IOPC Independent Office for Police Conduct

Complaint re-investigation into the Metropolitan Police interaction with Sabina Rizvi prior to her Murder Operation CIDLINA

> Independent investigation report

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> Investigation information

Investigation name:	Operation CIDLINA
IOPC[1] reference:	2021/160966
Investigation type	Complaint not subject to special procedures
IOPC office:	Sale Directorate of Major Investigations
Lead investigator:	Phil Hodgson
Case supervisor:	Sally Ankers/ Christine Starkie
Director General delegate (decision maker):	Catrin Evans
Status of report:	Final
Date finalised:	27 October 2022

The primary purpose of this report is to provide information to the appropriate authority (AA) and decision maker to allow them to perform their obligations under the PRA. Although this report may be disclosed to other parties, its primary audience is stakeholders who have knowledge of the complaints system. Therefore, IOPC/police responsibilities or the detail of the misconduct system will not be explained in this document. For cases using this template, complainants and interested parties will be updated separately in a plain English outcome letter supported by a document explaining the IOPC and the complaints system processes.

[1] On 8 January 2018, the Independent Police Complaints Commission (IPCC) became the Independent Office for Police Conduct (IOPC). We have referred to ourselves as the IOPC within this report.

In complaint investigation reports, the role of the lead investigator is to provide an accurate summary of the evidence and attach, or refer to, any relevant documents for the decision maker.

On receipt of the report, the decision maker will make their CPS referral decision. Where the complaint is subject to special procedures, the decision maker will also reach a provisional opinion[2] on the following:

a) whether any person to whose conduct the investigation relates to has a case to answer for misconduct or gross misconduct or has no case to answer.

b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (considering the seriousness of any breach of the Standards of Professional Behaviour)

c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether performance proceedings should be brought against any such person; and

d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the reflective practice review process.

The decision maker will also identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.

Where a complaint investigation has not been subject to special procedures the decision maker will determine whether: i) the service provided by the police was acceptable; ii) the service provided by the police was not acceptable; or iii) we have investigated the complaint but have not been able to determine if the service provided was acceptable.

The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

The report and provision opinion will then be sent to the appropriate authority (AA). If the AA provides comments, then they must do so within 28 days. Where the AA disagrees with the content of the report or the decision maker's provisional opinion, the AA should set out the reasons as to why as fully as possible and send any supporting information. Having considered any views of the AA, the decision maker is required to make the final determination and notify the AA.

> Background to the current investigation

The current investigation emanates from the murder of Sabina Rizvi on 20 March 2003, and was subject of a later complaint made to the IPCC in 2011.

[2] The legislation that sets out what information needs to be included in an investigation report has changed. There is no longer a requirement for the investigator to give their opinion on whether any subject of the investigation has a case to answer for misconduct or gross misconduct, or no case to answer, within the report. Instead, the delegated decision maker will give their opinion on a separate opinion document. This may differ to the information we previously gave you in the terms of reference document for this investigation.

The previous IPCC investigation examined some documentation provided to it by the Metropolitan Police Service (MPS) from their Murder Investigation Directorate which was entitled Operation Uxbridge.

The IPCC investigators in 2011 did not have access to the Operation Uxbridge HOLMES account and did not interview or obtain witness accounts from any police officers, witnesses or the family of Sabina Rizvi preferring to review documentation that was provided to them.

The previous IPCC investigation concluded that that there was **no case** to answer for any police officer.

> The Current IOPC Re-Investigation

Following the decision in 2019 by L. Ormond- Walshe South London Coroner to re-open the inquest into Sabina Rizvi's murder, a review of the 2011 IPCC investigation into the actions of MPS officers was conducted by IOPC Investigators.

The investigation team determined that there were sufficient grounds to re-investigate the circumstances of the death of Sabina Rizvi and the actions of MPS in the lead up to her death. The team concluded that the original 2011 IPCC investigation was a review of the MPS investigation and as such failed to fully address their TOR.

This decision to re-investigate this matter was ratified by Regional Director Catrin Evans who authorised a new investigation on 4 October 2021 under new legal powers granted to the IOPC under S13B of The Police Reform Act 2002.

On 19 January 2022 this investigation was determined by the IOPC to be one that would not be subject to Special Procedures as there was no indication that any officers either serving or retired had committed criminal or disciplinary offences.

All MPS officers either serving or retired would be witnesses for the purpose of this investigation.

On 2 March 2022 the MPS formally agreed with our decision that this investigation would not be subject to Special Procedures.

> Terms of reference

D214

1. Catrin Evans approved the terms of reference for this investigation on 10 November 2021 and a copy was provided to the AA (MPS) on 18 November 2021. The terms of reference for this investigation set out the following points that the investigation has addressed: [these reflect the points within the terms of reference section 1].

To re-investigate police interaction with Miss Sabina Rizvi, Mr Mark Williams, Mr Paul Asbury, and others from Thursday 13 March 2003 to Thursday 20 March 2003 specifically considering the matters not addressed during the 2011 IPCC investigation. In particular:

a) To re-examine actions taken and decisions made by DS Roberto Florio during the detention of Miss Rizvi and Mr Williams. To include the officers' assessment of risk and the management of their welfare and potential threats of immediate harm to them upon release from custody and compliance with national and local policy.

b) To re-examine whether any MPS staff deliberately or inadvertently gave information to Mr Asbury or his associates from the evening of 19 March 2003 – 20 March 2003 which led to the fatal shooting of Miss Rizvi and critical injury to Mr Williams.

c) To re-examine whether the MPS were in possession of any intelligence that would lead to a belief that the lives of Miss Rizvi and or Mr Williams were in jeopardy prior to 19 March 2003.

2. The evidence relating to each of these matters will be presented in this report.

> Complaint

Complaint	Outline of complaint
1	Suspicion of serious misconduct by a police officer, the suspicion being that a police officer tipped off the assassin(s), either negligently or intentionally, concerning the movements of Mark Williams, the intended target of the shooting, thereby directly leading to the death of Sabina Rizvi who was in the company of Mark Williams at the time she was fatally shot.

> Summary and Analysis of evidence

> ToR 1a. To re-examine actions taken and decisions made by DS Roberto Florio during the detention of Miss Rizvi and Mr Williams. To include the officer's assessment of risk and the management of their welfare and potential threats of immediate harm to them upon release from custody and compliance with national and local policy.

Timeline of events

3. To add some context to this timeline I have set out the sequence of events that led up to DS Roberto Florio being assigned the investigation into the alleged Robbery of

Paul Asbury's Audi W435DVW and Sabina Rizvi reporting her concerns to both the MPS and DS Florio that she had purchased the vehicle legitimately from Paul Asbury.

4. The timeline listed below offers the definitive chronology of how Mark Williams and Sabina Rizvi were in possession of the Audi W435DVW on 13 March 2003. This differs greatly from the accounts initially provided to the MPS and DS Florio by Sabina Rizvi, Mark Williams, and Paul Asbury. This account of the sequence of events was given to MPS officers following the fatal shooting by Paul Asbury

	Doc ref	Approx. time/date	Event
5.	D317	March 2003	Mark Williams (aka Mark Lloyd Williams, Anthony Lloyd) was a self- confessed drug dealer supplying drugs on the London/Kent border. He received information that Paul Asbury who was known to him was dealing drugs on his turf.
6.	R7C R7D	[redacted]/3/2003	[redacted] Index number W435DVW. Asbury was the owner of this vehicle but not the registered keeper which was a company in Lincolnshire.
7.	D317	13/3/2003	Mark Williams was given information that Paul Asbury was in a shop in Erith, London and Williams contacted Sabina Rizvi and another male to bring an Uzi sub-machine gun and shot gun to the area whilst Williams engaged Asbury in conversation about possibly buying his Audi W435DVW.
8.	D317	13/3/2003	Sabina Rizvi delivered the Uzi sub-machine gun to Williams who took the Audi for a test drive alone. Upon his return Asbury approached the Audi and saw the Uzi and fled the scene. Asbury left two mobile telephones and vehicle documentation inside the vehicle.
9.	D317	13/3/2003	During the day phone calls were exchanged between Asbury, his associates, and Williams about the return of the Audi. These calls became more heated as Asbury threatened to report the Audi as stolen.
10.	D317	13/3/2003	Mark Williams threatened Paul Asbury that if he did report the Audi as stolen, he knew where Asbury's mother lived, and he would '*Do*' Asbury.
11.	D102 D317	13/3/2003 22.50hrs	Sabina Rizvi and Mark Williams were concerned that Asbury had reported the Audi as being stolen. To convey an idea that they had purchased the vehicle legitimately Sabina Rizvi went into Peckham Police Station and reported her concerns to MPS staff that she had just purchased the Audi from Paul Asbury. Her concerns appeared to centre upon Asbury's legitimate ownership of that vehicle. During this visit she was

			able to show MPS staff the vehicle's logbook, vehicle test certificate and receipt of purchase from Asbury.
12.	D296	13/3/2003 23.18hrs	Paul Asbury reported that his vehicle had been stolen at that time by two assailants at knife point during which his mobile telephone [redacted]**823** was also taken. He described his attackers as a black male with a pronounced scar and a stocky white male who made off from the scene in a VW Golf of which he only obtained a partial registration number.
13.	D102 D296	13/3/2003 23.18hrs	Paul Asbury could not at this time furnish the MPS with his full vehicle registration number and the vehicle was not recorded on the Police National Computer as a stolen vehicle.
14.	D51 D296	14/3/2003 17.20hrs	Paul Asbury visited Bexleyheath Police Station to formally report his Audi as stolen.
15.	D102 D317	14/3/2003 19.46hrs	Sabina Rizvi contacted by telephone the MPS at Greenwich Police Station to report her concerns that she had paid £15,000 for the Audi from Paul Asbury and whilst she had vehicle documentation and a receipt for it, she had concerns about it being a stolen vehicle.
16.	D102 D317	14/3/2003 22.00hrs	Following advice from MPS staff Sabina Rizvi and it is believed Mark Williams went to Lewisham Police Station and once again reported her concerns in person. A check of the vehicle revealed it was a stolen vehicle on the Police National Computer and she was advised to visit her local Police Station with the vehicle documentation to prove her ownership of the Audi.
17.	R7C R7D	14/3/2003	[redacted]
18.	R7C R7D	14/3/2003	
19.	R7D	14/3/2003	
20.	**D51**	**15/3/2003**	**DS Florio was allocated as the investigating officer for the Robbery of the Audi and commenced enquiries with**

