1	Monday, 19 June 2017	1	type of technique that is used and the kind of results
2	(10.30 am)	2	that are produced and what one gains from those results.
3	MR SKELTON: Sir, our first witness today is	3	Firstly liquid chromatography, can you explain what that
4	Professor Cowan.	4	is in short terms?
5	THE CORONER: Yes.	5	A. Maybe by way of preamble it is worth saying that the
6	PROFESSOR DAVID COWAN (affirmed)	6	chromatography is coupled to this second part, the mass
7	Questions from MR SKELTON	7	spectrometer, it is very important the two are connected
8	MR SKELTON: Professor Cowan, could you state your full name	8	to each other.
9	to the court, please.	9	Q. The LCMS, as we have been using for short.
10	A. My name is David Anthony Cowan.	10	A. The reason I say that is because we will actually
11	Q. In your report, you describe your expertise as	11	separate the components of a mixture in a liquid
12	pharmaceutical toxicology?	12	chromatograph. The time that the component comes out of
13	A. That is correct.	13	the liquid chromatograph into the mass spectrometer is
14	Q. In particular you have an interest in mass spectrometry?	14	a very important piece of information.
15 16	A. Yes, for much of my career I have worked using mass	15 16	The liquid chromatograph itself consists of
17	spectrometry as an analytical technique.	17	a column, it is a tube which is filled with particles,
	Q. Much of your work it appears is directed towards drugs		the surface of the particles are coated. Sometimes, as
18 19	testing, particularly in sport, is that correct? A. Yes, I am the director of the Drug Control Centre, which	18	in this case, with an organic material that tends to dissolve materials like mixing things into a fat. The
20	analyses samples collected from sports competitors.	20	liquid that passes through the column will then try to
21	Q. To what extent do you work on poisons that kill human	21	
22	beings as opposed to improve performance?	22	remove those materials which are attached into the fatty
23	A. I do not look at the clinical effects of poisons but	23	layer and push it down the column. The stationary phase are the fatty layer in the tube
24	I do look at the biological effects of poisons, most of	24	and the liquid is pushing the material that comes out of
25	the time I am dealing with compounds that are prohibited	25	the fat along the tube.
23	the time I am deamig with compounds that are promoted	23	the fat along the tube.
	Page 1		Page 3
1	in support rather than looking more generally but from	1	The effect of that is called partitioning where,
2	time to time I am asked to consider analysing samples	2	dependent on the chemical composition, the material will
3	collected from deceased individuals.	3	either stay longer in the fat or longer in the liquid.
4	Q. In terms of your expertise where it comes to particular	4	If it spends more time in the liquid, it will come out
5	plant toxins, plant poisons, do you have any particular	5	more rapidly. If it is more dissolved in the fat it
6	expertise in that?	6	will come out more slowly.
7	A. No, I do not.	7	These are the features that enable us to tell
8	Q. You defer to the experts from Kew when it comes to	8	something about the structure of a compound, not in
9	A. I would consider Kew to be the experts.	9	detail but in generality.
10	Q. Thank you. You have produced a report to the court. Do	10	Q. Then the mass spectrometry part?
11	you have a copy of that in front of you?	11	A. But then we put into the mass spectrometer, which
12	A. My report?	12	sometimes I describe as a glorified weighing machine
13	Q. Yes. For reference it will be found in bundle 2,	13	insofar as it can give us the mass of a whole molecule,
14	file 2, under tab 76. I am going to use the internal	14	that is one inherent part of a compound, the smallest
15	pagination.	15	part of the compound that we can consider and it can
16	The report runs to 12 pages, although in fact behind	16	enable us either to simply give a mass to the nearest
17	it there are many many pages including 500 plus	17	integer, for example carbon dioxide might be 44, or it
18	definitions which were very useful but thankfully not	18	can give us that mass far more accurately and tell us
19	entirely relevant to this evidence today.	19	that it is CO2 for carbon dioxide.
20	Dr Kite, as you are probably aware, gave evidence	20	As we go up in the mass scale, if we have the mass
21	last week and I believe you are aware of his evidence?	21	to a sufficient degree of accuracy, we can get out the
22	A. Yes.	22	exact elemental composition of the compound that we are
23	Q. He explained the techniques to some extent but it might	23	looking at. That is the compound that has come out or
24	be helpful to hear from you because you also explain	24	eluted from the liquid chromatograph.
25	them at the beginning of your report. Basically the	25	Q. What we are looking at here though is tandem mass
		1	
	Page 2		Page 4

		_	
1	spectrometry, which gives us MS/MS data, could you	1	identity of the compound.
2	explain what that is, please?	2	Q. It approaches the identification from two angles to give
3	A. In the mass spectrometer we have to actually ionise the	3	confirmatory to make you more confident about the
4	molecule, we have to put either positive charge on it or	4	conclusion?
5	a negative charge.	5	A. The power of mass spectrometry is the vast amount of
6	We do that usually by a technique called soft	6	information that it gives us.
7	ionisation, because what it tends to do is to give us	7	Q. Thank you. You make the point within your report and it
8	the whole molecule, generally with one mass unit figure,	8	is towards the end and in fact the very last paragraph.
9	but it gives us the whole intact molecule rather than	9	I just want to establish this right from the start, it
10	fragments. Sometimes we also want to see the fragments,	10	is paragraph 49, you say:
11	again using a common description I may say the arms and	11	"It is now highly unlikely, even with further
12	legs of the molecule, breaking off bits and pieces of	12	additional or different analysis, to be able to
13	the molecule. In the same way as one may break off the	13	determine the identity of this compound."
14	handle of a cup and recognise that it came from a cup.	14	I am talking about the compound found by Dr Kite,
15	We might be able to knock off parts of the molecule that	15	which as you know has been the subject of quite some
16	will help us to define the whole structure of the	16	discussion during the course of this Inquest. Why do
17	molecule.	17	you take that view?
18	Q. How is that deduction made from the fragments?	18	A. Yes, so reading through the documentation that was given
19	A. For example, if you lose 15 mass units, the only	19	to me, there seemed to be some knowns but a number of
20	normally conceived reason for that is a methyl group.	20	unknowns as well. It was very clear that the sample now
21	If it loses 18, the most common reason is loss of water.	21	is many years old. I am not clear exactly how the
22	From that one can start to build up, not just that	22	sample had been stored, so whether there had been any
23	elemental composition, the number of carbon, hydrogens,	23	either enzymatic or chemical modification of the
24	oxygens, nitrogens in the molecule but also possible to	24	original molecule, and also considering just how
25	see where the different functional groups are attached	25	difficult it is to look at a biological sample and to
	see where the unionent functioning outpoint attituded		uniform to 10 to 100m at a 21010g.tun sampre una to
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1	to the molecule.	1	actually get out the identity, that is not just the
2	Q. To what extent does the machine itself start to do the	2	actually get out the identity, that is not just the elemental composition but what is the actual chemical,
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1	exact and say you actually remove a proton. The reason	1	Technically you call it a "dimer" when two molecules are
2	I say that is accurate mass is so accurate the hydrogen	2	joined together in a relatively loose complex, and when
3	atom and the proton have a very slight difference in	3	that happens one expects that it might break into single
4	mass, but I say that just to give to the court just how	4	molecules as it goes through the liquid chromatograph.
5	exact this technique can be.	5	If it does that it is unlikely you will see a very sharp
6	Q. Yes. Dr Kite said last week in evidence that having	6	single peak. It will tend to show two but in that case
7	considered all of the data that he produced, and gone	7	I would expect to see the dimer, both molecules, and the
8	back to look at it	8	single molecule in the mass spectrum and he doesn't
9	A. Yes.	9	inform us about that.
10	Q he took the view that on balance he thinks it was	10	That was one of the reasons why I didn't form a very
11	a cluster rather than a single molecule.	11	firm view as he had.
12	The reasons he gave were: the mathematical formula;	12	Q. I detected that you were tentatively deferring to him
13	the coelution time of the ions, they coelute at the same	13	when it came to the likelihood or not. You can form
14	time; and the MS/MS spectrum which he found which he	14	a view about the possibility. Do you defer to his
15	said didn't show intermediate ions, it simply broke down	15	expertise with plant alkaloids on the likelihood or can
16	to 180 so you didn't find anything in between which	16	you not express a view on that?
17	might give you an idea that you are dealing with	17	A. The way we would do a forensic identification is to
18	a cluster which is just simply broken as opposed to	18	obtain either if we have it or to try to obtain,
19	a different form of mass.	19	suitable reference material and then run
20	Those were his conclusions. Could you give me your	20	contemporaneously the sample and a standard and look to
21	view on that issue, please?	21	see equivalence or lack of equivalence of retention time
22	A. Yes. The difficulty I have with that it is	22	and equivalence or lack of equivalence of the mass
23	a possibility, certainly and from what I read from	23	spectrum.
24	the transcript, I saw in particular that in some of his	24	If they are equivalent then that is both retention
25	experiments he started from a mass in the mass spectrum	25	time, the full molecule and the fragmentation under
	D 0		D 44
	Page 9		Page 11
1	from 250 in order to get very good mass accuracy but	1	MS/MS, data like that would give us beyond reasonable
2	when he reduced that lower mass that gave him the	2	doubt that that was the substance. That is what it
3	opportunity to observe the 180 in more detail.	3	would normally be accepted by scientists and by the
4	Q. Yes.	4	courts.
5	A. I think that was one important element that persuaded	5	Where we don't have that reference material then we
6	him.	6	can start to make some assumptions and deductions,
7	I think the other one, as you say, because there was	7	especially by looking at the data as Dr Kite had.
8	little fragmentation between this bigger species and	8	I think it is very helpful that because of his
9	180	9	knowledge and experience of looking at plant alkaloids
10	Q. Yes.	10	he would know generally how those molecules behave.
11	A he was persuaded that rather than having	11	Q. Yes, he also I think said you could use a different
12	a symmetrical molecule joined together it was only one	12	solvent to see if
13	half of that whole molecule.	13	A. That would be my preferred way if I wanted to actually
14	I could not form a strong as strong a conclusion as	14	separate a dimer from a monomer, for example it might
15	he did, but I do accept that he is experienced with	15	dimerise in water but less dimerise in a more organic
16	using his instrument, I am merely looking at the data	16	more lipid type of solvent like ether.
17	provided to me in.	17	Q. Yes. We have of course been drawn into the debate about
18	Q. To some extent he was going on intuition as well and	18	the molecule or the cluster by Dr Kite's analysis.
19	I think he quite liked the mathematical simplicity of	19	Can I now sort of move on to try and work out and
20	what he had found, which from his view as someone who is	20	put in context whether in fact that is an important
21	experienced as putting plant materials through mass	21	differentiation for the purposes of this Inquest.
22	spectrometry for years was significant, to find that,	22	First of all, I think you say in your report that
23	particularly the peak, the particular peak he found,	23	from your own knowledge or checking on the database that
24	isolated peak, he found of significance?	24	there are 4,979 compounds with the composition of what
25	A. Yes. I could also see the persuasion of that.	25	we hypothesise is the large molecule, that is
	<u> </u>	I .	· · · · · · · · · · · · · · · · · ·
	Page 10		Page 12

