4 **Q.** Through what route?

5 **A.** I think, on the next page, if we want to go into
6 detail --

7 **Q.** Yes, please go to the next page to assist Mr Emmett.

8 **A.** It is the nature of the -- I'll get there in a moment:

9 "The implicit intent may be evident in the choice or
10 location or target(s), method of violence, [and] the
11 behaviour of the perpetrator."

12 **Q.** So, an implicit rather than an explicit case, when you
13 know what he had in fact carried out. But this may go
14 back to broader cases about the difficulty of
15 identifying cases, but prior to the attack, if one goes
16 back, please, to the previous page and 159,
17 HOM000964_0056, if one was trying to look at the sort of
18 materials that he was looking at in school and the
19 concerns there and the nature of his knife carrying, it
20 might have been difficult to identify him in advance as
21 somebody whose intent was to shock, intimidate or
22 outrage a wider audience, even if you can say: well
23 implicitly, that seems to have been the case
24 post-attack.

25 **A.** There is always a challenge, in any given case, to
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1 goal of such violence being the restoration of agency,
2 a way to get back at their sense of being marginalised
3 and victimised, if we can just loop back to page 56,
4 HOM000964_0056, paragraph 159 of your statement and the
5 definitions, if that is a nuanced understanding of
6 underlying rationale, as it were, for the attack, or the
7 risk of attack, again, does that sit comfortably with
8 "explicit or implicit intent to shock, intimidate or
9 outrage the wider audience"?

10 **A.** So I draw attention more to the second line of 158; the
11 extreme violence is "communicative". It is the
12 communicative nature of the violence which is about the
13 restoration of agency. At least, that is our attempt to
14 capture that point, in respect of the definition as it
15 stands.

16 **Q.** I won't go over the ground about the argument that you
17 may have to have a nuanced understanding and a developed
18 understanding of the area to understand that that's the
19 case, but if one goes back to AR as an individual, it
20 might be difficult, even now, to say that AR fulfilled
21 the third essential component, to say that his intent
22 was to shock, intimidate or outrage a wider audience.
23 Certainly, on the explicit and possibly on the implicit;
24 can you help with that?

25 **A.** So there's clearly a question which we asked ourselves
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1 understand, in advance, intent. I would suggest that
2 there are -- and you are all far more expert than I,
3 there are markers in that particular case which were
4 indicative of intent, certainly, to cause harm and to
5 potentially cause harm to multiple people, which could
6 have led one to the conclusion that these components
7 were met. But that is a challenge with applying any
8 definition, the extent of knowledge that we have at the
9 time.

10 **Q.** Thank you. That was a diversion, perhaps an important
11 one, from what we were looking at in terms of the online
12 risks but if we could go back to paragraph 222, please,
13 on page 76 HOM000964_0076, you say:

14 "There is less evidence available ..."

15 Sorry, having dealt at 221 with leakage, that we
16 have looked at, you say at 222:

17 "There is less evidence available on other potential
18 warnings behaviours such as acquiring weapon and hostile
19 reconnaissance of targets although such behaviours are
20 present in commonly used frameworks for terrorism threat
21 assessment such as ... (TRAP-18) ..."