			Asbury and Rizvi to ascertain the veracity of the purchase of the Audi.
21.	D51	15/3/2003 17/3/2003	DS Florio conducted a review of MPS intelligence systems and visited the Bexleyheath [redacted] to garner intelligence upon Sabina Rizvi and Paul Asbury and to explore CCTV opportunities relating to the location of the alleged Robbery.
22.	D51 D296	15/3/2003 17.20hrs	DS Florio obtained a statement of complaint from Paul Asbury describing the circumstances of the Robbery but was not happy with his account as a mobile phone he stated was stolen during the Robbery was used by Asbury following the incident.
23.	D52	17/3/2003 17.00hrs	DS Florio made arrangements to see Sabina Rizvi at Bexleyheath Police Station to speak to her about the ownership of the Audi.
24.	R7D	18/3/2003	Two of the three pieces of intelligence that were reviewed by the Intelligence Unit Detective Inspector from 3 March & 14 March 2003 were authorised to be inputted onto local police intelligence indices.
25.	D273	18/3/2003	Sabina Rizvi informed her mother Iffat Rizvi that Mark Williams had been receiving threats to his life. She explained that whilst she had not received any direct threats of harm herself, Mark Williams stated that there would be a threat to her due to her association with him.
26.	D273	18/3/2003	Sabina Rizvi informed her mother that she would tell DS Florio about the threats to her and took with her a piece of paper which her mother believed detailed the threats.
27.	R7D	19/3/2003	The intelligence relating to Williams wanting £10,000 to return the Audi TT was inputted onto MPS intelligence systems.
28.	D52 D80 D273 D356	19/3/2003 19.00hrs	Sabina Rizvi visited Bexleyheath Police station with the piece of paper which was reviewed by DS Florio and appeared to be a prepared legal statement. This was later retained by Keith Snow her Solicitor who declined to disclose it to Operation Uxbridge due to legal privilege.
29.	D51 D80 D356	19/3/2003 21.26hrs 22.26hrs	DS Florio elected to ask Sabina Rizvi to provide an account which was recorded in the presence of her Solicitor Keith Snow as DS Florio did not believe her account and the receipt of sale did not match the signature on Asbury's statement. Sabina Rizvi gave DS Florio an account of her

			legitimate purchase of the Audi from Paul Asbury for £15,000 which she stated her mother had given her the money for.
30.	D51 D80 D273	19/3/2003 21.26hrs 22.26hrs	During her recorded interviews Sabina Rizvi's referred constantly to her boyfriend as Anthony Lloyd. The name Mark Williams is not referred to by her. Sabina Rizvi at the officer's request then telephoned Mark Williams to bring the Audi to the police station.
31.	D51 D52 D270	19/3/2003 22.39hrs	Mark Williams arrived at Bexleyheath Police Station in the Audi and was wearing an MPS issue bullet proof vest. He was arrested for Robbery by DS Florio and Sabina Rizvi left the police station.
32.	D352	19/3/2003 22.39hrs	DS Florio had the option to request that Williams be kept 'Incommunicado' as there was an outstanding offender for the alleged Robbery and seek an Inspector's authority to delay Williams making any telephone calls.
33.	D51 D352	19/3.2003 23.078hrs 23.15hrs	During his detention Mark Williams told DS Florio to ring Paul Asbury as he would withdraw his complaint and provided three telephone numbers for him on a piece of paper.
34.	D78 D146 D268 D269	19/3/2003 23.15hrs	Mark Williams was allowed several phone calls but lied to the Gaoler PC Samantha Sharratt about the call recipients and gave her details of a telephone number for her to record on the custody record when in fact he was ringing Paul Asbury to ask him to withdraw his complaint.
35.	D51, D52 D53	19/3/2003 23.34 hrs 23.46hrs	DS Florio telephoned Paul Asbury but a female answered. Asbury then rang him back some minutes later and informed him that Williams had telephoned him from custody asking to him to withdraw his complaint. DS Florio had an exchange with Asbury about him withdrawing his complaint and rejected Asbury's request to see him at the police station at 2am 20 March 2003 to collect his Audi.
36.	D51 D52 D53	20/03/2003 00.40hrs	DS Florio arrested Williams for further offences of Attempting to Pervert the Course of Justice and the Theft of the ballistic vest. Later with DC Horner they undertook a recorded interview with Williams during which Williams explained his reasons for wearing a ballistic vest.
37.	D13	20/3/2003 01.11hrs	Sabina Rizvi was seen on ASDA CCTV in a Nissan Bluebird vehicle on the forecourt of the petrol station and was spoken to by two MPS patrol officers about her driving. From later cell site analysis and CCTV, a Red Vauxhall Astra linked to Paul Asbury was seen nearby appearing to track her

			movements and call logs placed him and his associates in this area and later Bexleyheath Police Station.
38.	D51 D279	20/03/2003 01.15 hrs 01.45 hrs	During his interview Williams informed the officers that he is under permanent threat due to his association with a man wanted for murder. He explained that in South London *"they don't do head shots*" hence the reason he was wearing a ballistic vest. The officers declined his request to keep the vest believing it to be stolen property but offered to give him lift home or to a taxicab office when he was released in an un-marked police vehicle.
39.	D10 D51 D78	20/3/2003 02.10hrs	DS Florio made a request to the Custody Sgt Sharon Camm to bail Mark Williams from custody as there were a number of outstanding enquiries that needed to be conducted before any criminal charges could be considered.
40.	D13 D51 D52	20/03/2003 02.13hrs	Mark Williams was bailed for further enquiries from Bexleyheath Police Station and was picked up by Sabina Rizvi in her vehicle. Cell site analysis of Asbury's phone shows him making two calls into Bexleyheath Police Station minutes prior to Williams' release.
41.	D31 D32	20/03/2003 02.14hrs	Paul Asbury's mobile telephone from cell site analysis received a call from his girlfriend. This location was near to Bexleyheath Police Station.
42.	D13	20/03/2003 02.26hrs	Sabina Rizvi was fatally shot, and Mark Williams critically injured following an ambush by Asbury and his associates.
43.	D13	20/03/2003 03.00hrs	Paul Asbury was arrested at Bexleyheath Police Station and in later interviews denied the murder making no comment to all questions. He was later charged with Murder and Attempted Murder.
44.	D299 R7A	3/12/2003 13.30hrs	Whilst Mark Williams was receiving lengthy treatment in hospital, intelligence was received of a credible and immediate threat to his life. DI Morgan issued a written Osman warning to him.
45.	D16	10/05/2004 Central Criminal Court	In the Murder trial Paul Asbury's defence was that he did not murder Sabina Rizvi but named two of his associates as being responsible. On 10th November 2004 Paul Asbury was convicted of Sabina Rizvi's murder and sentenced to a minimum tariff of 20 years imprisonment

Additional Map Detailing Bexleyheath Police Station & Location of Sabina Rizvi's Murder

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> Summary

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46. DS Florio was the senior officer in charge of the investigation relating to the alleged Robbery and he would have a primary role in conducting intelligence reviews prior to his involvement with Sabina Rizvi and others as well as making key decisions of how the investigation was conducted and risk management to all parties.

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47. DS Florio and other officers were in the hours following the murder of Sabina Rizvi determined by the Senior Investigating Officer for Operation Uxbridge DCI Lee Catling as '*Significant witnesses.* This was due to a consideration that the investigation could not rule out the belief that an MPS officer had conspired with criminals involved in the murder to alert them to the release of Mark Williams.

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48. The result of this decision was that DS Florio and other officers were all interviewed by recorded means in the hours following the murder by MPS Crime Directorate Detectives. In relation to DS Florio this consisted of two recorded interviews on 20 March 2003 and two further recorded interviews on 21 March 2003. Two additional recorded interviews then took place on 18 July 2003 and witness statements were compiled from this.

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49. The content of those interviews which were lengthy covered subjects relating to intelligence that the officers had in relation to managing immediate threat to life of all parties, the circumstances of Williams speaking to Asbury from custody and what methods the officers employed to manage risk to Williams upon his release.

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50. DS Florio within his accounts recounted the circumstances of the report of the Robbery and Sabina Rizvi's account during her visits to MPS police stations as to how she purchased the vehicle. He decided that all parties were seeking to mislead him.

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51. DS Florio formed the opinion that whilst his initial intention was to deal with Paul Asbury's report of Robbery as genuine, he wanted Asbury to commit himself to a signed witness account as he anticipated issues further into the investigation process.

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52. In relation to Sabina Rizvi, he explained that he was similarly unconvinced that her account of how she had purchased the Audi were correct, given her seemingly handing over £15,000 to Asbury who was a stranger and of the location of the transaction.

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53. DS Florio had intended to obtain a witness account from her but recalled that she arrived late at the police station on 19 March 2003 and handed him a piece of paper

which was full of legal jargon. He felt that he should obtain her witness account by recorded means and her Solicitor Keith Snow then later arrived to assist her. This is corroborated by DC Horner in his accounts.

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54. DS Florio during his initial interview told the detectives interviewing him that at no time was he aware of any immediate threat to Sabina Rizvi and had not gleaned any intelligence detailing a threat from his intelligence research on all parties. This is corroborated by DC Horner in his MPS accounts.

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55. DS Florio stated that when Mark Williams arrived at Bexleyheath Police Station in the Audi, he recognised him from his time at Peckham Police station and Williams recognised him. At this point DS Florio arrested him as he very closely resembled the alleged perpetrator of the Robbery and took him into custody.

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56. DS Florio noted that Williams was wearing what appeared to be a stolen MPS issued ballistic vest which Williams would later detail the reasons why he was wearing it.

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57. DS Florio was not present when Williams made his telephone calls from custody, but Williams gave the officer a piece of paper with contact numbers written on it to contact Asbury as he asserted, he would drop the charges against him.

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58. DS Florio and DC Horner conducted a recorded interview with Williams who gave them information relating to Asbury's access to firearms. DS Florio during his interviews informed detectives that he submitted [redacted]

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59. DS Florio informed detectives that at no time did Williams disclose a direct and immediate threat to his life or Sabina Rizvi from Paul Asbury or his associates as if he had he would not have let him leave the police station.

Response of Roberto Florio to IOPC interview questions

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60. Roberto Florio was provided with 100 pre-prepared questions to answer which would form his witness account for our investigation. He was also provided with all his historic interviews, statements, and court testimony with which to assist his memory and other supporting documentation.

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61. Within his response Roberto Florio stated that he moved to Bexleyheath Division on promotion from a previous role within The Flying Squad.

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62. Upon arriving at Bexleyheath CID, he had a large workload of criminal investigations and a depleted team of detectives. The officer had familiarised himself with intelligence relating to local criminals and crime trends.

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63. DS Florio volunteered to take up the investigation into Paul Asbury's allegation of Robbery and recalled that he felt that Asbury was lying to him about the circumstances of the Robbery as his demeanour and details of the incident were inconsistent. Despite this his training meant that he allowed Asbury to recall the

circumstances of the incident and sign a statement without challenge. The officer anticipated that there would be issues with this account further into the investigation and he used an MPS date stamp to provenance the time and date of the account.

D352 64. The officer recalled that Asbury appeared to take some pleasure in offering him information that he had obtained from his sources on the street. He didn't offer Sabina Rizvi's name when interviewed and the officer deliberately held this information back as he needed to interview Sabina Rizvi later.

D352 65. DS Florio couldn't recall visiting the [redacted] on 17 March 2003 and any information that he may have obtained from them other than they would have discussed local criminals of which Asbury would have been one. The officer cannot recall any discussion relating to threats being mentioned and Asbury in his dealings with him never mentioned any express or implied threats to anyone.