1 paragraph 14 of your report, page 3. 1 Q. The reason there are fewer is it a trite point, that you 2 2 A. Thank you. are actually dealing with fewer atoms in the structure 3 3 Q. Could you describe where you get that data from and 4 explain what kind of compounds you are referring to? 4 A. Yes, going back to my original example of carbon dioxide 5 A. Yes. The Royal Society of Chemistry very helpfully 5 44, typically there are four different compositions you 6 collate a database of compounds and one can readily 6 can have at that mass and as you go up the number 7 7 search that database, putting in a variety of increases exponentially, it just increases and increases 8 8 information. more and more rapidly. 9 9 In this case, what I put in was the elemental Q. Can you give any evidence or is it for the plant 10 composition and I asked the database to tell me how many 10 specialists about the plant alkaloids, particularly when compounds it could find, it had on its database, that 11 it comes to gelsemium? 11 12 were different compounds with that same elements 12 A. The benefit of looking at a plant alkaloid is you would composition. These will be from a whole variety of 13 13 know generically the type of compounds the particular 14 chemical sources. 14 plant produces, so one will look for related compounds 15 It is not specific to plant alkaloids it is just on 15 generally. That is what would be known with respect to 16 the array of permutations that one could get from that 16 a particular plant, so if one is looking at gelsemium, 17 elemental composition, of joining the carbon, hydrogens, 17 one would expect to find certain alkaloids. 18 nitrogens and oxygens together in a variety of different 18 I hope I answered your question. 19 19 Q. Yes, although I think a point which Professor Simmonds 20 20 no doubt does make in her written evidence is one does Q. These are actual compounds as opposed to theoretical? 2.1 A. These are actual compounds, not theoretical they are 21 not know all the alkaloids necessarily from this 22 actual compounds. 22 particular plant? 23 23 Q. Do they include synthetic compounds? A. As I see, that is the problem. I don't know what had 24 A. They will do definitely, yes. 24 been taken so I have an unknown situation, how to 25 Q. Can one say anything about the break down of the 4,000 25 identify the different components I have in the samples Page 13 Page 15 1 plus, almost 5,000, in terms of naturally occurring ones 1 provided to me. I think that was the task faced by Kew. 2 or ones found --2 Q. Yes. Can I take you to some data that really we have 3 3 A. No, I didn't search to actually group it in that way. been focusing on over the last few days, particularly 4 It is more a chemical database than one about biological 4 with Dr Kite, in respect of the four isomers that he 5 activity that. I am not sure how readily one could do 5 analysed. You will find this in bundle 1 at tab 46, 6 6 that sub search. please. MR MOXON BROWNE: Page? 7 Q. What about toxicity, can one say anything about that, 7 8 even at the most basic level of generalisation? MR SKELTON: Page 276, it is attachment 2. 9 9 A. Yes, some of the compounds can be totally innocuous, one A. Which tab? 10 could take large quantities without having any harmful 10 Q. Tab 46, it should be the last page in there. 11 effect or it could be that some of them will be toxic 11 A. Yes. 12 but I did not search the database to look for that. 12 Q. I would like to get your views really on the 13 Q. Does the same answer with a different figure apply to 13 significance of this finding when it comes to ruling out 14 14 the so-called cluster molecule -whether or not the chemicals found in gelsemium elegans 15 15 and gelsemium sempervirens, any of them are the same as Q. -- which I think you give data on as well as being 3,346 16 the compound found in Mr Perepilichnyy's stomach, that 16 17 different compounds. 17 is the key question I think you are able to address. 18 A. Yes. 18 A. Yes, I found that helpful insofar as it persuaded me 19 19 Q. Exactly the same analysis? that the alkaloids like gelsemicine, which are 20 A. It's exactly the same search that I did, I put in the 20 considered to be extremely toxic, actually appears in 21 two different elements compositions and that was the 21 the mass spectrum of the data produced by Kew is correct 22 number that were available on the database today. 22 in what he has in his table --23 There probably are more permutations than are down 23 24 there but these are the ones that are listed on the 24 A. - and particularly that it is different from this 25 database. 25 earlier eluting peak that came from the deceased. That Page 14 Page 16

4 (Pages 13 to 16)

1	is that they are different compounds.	1	out something on MS/MS whether you need to start looking
2	Q. Would you be able to explain by reference to the data	2	at the retention time. You gave an answer, well, that
3	that we have seen here, so in particular the values that	3	does make sense in the context of it probably being
4	you can see we are looking for example at isomer 4,	4	gelsemicine.
5	you see the mass to ion ratio although as I understood	5	A. Sorry, yes.
6	it that was a term that one should not necessarily be	6	THE CORONER: Can you hold that thought. I will tell you
7	using but perhaps I have overread the appendices to your	7	why. Because I am going to break off so people can do
8	report but just M/Z data. Then there is the retention	8	it as they wish or don't, but there is a minute's
9	time and then there is the MS	9	silence at 11.00.
10	A. Yes, I beg your pardon, first we have this M+H, the	10	All right, so we will just break now.
11	protonated ion, with this exact mass, this was the basis	11	(10.55 am)
12	of Dr Kite's search. I am looking for this alkaloid,	12	(A short adjournment)
13	I know what its elemental composition is, just searching	13	(11.10 am)
14	through all of the retention data, how often do I find	14	THE CORONER: Sorry, Mr Skelton.
15	that peak? That was the general basis of his search,	15	MR SKELTON: Thank you, sir.
16	whenever he found that elemental composition then he	16	Professor Cowan, you were slowly but inexorably
17	noted that data.	17	taking us through your analysis of isomer 4 in
18	When he went on to do MS/MS, so if we look at the	18	particular. I think you had started to deal with the
19	right-hand isomer 4 at the bottom of the table, so for	19	mass, which you were explaining had some variation
20	gelsemium sempervirens root bark, seed, fruit wall and	20	page 276.
21	so on.	21	A. Thank you.
22	Then we see good similarity in the data, the	22	Q. Under tab 46.
23	accurate mass, that is the 359.19 something, something.	23	A. Looking at isomer 4, the right-hand column in the table
24	Q. Yes.	24	on page 276, I see that the size of the protonated whole
25	A. The retention time also being similar, much later than	25	molecule is shown as 359.1977, 359.1966, a slight
	D 47		D 40
	Page 17		Page 19
1	the peak observed from the stomach contents of the	1	variation in that in the subsequent numbers but
1 2	the peak observed from the stomach contents of the deceased.	1 2	variation in that in the subsequent numbers but relatively small, which is consistent with the accuracy
1 2 3	the peak observed from the stomach contents of the deceased. Q. Yes.	1 2 3	relatively small, which is consistent with the accuracy
2	deceased. Q. Yes.	2	relatively small, which is consistent with the accuracy of a mass spectrometer of that type. The sort of
2 3	deceased. Q. Yes. A. Also the MS/MS data being significantly different,	2 3	relatively small, which is consistent with the accuracy of a mass spectrometer of that type. The sort of variation that one would expect to see were it still to
2 3 4	deceased. Q. Yes.	2 3 4	relatively small, which is consistent with the accuracy of a mass spectrometer of that type. The sort of
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2 3 4 5 6	deceased. Q. Yes. A. Also the MS/MS data being significantly different, insofar as it is showing a large 328 rather than a 180 that he obtained from the stomach content. Q. Yes. In his evidence, Dr Kite sort of put a hierarchy	2 3 4 5 6	relatively small, which is consistent with the accuracy of a mass spectrometer of that type. The sort of variation that one would expect to see were it still to have the elemental composition as put forward by Dr Kite, that is the C20H27, or H28, N2O4, H28 insofar
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	deceased. Q. Yes. A. Also the MS/MS data being significantly different, insofar as it is showing a large 328 rather than a 180 that he obtained from the stomach content. Q. Yes. In his evidence, Dr Kite sort of put a hierarchy to some extent perhaps "hierarchy" is not quite the right word but the analysis went through several stages in terms of identifying a compound. I think he put the MS/MS data actually ultimately above retention time as being of significance. If you have checked the MS/MS data you don't need to move on to the retention time if there is not a match? A. Yes, I agree with the value of the MS/MS data but I see that he says "Probably gelsemicine", he doesn't say definitively it is gelsemicine. MR MOXON BROWNE: Which one is probably gelsemium? MR SKELTON: Isomer 4, I think you mean isomer 4 where you see on the table he says "Probably gelsemicine", which is a judgment he has made. Is what you meant, Professor Cowan? A. Sorry, I didn't follow. Q. In your last answer I asked you about the sort of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	relatively small, which is consistent with the accuracy of a mass spectrometer of that type. The sort of variation that one would expect to see were it still to have the elemental composition as put forward by Dr Kite, that is the C20H27, or H28, N2O4, H28 insofar as it is protonated. Q. Yes. A. Furthermore, the retention time, that is the time that this peak came out of the liquid chromatograph into the mass spectrometer, that characteristic time has some variability to it, the biggest being of the order of 11.51 through to 13.03. Quite a lot of variation in this case but variation depends on the equipment used, the pumping system, how accurate it is in pumping the liquid through the liquid chromatograph. Dr Kite would know the variability of his instrument and what was acceptable and what wasn't to classify it in that way, to say, "This is the same component that I am looking at that goes into the mass spectrometer". Q. Can one safely say that that difference is not significant but the difference between that range and 6.9 is significant? A. Exactly that, it clearly is nowhere near the region of

5 (Pages 17 to 20)