22 You explain what TRAP-18 is. Just to be clear,
23 should we take it that that is -- really flows from the
24 small cohort of cases that have been able to be fully
25 analysed? You are not suggesting that acquiring weapons
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1 and hostile reconnaissance of targets are likely to be
 2 less important in NIEV cases than they might be in
 3 terrorism cases?
 4 A. Absolutely the former, rather than the latter.
 5 Q. It's just the formal evidence base for that is not
 6 present?
 7 A. Yes. It is, in my view, a very clear risk factor.
 8 Q. Thank you. Can we turn to information sharing in
 9 relation to online harms. Page 77 HOM000964_0077,
 10 please, paragraph 227. You say there, and it would be
 11 worrying if it were otherwise:
 12 "There are reasonably well-developed mechanisms for
 13 sharing information about concerning online behaviour
 14 where it emerges in the course of a live investigation
 15 by police or other agencies."
 16 You go on to give the example that:
 17 "... if the NCA are leading an investigation into
 18 [child sexual abuse] and come across worrying patterns
 19 of behaviour, then information will be shared with local
 20 police forces to enable them to take appropriate
 21 action."
 22 A similar approach is taken in terrorism and other
 23 harms. Then you say this, at 228:
 24 "... the Home Office is not aware of any systematic
 25 attempt to analyse post-conviction offenders' online
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1 limited, to, as is set out at 228, the kind of court
 2 transcripts work, which is providing us with some
 3 indicators. But I would not underestimate what I say at
 4 229 about the practical problems of collating and
 5 analysing that data, even for a relatively small number
 6 of cases and the prioritisation decisions that it might
 7 require, for example, in law enforcement to provide it
 8 in some way. But it is definitely a gap which we are
 9 aware of.
 10 Q. Putting it in blunt terms -- and you will understand
 11 this probably better than anybody else in the room, of
 12 course -- but one shouldn't overlook the reality that,
 13 for example, device analysis of live investigations is
 14 itself very important and with live investigations, the
 15 importance needs no underlining.
 16 But even making allowance for that, one might think
 17 that, for example, having a forensic psychologist review
 18 the case studies and the downloads of a sample of NIEV
 19 attacks might be a rich seam of learning?
 20 A. I would certainly agree with that.
 21 Q. Presumably support some funding to allow that to happen.
 22 It sounds as though that's something you would like to
 23 see in the terrorism context as well as the NIEV
 24 context?
 25 A. It is something we would very much like to see in the
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1 behaviour prior to their offences, nor to make that
 2 available in any meaningful way that could inform policy
 3 formulation. The Home Office does look at the
 4 sentencing remarks of, for example, those convicted of
 5 terrorism offences, to spot any patterns in the material
 6 offenders have been viewing, but this is limited in
 7 terms of the analysis that can be performed."
 8 Then you say:
 9 "There is ... ad hoc engagement with the police on
 10 specific cases at times. However, there is nothing more
 11 consistent, system-wide or in-depth in place."
 12 You go on to make the understandable point that
 13 there are finite resources and that the police and other
 14 agencies have to prioritise live operations.
 15 In relation to that, given that the number of NIEV
 16 attacks, appalling though they are, especially
 17 Southport, but given that the number of NIEV attacks is
 18 relatively low, is that not an area that needs to be --
 19 gap that needs to be plugged? In other words, there
 20 should be greater effort to research what the online
 21 habits of NIEV attackers who have committed offences
 22 tells us about risk?
 23 A. So I would certainly agree that it is an area that
 24 requires research both in the NIEV and the
 25 counter-terrorism space, our efforts at the moment are
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1 terrorism context. As I say, at the moment we have some
 2 limited work in this space, given the constraints under
 3 which we operate.
 4 Q. Thank you. Still with internet and online harms, can
 5 I look at current capabilities of Government agencies to
 6 detect online behaviours, fixation and pre-attack
 7 planning.
 8 Still on page 78, starting at paragraph 230, you
 9 very helpfully, Mr Emmett, the role of the Preventing
 10 Radicalisation Online team, and it is right, if I have
 11 understood your statement correctly, that that team
 12 relates to work on terrorism rather than NIEV/VFIs, is
 13 that right?
 14 A. Yes, but of course, they sit within the
 15 Counter-Terrorism Directorate and they have been
 16 strongly supporting the work of the taskforce.
 17 Q. Thank you. If we look at paragraph 235, on page 79,
 18 HOM000964_0079, so over the page, bottom of the page
 19 please. We see that the:
 20 "PRO has commissioned an ongoing series of reporting
 21 relating to the accessibility and prevalence of
 22 Terrorist and Violent Extremist Content (TVEC) across
 23 several 'Big Tech' social media and gaming platforms to
 24 understand fully the threat faced by platform users."
 25 Now, that phrase "terrorist and violent extremist
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1 content", should we understand that the "and" is
 2 important there? It is not talking about extreme
 3 violent content per se, it is violent extremist content
 4 linked to ideological terrorism?

5 **A.** Yes.