D352 66. When Sabina Rizvi arrived at Bexleyheath Police station on 19 March 2003 to provide a witness account, DS Florio recalled that she did bring with her a piece of paper which contained legal jargon and, on this basis, he formed the opinion that she may need legal representation and she may incriminate herself. The officer deduced this from the fact that her story did not add up and a Solicitor was summoned. The officer was never allowed to take a copy of that piece of paper by Sabina Rizvi.

D352 67. DS Florio recalled taking Sabina Rizvi outside the station for a cigarette and during their time together she received a number of social calls. One call was from her mother Iffat Rizvi and DS Florio remembered speaking to her about the finance of the purchase of the Audi TT. The subject of threats was not raised by either Sabina Rizvi, Iffat Rizvi or her solicitor at any time.

D352 68. DS Florio recalled that he asked DC Horner to assist him with a recorded interview of Sabina Rizvi and during this interview she recounted the story of how she had purchased the Audi TT. Both officers did not believe her story, but DS Florio felt that he should allow her to freely recall the events without challenge. This was part of his CID interview training.

D352 69. DS Florio recalled that it was only when Sabina Rizvi telephoned Mark Williams to bring the Audi TT to the police station that he recognised Williams from his time at Peckham CID some years previously. Sabina Rizvi's solicitor referred to Williams as 'Mark' albeit throughout her interviews Sabina Rizvi referred to her boyfriend as Anthony Lloyd.

D352 70. The officer had been unaware of Williams's involvement in the alleged Robbery but spontaneously decided that he fitted the description of the alleged perpetrator and arrested him.

D352 71. DS Florio addressed the option that of requesting that Williams be kept incommunicado, and his phone calls being delayed. In response he recollected that he did consider this option, however, he felt that it was not justified as he had no information relating to outstanding offender for the Robbery.

D352 72. DS Florio's response to the fact that Williams was wearing a ballistic vest and claimed to be wearing it as he was from South London was that the comments did not

influence him. The wearing of the vest was unusual but again did not engender any thoughts in his mind. The officer in response to questions had no thoughts it seems as to whether Williams needed to wear the vest or was wearing it to convey his own self-importance.

D352 73. The officer remembered Williams being insistent that he contact Paul Asbury as he would drop the charges against him, and Williams wrote a set of telephone numbers on a piece of paper for the officer to contact Asbury.

D352 74. DS Florio's decision at that time was that he intended to contact Asbury as if he were to drop the charges he would need to know at that point, and it was always his intention to contact him as Williams appeared confident that Asbury would not pursue his complaint.

D352 75. DS Florio then recalled he went back into the CID office and could not recall any officer informing him that Asbury had tried to contact him or of any notes left to contact Asbury. He remembered trying to ring Asbury but was unsuccessful and couldn't recall who answered Asbury's phone. However, some minutes later Asbury telephoned the CID office and spoke to him.

D352 76. The content of this conversation the officer recalled was not heated but he felt that Asbury was seeking to withdraw his complaint and was being manipulative. Asbury informed the officer of Williams call to him from custody and wanted to come to the police station to collect his vehicle. DS Florio recalled that he was firm with Asbury, not rude but assertive that he would not allow him to drop the charges and certainly would not see him at 2am 20 March 2003 at the police station. DS Florio in his account stated that he felt Asbury was fully aware that he would not see him.

D352 77. DS Florio could not recall if he mentioned to Asbury of his commitment at The Old Bailey at 10am on 20 March 2003.

D352 78. DS Florio remembered going back to the cell area but couldn't recall if he booked himself out of the office. He informed custody staff of the call Williams had made and he incorrectly recorded the time on the custody record at 00.25hrs that he had spoken to Asbury, and this was a genuine mistake. He did not address the issue of the phone call with the Gaoler as the custody office was their domain and he was focused upon his criminal investigation.

D352 79. The officer then remembered arresting Williams for Attempting to Pervert the Course of Justice and the theft of what he believed was a stolen ballistic vest. He explained that he allowed Williams to try to telephone Sabina Rizvi but was unsuccessful as he saw no reason to deny the phone call.

D352 80. DS Florio recalled that both he and DC Horner took Williams for a recorded interview, and he did not request legal representation. [redacted]

D352 81. The officer could not recall what his feelings and thought processes were 19 years on from the interview with Williams. Williams was offering information about firearms and Asbury, but the officer felt that his job once he had explored the criminal allegation against Williams was to gather intelligence which he did and [redacted]

[redacted] He could not recall intelligence that he referred to within his original MPS accounts.

D352 82. [redacted]

D352 83. The officer felt that the wearing of the ballistic vest by Williams and of him mentioning that he wore if for protection were significant, however, he did not disclose any immediate threat to his life or others. The officer was trained in Human Rights legislation, and he knew what to do to escalate any threats as a duty of care, but none were disclosed to him.

D352 84. DS Florio did recall offering a lift home to Williams following the interview with him but cannot elaborate upon DC Horner's offer of a lift home in an unmarked car to a cab office. The offer was declined by Williams in any case.

D352 85. The officer [redacted] annot recall the circumstances of how Williams left the police station other than Sabina Rizvi contacted him.

D352 86. Within his final response which related to whether there was anything that the officer could have done to safeguard Sabina Rizvi and Mark Williams the officer reflected that he has considered this many times but in hindsight he would not alter the actions that he undertook.

Policies, procedures, and legislation considered

87. **The Human Rights Act 1998- Article 2 'Right to Life'**

R6F 88. The Human Rights Act 1998, Schedule 1, Part 1 (The convention Rights and Freedoms), Article 2 contains "Right to life". The wording of the article is as below.

> "1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.
> 2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than necessary:
> (a) in defence of any person from unlawful violence.
> (b) to effect a lawful arrest or to prevent the escape of a person lawfully detained.
> (c) in action lawfully taken for the purpose of quelling a riot or insurrection."

D262 89. **MPS Internal Policy 2004- Threats to life policy**

90. 04-03-24 Threats to Life Policy.pdf

91. The summary of this document is that upon receipt of a threat to life:

- A member of the MPS upon receiving information of a threat is responsible for notifying an officer of inspecting rank immediately.
- An officer of inspecting rank is responsible for ensuring that any immediate action to preserve life is taken and for making an initial assessment of the threat is made.
- A senior investigating officer of at least inspecting rank is responsible for implementing a strategy to minimise the threat to life and to apprehend the suspect.
- A Superintendent is responsible for assessing the extent of a threat to life and for taking appropriate action is taken to minimise risk.
- Under these procedures a member of ACPO rank is responsible for overseeing the MPS response to a real and immediate threat to the life of a person because of criminal acts or another.

D262

92. **MPS Internal Policy 7/99: Duty to Protect Persons Whose Lives Are at Risk**

93. This internal MPS policy from 1999 list the duties and responsibilities of MPS staff who are informed that there is an immediate and real threat to life. Upon receipt of such information there is a duty upon an officer to conduct a Threat Assessment:

- Consider is the threat real?
- Is the person making the threat capable of carrying it out?
- Is the threat an immediate one?
- Is the threat to life
- If the answer is YES to these questions, then the recipient will contact S011 immediately and inform the person subject of the threat what the police will not do. These decisions will be documented.

D262
R7A

94. **Osman Warning 1998**

95. Following the European Court of Human Rights decision in 1998 in the case of Osman V United Kingdom a directive was issued to all UK Constabularies in respect of immediate threats to life that were conveyed to police officers. The procedure that was adopted within the MPS in 1999 was:

"All members of the MPS must ensure that where information has been received which identifies a real and immediate risk to life all reasonable measures are taken to avoid the risk and prevent injuries which is then recorded. All such cases must be brought to the attention of The Operational Command Unit Crime Manager who will ensure that all necessary steps are taken".

Analysis

S3

96. The Robbery of the Audi occurred on or around 13 March 2003 but intelligence relating to Mark Williams' intentions to do so were recorded by the MPS on 3 March 2003.

97. The analysis of the intelligence available to DS Florio that he viewed between his visit to [redacted] on 17 March 2003 and local intelligence checks he undertook will be analysed in greater detail in Tor 1C. However, intelligence was inputted onto local intelligence systems relating to the Robbery of the Audi [redacted] on 18 March 2003.

98. If DS Florio had been aware of this intelligence and been able to make the connection between Asbury and Williams, then would his approach in relation to safeguarding Williams and Sabina Rizvi's welfare altered and he considered issuing an Osman Warning to Mark Williams and or Sabina Rizvi?

D51-56
D352

99. It is evident that prior to meeting all the key players in his investigation, DS Florio visited [redacted] on 17 March 2003 and conducted intelligence checks upon Sabina Rizvi and Paul Asbury whilst being unaware of the connection between these individuals and Mark Williams. Williams appears to use at least 10 recorded aliases such as Anthony Lloyd Williams, Tony Jackson etc. and Mark Williams is the name he gave when booked into custody. He is also known as '*Bucky*' which given all these different names may have conflated the intelligence picture locally of him.

D51-56
D352

100. DS Florio was clearly acting in the belief that Sabina Rizvi and Paul Asbury were seeking to use the MPS for their own ends and this may be reflected in him adopting a tactic of conducting recorded interviews with them and obtaining signed accounts that could be used against them later. The officer does stop short in his accounts of explicitly stating this.

D51
D352

101. The officer evidently from his initial interviews following the murder of Sabina Rizvi believed that he was being lied to by all parties yet doesn't confront them when he would appear to have evidence at variance with their accounts.

D51
D352

102. In making connections between Sabina Rizvi and Mark Williams it must be remembered that during her recorded interviews at no time did Sabina Rizvi refer to Mark Williams specifically. She informed the officers that her boyfriend was Anthony Lloyd. If she had of done it is possible that this may have registered with DS Florio and Sabina Rizvi's solicitor Keith Snow.

D52

103. As DS Florio was comparatively new to the Bexleyheath area his intelligence research could have been viewed as good preparatory work and evidently had the issue of threats been disclosed to him either from [redacted] or when he conducted his own research this would have been apparent and uppermost in his investigation plan.

D51
D52
D352

104. DS Florio when questioned by detectives in the aftermath of the murder explained that he was aware of his responsibilities in terms of duty of care to all parties and in the case of Mark Williams had an immediate threat been disclosed he would not have let him leave the police station.

D56

105. DS Florio in response to direct questions from detectives described Sabina Rizvi as '*very street wise'* and he questioned under what powers he had to detain both her and Williams once they were at liberty to leave the police station. This would have been a consideration for him on the night of the murder.

D51-D56

106. DS Florio in considering his own decisions and thoughts on the night of the murder recalled that Asbury made no direct and immediate threats to either Rizvi or Williams which would necessitate him escalating the duty of care to all parties. He stops short during all his interviews of saying the words *'Osman Warning'* explicitly.

D51
D52

107. The issue of Paul Williams wearing a ballistic vest upon arrival at Bexleyheath Police Station was considered by DS Florio. The officer explored this subject with Williams in his recorded criminal interview.