1	Q. The MS/MS?	1	molecule that derives from that ion, is the same as any
2	A. That is helpful in addition insofar as using 359 as what	2	of the compounds found in the samples of gelsemium
3	we call the precursor ion, that is the only signal from	3	sempervirens and gelsemium elegans that Kew tested?
4	the first part of the mass spectrometer will let go into	4	A. I would say it is not reasonable to consider that the
5	the second part of the mass spectrometer to break up the	5	compound found in the stomach content is the same as
6	species that we are looking at is 359.	6	that from the extracts of gelsemicine species, yes.
7	It means that for example the 328 that we are	7	Q. Whether or not isomer 4 is or is not probably
8	observing here in the MS/MS has to have come from 359,	8	gelsemicine is for the plant specialists to opine on?
9	with a slight plus/minus to it because of what is the	9	A. It is a refinement, yes, sir.
10	plus minus around 359, is it one mass unit or two mass	10	Q. Can I come back to the issue of cluster ions, please.
11	units away from that?	11	My understanding is that you, from your position as
12	We have the time, we have the mass of the whole	12	a sort of mass spectrometist, take the view it is
13	molecule and we have the fragment.	13	certainly a possibility. That you defer to a degree to
14			
	Q. Just to clarify, why the fragment is different from the	14	Dr Kite because he has a specialist in plant alkaloids
15	stomach compound fragment, could you explain that for	15	and the mass spectrometry associated with that and he
16	me?	16	conducted the experiment or the experiments using the
17	A. Yes, I have found in my notes the report by Dr Kite of	17	machinery at the time and viewed the data.
18	27 October 2016, but I haven't managed to locate that in	18	Are you able to say ultimately that whether or not
19	the bundle at the moment.	19	it is probable is for Dr Kite to take a view on, you
20	Q. Let me see if I can find it for you.	20	having recognised it as possibility?
21	The start of 2, I am told, unless I have broken my	21	A. Are you talking about the monomer or dimer theory.
22	bundle up. 27 October.	22	Q. Yes.
23	A. 2016, yes. It is in answer to question 2 put to	23	A. I still cannot be persuaded exactly that it necessarily
24	Dr Kite.	24	is one or the other, whilst I acknowledge Dr Kite's
25	Q. If it is the same one I am looking at	25	expertise on alkaloids, this small molecule does not
	Page 21		Page 23
1	A. It is numbered 113 in my document.	1	appear to be an alkaloid.
1	·	2	Q. You say that why?
2	Q. Under tab 49.		
3	A. Thank you.	3	A. A much lower mass than you normally see for a majority
4	Q. Do you have that?	4	of alkaloids, not all, some are small.
5	A. Thank you.	5	Q. How does that relate to the question which is whether or
6	Page 368.	6	not it is a cluster molecule or not?
7	Q. Thank you.	7	A. Sorry, there is some noise.
8	A. Here we see the MS/MS of 359, but in the data provided	8	Q. How does that relate to the fact that you take the
9	here we also have the accurate mass of the 180, which is	9	view it may not be an alkaloid, how does that relate to
10	helpful to give us the elemental composition of 180.		
		10	the issue of whether or not it is a cluster?
11	Q. Yes.	11	A. Sorry, I was just talking about Dr Kite's specialty, you
12	A. What I see is no I have lost my place. I see there	11 12	A. Sorry, I was just talking about Dr Kite's specialty, you said his instrument and his knowledge.
12 13	A. What I see is no — I have lost my place. I see there is an absence of that ion at 328, so whilst 328 was the	11 12 13	A. Sorry, I was just talking about Dr Kite's specialty, you said his instrument and his knowledge.Q. I understand. I may have interrupted you. You said you
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12 13 14 15 16 17 18 19 20 21 22 23 24	 A. What I see is no — I have lost my place. I see there is an absence of that ion at 328, so whilst 328 was the major ion seen from isomer 4, on page 276 — Q. Yes. A. — it is absent from the spectrum given on page 368, but instead we see 180. It says to me they must be very different compounds. Q. And the retention data backed that up as well? A. Backed up by the retention data, exactly that. Q. Thank you. In conclusion from your perspective as a mass spectrometist, you can say that you can rule out the possibility that whatever was found in 	11 12 13 14 15 16 17 18 19 20 21 22 23 24	 A. Sorry, I was just talking about Dr Kite's specialty, you said his instrument and his knowledge. Q. I understand. I may have interrupted you. You said you recognised it was a possibility but you are unable to say from your perspective whether or not he is right that it is probably a cluster ion. A. From the data provided to me, I was not persuaded beyond reasonable doubt that it was a monomer or a dimer. Q. What about on the balance of probabilities, which is what the court may be concerned with when it comes to this issue? A. I don't have a view.

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1	Questions from MR MOXON BROWNE	1	A. No, I couldn't say except five. There may be some more
2	MR MOXON BROWNE: Professor, I represent Legal & General,	2	botanical materials giving that elemental composition.
3	the life insurers.	3	Q. Yes, well I am sure that is right but according to the
4	May I take you to the conclusions of your report,	4	Dictionary of Natural Products, there are in fact only
5	which is at paragraph 45, internal pagination 11.	5	five.
6	I have a bundle reference Experts 2, 640.11. Do you	6	A. I understand, yes.
7	have that?	7	Q. You accept that?
8	A. Do you mind just repeating that, which	8	A. I accept that, yes.
9	Q. Yes, I want to take you to the conclusions of your	9	Q. The vast majority of these chemicals that share that,
10	report.	10	potentially share that formula, are man-made products,
11	A. My report, yes, I have that.	11	synthetic products?
12	Q. You could look at paragraph 45 of your report	12	A. I beg your pardon, I see. Yes, I was just being
13	A. Thank you.	13	pedantic on the point.
14	Q you could look at internal pagination 11 of 12 of	14	If I have understood the question correctly, it is
15	your report	15	considering gelsemium alkaloids, how many of those
16	A. Yes.	16	alkaloids may give this accurate mass, this elemental
17	Q or you could look at 640.11 to assist my colleagues.	17	composition?
18	A. I see, yes.	18	Q. No, my question was that of the vast array of chemicals
19	Q. There we have the conclusion, starting at 45, with	19	which answer to this formula, almost all of them are
20	agreement with Dr Kite that he is correct to ascribe the	20	synthetic. That was my question?
21	formula C20H26 et cetera to 359.1965. That is	21	A. That I couldn't say, I am not sure that is correct.
22	an important and significant conclusion, is it not,	22	Some of them could be biological, they could be from
23	because that weight of molecules could be represented by	23	animals, they could be from a whole variety of origins.
24	some quite different chemical formula involving quite	24	Q. But for one reason or other have not found their way
25	different chemicals. It is a matter of mathematics and	25	into the Dictionary of Natural Products?
	Page 25		Page 27
	rage 23		rage 27
1	technicality to say, "Using my skill, I think that is	1	A. Ah, I understand.
2	the right formula"?	2	Q. Correct?
3	A. I tried to make just that point earlier on in my witness	3	A. That's correct, yes.
4	statement.	4	Q. Thank you.
5	Q. Yes.	5	In fact, if you want to examine the likelihood of
6	A. Yes.	6	any chemical with this formula being something other
7	Q. You are in complete agreement about that and, as I say,	7	than gelsemium, the way to do it is very
8	that excludes a whole raft of other chemicals being	8	straightforward, it doesn't involve tapping into your
9	involved here?	9	computer C20H26N2O4, it involves tapping into your
10	A. Considering that peak, you are correct, it excludes	10	computer the exact mass, 359, you have it to five places
11	other compounds.	11	of decimals, 19647. That will tell you straight away
12	Q. Yes.	12	what other substances in the world, be they natural or
13	You have told us that databases tell you that that	13	be they synthetic, answer to that exact measurement.
14	formula is the same formula for a very large number of	14	A. You could use that approach certainly.
15	substances, measured in the thousands.	15	Q. I am suggesting to you it would much more productive
16	A. That elemental composition can be obtained from	16	than simply pointing to 3,000 or 4,000 different
17	a multiplicity of different compounds.	17	products because there are only three or four that match
18	Q. Yes, and that of course is right. You mentioned that	18	this.
19	that included, in answer to a question from Mr Skelton,	19	A. Correct. Yes, I agree with that.
20	some synthetic substances?	20	Q. The lists go on and on but they are put in order of
21	A. Yes, indeed.	21	closeness to the exact mass, so you can reach the stage
22	Q. I think that doesn't quite paint the picture does it	22	when you say it is very, after about 10, you say it is
23	because, of those thousands, they are all synthetic	23	really very improbable. At lunchtime you could tell us
24	except five, which are found in the Dictionary of	24	whether this accurate mass, what it represents and you
25	Natural Products.	25	could ask yourself whether there is any probability that
		1	
	Page 26		Page 28

7 (Pages 25 to 28)