6 **Q.** The essence of that, you say is:

7 "These reports focus on platforms that have a large
 8 UK userbase ... [The] reporting enables PRO to baseline
 9 accessibility and prevalence of [that sort of material],
 10 and to measure changes on platforms over time. It also
 11 provides an evidence base for engaging tech companies,
 12 to enable [what you describe as] fruitful conversations
 13 and meaningful change to [over the page HOM000964_0080]
 14 reduce the accessibility ..."

15 Of material that would breach the Terrorism Act.
 16 You explain, in the next paragraph, that the way that
 17 that is achieved is by sharing a list of content
 18 directly with platforms and where the content is harmful
 19 but lawful, asking the platforms to review the content
 20 against their terms of service.

21 **A.** Yes.

22 **Q.** Now, against all of that background, to what extent is
 23 any of that currently applying to non-ideological
 24 extreme violent content, or is it currently limited to
 25 terrorism material?

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1 **A.** Yes, absolutely.

2 **Q.** In broad terms -- and you must say because we can pick
 3 this up with others if you don't know -- is there a risk
 4 that platforms might be more willing to remove
 5 terrorism-related material, even if it is below the
 6 criminal threshold, than violence and gore material?

7 **A.** So, it is not a question I have specifically addressed
 8 with platforms and neither I think have my teams but
 9 I would observe that even platforms' efforts to remove
 10 terrorism-related material appear to be, frankly,
 11 reducing in our experience.

12 **Q.** Because?

13 **A.** Well, in one large platform, we talk about the baseline
 14 survey which we did -- you quoted earlier, I think we
 15 were 235, my team -- I was talking to them the other
 16 day, on one large platform, from the first run of the
 17 baseline to the second, it was very clear that overall
 18 removal had slowed, whereas in their first baselining,
 19 excuse me, about 9 per cent had been -- I'm sorry, I'm
 20 mixing my statistics. Give me a moment.

21 **Q.** Take your time.

22 **A.** Yes. Our original baseline from content notified to
 23 companies as a result of this was, for one company,
 24 15 per cent was removed within 24 hours and 30 per cent
 25 within seven days, and that was in October 2025. We

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1 **A.** So my understanding is that it is currently limited to
 2 two categories, which is (a) TACT-breaching material,
 3 i.e. that which would be illegal under UK law; and (b)
 4 to material which may breach a company's terms of
 5 service. My expectation is that in some of those terms
 6 of service, because of the way that they are drawn, we
 7 might be capturing some material relevant to the
 8 non-ideological extreme violence risk, but I would need
 9 to check the detail of that.

10 **Q.** But the definition of the material, if we go -- we don't
 11 need to turn back to it, but you agreed that the "TVEC"
 12 definition appears --

13 **A.** It is focused as a counter-terrorism measure and focused
 14 on --

15 **Q.** -- violent material of a terrorist nature, even if it is
 16 not, strictly speaking, TACT material?

17 **A.** Yes. So there is not a systematic effort as part of
 18 that to identify non-ideological violence relevant
 19 material, i.e. gore, extreme violent content, et cetera.

20 **Q.** Thank you. So some potential concerns in that area,
 21 even if it were expanded into non-ideological extreme
 22 violent material. First of all, that approach places
 23 a degree of trust, would you agree, in the platforms to
 24 do the right thing and take down the offending content;
 25 would you agree?

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1 conducted the same exercise recently and those
 2 statistics had lowered. Only 6 per cent of the content
 3 which we identified to the company had been removed
 4 within 24 hours and only 9 per cent after seven days.
 5 So I say with some authority, it would appear to me,
 6 that the companies' willingness to act upon the content
 7 being flagged to them by my team had reduced.

8 **Q.** Thank you. Take a precautionary approach if you need
 9 to, but are you able to say which company that was?

10 **A.** I am not.

11 **Q.** Thank you. Secondly, the whack-a-mole problem, as it
 12 has been described, so the concern that even if there
 13 was a willingness of the platforms to take this material
 14 down, the sense that one is fighting a never-ending
 15 battle against individual pieces of content, it was
 16 suggested by Mr Basu, for example, that that was never
 17 going to solve the problem.