D51

108. During these discussions Williams stated he wore the vest as he lived in South London and mixed in criminal circles. His association with a man wanted for murder rendered him a target as this appeared to be the code of the street. Williams also elaborated on the fact that in South London people who were a threat to him would shoot him in the torso and not the head.

D51

109. DS Florio sought to explore this threat with him, but Williams couldn't name anyone specifically who provided an immediate threat and certainly did not disclose any threat to Sabina Rizvi.

110. This issue of professional curiosity in relation to DS Florio is a major consideration in examining his thoughts and decisions relating to immediate threat. The combination of a career criminal with access to firearms, wearing a ballistic vest who has been arrested for Robbery and who at every stage of his detention appears to mention the subject of threats to his life could show that perhaps DS Florio with 19 years police service could have considered escalating the issue to a senior officer, albeit there is no specific assailant.

D51
D260
D352

111. The issue of the immediate threat to Sabina Rizvi is something that her mother Iffat Rizvi maintains was known to DS Florio and contended that when Sabina Rizvi arrived at the police station for her interview with the officer she had detailed within a piece of paper. DS Florio recalled that the only piece of paper he saw on the night was one which was akin to a prepared statement full of legal jargon. This statement necessitated him requesting Sabina Rizvi's solicitor Keith Snow attending for her interview.

D13
D356

112. This piece of paper was retained by Keith Snow who declined to assist Operation Uxbridge or provide an account citing legal privilege.

D51
D260
D352

113. DS Florio spoke to Iffat Rizvi whilst her daughter was at the police station on 19 March 2003. Neither DS Florio nor Iffat Rizvi in their accounts make any mention of the subject of any threats and neither did Sabina Rizvi's solicitor at any time.

D51
D352

114. Mark Williams was very insistent upon being allowed to take his ballistic vest with him upon release from custody. He claimed that he bought the vest legitimately for £200 and told DS Florio he needed it for protection. Whether this was bravado by Williams

inflating his own self- importance or a genuinely held belief is a point to be considered.

115. It must be considered that if DS Florio had allowed Williams to leave the police station with the ballistic vest, he would in effect be allowing him to possess what was believed to be stolen property which Williams could readily dispose of.

D51
D52
D283
D284

116. Both DS Florio and DC Horner in their accounts independently appear to offer Williams either a lift to a taxi office or a lift home. Indeed, DC Horner in his account stated that he offered Williams a lift in an un-marked police vehicle, and he could hide on the back seat. This could be them seeking to ensure his safety following his disclosure to them of being under threat. It may also be considered that the officers were seeking to endear themselves to him as they viewed him as a potential intelligence source.

D51-D56
D352

117. DS Florio in his account to Detectives explained that he was fully aware of his responsibilities and duty of care to Rizvi and Williams but there was no immediate and specific threat that was disclosed to him, and it must be considered that in reviewing his actions he was not aware of the real events that led to Williams being in possession of the Audi.

D352

118. DS Florio's responses within his IOPC account could be considered to reinforce his account to MPS officers from 2003 whilst not offering anything new.

D352

119. DS Florio offers little that he can recollect in relation to his thoughts and decisions he made 19 years ago. The fact that Mark Williams arrived at the police station with ballistic vest appears from his responses not to trigger any probing from the officer once Williams does not disclose any threat. This was a spontaneous arrest by an officer who had been on duty a considerable time and who on the night would be engaged for a number of hours whilst knowing that he was required for a court appearance in the hours following his tour of duty being completed.

D352

120. The officer agreed that he is aware of his duty of care to all parties and responsibilities under The Human Rights legislation but does not offer any definitive consideration to Osman Warnings and escalating the threat to a senior officer. He appears to have knowledge of policy and procedures in relation to threat but did not escalate them. A telephone call to his Detective Inspector who was on duty may have been for completeness a prudent action.

121. These decisions the officer defers to in his original accounts in 2003 may give a clearer and more accurate assessment of what his decision-making process was at the time.

D352

122. DS Florio admitted that he considered requesting that Williams be held incommunicado but decided against it, albeit we can find no record that he documented this consideration in any of his MPS interviews.

D352

123. DS Florio gave an explanation to IOPC interview questions that he did not directly confront neither Sabina Rizvi nor Paul Asbury to the fact that he believed they were lying to him. He contends that he reverted to his training and allowed them to make a

first account without challenge as he anticipated that he would do this in further dealings with him.

D352 124. It could be considered that the officer who was obviously unaware of the real circumstances of how Sabina Rizvi came to be in possession of the Audi TT was gaining a fuller picture of the evidence and once in charge of what was presented to him would have taken a harder line with all parties.

D352 125. The fact that DS Florio years later in his IOPC account would not have altered his actions and decision that he took on the night is significant, and he points to the aspect of hindsight that nobody could have foreseen the tragic events that unfolded following Williams release from custody.

D352 126. Both Williams and Sabina Rizvi were at liberty to leave the police station and the offer of a lift to Williams was declined by him. In the absence of DS Florio being aware of the full intelligence picture it is speculation to see what he may have done differently.

ToR 1b. To re-examine whether any MPS staff deliberately or inadvertently gave information to Mr Asbury or his associates from the evening of 19 March 2003 – 20 March 2003 which led to the fatal shooting of Miss Rizvi and critical injury to Mr Williams.

Timeline of Events

	Doc ref	Approx. time/date	Event
127.	D51 D352	19/3/2003 19.00hrs	Sabina Rizvi arrived at Bexleyheath Police Station for a pre-arranged meeting with DS Florio to provide an account with what appears to be a prepared statement.
128.	D51 D352	19/3/2003 19.10hrs	DS Florio formed the opinion that in comparing the prepared statement of Sabina Rizvi to the witness statement obtained from Paul Asbury that he would obtain her account by recorded means.
129.	D52 D74 D283	19/3/2003	DS Florio decided to ask DC Horner to assist him with the interview. They all adjourned to the CID office whilst they awaited the arrival of a Solicitor. DS Horner and Sabina Rizvi do not discuss the case and DS Florio was engaged with crime allocations.
130.	D279 D283	19/3/2003	Whilst they awaited Sabina Rizvi's legal representative, she received a number of telephones calls it is believed from Mark Williams and her mother Iffat Rizvi.

131.	D51 D352	19/3/2003	During one telephone call DS Florio spoke to Iffat Rizvi to discuss the purchase of the Audi and how it was financed.
132.	D51 D80 D279 D352	19/3/2003 21.26 hrs 22.16hrs	Sabina Rizvi was interviewed by recorded means in the presence of her Solicitor Keith Snow and gave an account of her legitimate purchase of the Audi from Paul Asbury.
133.	D51 D279 D352	19/3/2003 22.16 hrs	DS Florio asked Sabina Rizvi to bring the Audi to Bexleyheath Police Station for examination. Sabina Rizvi contacted Mark Williams who agreed to bring the vehicle to the police station. Upon his arrival Sabina Rizvi's Solicitor Keith Snow referred to Williams as 'Mark'.
134.	D51 D52 D53 D279 D352	19/3/2003 22.39hrs	Upon arriving at the police station DS Florio formed the opinion that Mark Williams' appearance matched the alleged perpetrator of the Robbery of the Audi and arrested him. Sabina Rizvi and her Solicitor then leave the police station.
135.	D78 S2	19/3/2003 22.39hrs	Mark Williams was booked into custody for an offence of Robbery and Sgt Sharon Camm authorised his detention. PC Samantha Sharratt was her Gaoler who assisted her.
136.	D10 D51 D283 D352	19/3/2003 22.39hrs	DS Florio and DC Horner upon searching Mark Williams found that he was wearing what they believed was an MPS issue ballistic vest. Mark Williams commented that he is wearing it *"as its South London".*
137.	D10 D352	19/3/2003	Mark Williams was taken to a detention cell and told DS Florio to "*Ring Asbury and he will call it off*"
138.	D78 D269 S2	19/3/2003 23.07hrs	Mark Williams requested a telephone call to a person called '*Patrice*'. Sgt Camm authorised the telephone call and PC Sharratt endorsed the custody record. This call was in fact made to Sabina Rizvi it later transpired.
139.	D78 D269 S2	19/3/2003	Mark Williams requested a further call as the line was breaking up. He informed PC Sharratt that he would need to retrieve the number from his mobile which was in a sealed property bag in custody. He switched the phone on through the sealed bag and retrieved a number which he recited to

			PC Sharratt. PS Camm was engaged at this time booking another detainee into custody.
140.	D78 D146 D268 S2	19/3/2003 23.15hrs	PC Sharratt entered onto Williams' custody record the telephone number he recited and whilst she did this Williams dialled a number and spoke to a person, he said was his cousin '*Terry'.* This call it later transpired was an associate of Paul Asbury's Julie Jones.
141.	D146 D268 D269 S2	19/3/2003	PC Sharratt expressed her suspicion about the call as Williams appeared to remember the telephone number when previously he couldn't. Sgt Camm instructed PC Sharratt to monitor the call and terminate it if necessary. During this call Williams told the recipient to "*check on my mother*" but does not discuss his detention or offer any other information. PC Sharratt recorded her concern within her pocket notebook.
142.	D13 D31 D32 D78	19/3/2003 23.15hrs	Mark Williams from later analysis dialled another number for a man called *'Haj'* and informed him that he had been arrested and mentioned Paul Asbury's name. This is not recorded on the custody record, and it is believed the recipient was Paul Asbury who was in possession of 'Haj's' mobile phone.
143.	D51 D52 D352	19/3/2003 23.30hrs	DS Florio returned to the custody office and Williams gave him a handwritten note with three telephone numbers on to contact Paul Asbury.
144.	D283	23.30 hrs? 19/3/2003	DC Horner was informed by PC Mark Cutler that Paul Asbury has telephoned the CID office wishing to speak to DS Florio.
145.	D32 D51 D52 D352	19/3/2003 23.34hrs	DS Florio attempted to ring Paul Asbury from Bexleyheath CID office on a mobile number provided by Paul Asbury when he signed his witness statement detailing the Robbery of his Audi. This call was answered by Hayley Small an associate of Asbury who was not spoken to.
146.	D32 D51 D52 D352	19/3/2003 23. 46hrs	Paul Asbury rang the CID office and spoke to DS Florio. He stated that he knew Williams was in custody and mentioned the fact that '*Bucky'* (Williams) had just contacted him from custody asking him to drop the charges.
147.	D51 D352	19/3/2003 23.46hrs	Paul Asbury informed DS Florio that he would drop the charges if Williams renounced all ownership of the Audi and would visit the police station to pick his Audi up at 2am 20 March 2003. DS Florio refused this offer and pressed Asbury

			to make a statement. DS Florio explicitly told Asbury that he would not see him at 2am.
148.	D32 D51 D78 D352	20/03/2003 00.25hrs	DS Florio entered onto Mark Williams custody record the content of his conversation with Paul Asbury detailing Williams call to Asbury from custody.
149.	D51 D78 D352	20/3/2003 00.40hrs	Following examination of the ballistic vest worn by Williams, DS Florio went to his cell and arrested him for Attempting to Pervert the Course of Justice and the Theft of the MPS issue ballistic vest.
150.	D78 D352	20/03/2003 01.10hrs	DS Florio allowed Williams to make a phone call to Sabina Rizvi, but she did not pick up the phone.
151.	D51 D78 D274 D283 D318 D352	20/3/2003 01.15hrs 01.45hrs.	DS Florio and DC Horner interviewed Williams under caution. DS Florio [redacted] following this interview.
152.	D51 D274 D275 D352	20/3/2003 02.00hrs	Both DS Florio and DC Horner separately offered Williams a lift home or to a Taxi office. Williams declined their offers.
153.	D51 D78 D352	20/3/2003 02.05hrs	Williams was allowed to make a final telephone call to Sabina Rizvi to pick him up from custody.
154.	R5G	20/3/2003 After 2am?	DC Mark Collier returned to Bexleyheath CID office having been out of the office from 22.00 hrs 19/3/2003 and believed he took a phone call from an unknown man asking for DS Florio. The caller did not give the officer any of his details.
155.	D51 D52 D78 D274	20/3/03 02.13hrs	Mark Williams was bailed from the police station and picked up by Sabina Rizvi. DS Florio and DC Horner went to the CID office to finish off paperwork.