1	any of these substances other than gelsemium products	1 coelution is a precondition of the
2	might have found their way into Alexander's stomach, an	2 A. I agree with that, yes.
3	easy thing to do?	3 Q conclusion?
4	A. I don't follow the question.	4 A. Yes.
5	Q. Sorry?	5 Q. It is right, isn't it, that you have seen no data in
6	A. I haven't followed your question.	6 relation to the work done in 2013, when this
7	Q. Yes, what I am suggesting to you is that if you tapped	7 unidentified ion was first found, that there was any
8	into your computer the exact mass, 359.19647, you would	8 coelution?
9	straight away be given the substances that have that	9 A. I don't think I heard the last bit of what you said,
10	exact weight and there are very, very few of them.	10 that there was not coelution or
11	A. What has been published to date on that database for	Q. That you have seen no data to support the proposition
12	gelsemium and other related alkaloids of natural	that, when work was done in 2013
13	product.	13 A. Yes.
14	Q. No, not natural products, because we are now looking at	14 Q and the conclusion was then no mention of
15	the possibility that it might be an analogue. I am	15 dimerisation then
16	suggesting to you that that theory, that it is not	16 A. I understand.
17	a natural product but is a synthetic product, could be	17 Q no data indicating coelution that you have seen?
18	checked, not by tapping in the formula, which isn't	18 A. Correct, yes.
19	helpful, but to tap in the accurate mass.	19 Q. Yes. That is one of the reasons why this is not
20	A. It would come to the same answer.	20 a conclusion that you are very confident about. No
21	Q. Well, there are a vast number of chemicals with varying	21 data.
22	weights which have this formula. I am suggesting that	22 A. No data, correct, yes.
23	what we ought to be looking at are those chemicals that	23 Q. The last of the three conclusions, whichever is the
24	have exactly the same weight and that there are not very	24 exact molecular species, it is not one of the gelsemium
25	many. Is that right or not?	alkaloids analysed contemporaneously by Kew, that is
	Page 29	Page 31
1	A. As I see it, I would come out with the same answer if	carefully and if I may respectfully say so very
		carefully and if I may respectfully say so very accurately expressed, it is the same conclusion that
1 2 3	A. As I see it, I would come out with the same answer if I put an elemental composition, because that would give me that mass.	
2	I put an elemental composition, because that would give	2 accurately expressed, it is the same conclusion that
2 3	I put an elemental composition, because that would give me that mass.	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain
2 3 4	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same
2 3 4 5	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant
2 3 4 5 6	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight,	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at.
2 3 4 5 6 7	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight, and there are not very many?	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at. 7 A. Correct.
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2 3 4 5 6 7 8 9	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight, and there are not very many? A. I don't think I agree with that. I think against the database you are describing I would accept it, but	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at. 7 A. Correct. 8 Q. That is her conclusion and your conclusion, and it is, 9 if I may say so, obviously right.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight, and there are not very many? A. I don't think I agree with that. I think against the database you are describing I would accept it, but against the range of natural compounds existing in the world, that is more difficult to answer. Q. You are familiar with the ChemSpider database I expect? A. Yes. Q. All right, well we will leave that. The second conclusion relates to the possibility or probability of dimerisation. You have expressed yourself very clearly on that in answer to questions from Mr Skelton. I think you would agree that the possibility of	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at. 7 A. Correct. 8 Q. That is her conclusion and your conclusion, and it is, 9 if I may say so, obviously right. 10 But you are not saying and nobody could say, 11 I suggest, on the basis of the work that has been done, 12 that the stomach contents ion didn't come from gelsemium 13 that, is a very different and much wider proposition? 14 A. Are you saying am I excluding the possibility that what 15 was found in the stomach could not have come or did not 16 come from gelsemium. 17 Q. I am suggesting to you that the conclusion that what was 18 found in the stomach has not been matched by anything 19 found coming from a gelsemium plant is not the same as
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight, and there are not very many? A. I don't think I agree with that. I think against the database you are describing I would accept it, but against the range of natural compounds existing in the world, that is more difficult to answer. Q. You are familiar with the ChemSpider database I expect? A. Yes. Q. All right, well we will leave that. The second conclusion relates to the possibility or probability of dimerisation. You have expressed yourself very clearly on that in answer to questions from Mr Skelton. I think you would agree that the possibility of dimerisation depends on the coelution of the ions which	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at. 7 A. Correct. 8 Q. That is her conclusion and your conclusion, and it is, 9 if I may say so, obviously right. 10 But you are not saying and nobody could say, 11 I suggest, on the basis of the work that has been done, 12 that the stomach contents ion didn't come from gelsemium 13 that, is a very different and much wider proposition? 14 A. Are you saying am I excluding the possibility that what 15 was found in the stomach could not have come or did not 16 come from gelsemium. 17 Q. I am suggesting to you that the conclusion that what was 18 found in the stomach has not been matched by anything 19 found coming from a gelsemium plant is not the same as 20 saying that what was found in the stomach didn't come
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	I put an elemental composition, because that would give me that mass. Q. Do you agree with the proposition that by feeding into a computer "359.19647" you will be told what substances in the natural and man-made world answer that weight, and there are not very many? A. I don't think I agree with that. I think against the database you are describing I would accept it, but against the range of natural compounds existing in the world, that is more difficult to answer. Q. You are familiar with the ChemSpider database I expect? A. Yes. Q. All right, well we will leave that. The second conclusion relates to the possibility or probability of dimerisation. You have expressed yourself very clearly on that in answer to questions from Mr Skelton. I think you would agree that the possibility of dimerisation depends on the coelution of the ions which are said to have joined together to form a cluster. You have to have coelution as a precondition? A. If I see a lack of coelution, then I would conclude it	2 accurately expressed, it is the same conclusion that 3 Professor Simmonds reached, she is absolutely certain 4 that what was extracted from the stomach is not the same 5 as anything that was abstracted from any gelsemium plant 6 she looked at. 7 A. Correct. 8 Q. That is her conclusion and your conclusion, and it is, 9 if I may say so, obviously right. 10 But you are not saying and nobody could say, 11 I suggest, on the basis of the work that has been done, 12 that the stomach contents ion didn't come from gelsemium 13 that, is a very different and much wider proposition? 14 A. Are you saying am I excluding the possibility that what 15 was found in the stomach could not have come or did not 16 come from gelsemium. 17 Q. I am suggesting to you that the conclusion that what was 18 found in the stomach has not been matched by anything 19 found coming from a gelsemium plant is not the same as 20 saying that what was found in the stomach didn't come 21 from a gelsemium plant. Two different propositions? 22 A. Well it is a very remote possibility but it is 23 a possibility.

8 (Pages 29 to 32)

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Page 30

Thank you. 1 A. That is my conclusion. 2 2 Can we next look at what gelsemium looks like as Q. That is your conclusion and you express it very strongly 3 3 a trace, so that we know what that beast is. I think if and clearly. 4 you look in the first of the experts' bundles, at 4 I think we see another elegans root bark in the next 5 page 261, we can see what work Kew did in late 2015 on 5 letter (e) on page 261, this time eluting at 12.77, 359.1979? 6 a number of gelsemium plants. 6 7 7 I think perhaps if we start at page 255, the A. Sorry, I have lost the place. 8 beginning of that report which is dated November 2015. 8 Q. It is letter (e) -- we are on page 261. 9 we will see straight away sample numbers 25492, 9 A. Yes. 10 gelsempervirens roots, is ascribed to each of a good 10 Q. Letter (e) down the right-hand side shows us where --11 number of samples. We have a number and then we can 11 A. Thank you, yes. 12 tell by referring back to this table where a particular 12 Q. -- in the table we are. This time it is elegans, last 13 sample has come from. 13 time it was sempervirens root bark this time it is 14 If we just look at this, so we can --14 elegans root bark, but we are still with the root bark 15 A. Thank you. 15 and now we are eluting at 12.77 and it is 359.1979. 16 Q. -- bear it in mind, the numbers 25492 through to 98 are 16 I think it is suggested that is probably gelsemicine too 17 various parts of gelsemium sempervirens plants. Whereas 17 although the different elution times might suggest, 18 the higher numbers, 25459 going through to 25506, are 18 might it not, that what we are looking at are two 19 from elegans? 19 closely associated compounds rather than exactly the 20 20 A. Yes. same thing? 21 Q. Then if we go forward, if you would, to page 258, we see 21 A. I am going on the basis of what Dr Kite told us on this 22 22 the thumbnails for each of those samples. In answer to and as I explained earlier it depends on the pumping 23 questions posed by the coroner to the scientists at Kew, 23 system used on the instrument. 24 they identified, they were asked: which of these do you 24 Q. Yes. These tests were all done on the same equipment at 25 say is gelsemicine? They have identified particularly 25 more or less the same time, as I understand it. Page 33 Page 35 25491, that is going down the column as the second one, 1 1 A. Yes. 2 and 25492, and you will see that that shows a substance 2 Q. Do you think that the example from sempervirens at (d) 3 3 and the example from elegans at (e) are the same with an accurate mass of roughly 359.2 eluting in, one 4 4 compound or do you think they are biogenetic mutations case at 11.89 and in the other at 11.51. Those are the 5 5 candidates that they point at, both as it happens from which are very similar but not exactly the same? 6 6 the root bark of a gelsemium plant. A. I can't really give a firm opinion on that, on the basis 7 7 We see the characteristics, just to pick up the true as I said I don't really know their equipment. With the 8 8 accurate mass rather than the rounded figure, if you go equipment I use in my lab, I insist on a much tighter 9 Q forward to page 261, you will see at the top on retention time when identifying a substance. 10 page 261, letter (a) down the side just to guide you, we 10 Q. You attach importance to retention times? 11 have our familiar stomach contents eluting at 690 with 11 A. For my work in sport we have particular requirements 12 12 359.1965 that, the familiar stomach contents and then we that I think that Dr Kite does not have to follow. As 13 can disregard urine 1 and urine 2 and then we have our 13 I pointed out earlier, I was relying on Dr Kite's 14 14 gelsempervirens root bark, which is 25491, eluting at conclusions insofar as he was looking at the same 15 11.89 and the accurate mass is 359.1977. 15 compound. Q. Can we go back to the thumbnail just to get a general 16 Your point is that eluting at 11.89 is miles away 16 picture of what was discovered in 2015, page 258. It is 17 from 6.90 so they cannot be the same, in other words, 17 18 the stomach contents is not gelsemicine. That is right, 18 not very conveniently laid out because they are not 19 19 isn't it? numbered and it is not said where they come from. But 20 A. That's correct. 20 if you count down the first column, five, we see 11.88, 21 Q. In particular you make the point that the difference in 21 we have another 359.2, so again in the 11-, 12-minute 22 elution time, the much longer elution time observed when 22 range we have a 359.2. My note says that is a gelsemium 23 23 sempervirens root again. I am looking back a couple of these roots were looked at in 2015, couldn't be 24 accounted for by what I think you call drift, by 24 pages to pick up where I get that information from, but 25 25 vagaries in the use of the equipment? you don't have to look at that. Page 34 Page 36

9 (Pages 33 to 36)

