

Statement made on behalf of: The Commissioner of Police of the Metropolis  
Witness: Caroline Goode  
Statement No: 1  
Exhibits Referred to: N/A  
Date Statement Made: 27th August 2013

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IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
DIVISIONAL COURT

CLAIM No: CO/1732/2013

R (on the application of)  
David Miranda

*Claimant*

(1) The Secretary of State for the Home Department

*First Defendant*

(2) The Commissioner of Police of the Metropolis


*Second Defendant*

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**Witness:** Caroline Goode  
**Occupation:** Police Officer  
**Address:** New Scotland Yard, London, SW1H 0BG

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**I believe the facts stated in this witness statement are true**

Signed...  ...DETECTIVE SUPERINTENDENT

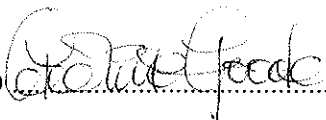
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1. I am a Detective Superintendent in the Metropolitan Police Service (MPS) currently attached to SO15, the MPS Counter-Terrorism Command.

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2. I am the Senior Investigating Officer (SIO). My role is to set the strategic direction for the investigation, a summary of which is set out below, outlining objectives and potential lines of enquiry and ensuring that the investigation is carried out lawfully and expeditiously. I am responsible for all strategic and tactical decisions throughout the investigation. My immediate line manager is the Head of Operations for SO15 and ultimately I am answerable to the Commissioner of Police of the Metropolis.
  
3. I am authorised to make this witness statement on behalf of the Second Defendant in opposition to the Claimant's application for interim relief in these proceedings. I make this statement from my own knowledge and where matters are not within my own knowledge, from information and documents made available to me and from consultation with other agencies.
  
4. This statement is made in order to address issues arising from the Claimant's application for interim relief dated 21st August 2013. Evidence in support of the substantive claim for judicial review will be served, as the Court has ordered (Order of Beatson LJ and Kenneth Parker J dated 23<sup>rd</sup> August 2013) on the 12<sup>th</sup> September 2013.
  
5. The history of these proceedings is succinctly set out in paras 3 and 4 of the Divisional Court judgment dated 23<sup>rd</sup> August. Save where necessary, I will not repeat this here.

**The Investigation**

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of security has occurred. The material needs to be examined as a matter of urgency to identify the nature of the material stolen in order to enable the MPS to mitigate the risks posed by the theft, the unlawful possession and disclosure of this material. For example, should the identity of individuals working for HMG be revealed their lives and the lives of their families could be directly at risk. Similarly should details of ongoing/historic operations and/or methodology be revealed the operation itself could be rendered ineffective. This will consequently put the lives of the general public at risk as we would be less able to counter the threat from terrorism. If the MPS was able to identify what identities and information are contained within the material we would be able to mitigate the risk posed to those individuals, those operations and the general public at large by putting appropriate measures in place.

16. It is also necessary to urgently examine the material in order to conduct an effective and expeditious investigation. For example, to identify others involved in the criminal conspiracy in time to prevent further offences and/or the destruction of evidence. It is not sufficient merely to detain the material and prevent its non-disclosure or return to mitigate the risk to the lives of those who may be identified by the data. It is likely that the MPS is investigating a conspiracy with a global dimension. It is necessary to ascertain if this stolen, classified material has been disseminated to others in order to prevent further disclosure which would prove valuable to terrorists, thereby preventing further offences and protecting public safety. Even if it transpires that no one else was involved it is necessary to prevent evidence being destroyed/further disseminated.

17. Should the Court order the MPS to stop examining the material, I strongly believe that lives will be put at risk. As stated earlier the material has been shared with partner agencies. It is necessary that we continue to share this material as they are assisting

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the MPS to access the data, interpret the threat posed by those documents and take steps to mitigate the risk. Should the court order that the MPS is no longer allowed to share the data, the MPS would be severely hindered in their efforts to access the material as the expertise of other partners is pivotal to those efforts.

18. All of the downloaded data may form part of criminal proceedings and as such will be detained by police under schedule 7 of TACT, for as long as is necessary.

**Conclusion**

19. There is an urgent need for the MPS to inspect, copy, disclose, examine, transfer or otherwise interfere with the material that was seized from Mr Miranda on the 18th August 2013 for the purposes of criminal investigations into offences relating to section 40(1)(a) TACT and offences under the Official Secrets Act.

SIGNED



DATED

27.8.2013