	D352		
156.	D51 D52 D352	20/3/2003 02.22hrs	The officers received reports of a shooting near to the police station and deployed to it where they engaged in scene preservation. Upon their arrival the officers saw that Sabina Rizvi had been murdered and Mark Williams critically injured.
157.	D51 D352	20/3//2003 03.00hrs	DS Florio received a call from DC Jonathan Cole that Paul Asbury was at the front desk of Bexleyheath Police Station asking for him. DS Florio instructed DC Cole to arrest Asbury for Murder and secure all forensic opportunities.
158.	D51 D53 D274 D352 D355	20/3/2003 6am	DS Florio and DC Horner remained at the scene assisting with evidence retrieval and completed their tour of duty.

Other Evidence

	Doc ref	Summary
159.	D31 D32	**Operation Uxbridge-Telephony Review of Incoming and Outgoing Telephone Calls to Bexleyheath Police Station 19/20 March 2003**
160.	D31 D32	**Call Subscriber Summary into Bexleyheath Police Station**

Call Subscriber Summary into Bexleyheath Police Station

Number	User/Subscriber	Date 19/20 March	Receiver
[redacted]978	Tommy Brown	11.16pm	Bexleyheath PS
[redacted]978	Tommy Brown	11.27pm	Bexleyheath PS
[redacted]399	Paul Asbury	11.30pm	Bexleyheath PS
0208 284 9000	Bexleyheath CID Office	11.34pm	Outgoing call [redacted]786
[redacted]786	Hayley Small	11.46pm	Bexleyheath PS

	[redacted]394	Paul Asbury	1.17am	Bexleyheath PS
	[redacted]394	Paul Asbury	1.45am	Bexleyheath PS
	[redacted]394	Paul Asbury	1.54am	Bexleyheath PS
	[redacted]394	Paul Asbury	2.08am	Bexleyheath PS

Summary

D79

161. Within Operation Uxbridge's investigation into the circumstances leading up to the fatal shooting of Sabina Rizvi they commissioned both analysis of mobile telephones numbers that contacted Bexleyheath Police Station between 19/20 March 2003 and cell site analysis of telephones used by murder suspects such as Paul Asbury.

D71
D79
R5A

162. As previously mentioned in TOR 1a, due to the fact that both DS Florio and DC Horner were two of the last people to see Sabina Rizvi alive DCI Lee Catling made a policy decision within hours of Sabina Rizvi's murder identifying DS Florio, DC Horner, and PC Sharratt as 'Significant Witnesses' as he was exploring the possibility of an MPS officer conspiring with murder suspects to release information in relation to Mark Williams release from custody.

D23
D24
D71
D79
D356
R5A

163. As part of DCI Catling's policy decision he required DS Florio, DC Horner, and PC Sharratt to provide itemised billing for their personal mobile telephones in order that their call traffic could be reviewed against that of murder suspects. A further action was also raised by Operation Uxbridge to request the itemised billing of Sabina Rizvi's Solicitor Keith Snow.

D79
D103
R5A

164. This decision to make police officers 'Significant Witnesses' was subject of a meeting on 25 March 2003 in conjunction with the MPS Anti- Corruption Unit who endorsed the decision and kept a watching brief of the officers.

R5B
R5G

165. Other officers who were on duty during the relevant times of 19/20 March 2003 in the CID office have been traced and their historic accounts for Operation Uxbridge have been compared to accounts provided to our investigation. Only PS Camm and DC Cole have failed to respond to our requests for an account.

R5E

166. A/Sgt Trevor Dixon was the CAD room supervisor on the night of the murder and has provided an account of the policy that he employed with his staff relating to enquiries into his office regarding the detention of detainees.

D31
D32

167. DC Jennifer Di- Fabio conducted a review of incoming and outgoing telephone calls from Bexleyheath Police Station between 19/20 March 2003. The telephone number for Bexleyheath Police Station is **020-830-11212** and calls in to the police station arrive at the station switchboard and are diverted to other extensions such as the CID office.

D146 S2

168. The Custody Office at Bexleyheath Police Station housed 6 detention cells and was serviced by one Custody Sgt and one Gaoler. The office had one custody telephone and an extension phone near to it which would allow a detainee to use this phone. In the event of the detainee misusing a telephone call the custody staff could use their phone terminate this call.

R6E

169. CCTV covering the cell area was not retained by Operation Uxbridge and cannot be viewed.

D51-D56 D146 D283 D284

170. DS Florio, DC Horner, and PC Sharratt were all interviewed as Significant Witnesses by the MPS Crime Directorate with their accounts being recorded. These accounts were obtained in the hours following the murder of Sabina Rizvi and were later converted into statements of evidence for a prosecution file against Paul Asbury.

D146 S2

171. On 21 March 2003 PC Sharratt was interviewed by MPS officers. She detailed the circumstances of the telephone calls made by Williams from custody which she recorded onto his custody record. She readily admitted her mistake in allowing Williams to dial the numbers himself.

D146 S2

172. PC Sharratt recounted those facts of how Williams obtained a number for his cousin *'Terry'* from his mobile phone which was in a sealed bag, and she expressed some surprise that whilst she was recording the details of the number, Williams had already started to dial a number which she felt was not the number given to her. She reported this to Sgt Camm who asked her to monitor the call.

D31 D32

173. The custody record of Mark Williams lists four telephone calls made by Williams to various people. He had in fact made five calls from later telephone analysis one of whom was not recorded on the custody record to a subscriber called 'Haj'.

D51 D52 D53

174. DS Florio listed within his interviews in the hours following the murder of Sabina Rizvi how he was not present when Williams made his calls from custody. Williams had asked him to contact Paul Asbury and provided three contact numbers as he would drop the charges. He was made aware by Paul Asbury of Williams contacting him from custody.

D283 D355

175. DC Horner was also interviewed in the hours following the murder of Sabina Rizvi and he was not present when Williams made his calls from custody.

D74 D352

176. During his evidence in the criminal trial of Paul Asbury DS Florio was questioned about the accuracy of his record keeping in respect of a time on a custody entry when he stated that he spoke to Paul Asbury in comparison to the telephony evidence that was offered.

D13

177. Paul Asbury during his Crown Court defence did not implicate any police officer or member of MPS police staff as having alerted either him or his associates to the detention and or release of Mark Williams from custody.

Policies, procedures, and legislation considered

D266
R6B

The rights and treatment of a detainee are legislated **within The Police and Criminal Evidence Act 1984. Below is an extract from Code C** which details those rights of a detainee to have someone informed of their detention.
Section 5 of Code C details the right not to be held incommunicado. 5.1 states the following regarding the actionable rights for telephone calls.

'Any person arrested and held in custody at a police station or other premises may, on request, have one person known to them or likely to take an interest in their welfare informed at public expense of their whereabouts as soon as practicable. If the person cannot be contacted the detainee may choose up to two alternatives. If they cannot be contacted, the person in charge of detention or the investigation has discretion to allow further attempts until the information has been conveyed.'

In addition to this section 5.7 states.

'Before any letter or message is sent, or telephone call made, the detainee shall be informed that what they say in any letter, call or message (other than in a communication to a Solicitor) may be read or listened to and may be given in evidence. A telephone call may be terminated if it is being abused. The costs can be at public expense at the custody officer's discretion.'

Section 5.8 describes the documentation needed when a phone call has been made/received.

'A record must be kept of any:
(A) request made under this section and the action taken.
(b) Letters, messages, or telephone calls made or received or visit received.
(c) Refusal by the detainee to have information about them given to an outside enquirer.
The detainee must be asked to countersign the record accordingly and any refusal recorded.'

> Significant Witness Accounts

> IOPC Account from PS Samantha Sharratt

S2

178. Within her account PS Sharratt highlighted the fact that she had never worked independently during all of her police service prior to commencing her tour of duty on 19 March 2003. In addition on this day it may have been either the first or second occasion in her 7 months police service that she had undertaken Gaoler duties.

S2 179. PS Sharratt could not recall whether PS Camm gave her a briefing as to her duties on the night of Williams' detention.

S2 180. PS Sharratt recalled that she was suspicious of the telephone calls that Williams was making and noted that during one call the number Williams recited did not appear from her observations to match the last three digits of the numbers she saw Williams inputting into the telephone.

S2 181. PS Sharratt could only recall Williams making two telephone calls in her presence which she noted on the custody record and not three.

S2 182. PS Sharratt recalled that once she became aware that Williams had contacted Asbury, she attempted to contact a call centre supervisor to trace the calls from custody, but due to the hour of night that supervisor was not on duty until the following morning

S2 183. PS Sharratt in the aftermath of the shooting of Sabina Rizvi was spoken to by PS Camm who told her that she could have handled the telephone calls of Williams better.

S2 184. No other senior officer directly addressed the issue of the custody phone calls with PS Sharratt.

S2 185. PS Sharratt stated that she should have dialled the mobile telephone numbers for Williams and spoke to the recipient to determine if that person wished to speak to Williams.

> IOPC Account from DS Florio

D352 186. Within his IOPC account DS Florio recalled the one telephone conversation he had with Paul Asbury. He had attempted to contact Asbury on numbers given to him by Mark Williams and he had a mobile number for Asbury that was part of his witness account.

D352 187. Paul Asbury telephoned DS Florio at 23.46 hrs 19 March 2003 which was 12 minutes after the officer had tried to contact him. The officer explained that Asbury informed him that Williams had telephoned him from the cell area and wished to withdraw his complaint. DS Florio declined to allow him to do this informing him that it was not Asbury's decision.

D352 188. The officer had a conversation with Asbury where he informed him that he would not allow Asbury to come to the police station at 2am on 20 March 2003 to collect his Audi TT. He felt that Asbury was trying to manipulate him, but the officer maintained that he was not rude to Asbury just that he left him in no doubt that he would not see him at that time.