1	The other way to be a second for the least of	1	O. Four alory
1	Then the next one down, second from the bottom,	1	Q. Four, okay.
2	11.88, again 359.2. We have consistent elution of these	2	You will see that these peaks are ascribed accurate
3	obviously either identical or very similar substances in	3	masses of 359.1960 and 359.1958 eluting at between
4	the 11- or 12-minute range.	4	8.68 minutes and 9.75, whatever else these are, they are
5	A. There is a difficulty with elution time, insofar as when	5	plainly not gelsemicine which we have just been looking
6	you have other material coming out, as you would with	6	at?
7	a complex extract, it can cause slight shifts to	7	A. Sorry, you said these are plainly not gelsemicine?
8	retention time. So comparing one sample with another,	8	Q. Yes. We have just been looking at gelsemicine which has
9	one is very likely to see some shift in retention.	9	a different accurate mass and a very different elution
10	Q. Yes, I am not drawing your attention to the difference,	10	time, up to the 11/12-minute mark?
11	I am drawing your attention to the similarity. Of you	11	A. I don't follow why you make that assertion.
12	get a bit of drift, I understand that, but you cannot	12	First of all, the accurate mass has a plus/minus on
13	drift all the way from 6.9 minutes to 11/12, that is	13	it, as I said earlier, and the equipment they were using
14	impossible, as you have said?	14	it was five parts per million.
15	A. Correct.	15	Q. Yes.
16	Q. Which is what enables us to say with some confidence	16	A. Secondly, as I believe Dr Kite has explained elsewhere,
17	that what was found in the stomach contents is not the	17	the difference in retention time across the years was
18	same as what was found here?	18	because of change amongst other things of his liquid
19	A. That was the basis of my conclusion, correct.	19	chromatograph column.
20	Q. Yes, thank you.	20	Q. You have made the point, if I may say so,
21	Let's see what was found back in this is 2015,	21	Professor Cowan, that you cannot believe that what was
22	let's go back now if we may to 2013. For that purpose	22	found in Mr Perepilichnyy's stomach contents at 6.90 can
23	we must go to this same bundle, experts' bundle 1, but	23	be the same as what was found in 2015 from a gelsemium
24	this time at page 236. You are in the same bundle but	24	plant because the elution time is so different?
25	at page 236.	25	A. I may have misunderstood your point. On the data shown
	Page 37		Page 39
1	In the middle of the table there, figure 6, you see	1	in figure 6 on page 236, if the question is the peak at
2	at the top this relates to a chromatogram of an analysis	2	6.90 being different from the peaks at 8.68 and 9.75,
3	of a gelsemium sempervirens root. We see in the middle	3	I would say yes it is different.
4	there, between the two arrows, two major peaks with	4	Q. No, I am not putting that.
5	elution times ascribed to them and two minor bumps.	5	A. You are not saying that, okay.
6	It was the opinion of Dr Kite that that certainly	6	Q. I am employing parity of reasoning, I am saying if your
7	represented I think he said certainly or very	7	argument is that what was found in the stomach contents
8	probably represented two compounds and that the bumps	8	at 6.9 units cannot be the same as what was found 11,
9	might or might not be separate compounds. Does that	9	12 minutes from the root bark in 2015 because the
10	accord with your own opinion?	10	elution times are so different, it cannot be accounted
11	A. You are saying the peak at 8.68 and the peak at 9.75 as	11	for by drift or anything like that, then exactly the
12	being separate compounds and the fairly broad peaks	12	same reasoning must apply to the other thing that was
13	sitting small to the left of each might be related, is	13	found in 2013, in other words this substance here.
14	that what you just said?	14	I will be corrected if I am wrong but I do not think
15	Q. I was saying that I understand Dr Kite to have said that	15	that Dr Kite suggested that the equipment used on the
16	the two sharp peaks which have elution times ascribed to	16	two different occasions was so different that it could
17	them are compounds and are separate compounds, different	17	possibly account for this. He, like you, was talking
18	from one another, and he was less sure was not	18	about the possibility of drift but not these massive
19	asserting with any confidence that the two bumps also	19	differences.
20	represented separate compounds, he was not sure about	20	A. I am afraid I still haven't properly understood.
21	that.	21	I think you are asking me the peaks at 8.68, 9.75 could
22	A. I see, yes, I would expect them to be separate compounds	22	they be the same as 11.89?
23	as well.	23	Q. Yes.
24	Q. Are we looking at two or four in your view?	24	A. Okay, thank you. I would say it is extremely unlikely
25	A. I think more likely than not we are looking at four.	25	they are the same.
			ency are the same.
	Page 38		Page 40

1	Q. I think we are getting there, Professor Cowan.	1	A. I think it is a question of likelihood, I would say at
2	If Kew are right as they have said in answer to	1 2	the moment more likely than not, that these are all
3	questions from the coroner, until told	3	gelsemium alkaloids.
4	Professor Simmonds whose evidence we cannot know, but if	4	Q. Yes. I mean they look, because of the accurate mass,
5	she is right that what eluted at between 11 and	5	and because we know they came from the root of
6	12 minutes in 2015 was gelsemicine, it follows that what	6	a gelsemium plant, they obviously are associated with
7	we are looking at here is very likely not gelsemicine?	7	gelsemicine and that plant, but they are not in fact
8	A. I understand.	8	gelsemicine and that plant, but they are not in fact gelsemicine or any of the named isomers, it is something
9	Q. And that there are not one but in your view four	9	else?
10	compounds with an accurate mass of 359.something, four	10	A. Trying to be helpful, I would suggest that when these
11	compounds eluting which are not, because of the elution	11	databases are put together, one will analyse some plant
12	time, gelsemicine?	12	extracts, using a reasonable amount of material, one
13	A. I think that is a reasonable conclusion, yes.	13	would do additional analytical work and then one would
14	Q. Thank you.	14	put the data that one has acquired on the database,
15	I think you are aware that "the literature", this is	15	which is not the same as the experiments Kew have done
16	the phrase that Dr Kite used, simply wide range of	16	on this occasion, they have looked at some samples that
17	references, the literature indicates that of the	17	they have obtained and shown what it was they observed
18	substances associated with gelsemium which answer to	18	in it. I think at their own acceptance they have simply
19	an accurate mass, 359.1965, only gelsemicine is found in	19	said "probably gelsemium", they have not said
20	both sempervirens and elegans, whereas the four isomers	20	definitively gelsemicine.
21	are only found in elegans. Do you follow?	21	Q. There is no criticism of anybody here, I just want to
22	A. I follow the reasons, yes.	22	see what these things really mean when you look at them.
23	Q. Yes.	23	A. Yes.
24	What we have here are, in your view, four substances	24	Q. The net result of the work done in 2013 was that
25	which appear to be isomers of gelsemicine but which are	25	an unidentified compound eluted at 6.9 minutes
	D 41		D 42
	Page 41		Page 43
1	not gelsemicine, discovered it would seem by Kew simply	1	A. Yes.
2	by carrying out this experiment in 2013. They are not	2	Q with an accurate mass which, if it was a natural
3	supposed to be there, are they, according to the	3	compound, matched gelsemicine and its isomers, if it was
4	literature? It is only supposed to be one, gelsemicine,	4	a natural compound?
5	we know it is not gelsemicine, we have just dealt with	5	A. I am having difficulty with the term "natural compound".
6	that, and we have got four we have to account for.	6	Are you saying from a gelsemium when you say natural?
7	A. May I just say this back in words to make sure I have	7	Q. No, that would be circular. I am saying if it was
8	understood you correctly in my own words.	8	a natural compound
9	I think what you are suggesting to me is that the	9	A. Natural as appearing in nature?
10	Dictionary of Natural Products has only four or five	10	Q. Yes, and therefore qualifying to appear in the database
11	different compounds of a particular elemental	11	for natural products, it is associated with gelsemium.
12	composition but perhaps here we have found something	12	A. I think I follow you.
13	additional to that?	13	I think the problem with that natural database is
14	Q. Well, four things.	14	the botanical origin that are ha looked at. There are
15	A. Yes.	15	far more compounds there are plants still being
16	Q. That seems to be the case?	16	discovered.
17	A. I think that is a reasonable suggestion.	17	Q. Yes, as we have just seen, not plants but also
18	Q. It is not in any way improbable, because there are	18	compounds.
19	literally dozens of alkaloid compounds in the gelsemium	19	Anyway, I think it is perhaps semantics, I think
20	species and they are finding new ones all the time?	20	I have perhaps made the point. You have something which
21	A. That would be what I would expect and I believe that has	21	I am suggesting, if it is a natural compound, looks as
22	been accepted by Dr Kite from what I have been reading.	22 23	if it is associated with gelsemium. I am also saying if it is not a natural compound, by tapping into a database
23	Q. That does seem to be an accepted proposition, that it is	23	
24 25	not helpful to assume that these substances can only be	25	you could very quickly find what it is, if it is something that is only found on the anti-fouling paint
23	X, Y or Z. No one really knows.	23	something that is only found on the anti-founing paint
	Page 42		Page 44

11 (Pages 41 to 44)