18 I don't think it is suggested that it is not worth
 19 doing because, no doubt, it is mitigating the risk but
 20 do you recognise that limitation of this approach?
 21 Obviously, it is right to get -- ask for the material to
 22 be taken down but to some extent, it might be thought to
 23 be an attempt to hold back the tide?

24 **A.** So, look, I definitely recognise the limitation of this
 25 approach. No doubt, we will get into it in more detail.

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I think when we are thinking about interventions in the online environment, it is really necessary to understand that we need an overall strategic approach in which a number of strands combine to have the effect that we are seeking to achieve.

In my personal view, the kind of role which Government has found itself with, of conducting baseline studies to understand the presence of terrorist content on household-named systems appears a very odd one, given that companies themselves might, for example, be better placed to conduct that activity and indeed should be doing so in order to meet some of their duties under the Online Safety Act.

So there is a mixed economy here of things which we know work to a degree and which also give us indicators of how successful, overall, we are being. But one thing alone is not enough.

Q. We will pick this up with DCMS and possibly others, but as we understood it, from some of the seminar presentations, one difficulty in this area, in terms of getting automated AI approaches to identifying that material as published by internet providers and social media companies, is that they make it difficult for governments to have mass accessibility to their posts. So that it is deliberately difficult to suck up, my

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the attention of the authorities as having potential risk factors, a better understanding of their consumption habits feels to me to be a more effective route to get after the kind of operational end-point we want to get to, which is to understand -- to drive down consumption in order to reduce the overall population risk and then, where people are engaging, to be able to understand that behaviour and to factor it into a multi-agency risk assessment and therefore intervene with the individual. So it feels to me that that's probably a more effective approach.

Q. Thank you, but you still want to have the two. So you want to have the community-wide drive down of overall accessibility and consumption, but you want to focus a lot of effort to the vulnerable cases at the same time?

A. Yes and that is prevention 101, isn't it? You go bigger, population-level and then you focus on the individuals who present a risk.

Q. I follow, thank you. In turning to a different aspect, could we have a look, please, at paragraph 254 of your statement, it is page 85 HOM000964_0085.

You explain there that -- in the second half of that paragraph, that there is an expectation that companies will report:

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phrase, the totality of what they're publishing and analyse it because it is made deliberately difficult to get that view across what they are publishing. Is that a concept that you are familiar with?

A. Yes, I'm certainly familiar with that limitation, the API challenge.

Q. Yes. Just rounding this subsection off, one of the questions raised by the victims' teams is: it is practically impossible, and may not be desirable for freedom of expression reasons, to eliminate access to extreme violent content online. Should our focus be on identifying and triaging the consumers of extreme violent content, rather than trying to police extreme violent content itself? What do you say about that?

A. So, we have talked about the very significant prevalence of extreme violent content online and the very large numbers of people who engage with it. So we have dealt with the practical challenges of bluntly investigating all of those people's internet search habits, which we do not propose to do; we don't think it proportionate nor compatible with our various legal obligations.

However, in combination, significant restriction of the availability of that content, either generally or, for example, to children, combined with a better understanding -- where an individual is already come to

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"... credible imminent threats to life/serious harm that may be detected through ... systems, or reported by other users, to the police. Many of the challenges which arise in this context ..."

I think it is a reference to the terrorism context:

"... are applicable to the NIEV risk as well."

We know -- and sir, for your note, it is section 66 of the Online Safety Act --

SIR ADRIAN FULFORD: Thank you.

MR MOSS: -- that there is a statutory requirement on different types of internet service providers and we don't need to go into the detail, but a positive duty, set out in statute, to report child sexual exploitation and abuse content to the NCA. Whereas, if we have understood it correctly from paragraph 254, the expectation on threats to life/serious harm risk is put at an expectation -- and my words -- in the sort of voluntary area. Is that right?

A. Yes, that's right. The child sexual exploitation and abuse material is unique in the sense of the requirements that are set around it.