D352 189. DS Florio was not present in the custody office when Williams contacted Asbury and he did not address the issue of the calls emanating from custody with the custody Sgt or the gaoler PC Sharratt. He explained that he was engaged investigating the crimes

that Williams had been arrested for and that it was custody staff responsibility to address that issue.

D352 190. DS Florio could not recall if he had been left any messages to contact Paul Asbury on 19th or 20th March 2003 by other CID officers, but it was his intention to contact Asbury in any case following Mark Williams pressing him to ring Asbury as he strongly believed that Asbury would drop the criminal charges against him.

D352 191. The officer felt that if this was the case that he should telephone Asbury in any case as if the complaint was to be withdrawn, he had somebody in custody who would need to be released.

D352 192. In conclusion DS Florio cannot recall any other officer either speaking to Paul Asbury on the telephone about Mark Williams being in custody or the time of his release.

> IOPC Account from DC Horner

D355 193. DC Horner is a retired officer who made a written response to 42 pre-prepared questions to him relating to the assistance he gave to DS Florio on the night of 19/20 March 2003.

D355 194. Within his responses, DC Horner could not recollect a great deal of the detail of his involvement with both Sabina Rizvi and Mark Williams.

D355 195. DC Horner recalled assisting DS Florio with the interviews of Sabina Rizvi and Mark Williams but could not recall how long he had been on duty, the names of other CID officers who were on duty at Bexleyheath and details of what time he finished his tour of duty.

D355 196. DC Horner did recall that at no time did neither Sabina Rizvi, Paul Asbury nor Mark Williams utter or disclose any threats to cause harm to each other. The officer cannot recall a level of detail relating to conversations that occurred on the 19/20 March 2003 but had a threat of been made he would have taken action to prevent it.

D355 R5G 197. DC Horner could not recall whether it was DC Mark Collier or PC Mark Cutler who gave him a message that Paul Asbury had telephoned the CID office at Bexleyheath, but he could have been mistaken in believing it was PC Cutler. The officer is adamant that he was not present or couldn't recall a telephone conversation when DS Florio informed Paul Asbury that he would not see him at the police station at 2am on 20th March 2003. This would appear to be at variance with his account in 2003.

D355 198. In relation to Mark Williams wearing a ballistic vest and informing the officers that he was under threat, DC Horner recalled Mark Williams he did not disclose to him the identify of anyone who had threatened him and if he had he would have escalated it.

D355 199. DC Horner in his IOPC account believed that Mark Williams wore the vest because of the circles that he mixed in but could offer nothing more specific about this and

certainly nothing relating to any immediate and credible threat to his life from Paul Asbury.

D355 200. DC Horner could not specifically recall offering a lift home to Mark Williams despite referring to his original MPS interviews. He felt that he would have offered Williams a lift home possibly due to the fact that Williams had been compliant with the officers and due to the late hour.

D355 201. DC Horner did not recall providing itemised billing for his mobile telephone or have any knowledge that he was a significant witness for the murder investigation.

Analysis

D31 D32 202. In considering the terms of reference which asks the question of whether MPS staff deliberately or inadvertently gave information to Paul Asbury and or his associates on 19 March 2003 which led to Sabina Rizvi's murder and critical injury to Mark Williams it is a matter of fact that Mark Williams telephoned Paul Asbury whilst he was in custody at Bexleyheath police station. This was at 23.15 hours on 19 March 2003.

D31 D32 203. This call from later telephony evidence was to a man called 'Haj'. This man was not in possession of his mobile phone at this time as it later transpired that Paul Asbury some days previously had taken this phone from him.

D71 204. The question of whether an MPS officer informed Paul Asbury and others of Williams' detention prior to this was a question that the SIO Lee Catling clearly considered in the hours following the murder and he employed the expertise of the MPS Anti-Corruption Unit to undertake work to explore a conspiracy theory of collusion between MPS officer(s) and the Asbury. This did not reveal any contact on the 19/20 March 2003.

D71 205. These findings were bolstered by the fact that when DCI Catling declared that DS Florio, DC Horner, and PC Sharratt were Significant Witnesses he ensured that they produced itemised billing for their personal mobile telephones which revealed no connection to Asbury and others.

D356 206. Sabina Rizvi's Solicitor Keith Snow was requested to provide his itemised mobile phone bills but declined to assist Operation Uxbridge. This means that this avenue of investigation was never fully finalised to eliminate Mr Snow as a source of information.

D31 D32 207. It could be considered that any calls to Asbury if they had come from an MPS source or a solicitor would have emanated from Bexleyheath police station. However, the telephone evidence of DC Di Fabio eliminates this theory and shows the numbers of calls received into Bexleyheath police station and their originator and destinations.

D31 D32 208. Calls into the station had to be diverted via the Control Room and A/Sgt Dixon in his account to the IOPC employed a policy of not offering information about detainees to external callers.

D31 209. This may render the theory of an MPS officer giving information to Asbury could have originated from the custody office or the CID office. We know that Williams made his

D32 call to Asbury from custody thinking it was someone called ‘Haj’, but there are no other calls to Asbury or his associates from custody. The only one external call from the CID office at Bexleyheath was attributed to DS Florio trying to call Paul Asbury at 23.34 hours on 19 March 2003 to inform Asbury of Williams arrest. This call is corroborated by DC Horner who was present when it was made in his MPS account. No other calls can be attributed from DS Florio to Asbury.

D51 D55 D352 210. DS Florio did make an incorrect entry upon Mark Williams’ custody record to state that he had spoken to Paul Asbury at 00.25 hrs on 20 March 2003 who informed him of Williams telephoning him from custody. The later telephony evidence revealed that this call was made at 23.34hrs on 19 March 2003.

D55 D56 D352 211. DS Florio both in his accounts to MPS detectives and at the later criminal trial of Paul Asbury admitted that this was an error on his part and nothing malicious. I can find no supporting evidence to confer a belief that this was anything other than a mistake by the officer.

D274 D355 R5G 212. It is a fact that other CID officers were on duty at Bexleyheath on 19/20 March 2003. DC Horner in his original account to MPS detectives recalled going back into the CID office and PC Mark Cutler informing him that Asbury had telephoned to speak to DS Florio. He doesn’t offer a time for this and is not probed by detectives.

R5G 213. PC Mark Cutler as part of the actions emanating from Operation Uxbridge was contacted in November 2003 and could not recall taking a call from Asbury or of being in the CID office. An account was never taken from PC Cutler.

R5G 214. DC Mark Collier in his IOPC account recalled leaving the CID office at Bexleyheath at 22.00hrs with DC Gary Hallett and dealing with a serious sexual assault. He returned to the CID office just after 2am 20/3/2003. When asked he recalled that he did take a call from an unknown man who gave no details asking for DS Florio. The officer didn’t know where DS Florio was as he had been out of the office. DC Collier believed that he may have informed DS Florio of this call but cannot be certain.

D31 D32 215. DC Di Fabio’s telephony review shows that Paul Asbury made four calls into the CID office from midnight on 19/3/2003 to 02.08am on 20 March 2003. No officer other than DC Collier who we have spoken to can recall taking any calls from Asbury during this time.

D31 D32 216. It may be that at 2.08am DC Collier did speak to Paul Asbury as this is consistent with the telephony evidence. It could be considered whether DC Horner was mistaken with PC Mark Cutler and DC Mark Collier as being the person who informed him of the call from Paul Asbury?

D51 D352 217. Had Mark Williams not informed Asbury of him being in custody it is also a fact that he would have been aware of Williams arrest as it was DS Florio’s intention to ring Asbury in any case.

D31 D32 218. From telephony evidence Williams telephoned Asbury at 23.15 hrs on 19 March 2003 and DS Florio then attempted to call Asbury at 23.34hrs. Asbury then returned the call at 23.46hrs to DS Florio which leaves 31 mins from Williams telephoning Asbury

to Asbury speaking to DS Florio. If Williams hadn't made his call to Asbury, it may be that Asbury would perhaps have still gone on to commit the murder.

219. It could be considered that the arrest of Williams for Robbery and the retrieval of Asbury's Audi TT is something that the officer should have informed Asbury of. This allied to the fact that Williams appeared confident that Asbury would withdraw his complaint again could be a valid reason for DS Florio contacting Asbury.

D51-56
D352

220. From DS Florio's account to MPS detectives it appeared that Asbury did wish to retract his complaint in return for the return of his Audi TT and DS Florio correctly took him to task over this and strongly requested an additional statement from him to cover the details of Williams call to him from custody.

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221. The fact of DC Horner being present when DS Florio informed Paul Asbury that he would not see him at the police station on 20 March 2003 is at issue. Within his MPS accounts DC Horner recalled being present when this call took place and corroborated DS Florio's account. In contrast within his IOPC account he cannot recall this at all. This may be due to the passage of time, but the officer was provided with his original accounts, yet this fact is something that he cannot recall and appears to be a contentious issue for him.

D352

222. DS Florio in contrast within his IOPC account recalled this conversation and told Asbury that he would not see him at 2am and he would contact him later. DS Florio clearly had commitments at The Old Bailey at 10am later that morning which have been verified and had yet to interview Williams who if he required a Solicitor that delay would impact upon any proposed timings. DS Florio had also highlighted the fact in his accounts to MPS detectives that he was working overtime and this additional time would have to be authorised by a senior officer.

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223. Both DS Florio and DC Horner gave accounts to MPS detectives of offering Williams either a lift home or to a taxi office, but it was declined. The officers would in essence be putting themselves in danger if either of them had alerted Asbury to Williams release and it must be considered why would they do this?

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224. All these facts are revisited during the IOPC witness accounts of DS Florio and DC Horner who corroborate most of their earlier accounts to MPS detectives, albeit the level of detail offered by these men 19 years later is lacking in detail and certainly they both offer nothing new or seminal.

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225. DS Florio for instance does not recall having a heated discussion with Asbury on the telephone. He referred to Asbury seeking to manipulate him, and he had to be firm with him in reinforcing the fact that he would not see him at 2am on 20 March 2003.

226. The IOPC accounts from DS Florio and DC Horner do not really add anything of material value to what they had given to MPS officers in the immediate aftermath of the murder. They both recall that no specific threats were made or received and if they had they were aware of their duty of care to all parties and would have escalated the threat to a duty officer as per the MPS policy.

D51-56

227. Following the murder of Sabina Rizvi, Paul Asbury attempted to cover his tracks by arriving at Bexleyheath police station at 3am seemingly to give an impression of

seeing DS Florio and retrieving his Audi TT. This could be viewed as an act of subterfuge on his part. This was clearly dismissed, and DS Florio ordered DC Cole to arrest him and preserve forensic opportunities.

D352 228. Within his criminal trial Paul Asbury did not implicate any MPS officer as alerting him to the fact that Williams was either in custody or his time of release. It could be considered that once Williams had alerted him to his detention the 4 calls that Asbury made into Bexleyheath CID office after midnight were him trying to elicit information and find out when Williams was being released.