1	on the bottom of oceangoing liners, then we could assume	1	of the Inquest getting underway.
2	it was unlikely to be found in Alexander's stomach. You	2	At question 4:
3	can apply some common sense?	3	"Is it correct that Dr Rice's identification [that
4	A. It is unlikely to, yes.	4	should of course be Dr Kite, he has got him mixed up
5	Q. Let's look and see what that was matched against. What	5	with somebody else] identification of C20H27 was
6	Professor Simmonds did was to take a plant of the	6	an accurate match for the following plant alkaloids in
7	gelsemium species, gelsemium sempervirens, that happened	7	addition to 11 methoxy gelsedine [that's gelsemicine]
8	to be in her herbarium at Kew and to take one part of	8	"
9	it, which was the root and extract something from it	9	Then they are listed A to D, and she answers:
10	which, as I think we have just seen, it is impossible to	10	"Yes, according to the Dictionary of Natural
11	say what it was apart from the fact that it is	11	Products there are five alkaloids with that formula. We
12	associated with gelsemium.	12	didn't have access to the standards of all five
13	She found, for the reasons that you understand and	13	compounds so don't know whether they would have all
14	that the coroner clearly very well understands what	14	eluted at 6.9 minutes."
15	she found in the root is not the same as what was found	15	She is making the point that since she didn't have
16	in the stomach?	16	access to the standard reference material for the
17	A. Correct.	17	isomeric, she couldn't say whether or not they might
18	Q. Whether what was found in the stomach might exist in the	18	naturally what was found in the stomach. You would
19	leaves of sempervirens or in the seeds of sempervirens	19	agree with that?
20	or indeed in the sempervirens plant grown at a different	20	A. I would agree with that.
21	altitude or in different weather conditions than obtain	21	Q. Yes.
22	at Kew, one knows not, to say nothing of what might be	22	Then she says, last sentence of that:
23	found in a different species such as elegans or indeed	23	"Our analysis of gelsemium sempervirens showed that
24	rakinii. All she could say was, "It is not the same as	24	none of the compounds in that species eluted at 6.9
25	what I found in the root of this one"?	25	minutes."
	Page 45		Page 47
1	A That's correct was	1	There has been a hit of missneaking there hasn't
1	A. That's correct, yes.	1 2	There has been a bit of misspeaking there, hasn't
2	Q. To extrapolate more than that at that stage would have	2	there, because I think we are agreed that all she could
2 3	Q. To extrapolate more than that at that stage would have been wrong?	2 3	there, because I think we are agreed that all she could say was that she hadn't found it in the root and she
2 3 4	Q. To extrapolate more than that at that stage would have been wrong?A. I am not sure I would go as far as saying wrong.	2 3 4	there, because I think we are agreed that all she could say was that she hadn't found it in the root and she couldn't say at that stage that none of the compounds in
2 3 4 5	Q. To extrapolate more than that at that stage would have been wrong?A. I am not sure I would go as far as saying wrong.Q. Sorry?	2 3 4 5	there, because I think we are agreed that all she could say was that she hadn't found it in the root and she couldn't say at that stage that none of the compounds in that species eluted because she simply didn't know. If
2 3 4 5 6	Q. To extrapolate more than that at that stage would have been wrong?A. I am not sure I would go as far as saying wrong.Q. Sorry?A. You said it would be wrong?	2 3 4 5 6	there, because I think we are agreed that all she could say was that she hadn't found it in the root and she couldn't say at that stage that none of the compounds in that species eluted because she simply didn't know. If she said, "None of the compounds we found in that
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1	and would similarly not have eluted at that time?	1	question that the coroner asked Professor Simmonds.
2	A. Let me please paraphrase, if you are putting to me that	2	"Does the presence of the ion in the stomach at
3	perhaps a compound, perhaps an alkaloid coming from	3	autopsy oblige the conclusion that at some time prior to
4	gelsemium species could have an alkaloid, of the	4	his death the deceased had ingested something containing
5	structure C20H27N2O4, is that a possibility? I would	5	that compound"?
6		1	
_	agree it is a possibility, however remote, and I would	6	A. Ah okay.
7	consider it to be remote based on the literature and the	7	Q. She says, "Yes, the data would suggest that".
8	alkaloids that Kew have looked at, not only in their	8	A. Yes, I think the problem is semantics, that is
9	early result but also in their later work.	9	a question of compound or elemental composition. The
10	Q. Then the questions went on:	10	compound is what you take of course, an elemental
11	"Can you confirm that the isobarics"	11	composition is carbon, hydrogen, oxygen, nitrogen of
12	Which is of course a synonym for "isomerics".	12	what you took.
13	A. In this context it is the same.	13	Q. We can cross out unidentified compound there and the
14	Q. Yes:	14	question, to put in simple language: must this have been
15	"The isobarics listed at A to D above [that is	15	something he has eaten? She seemed to say yes, I was
16	gelselegine and so on at the top of the page] have been	16	wondering if you agree with that?
17	found in elegans but not in sempervirens."	17	A. I think that is the likelihood, it was something that
18	That was the point that we were looking at a moment	18	had been eaten, yes.
19	ago. She says, and I am sure this is right:	19	Q. Yes.
20	"Today these compounds have been recorded in	20	Then in question 8 you see what she is saying about
21	elegans."	21	the limitations of her work, material from sempervirens
22	She is not saying that that is necessarily the end	22	had been ingested, we didn't find any evidence of this.
23	of the story?	23	She is not excluding it, she is just saying we didn't
24	A. Correct.	24	find it?
25	Q. You would agree with that?	25	A. Correct, yes.
	Page 49		Page 51
1	A I agree with that yes	1	O. Then we asked for details about gelsemium having been
1 2	A. I agree with that, yes. O. Then the coroner asks:	1 2	Q. Then we asked for details about gelsemium having been suspected of being used in homicide, and she gives
2	Q. Then the coroner asks:	2	suspected of being used in homicide, and she gives
2 3	Q. Then the coroner asks: "Can you identify whether the tests carried out by	2 3	suspected of being used in homicide, and she gives details about that. She also says that it is correct
2 3 4	Q. Then the coroner asks:"Can you identify whether the tests carried out byDr Kite on extracts from the root have excluded the	2 3 4	suspected of being used in homicide, and she gives details about that. She also says that it is correct that the most recent reports of the use of gelsemium in
2 3 4 5	Q. Then the coroner asks: "Can you identify whether the tests carried out by Dr Kite on extracts from the root have excluded the conclusion that the ion found by him might have been	2 3 4 5	suspected of being used in homicide, and she gives details about that. She also says that it is correct that the most recent reports of the use of gelsemium in Russian and Chinese homicide have referred to elegans
2 3 4 5 6	Q. Then the coroner asks: "Can you identify whether the tests carried out by Dr Kite on extracts from the root have excluded the conclusion that the ion found by him might have been an isobaric of gelsemicine, for example gelselegine	2 3 4 5 6	suspected of being used in homicide, and she gives details about that. She also says that it is correct that the most recent reports of the use of gelsemium in Russian and Chinese homicide have referred to elegans rather than sempervirens.
2 3 4 5 6 7	Q. Then the coroner asks: "Can you identify whether the tests carried out by Dr Kite on extracts from the root have excluded the conclusion that the ion found by him might have been an isobaric of gelsemicine, for example gelselegine derived from the ingestion by the deceased of elegans or	2 3 4 5 6 7	suspected of being used in homicide, and she gives details about that. She also says that it is correct that the most recent reports of the use of gelsemium in Russian and Chinese homicide have referred to elegans rather than sempervirens. Then at 12:
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2 3 4 5 6 7 8 9 10	Q. Then the coroner asks: "Can you identify whether the tests carried out by Dr Kite on extracts from the root have excluded the conclusion that the ion found by him might have been an isobaric of gelsemicine, for example gelselegine derived from the ingestion by the deceased of elegans or an extract from it?" In other words, you have made your points about sempervirens but how about the possibility it has come from elegans. She says:	2 3 4 5 6 7 8 9 10	suspected of being used in homicide, and she gives details about that. She also says that it is correct that the most recent reports of the use of gelsemium in Russian and Chinese homicide have referred to elegans rather than sempervirens. Then at 12: "Could the compounds be detected from the sample of Mr Perepilichnyy's stomach contents have come from species of gelsemium other than gelsemium sempervirens such as elegans?
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1	A. Indeed, yes.	1	initial analysis are different from the compounds picked
2	Q. We then go forward from May 2015 when these answers were	2	up in the later analysis?
3	given, the Inquest was adjourned, not the time now to	3	Q. Yes, if you look at the thumbnail on page 258, you can
4	discuss why but it was adjourned and went off I think	4	see the coroner can make up his own mind whether that
5	until, well, ultimately a series of adjournments until	5	is comprehensive or whether it is just a selection at
6	today.	6	all events there is nothing there that seems to have
7	Then in the autumn, late autumn there having been	7	anything to do with what was found in the root bark in
8	apparent difficulties with the equipment to do with	8	2013, that I can see.
9	circuit boards those promised tests were done and we	9	A. I would rather not comment at this time about that
10	have seen what has happened with those numerous	10	without considering it more carefully.
11	thumbnails involving both elegans and sempervirens and	11	Q. Okay, well we will move on from there.
12	different parts of both those plants. If we could just	12	So far
13	very briefly go back and look at those and then we can	13	THE CORONER: Can you just explain why
14	move on, we need for that to go to 261 I think. Yes.	14	A. Because we have this chronology difficulty, and I need
15	A. Yes.	15	to understand how they actually match their peaks.
16	Q. This is Dr Kite I think putting forward what he	16	I just don't want to take this point too far based on
17	considered I think to be the most relevant of the	17	what I have seen.
18	results. He has as the marker at the top 6.90, 359.1965	18	MR MOXON BROWNE: I want to just put to you in summary, if
19	then one substance eluting at 11.89, 359.1977. It is	19	you can comment if you don't feel you can comment
20	not five points per million off, it is 12 points per	20	please say that by the time the tests had been
21	million off what was found in the stomach and more than	21	completed in 2015, looking back at the results from
22	that, 15 or 20 points off what was attributed to	22	2013, when we had an identified substance that had been
23	gelsemium in 2013. It is not just the elution time, it	23	extracted from Alexander's stomach, from the viewpoint
24	is the accurate mass is way off?	24	of late 2015, instead of having just one unidentified
25	A. Correct, yes.	25	substance with a 359.1965 weight, we have five.
	Page 53		Page 55
1	Q. Yes. What may be a different substance also found in	1	A. I agree with you on that point.
2	the root of elegans at 12.77, again 359.1979, way off	2	Q. What they are and what they have or don't have to do
3	what was assumed to be gelsemicine back in 2013.	3	with gelsemicine is not something that you or I think
4	Then we have against letter (f) two substances	4	probably Professor Simmonds can be very confident about?
5	eluting, one at 8.97 and one at 13.34, 359.1980 and	5	A. Sorry, did you say what they have
6	359.1981, so from the accurate mass they look to be	6	Q. What they have to do is gelsemicine?
7	associated but they are eluting at very different times.	7	A. We don't know which if any of them may be gelsemicine.
8	We have got two more compounds there, have we not?	8	Q. No.
9	Yes.	9	That is about what the possibilities are. I now
10	I think if we can summarise the position as at late	10	want to just explore with you, and then we can stop,
11	2015	11	whether there is any evidence that it is actually
12	THE CORONER: Sorry, are you happy with all of that?	12	probable that the unidentified substance is connected
13	A. Yes, I accept all of that, yes.	13	with gelsemium. I want you to help with that.
14	MR MOXON BROWNE: I think the position at the end of 2015 is	14	A. Yes.
15	that having made a good trawl of what you can get out of	15	Q. Because if the theory is this probability is wrong, we
16	both elegans and sempervirens, and from different parts	16	need to know. Do you understand?
17	of the plant, no match was found, even a remote match,	17	For that purpose I would like to look at the work
18	with what was found in Alexander's stomach?	18	that was done comparatively recently by Dr Kite when he
19	A. Correct.	19	retested the stomach contents. For that I would like to
20	Q. Nor was anything found that remotely matched what was	20	look, please, at the test in 2016. We need to look at
21	found in the sempervirens root in 2013?	21	that in the second of the expert's bundles and we have
22	A. I just need to check I have understood your second	22	to move to another bundle. Expert's bundle 2 at
23	point.	23	page 368. I will get rid of that.
24	Q. Yes.	24	A. I have bundle 2, which tab did you say?
25	A. Is your point that the compounds picked up in the	25	Q. I don't have tabs but I have a page number which is 68.
	Daga EA		D _{0.00} 5.6
	Page 54		Page 56

14 (Pages 53 to 56)