Q. I certainly obviously don't wish to be taken in any way to denigrate the seriousness of that material, it speaks for itself, but at the high end of what you are addressing, Mr Emmett, in paragraph 254, one could be

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1 talking about AI agents becoming aware of threats to
2 life through AI chatbots and platforms being aware
3 perhaps of material that's been flagged by other users
4 of threats to life, risks of actual, real-world attacks
5 and it may seem curious, notwithstanding the awful
6 seriousness of child sexual exploitation and abuse
7 material, that the latter has a statutory duty to report
8 but the former is a voluntary expectation.

9 Do you know why that arises as a dichotomy? Is it
10 a difficulty of jurisdiction? Is it a difficulty of
11 definition?

12 A. So I can't say with any certainty why it arises as
13 a dichotomy. I am, of course, aware that when we
14 consider child sexual exploitation abuse material, in
15 particular, you know, significant international
16 consensus over many years underlies that particular duty
17 and so there is a degree of kind of international
18 consensus there. As to the risk that you describe, I'm
19 certain that it has already been talked about here, but
20 of course, we do have the tragic case in Canada of the
21 Tumbler Ridge shooting, where it is evident, at least
22 from reporting in the media, that a company did indeed
23 have knowledge and did not report the imminent threat.

24 Q. Hence my raising it with you.

25 A. Yes.

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1 real-world harm[s]."

2 You also say there that certain types of content
3 depicting extreme violence or gore, including material
4 known to have been consumed by the Southport attacker,
5 so by AR, would not currently be captured by any risk
6 mitigation measures that platforms must have in place
7 under the OSA.

8 Does that -- we will come onto the new criminal
9 offence -- but as of today, does that remain the case?

10 A. Yes.

11 Q. So the new offence, 263 please, just further down the
12 page -- sorry over the page, page 88 HOM000964_0088:

13 "In response to this problem, the Home Office
14 developed proposals for new [extreme violence content]
15 offences ... The proposed offences focus on the
16 creation and sharing of content depicting extreme and
17 graphic real-world violence, and synthetic content where
18 it is indistinguishable to real-world violence with the
19 aim of closing a gap in the current law and providing
20 clearer powers for law enforcement."

21 Now, in relation to that proposal, it is presumably
22 right that there is a significant challenge with which
23 your team and others, perhaps parliamentary counsel may
24 be grappling, on the definitions of that as to what may
25 need to be in statute; would that be right, in general

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1 Q. Is active thought being given to a tightening in that
2 area, as to whether that should be made a statutory
3 duty? It may be thought to be a developing area of
4 concern, particularly with AI chatbots?

5 A. So there is a very wide range of policy work ongoing on
6 online risks and how they manifest across a wide range
7 of threats. There is not policy work ongoing on that
8 specific suggestion.

9 Q. Thank you. If we can turn to page 86 HOM000964_0086,
10 please and paragraph 261. This will be the bottom of
11 the page, I think. You say that:

12 "Since July 2024, the overall approach of Government
13 has been to stabilise and implement the OSA ..."

14 As what you describe as:

15 "... the foundational regulatory regime, whilst in
16 parallel [over the page, please HOM000964_0087] testing
17 whether additional criminal justice, enforcement or
18 system-level interventions are also required to address
19 harms not adequately mitigated by the OSA alone."

20 You go on to deal with the powers that the OSA
21 gives. Then in paragraph 262, you say:

22 "It is vital, therefore, that Government takes
23 urgent action to address potential gaps where particular
24 content, currently not covered by existing criminal
25 offences, is assessed to be causing or inspiring

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1 terms?

2 A. Yes, that is very live work, as we speak.

3 Q. If we just go back to page 87 HOM000964_0087 and
4 paragraph 262, if we just have the sub-numbered list.
5 These are areas, obviously, that we would appreciate the
6 Home Office keeping the Inquiry as up to date as you
7 can, as we know you are doing. But challenges in this
8 area: Freedom of expression and civil liberties; the
9 definition of EVC, which I have just touched on; edge
10 cases, but also there is goes to have to be safeguards
11 for legitimate activity; journalism, documentary
12 reporting, education, research and evidential material;
13 yes?