D32 229. It has been established that in relation to the four calls made by Paul Asbury into Bexleyheath CID office that both DS Florio and DC Horner were engaged in the custody area and could not have taken the calls. I cannot rule out though that one of these calls may have been answered by an officer, albeit apart from DC Mark Collier no officer can recall receiving such calls.

230. It will be for the Decision Maker to decide whether having considered the telephony evidence, officer testimony and Crown Court testimonies of all parties to conclude whether MPS staff alerted Paul Asbury and or his associates to the release from custody of Mark Williams.

ToR 1c. To re-examine whether the MPS were in possession of any intelligence that would lead to a belief that the lives of Miss Rizvi and or Mr Williams were in jeopardy prior to 19 March 2003.

Summary

R7C&D S3 231. The MPS have supplied all the historic intelligence held on their systems relating to Mark Williams, Sabina Rizvi and Paul Asbury including any intelligence showing associations between them and any threats of harm between these parties. They have also detailed the process and practices relating to intelligence that would have been adopted in 2003.

R7D 232. [redacted]

S3 233. The intelligence systems used by the MPS in 2003 were The Police National Computer (PNC). Crim Int. which is their constabulary wide intelligence system which can be viewed by any police officer. The Integrated Information Platform (IIP) which allows officers to search on crime reports and CAD incidents for named individuals. Within the Source Unit only the Informant Management System (IMS) which can only be accessed by Source Unit staff given the sensitive nature of the intelligence held.

S3 234. The MPS operated a system in 2003 which is markedly different from the processes that operate today. [redacted]

[redacted]

R7D 235. There was no capability in 2003 for remote working and the Source Handler may obtain on occasion multiple pieces of intelligence from a source which he/she would grade in terms of its reliability and submit each individual piece of intelligence to an intelligence team who worked Monday- Friday 9am-5pm. There was no weekend working in 2003.

R7D 236. Intelligence when submitted to the Source Unit may require further investigation and in 2003 intelligence was referred back to the Source Handler often to re-contact the source to obtain further information to develop the accuracy of that information.

D292 237. The MPS would have upon receipt of any intelligence in 2003 undertaken a review of it and grade it under the auspices of the National Intelligence Model 2002. This is known nationally as the 5x5x5 intelligence system.

R7D S3 238. Intelligence that was received would be reviewed and later inputted onto the MPS Criminal Intelligence system after being reviewed by an Intelligence Handler and later a Detective Inspector in charge of the unit. This would then be inputted onto the MPS Crim Int system for general review by any MPS officer but may be sanitised.

S3 239. Intelligence was not inputted onto the IMS system in real time and staff working within the Source Unit would need to undertake a number of background checks upon intelligence that was received to ensure that it was not relevant to another team and jeopardise ongoing policing operations. This may be viewed as a time-consuming exercise in some cases allied to the volume of information that may be received into a Source Unit.

R7C 240. [redacted]

R7C&D 241. [redacted] Paul Asbury does not feature in this list.

R7C&D 242. From a review of the MPS systems IOPC investigators viewed several pieces of recorded intelligence from 2003. This information was received/recorded 03 March 2003 at 1033 hours. [redacted]"

243. [redacted]

244. It is not recorded what this officer did with this information.

R7C&D 245. [redacted]

246. [redacted]

R7D 247. [redacted]

D7
R5C 248. In terms of DS Roberto Florio he was transferred as a Detective Sgt to Bexleyheath CID on 20 January 2003. Upon undertaking this position within his initial recorded accounts to MPS Crime Directorate detectives he explained that he had researched local intelligence systems to appraise himself of prominent local criminals in the area. One of these criminals was Paul Asbury.

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D352 249. As he later detailed within his MPS account he knew of Mark Williams from his service at Peckham police station but did not have any dealings with him and Sabina Rizvi was someone whom he did not know.

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D355 250. DC Horner was an established Detective Constable working at Bexleyheath police station and was a trained financial investigator who from his accounts to MPS Crime Directorate officers had previously investigated Paul Asbury in respect of his financial dealings.

D352
D355 251. DS Florio and DC Horner would have to consider internal MPS and national policing policies in respect of the management of any intelligence that they reviewed which disclosed a threat to anyone they encountered during their duties.

D13 252. At 22.50hrs on 13 March 2003 Sabina Rizvi as detailed in the timeline of events went into Peckham Police Station and reported her concerns to MPS staff that she had just purchased an Audi TT W435DVW vehicle from Paul Asbury. Her concerns appeared to centre upon Asbury's legitimate ownership of that vehicle, despite her informing MPS staff that she had during the purchase of the vehicle been provided with a logbook, vehicle test certificate and receipt of purchase from Asbury.

D13 253. MPS staff then conducted a vehicle check upon the Audi and it confirmed that it was not a stolen vehicle. No other details were taken from Sabina Rizvi.

D13 254. At 23.18 hrs on the same night Paul Asbury reported that his vehicle had been stolen at that time by two assailants at knife point during which his mobile telephone [redacted]**823** was also taken. He could not at this time furnish the MPS with his full vehicle registration number and the vehicle was not recorded on the Police National Computer as a stolen vehicle.

D13 255. At 17.20 hrs on14 March 2003 Paul Asbury visited Bexleyheath Police Station to formally report his vehicle as stolen. A crime number 3904488/03 was allocated to this crime and given to Paul Asbury.

D102 256. At 19.46 hrs on 14 March 2003 the MPS created a CAD incident 9050 following a telephone call they received from Sabina Rizvi who had once again reported her concerns regarding her purchase of the Audi vehicle and Asbury's ownership.

D102 257. Over the course of the next couple of days Sabina Rizvi visited several London police stations to show documentation to MPS officers relating to the Audi and this information was entered onto the original CAD incident as a running log.

D102 258. Log entries within this CAD log detail MPS officer's concerns relating to the veracity of both Sabina Rizvi and Paul Asbury's accounts of the purchase/Robbery of the Audi.

D51 D102 D352 R5C 259. On 15 March 2003 DS Roberto Florio was allocated as the investigating officer for the offence of the Robbery of Paul Asbury's Audi. Whilst Bexleyheath had a Robbery Team working from it, DS Florio agreed to undertake the investigation as it was a weekend, and they were not working. DS Florio also had a background in 'The Flying Squad' and a Robbery Unit.

D11 260. Later that day on 15 March 2003 Paul Asbury came to Bexleyheath Police station and spoke to DS Roberto Florio. This was an unscheduled visit as Asbury was not happy with the progress of the investigation. DS Florio obtained a witness statement from Asbury detailing the events surrounding his Audi being stolen.

D52 D352 261. DS Florio explained to MPS Crime Directorate detective that he did not believe Asbury's version of events as it did not seem plausible, especially given that Asbury had reported his mobile telephone **0[redacted]823** had been stolen, yet he had used it on the night of the alleged Robbery to contact the MPS and in the following days.

D52 D352 262. It appeared that Asbury was similarly vague in respect of the location of the alleged Robbery and the sequence of events which DS Florio explored to obtain intelligence from him and view potential sites of CCTV.

D53 D352 263. During this witness account Paul Asbury offered information that he had been informed from sources on the street that a female had been visiting London police stations claiming to have bought the Audi legitimately. He did not divulge his sources to the officer but rebuked him for not expediting the return of his Audi.

D52 D352 264. DS Florio asked Asbury whether he knew Sabina Rizvi. Asbury stated that he knew of her but not by name. He explained that she was the girlfriend of a man he had dealings with. He did not elaborate upon what these dealings were.

D51 D54 D352 265. On 16 March 2003 DS Florio took a telephone call from Paul Asbury who again criticised him for not finding his Audi. He told the officer "*I know who's got it. It's a girl who looks like an Indian girl, she's half Indian, half Mexican. It's a girlfriend of someone I have dealings with. It's Bucky's bird".*

D51 D352 266. Within his initial recorded accounts to MPS Crime Directorate Detective, DS Florio recalled that on 17 March 2003 he visited [redacted] at Bexleyheath Police Station to gain background information on Sabina Rizvi and Paul Asbury. He had also on this day contacted Sabina Rizvi to meet him at Bexleyheath Police Station on 19 March 2003 to establish the circumstances of her purchasing the Audi.

267. DS Florio had within this account had not made the connection between Mark Williams and Sabina Rizvi at this time.

D342 268. Whether the intelligence that was given to DS Florio [redacted] and MPS criminal intelligence systems covering neighbouring constabularies such as Kent has yet to be established.

D51 D55 269. [redacted] DS Florio explained to interviewing officers that he gathered that there was intelligence relating to Sabina Rizvi and what he recalled was an *'associate note'* relating to her association with a man called "*Bucky"* who had links to Asbury. *Bucky* it later transpired was a nick name given to Mark Williams.

D51 D52 D352 270. [redacted]

D51 D52 D352 271. DS Florio within his accounts does not reveal that there was any intelligence relating to Sabina Rizvi, Mark Williams or Paul Asbury that highlighted any threats of immediate harm to any of them. He does not offer and is not asked what intelligence he specifically gleaned [redacted].

D283 D284 D355 272. DC Horner in his accounts to MPS Crime Directorate officers similarly highlights that he was not aware of any prior threats being issued of immediate harm to either Sabina Rizvi, Mark Williams or Paul Asbury or their associates.

D51 273. DS Florio does within his initial interview with MPS Crime Directorate detectives discuss the issue of intelligence on the MPS Crim INT system and is asked about what he discovered in relation to Sabina Rizvi, Mark Williams, and Paul Asbury. He agreed with the MPS interviewer that [redacted]

D51 274. DS Florio goes further during the interview to state "*yeah I would go further than that in that they've clearly been at loggerheads at some stage".* He also added that he "*had listened to what the* [redacted] *said".* This response was not probed by the interviewer and the first interview tape then concluded and this subject was not returned to during the second interview with DS Florio

D52 D80 275. In subsequent interviews with the MPS Crime Directorate DS Florio explained that Sabina Rizvi offered the fact that she had previously served a term of 3 ½ years' imprisonment for drug supply offences.

D53 D352 276. DS Florio also disclosed during these interviews that he had an [redacted]

D10 D51 D52 277. The content of the interviews with Mark Williams would discuss the issues of why Williams was wearing a ballistic vest, Asbury dealing drugs on William's turf and Williams association with a man wanted for murder.

D53

D10 278. Within his accounts to the MPS detectives DS Florio stated that because of his
D52 discussions with Williams [redacted]
D53 [redacted] This document is an internal document used by the MPS [redacted]

Policies, procedures, and legislation considered

D292 **National Intelligence Model 2002**

This is the national system used by constabularies to use intelligence to generate daily policing operations, emerging issues, and problem profiles. Senior officers such as Divisional Commanders would convene daily 'Tasking and Coordination' meetings with other senior officers, local policing teams and specialist departments including Intelligence Units to determine policing operations, resource policing issues and bid where required for constabulary wider resources.

Divisional intelligence teams would have responsibility to compile data for these meetings and keep an audit of requests made and its results.