1 I am told it is tab 49. 2 How Lucas can tell that by looking at a computer 3 I don't know. 4 368, I hope is that right. 1 different. Coincidentally similar beast. 3 I just want to concentrate on fragment. It produces a fragment.	the size of the
3 I don't know. 3 I just want to concentrate on	
4 368, I hope is that right. 4 fragment. It produces a fragme	
	ent at 180.1020, new
5 Would you excuse me a moment, sir, I am just trying 5 information which we hadn't had 5	ad before.
6 to find where I am. Yes, I am on the right page, that 6 Now we look and see what h	
7 is good. 7 substances were eluting. We see	
8 What is done quite recently in 2016 is that very 8 figure 4 that you get the ion 350	9.1960, but at the same
9 kindly the Kew people went back and did a fresh test on 9 time, eluting at the same mome	ent, that is 6.39, you get
the stomach contents. The first thing is that they 10 an ion 180.1016. It is that coel	lution that has
found a substance in that second test which was, I am 11 encouraged Dr Kite to say what	t we could be looking at
going to suggest, pretty obviously the same thing that 12 here is dimerisation, it is the co	pelution of 180.1016
they had found in 2013. We see that on page, I think, and 359.1960 which says what	t we could be looking at here
14 369, it is above figure 4 and it is the second spectra 14 is a cluster. Right?	
down, the second data down, which shows a peak emerging 15 A. Sorry, were you saying that	is what led him to the
16 at 6.39, 359.1960. 16 conclusion?	
17 A. Yes. 17 Q. Think it is not the only thing I	
Q. We are off a little bit on the elution time, we can him to conclude that we might	be looking at a cluster,
easily put that down to drift, that is not a problem in 19 that he has coelution of an ion	which if doubled will
saying it is the same given the passage of time and so 20 give you the right answer.	
21 on. 21 A. Sorry, I am not clear about	the logic at the moment. I
We are a little bit off on the accurate mass but we 22 have a chromatographic peak	k and I think the question
23 are well within five parts per million, and so the 23 being asked is, is it 179 plus 1	or is it double that
conclusion of Dr Kite was that that is the same thing. 24 amount plus 1.	
25 I think you would agree with that? 25 Q. No. What I am drawing your	attention to is the fact
Page 57 Page 59	
1 A. That is reasonable, yes. 1 that when the stomach contents w	-
2 Q. Reasonable. That tells us that there is something 2 2016, our friend from 2013 popper	ed out again and we see
there, it is still sitting there, after all those years, that at 6.39 minutes?	
4 saying, "What am I? I haven't gone away". And he found 4 A. Yes.	
5 it again. 5 Q. It is 359.1960.	1 . 1 . 1
6 This time he was able, at the request of the 6 At the same time as that poppe	
7 coroner, to look at matters in a little more detail. 7 an ion of 180.1016, we see that a	
8 The first thing he did was to give us data for the 8 coelution, because it happens at the second of the second o	
9 I think accurate mass of sorry, he subjected it to 9 A. It may be a question of termin	
electronic collision energy and got a major fragment? 10 say coelution if two different co	•
A. He conducted tandem MS/MS, he fragmented the molecule 11 exactly the same time. The sign	· ·
and then obtained an accurate mass on the 180, that 12 concurrent, which leads us to b	pelieve it is coming from
previously he just put as 180. 13 the same chemical compound.	
Q. Yes, but this time he was able to weigh it	
15 A. More accurately. 15 this table that also at 6.39 someth	ning came out that
16 Q. We see on page 368 that he gets 180.1020. 16 weighed 360.1996.	
17 368 at the top, 180.1020, which I understand to	
be he says above that: 18 Q. There is quite a lot happening at	
19 "The accurate mass of the fragment was measured at 19 have three different things happen	C
20 M/Z 180.1020." 20 A. That is the power of mass spec	ctrometry; you see a lot of
That is new information, he hadn't done that in 21 information.	
22 Q. Yes, what I want to ask you is a	
23 A. I hesitate because I was looking on the subsequent page, 23 would, I suggest, be struck by the	*
when it is 180.1016. 24 the accurate mass of the fragment	
Q. We will come to that. I think we will find that is 25 that was found from Alexander's	stomach contents in
Page 58 Page 60	

1	2013, let's say 180.1020 and the elution of an ion at	1	A. They are very different process that are going on.
2	6.39 of 180.1016, they are within four parts per	2	Q. But they have the same result?
3	million. There would seem to be a connection between	3	A. Insofar as being able to see it or not see it, I guess
4	the two?	4	one could say it is the same or similar, but to take
5	A. Yes, indeed, yes.	5	a compound and if your thesis is, could the peak at
6	Q. Can you explain what that is or is it just	6	180 be a metabolite? I would say I don't see any
7	a coincidence?	7	evidence for that.
8	A. I would two possibilities.	8	Q. No. No, I haven't got a thesis, I am just trying to
9	There is a remote possibility that two different	9	understand.
10	compounds come out at exactly the same time or more	10	A. Okay.
11	likely than not it is just one compound that comes out	11	Q. It could be but you don't have any evidence for that?
12	at that time and its mass spectrum contains both the	12	A. We don't know what this peak is at 6.9 minutes.
13	whole molecule and fragments.	13	Q. If it isn't a metabolite, what is the other explanation
14	The other proposition being put here is that we are	14	for it being so similar to the fragment?
15	seeing a dimeric peak point, with two molecules put	15	A. Well, the assumption, or one assumption, is it is
16	together, so 179 plus H is the 180 and then two by 179	16	a dietary constituent that we don't know what it is,
17	plus H is the 359.	17	something that he has eaten at some time, either
18	Q. Can we just look at the first of those?	18	knowingly or unknowingly.
19	A. Yes.	19	Q. Just to complete the picture, I think we are left with
20	Q. I think you were saying, if I followed, that what might	20	what looks like a coincidence between the size of the
21	have been happening at 6.39 minutes is that you get the	21	fragment and the size of the ion that eluted, for which
22	ion 359.1960 and at the same time a fragment comes out?	22	might be explanations which are technical.
23	A. Yes, but what is going through the liquid chromatograph	23	A. Yes.
24	is a compound, it is not the monomer or the dimer, it	24	Q. I just want to put a third step into it, which might be
25	has to be the dimer if it is a dimer or that bigger	25	presented to put another coincidence. I want to take
	Page 61	<u> </u>	Page 63
1	molecule if that is the case.	1	you to the Nardin paper which I think we looked at and
2	Q. Can a compound such as 359.1965 fragment inside the	2	when we have done that we are nearly finished. We will
3	body, in other words can it metabolise so as to produce	3	find that in the third I think of the experts' core
4	a fragment?	4	bundles at page 715.
5	A. When a compound metabolises, then more often than not	5	715 will enable us to ascertain that this is from
6	you put an oxygen on the molecule, it gets a bit bigger,	6	the Journal of Mass Spectrometry, which is a peer
7	sorry, I will speak up.	7	reviewed and very well-regarded journal. I am told it
8	When a compound is metabolised by the body, more	8	is in bundle 2, so I have misled you. Anyway, it is
9	often than not you get components attached to it like	9	page 715 in the top right-hand corner.
10	an oxygen in particular or sometimes a sugar. You can	10	THE CORONER: Do you have that? It is divider 87.
11	get groups taken off from the compound, particularly	11	MR MOXON BROWNE: I know you had to do an awful lot of work
12	I am trying not to be too technical in my response.	12	in a very short space of time, did you have
13	Sometimes the molecule will break up into parts, that's	13	an opportunity to glance at this article?
14	correct, it is a possibility that that will occur.	14	A. I have looked at this paper.
15	Q. I am just going to pause you there and remind you of	15	Q. Did you read it?
16	some of the evidence from Dr Kite. We were talking	16	A. I beg your pardon?
17	about why there didn't seem to be any evidence that	17	Q. Did you read it? I know you were provided with it,
18	sorrel had been recovered from the various samples that	18	I wondered whether you had a chance to read it?
19	were analysed from the contents of Mr Perepilichnyy's	19	A. I did review it a while ago now.
20	digestive tract. If I understood him correctly he was	20	Q. We will take the questions slowly.
21	saying that he thought they would fragment or metabolise	21	Looking at the title on page 715, we see they are
22	in the body so that they would be difficult to	22	using high resolution mass spectrometry orbitrap.
23	recognise. That indicated to me that this process of	23	I have certainly heard the word "orbitrap" used in
	fragmentation, which can be induced by electrical	24	context with the work done at Kew, is this comparable?
24	riaginentation, which can be induced by electrical		
24 25	energy, can also happen naturally?	25	A. It is comparable. The orbitrap is a high resolution
		25	A. It is comparable. The orbitrap is a high resolution Page 64

1	mass spectrometer, one capable of getting these	1	identical to that for gelsemicine, it is instead of
2	elemental compositions.	2	being C20H26, it is C22, so there are two extra carbon
3	Q. I think we were told by Dr Kite that the collision	3	atoms. I do not minimise the importance of that but it
		4	is a very similar formula, they are clearly closely
4	energy used to produce fragments by Nardin and her		
5	colleagues was different from that used at Kew. Can you	5	associated?
6	help with that?	6	A. Yes, that is very common for that to happen.
7	A. I think it was not just the energy, it is the way the	7	Q. Yes. It is, if we can just pause for a moment, I think
8	molecule is caused to fragment. There are two main	8	you call them the radicals, it is the N and the O which
9	approaches.	9	is what wags the dog, there are a number of carbon
10	One is to collide the molecule into inert gas,	10	atoms. The number of carbon atoms and the number of
11	typically nitrogen.	11	hydrogen atoms can vary but what really differentiates
12	The other method is to resonate the species, the	12	these substances is the radicals, the oxygen and the
13	ion, in with a lighter gas. One is a more gentle but	13	nitrogen?
14	slower process and that gives rise to very different	14	A. I don't follow.
15	MS/MS data.	15	Q. A lot of these chemicals, these alkaloids, have very
16	Q. I fully appreciate that and I don't want to take any	16	similar formulae. I am suggesting to you that what
17	false points or in what is already quite a complicated	17	actually differentiates the substances importantly, is
18	case to take any points that are not right. It is	18	not so much the number of carbon atoms, the number of
19	a different method used and I think I am right in	19	hydrogen atoms, which can vary, the really important
20	suggesting, but please confirm, that the method of	20	thing I called it the tail that wags the dog is
21	collision energy used by the Italians is rougher, it	21	the number of oxygen and the number of nitrogen atoms,
22	produces more fragments than the method used at Kew?	22	they are the ones that really do the work?
23	I think the difference between the two, I can give	23	A. Not necessarily just that. It is the structure of the
24	you the labels, is	24	molecules that differentiate them.
25	A. I do not recall which is the more energetic of the two.	25	Q. Yes, well, I am sure that is right.
	Page 65		Page 67
1	Q. Anyway, there is a difference	1	Anyway it is a similar formula. The simple point
2	A. There is a difference certainly, but I am not sure which	2	I wanted to draw your attention to is when subjected to
3	is which.	3	collision energy of the type that the Italians were
4	Q. The short point, just so if it is irrelevant we can get	4	using, which differed as I understand it from the method
5	it out of the way, we see on page 721.	5	used at Kew, but when subjected to collision energy the
6	A. Yes.	6	major fragment was produced at 180.10 so difficult to
7	Q. Where we have thumbnail for various plants that Nardin	7	read, 180.1011 in one case and 180.10 what is the
8	and her colleagues were looking at. One of those was	8	another one? Anyway
9	gelsemium. I don't know whether, when you glanced at	9	A. 1009 and 1011.
10	the article, you appreciated that gelsemium was one of	10	Q. What we have is a fragment pattern that seems to closely
11	the plants they were looking at?	11	match both the fragmentation pattern that was observed
12	A. I had appreciated that, yes.	12	when the ion recovered from Alexander's stomach was
13	Q. You had appreciated that?	13	subjected to collision energy and the ion which coeluted
14	A. Yes.	14	with the C20H26 in 2016.
15	Q. They extracted from the gelsemium it was an elegans	15	This seems to be a third coincidence, that we have
16	plant, what it was doing growing in Italy I don't know	16	within a matter of parts per million, we have a fragment
17	but it was an elegans plant I think. They got	17	which is virtually the same as that which was observed
18	a substance from it called gelsempervine. We see from	18	at Kew. I was just wondering whether now we don't have
19	page 721 there are two different types of gelsempervine,	19	three coincidences and what the explanation for that
20	one AC and one BD. Would you like to look at that?	20	might be?
21	A. I am just looking for a better copy than I have.	21	A. Let me check that I have understood your point. Are you
22	Q. Yes, I am struggling a bit.	22	saying that because there is an ion at 180.something,
23	Down the bottom there, first of all can	23	that could be the same as the peak at 6.9?
24	I respectfully tell you or remind you, you can check	24	Q. No.
25	this later, that the formula for gelsempervine is almost	25	A. You are not saying that?
	, , , , , , , , , , , , , , , , , , , ,		
	Page 66		Page 68