14 A. Yes.

15 Q. Thank you:

16 "(3) the strength and limitations of the evidence
17 base, including the difficulty of demonstrating direct
18 causality ..."

19 Is that the matter that I raised with you earlier
20 on?

21 A. Exactly so.

22 Q. There will be some who will say: well, free speech?

23 A. Yes.

24 Q. "(4) the impact on the likely cohort engaged with EVC,
25 including the risk of disproportionate effects on

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1 children and young people and the need for appropriate
2 defences/exemptions to avoid over-criminalisation ..."

3 Again, there may be sensitivities in these area in
4 terms of matters that are yet to be put to Parliament.
5 So choose the boundaries of what you can say, but are
6 you able to expand on that at all?

7 **A.** So I mean, you are right, these matters are yet to be
8 put to Parliament and on the basis that, of course,
9 Parliament will decide. The disproportionate effects
10 really come in two flavours, don't they? (1) that this
11 content can have a disproportionate effect on children,
12 full stop; so it is particularly risky to children to
13 view it. But (2), and this is getting at a challenge
14 that we see in our counter-terrorism work, that children
15 active online who come across content that is unlawful,
16 have committed an offence, and Jonathan Hall has done
17 some good reporting on this. The desire not to, if we
18 can avoid it, to criminalise or categorise a child as
19 a terrorist where they have consumed material.

20 That is one of the reasons, for example, that we
21 have come up with the Youth Diversion Order, that we
22 want an alternative disposal, effectively, rather than
23 simply a criminal justice outcome, in some cases.

24 **Q.** Thank you. So, does that reflect that there is a desire
25 to have a particular emphasis on the criminality of this

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1 if that might be a convenient moment? We are making
2 reasonably good progress.

3 Sir, if that is convenient for you, I think tomorrow
4 the intention will be to sit, I think, at 9.30 am, with
5 a view to a finish, if at all practicable, at 3.30 pm.

6 **SIR ADRIAN FULFORD:** Yes and that is because I have got
7 another professional commitment that I would like to
8 attend to if I can. So we will see how we go but we
9 will sit at 9.30 am and then review the position shortly
10 after 3.00 pm.

11 **MR MOSS:** Thank you. May Mr Emmett have permission to have
12 such conversations as is necessary overnight to draw
13 together some of the information that he's indicated he
14 will obtain?

15 **SIR ADRIAN FULFORD:** Yes. You will understand, Mr Emmett,
16 what is appropriate and what isn't. But in relation to
17 all of the practical matters that we have asked you to
18 look at, please do so.

19 **A.** Certainly, sir.

20 **SIR ADRIAN FULFORD:** Thank you very much indeed.

21 **MR MOSS:** Thank you, sir.

22 **SIR ADRIAN FULFORD:** 9.30 am tomorrow morning.

23 (4.30 pm)

24 (The Inquiry adjourned until 9.30 am the following day)

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1 material being published and wanting to ensure that how
2 that then translates into offences that may be committed
3 by children, in viewing or storing that material, is
4 proportionate?

5 **A.** Yes.

6 **Q.** Thank you. Then, you have, fifthly:

7 "Practical deliverability and coherence with the OSA
8 regime, including the timeframes and dependencies
9 involved in designating any new offence as a priority
10 offence and the risk of delay or non-delivery."

11 Again, do you have a broad understanding, at the
12 moment, of hoped-for timescales, both for this to be
13 brought before Parliament and coming into force dates,
14 or is that something you can't speak to at this stage?

15 **A.** I'm afraid that I don't but as soon as we have any
16 clarity on that, I will inform the Inquiry.

17 **Q.** Thank you. Then, if we can go on to page 88
18 HOM000964_0088, and 266, you say the second measure in
19 terms of active criminalisation, will be the
20 "criminalisation of planning a mass casualty attack",
21 and we picked up on that earlier. That is the
22 Jonathan Hall gap which we dealt with this morning?

23 **A.** Yes.

24 **MR MOSS:** Sir, I'm about to turn to issues relating to
25 take-down powers. It has been a long day and I wonder

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