Intelligence such as threats to life would be discussed at daily intelligence briefings and escalated to specialist intelligence teams to refine the intelligence and seek corroboration from other sources.

In essence a local Intelligence Unit would grade the intelligence against a national matrix as to whether the intelligence emanated from a trusted source and was credible and if need be, escalate it to senior officers for immediate action.

D262 **5x5x5 Intelligence Grading System**

SOURCE EVALUATION
• A - Always reliable
• B - Mostly reliable
• C - Sometimes reliable
• D - Unreliable
• E - Untested source
INTELLIGENCE EVALUATION
• 1 - Known to be true without reservation
• 2- Known personally to source but not to officer
• 3 - Not personally known to source but corroborated
• 4 - Cannot be judged

- 5 - Suspected to be false or malicious

Response of Roberto Florio to IOPC interview questions

D352 279. As previously stated, DS Florio had upon arriving on promotion to Bexleyheath Division visited [redacted] and conducted local intelligence checks to familiarise himself with prominent local criminals as this would have been his primary role within the CID office.

D352 280. DS Florio had been gathering intelligence in relation to the alleged Robbery of the Audi TT during his interactions with Paul Asbury and Sabina Rizvi allied to the CAD report that the MPS generated following the report of the alleged Robbery of the vehicle. He could not recall if he liaised with adjoining constabulary's intelligence units such as Kent given its proximity to Bexleyheath.

D352 281. The officer could not elaborate within his account of what [redacted] he learned from his visit [redacted] on 17 March 2003, [redacted]

D352 282. The officer reaffirmed his belief that he was not given any information that disclosed an immediate threat to life of Sabina Rizvi, Mark Williams, or Paul Asbury and if he had of, he would have escalated it to a senior officer in line with MPS policy.

D352 283. Mr Florio though did not wish to speculate on what he thought was a hypothetical situation when answering questions in relation to what specifically he would have done had such information been given.

D352 284. In relation to him being asked to explain what intelligence he had gathered prior to interviewing Williams regarding another officer DS Baxter having an interest in gaining intelligence of him, DS Florio could not recall this. The officer had the benefit of his 2003 accounts to the MPS where he explicitly stated that this officer was keen to obtain intelligence on Williams.

D352 285. DS Florio recalled that following the interview with Williams [redacted]

D352 286. [redacted]

D352 287. [redacted]

D352 288. [redacted]

D352 289. DS Florio concluded that at no time was he given any intelligence that disclosed an immediate threat to anyone he had dealings with as part of his investigation.

Analysis

R7D 290. As previously stated we approached the MPS to offer a historic account of how intelligence systems and information was managed in 2003 to apply some context to the information that we now have ascertained. This is important as in seeking to analyse their historic practices and procedures as it may explain how they managed and refined intelligence and its dissemination to front line officers.

S3

R7D 291. The MPS within their intelligence systems clearly had knowledge from sources that Mark Williams [redacted] in 2002 intended to move back into the arena of drug dealing and evidently would seek to cause harm to rival dealers.

D51-53 292. This can be corroborated by DS Florio in his account to MPS Detectives in the aftermath of Sabina Rizvi's murder informing officers of the interest of their Murder Suppression Team in gathering intelligence on Mark Williams and of subsequent intelligence from 2002 onwards from this team which assisted Operation Uxbridge.

R7C 293. DS Florio must have obtained this information from MPS intelligence systems and been aware of Mark Williams having access to firearms prior to arresting him, albeit this arrest was a spontaneous one.

R7D 294. The MPS were in possession of intelligence on 3 March 2003 that following their review they graded as B2. Which means it was mostly reliable [redacted]

R7D 295. There appears to be a delay between information given to them on 3 March 2003 being reviewed by staff, graded, and authorised for inclusion upon MPS intelligence systems for officers to access. As previously stated they did not operate outside office hours or work remotely.

296. It must be born in mind that intelligence needed to be corroborated and refined and compared against subjects mentioned within it. This would be an onerous task given the volume of intelligence that one team would receive and the general nature of the intelligence in this investigation.

R7C 297. In relation to the initial intelligence relating to the Audi TT. Whilst it offers a vehicle registration number this vehicle was in fact still registered to a company in Lincolnshire and would necessitate additional work within MPS intelligence systems to

marry up the fact that Asbury was using the car if such MPS intelligence existed and of a connection to Mark Williams. This would have taken time it can be assumed.

298. The fact that Sabina Rizvi's visits to various MPS police stations were not being linked up with the intelligence held on other systems could be explained that whilst the MPS recorded her visits on their incident logs it would require someone to make a connection with these visits and intelligence that was under review relating to Williams.

R7C

299. From intelligence provided to our investigation it appears that whilst Sabina Rizvi was known to the MPS there was no intelligence relating to a threat to her either from Asbury or anyone else. This would clearly be a consideration for the MPS had any threats been recorded and it would be expected that a risk assessment as per their constabulary policy would be undertaken.

R7D

300. Clearly, from DS Florio's visit to the Bexleyheath [redacted] on 17 March 2003 fresh intelligence relating to Mark Williams and the link to an Audi TT had not been inputted onto viewable systems. This further complicates matters by the fact that DS Florio was not privy to the connection between Sabina Rizvi and Mark Williams and the numerous aliases he used of his surname etc.

301. Had [redacted] at Bexleyheath and the Crim Int intelligence system been updated quicker to reflect the new intelligence which was viewed as 'Mostly Reliable' DS Florio may have been able to assess the most up to date information and possibly approached his investigation differently?

302. There appears evidence of intelligence being returned to Source Handlers to develop it prior to it being authorised and later viewed on intelligence systems by front line officers. The fact that the MPS processes in 2003 meant that intelligence had to be authorised by staff for final inputting onto systems may add a delay, but could be viewed that it added an extra layer of rigour to provenance the intelligence. This is one of the fundamental principles of the National Intelligence Model.

S3

303. The intelligence that MPS had in their possession and recorded on 3 March 2003 was not recorded as being tasked in that the information was not returned to the Source Handler to gather further information. The intelligence that MPS had in their possession on 14 March 2003 was recorded as being sent back by the handler for further tasking to the source.

304. In any case, the information contained within the intelligence reports dated 3 March and 14 March 2003 were not put onto local police intelligence systems for officers such as Ds Florio to view until 18 March 2003. This is disputed by the MPS.

D51

305. DS Florio detailed within his initial MPS account that from [redacted] that Williams and Asbury had '*been at loggerheads at some stage'.* The fact that this comment was not probed by detectives was disappointing and could be viewed that information was given to DS Florio that there was a dispute between the men.

R7C

306. As the latest information relating to Mark Williams was inputted onto MPS systems on 18 March 2003 DS Florio could have either on this day or 19 March 2003 accessed these systems to obtain the very latest information held by the MPS. Whether the

officer felt that as at this point he was only dealing with Sabina Rizvi and Paul Asbury and had sufficient information to conduct his investigation is point to be considered.

R7C
S3

307. There appears to be no intelligence describing a direct threat towards Sabina Rizvi or others from any person. If there was even in 2003 Gordon Barclay within his accounts asserts that Source Handlers could have elevated this information to a senior detective for a dynamic response. Clearly, with the information at his disposal Ds Florio may have considered this. In the case of Mark Williams he chose not to do so perhaps due to Williams only informing the officer his life was under threat but didn't name an individual.

308. Had the systems and processes for inputting intelligence onto MPS systems mirrored their current practices it may well be that Ds Florio [redacted] themselves would have viewed the intelligence relating to all parties differently and taken steps to act upon it.

309. There are a number of theories that may explain why intelligence that the MPS did receive in March 2003 was not inputted and processed onto systems and refined for viewing by front line officers to view.

S3

310. It may well be that from the account of Gordon Barclay who worked in the unit in 2003 that sheer volume of work was a reason or an unwieldy process where Source Handlers could not work remotely and had to physically visit the police station to input and grade information. In contrast it may be human error and a lack of supervision applying rigour to the historic process allied to a failure to accurately assess the information that was received.

311. The MPS systems now are much more coordinated and should information need to be actioned in real time and acted upon they have this capability and disseminated to front line officers.

> Next steps

312. The decision maker will now set out their provisional opinion on the investigation outcomes. The decision maker will record these on a separate opinion document.

313. The decision maker will also identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.

314. Where a complaint investigation has not been subject to special procedures the decision maker will determine whether; i) the service provided by the police was acceptable; ii) the service provided by the police was not acceptable; or iii) we have investigated the complaint, but have not been able to determine if the service provided was acceptable

315. The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

> Learning

316. Throughout the investigation, the IOPC has considered learning regarding the matters under investigation. The type of learning identified can include improving practice, updating policy, or making changes to training.

There are two types of learning recommendations that the IOPC can make under the Police Reform Act 2002 (PRA):

- Section 10(1) (e) recommendations – these are made at any stage of the investigation. There is no requirement under the Police Reform Act for the Appropriate Authority to provide a formal response to these recommendations.
- Paragraph 28A recommendations – made at the end of the investigation, which do require a formal response. These recommendations and any responses to them are published on the recommendations section of the IOPC website.

317. **No learning identified**

Throughout this investigation, I have carefully considered whether any learning should be considered by the decision maker. In this case, I have not identified any learning to draw to the decision maker's attention. The processes for gathering assessing and dissemination of intelligence differs now in contrast to the practices that existed in 2003.

The MPS now can input intelligence in real time onto systems remotely and have 24/7 staff cover.

> Summary for publication

318. The following summaries are of the incident and our investigation. If the decision is made to publish the case on the IOPC website, this text will be used for that purpose.

Section of summary	
Summary of incident	On 14 March 2003, a female contacted the Metropolitan Police Service [MPS] to report her concerns that a car she had recently bought was stolen. She was advised to attend at her local police station which she did on the evening of 19 March 2003. During the enquiry, a male known to be her boyfriend attended at the police station with the car at 10.39pm. The female then left the police station in company with a legal representative.

	Following further enquiries, this male was arrested for the offence of Robbery and detained for questioning. At 2.13am 20 March 2003 the male was released on bail pending further enquiries. He was picked up by car by the female. At 2.26am 20 March 2003, a report was made that the female had been fatally shot and the male was seriously injured whilst in the above car near to the location of the local police station. A complaint was made to the IPCC in 2011 who concluded that there was no case to answer for any police officer.
Summary of investigation	This investigation was re-opened by the IOPC on 4 October 2021 following a decision by the coroner in 2019 to re-open the inquest into the original murder/attempted murder in 2003. During the investigation, investigators obtained accounts from all the officers that were on duty at the local police station on the night of 19 March and early hours 20 March 2003. Court transcripts were reviewed, and investigators reviewed and assessed material held on MPS HOLMES. Database. This included officer's accounts given in 2003. Investigators also conducted a review of the MPS analysis of telephone numbers that came into the local police station the evening of 19 March 2003 and early hours 20 March 2003. An analysis of information held on MPS intelligence systems was undertaken to identify whether MPS were in possession of information that the lives of the female and male were in jeopardy prior to 20 March 2003.
Learning	