

Witness Name: Witness MD39

Statement No: 1

Dated: 2 October 2024

INQUIRY INTO THE DEATH OF DAWN STURGESS

OPEN WITNESS STATEMENT OF MI5 WITNESS MD39

I, **WITNESS MD39**, a senior officer within the Security Service (MI5), **WILL SAY** as follows.

A. INTRODUCTION

1. I make this statement on behalf of MI5 for the purpose of the Inquiry into the death of Ms Dawn Sturgess.
2. At the outset, I would like to offer my most sincere condolences, both on my own behalf and on behalf of MI5, to Ms Sturgess' family for her tragic death and to all those who have been otherwise affected by the awful events in 2018.
3. I have worked for MI5 since 1999. I am currently a senior leader within MI5's Counter State Threats branch. During my time in MI5, I have undertaken a wide variety of roles including working in Counter-Intelligence and Counter-Terrorism investigations and operations. Although I was not directly involved in the events described below, I am well placed to provide this statement on behalf of MI5, given my current and previous roles and my experience of the functions and operation of MI5 generally.
4. The purpose of this statement is to address the nature and extent of MI5's investigation into the poisoning of Sergei and Yulia Skripal, and latterly Ms Sturgess, and its liaison with the parallel police investigations.
5. I have given careful and detailed consideration to - and engaged with colleagues with relevant expertise on - the matters I can address in OPEN. I have sought to be as transparent as possible, but I must emphasise at the outset that there remains a level of detail that I cannot address without risking serious harm to national security.

6. Given the continued threat posed to the UK and its allies by hostile state actors, and the Russian state in particular, as well as the threats posed by terrorist and other criminal groups, I anticipate that it will be well understood that I am unable in this statement to go into detail about MI5's investigations, intelligence and assessments. To do so would obviously undermine MI5's current work to protect UK national security from the Russian state (and others who would seek to cause harm to the UK, its residents, allies and interests), and would benefit those who would want to use that information to seek to advance their ongoing hostile activities against the UK. For example, those states and individuals would be able to take steps to change their behaviour to avoid detection: the more we tell our adversaries about how we watch them and seek to disrupt their activities, the easier it is for them to hide their activities from us.
7. With those considerations in mind, I should make clear that MI5 has engaged fully with the Inquiry and has made available to the Chair and his legal team everything they have sought to review. The Inquiry will therefore be able to investigate all the matters it covers in CLOSED where it cannot do so in OPEN.

B. MI5's REMIT AND THE RUSSIAN STATE

8. MI5 is governed by a strict framework of legislation and oversight to ensure that its powers are only used (i) for its functions (i.e. the purpose for which it exists) as set out by law, and (ii) where it is necessary and proportionate to do so.
9. As set out in section one of the Security Service Act 1989, MI5's remit is the "*protection of national security and, in particular, its protection against threats from espionage, terrorism and sabotage, from the activities of agents of foreign powers*" and, as stated on MI5's website, our objective in this area is to "*investigate and disrupt the actions of foreign intelligence officers where these are damaging to our country's interests*".
10. MI5 has investigated and endeavoured to mitigate risk from hostile state activity against UK interests throughout its history. This has included effort against the Russian Federation and former Soviet Union. As a result, MI5 has built and maintains significant experience and expertise in the investigation of the activities of the Russian state today.
11. MI5, unlike the police, does not have the power to arrest or to undertake a criminal investigation with a view to prosecution. MI5 receives assistance from the police

and other law enforcement agency partners in many areas of its work, provides them with information and intelligence assessments on threats, and collaborates closely with them on investigations that may result in criminal proceedings.

C. MI5's INVESTIGATION

12. On Sunday 4 March 2018, Mr Sergey Skripal and his daughter Ms Yulia Skripal were taken ill in Salisbury. A major incident was declared and consequently a post-incident investigation led by the Counter-Terrorism Police (CTP) network began.
13. MI5 carried out a full investigation into the incident in Salisbury and those within the Russian intelligence services responsible for it. Although the police and MI5 have distinct roles and responsibilities, MI5 works together with the police to achieve the objectives of a post-incident investigation. This partnership model was adopted for the post-incident investigation into the events in Salisbury, and then after Ms Sturgess tragically fell ill and died the same model was adopted.
14. In this post-incident investigation, the police led on ensuring public safety, the prevention of further attacks, evidence gathering to support executive action, and ensuring public confidence and reassurance including delivering public communications in relation to the incident. Pursuant to its statutory functions under the Security Service Act 1989, MI5's primary role was the protection of national security, and in accordance with its particular areas of expertise MI5 led on the gathering and exploitation, assessment and dissemination of intelligence to support the post-incident investigation. While a large proportion of the investigation involved covert activities and collection of intelligence, some simultaneous overt activities were conducted by police, including large-scale CCTV retrieval and public appeals for assistance.
15. The post-incident investigation involved a series of structures and mechanisms which enabled MI5 and the police to work closely together:
 1. During the post-incident investigation, MI5 provided assistance to the police in support of their investigative objectives as defined by the Executive Liaison Group (ELG). An ELG is a formal decision-making body which decides the strategy for the highest priority investigations. It is chaired by the Senior National Coordinator of CTP and is attended by a senior representative of MI5, as well as other representatives from CTP and MI5.

2. A Joint Operational Team (JOT), which is a working level structure, is chaired by MI5 managers for the investigation and attended by the CTP Senior Investigating Officer (SIO), as well as other representatives from MI5 and CTP. A JOT will develop the ELG strategy into a practical plan to achieve the objectives.
 3. Additional intelligence updates and exchanges between MI5 and CTP support and complement the framework of ELGs and JOTs.
16. As I have outlined above, I cannot go into specific detail about what intelligence MI5 obtained, nor when this was received and/or shared with the police through the course of the post-incident investigation. I can however say that, throughout, MI5 supported the police in all aspects of their investigation, including through the provision of intelligence and assessment, which ultimately enabled the police to bring charges against Alexander Petrov, Ruslan Boshirov and Sergey Fedotov.

STATEMENT OF TRUTH

I believe the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:..... PD

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Date: 2 October 2024