1	Q. No, I am not. I am saying that the peak at 6.9, when	1	a coincidence, but if I was doing the work myself
2	fragmented, produced as you recall	2	I would look at this and exclude it as a possibility to
3	A. 180 amongst other things.	3	the best of my ability.
4	Q. 180.1020, I am say that this closely related substance	4	Q. Yes, and that hasn't happened, plainly?
5	found by the Italians in a gelsemium plant, when that	5	A. That has not happened.
6	was subject to collision energy it produced a fragment	6	THE CORONER: Why do you say more likely than not
7	which was virtually the same?	7	coincidence?
8	A. Yes, that is what I was suggesting.	8	A. Because you are going to get plenty of examples of where
9	Q. Both of those are also within a few parts per million of	9	you can get MS/MS data that look similar but not
10	the substance that coeluted in 2016?	10	identical. For me to get a reliable result, I would
11	A. Yes, but we know that Kew did not find that when they	11	wish to do some contemporaneous experiments. I run my
12	looked at the various gelsemium species. I think it is	12	unknown sample, I run my standards in the same day or
13	generally common ground that there are many combinations	13	experiment if possible.
14	for that elemental composition or that accurate mass.	14	If I have to rely on my own equipment with a big
15	At this time it is my opinion that I do not know what	15	difference in time, I would need to take some steps to
16	that peak at 6.9 what the compound is.	16	get coincidence on the data again. That is not the
17	Q. The proposition I am putting to you is not very	17	accurate mass because, as Dr Kite has pointed out, you
18	complicated and it may well be wrong, we are looking for	18	can calibrate the mass very accurately across time and
19	your help as to if it is irrelevant we can get rid of	19	between instruments.
20	it.	20	If I cannot get the same material, I might use
21	A. Sure.	21	a reference collection, which is exactly what Kew has
22	Q. It seems that substances closely from gelsemium, closely	22	done, compare with standards.
23	allied to gelsemicine and its isomers, when subjected to	23	It does not I should say exclude the possibility
24	collision energy will produce fragments almost identical	24	that someone has manipulated a compound to increase the
25	to the fragment that was produced when Alexander's	25	amount of one compound or another and then administered
23	to the fragment that was produced when Alexander's	23	amount of one compound of another and then administered
	Page 69		Page 71
1	stomach contents were subjected. I am asking you	1	it.
2	whether you think that is just a coincidence or whether	2	MR MOXON BROWNE: I think finally this, if Dr Kite is
3	the simplest explanation is that all these three things	3	correct, that the ion C20H27N2O4 is in fact a cluster,
4	are linked and they are linked to gelsemium?	4	then we are looking at trying it may be relevant to
5	A. I think looking at the MS/MS data in isolation does not	5	try to identify what the components of that cluster are.
6	tell us exactly what the compound is	6	We know what the formula would be, but as you pointed
7	Q. No.	7	out, there are numerous substances that answer that
8	A you have to work the other way round.	8	formula.
9	Q. If I can put it in this way. The coroner will be	9	Am I right that by feeding in the accurate mass
10	considering whether there is a possibility that the	10	rather than the formula into a computer, you could
1 1 1			r, , ,
11	substance found in Alexander's stomach was something to	11	narrow down the range of options very quickly?
12	substance found in Alexander's stomach was something to do with gelsemium.	11 12	
	_		narrow down the range of options very quickly?
12	do with gelsemium.	12	narrow down the range of options very quickly? A. No, that is not correct. I think you may have
12 13	do with gelsemium. He may also in that, as part of that exercise, be	12 13	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has
12 13 14	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that	12 13 14	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure
12 13 14 15	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude	12 13 14 15	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance,
12 13 14 15 16	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility	12 13 14 15 16	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what
12 13 14 15 16 17	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes.	12 13 14 15 16 17	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit
12 13 14 15 16 17 18	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether	12 13 14 15 16 17 18	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number.
12 13 14 15 16 17 18	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What	12 13 14 15 16 17 18 19	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is
12 13 14 15 16 17 18 19 20	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple	12 13 14 15 16 17 18 19 20	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured
12 13 14 15 16 17 18 19 20 21	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple coincidence is something that helps us to say not that	12 13 14 15 16 17 18 19 20 21	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured accurate mass. It is better to put in elemental
12 13 14 15 16 17 18 19 20 21 22	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple coincidence is something that helps us to say not that it is proved, shown or certain but that it is something	12 13 14 15 16 17 18 19 20 21 22	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured accurate mass. It is better to put in elemental composition than to put the number into the computer.
12 13 14 15 16 17 18 19 20 21 22 23	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple coincidence is something that helps us to say not that it is proved, shown or certain but that it is something that looks odd and requires explanation, which I don't	12 13 14 15 16 17 18 19 20 21 22 23	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured accurate mass. It is better to put in elemental composition than to put the number into the computer. Q. There are, are there not, database which list the
12 13 14 15 16 17 18 19 20 21 22 23 24	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple coincidence is something that helps us to say not that it is proved, shown or certain but that it is something that looks odd and requires explanation, which I don't think you are giving us? A. I would say it is more likely than not to be	12 13 14 15 16 17 18 19 20 21 22 23 24	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured accurate mass. It is better to put in elemental composition than to put the number into the computer. Q. There are, are there not, database which list the accurate masses in order of closeness to the figure that you feed in, tell you, "This is the same, this is almost
12 13 14 15 16 17 18 19 20 21 22 23 24	do with gelsemium. He may also in that, as part of that exercise, be interested in whether there was any evidence that points, there is obviously well, he may conclude there is that possibility A. Yes. Q but he may be interested in the question of whether there is something that positively indicates that. What I want to get your help on is whether this triple coincidence is something that helps us to say not that it is proved, shown or certain but that it is something that looks odd and requires explanation, which I don't think you are giving us?	12 13 14 15 16 17 18 19 20 21 22 23 24	narrow down the range of options very quickly? A. No, that is not correct. I think you may have misunderstood that this elemental composition has a theoretical mass. The instrument then will measure an accurate mass and within a certain tolerance, typically five parts per million, you can work out what are the possible elemental compositions that would fit that number. If I put in elemental composition then that is actually more precise than if I put in my measured accurate mass. It is better to put in elemental composition than to put the number into the computer. Q. There are, are there not, database which list the accurate masses in order of closeness to the figure that

1	the same"?	1	Questions from MR STRAW
2	A. That is a slight complication in terminology, the exact	2	MR STRAW: Professor, just two very short areas, please.
3	mass is going to be the mass of that elemental	3	I think you mentioned earlier, you commented on the
4	composition. Accurate mass databases could be measured	4	comparatively small amount of the unidentified ion
5	masses, which will have a bit more error to it.	5	discovered in the stomach sample. Is that right?
6	Q. Yes.	6	A. I don't recall saying that but I think it is a small
7	A. I think you were putting to me that a better way of	7	amount, yes.
8	doing it was to put the number in, I was not accepting	8	Q. Were you aware that Dr Ratcliffe who performed the first
9	that.	9	post mortem on 14 November disposed of the stomach
10	Q. I was.	10	contents and it was only
11	A. Yes.	11	A. Yes, I had read that.
12	Q. A question that was put to the toxicology experts, which	12	Q. You were aware of that?
13	they deferred to other experts, which is effectively	13	Flushed out the stomach and it was only when
14	I think for this purpose you, you might be able to help,	14	Dr Fegan-Earl came to do the forensic post mortem on
15	is whether it is right that the compound, I think I am	15	30 November that the samples of the stomach were
16	right to call it a compound, C10H13, half, could be	16	actually taken. Were you aware of that?
17	a number of things which are commonly found in	17	A. Sorry, I missed the second bit of what you said.
18	foodstuffs, one of them I think is maltoxazine,	18	Q. It was only when Dr Fegan-Earl came to do the forensic
19	something like that, which is found in cereal, and	19	post mortem on 30 November that the stomach sample that
20	another one called salsolinol, I think, which is found	20	we are looking at was taken?
21	in chocolate. I think it is also the case that MDMA,	21	A. No, I don't recall reading that. But
22	ecstasy, matches although I want to say emphatically	22	Q. Have you seen as well Professor Ferner's opinion that
23	nobody is suggesting, least of all me, that Alexander	23	the gelsemium alkaloids in the samples may have been
24	was consuming ecstasy. I just mention that that is one	24	destroyed or converted while they were stored over the
25	of the possibilities.	25	months before they were tested at Kew?
	•		,
	Page 73		Page 75
1	I think it is might that the anathra family and	1 1	A The Control of the second by the second best
1	I think it is right that the spectra for these	1	A. Unfortunately, no, I hadn't seen that.
2	common substances are easily obtainable, so if anybody	2	Q. Is that something that falls within your expertise or is
2 3	common substances are easily obtainable, so if anybody thought well, it is probably maltoxazine, it could be,	2 3	Q. Is that something that falls within your expertise or is that something that is better left for Professor Ferner?
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1	Q. And a "monomer" is one?	1	"In the analysis performed in May 2013, low
2	A. Is one.	2	resolution scanning between M/Z 125 and 2000 was
3	Q. When you have dimers forming in the process of mass	3	recorded in the same analysis as the high resolution
4	spectrometry, it is right, isn't it that not all of the	4	scanning and explains"
5	ions will dimerise necessarily?	5	I am looking at the wrong question, I mean
6	A. It is unlikely that they would all be dimers.	6	question 23.
7	Q. In any run of the machine, you might detect both the	7	MR MOXON BROWNE: No. It isn't 23.
8	dimer and the monomer at the same time?	8	MR COHEN: Sorry, yes, question 25:
9	A. Exactly that.	9	"The low resolution data showed that in the analysis
10	Q. The monomer we discussed with Dr Kite gets, for these	10	performed on AWF 32 in May 2013, M/Z 180 exactly
11	purposes, the shorthand M+H+?	11	coeluted with M/Z 359 at 6.88 minutes max peak height."
12	A. Just to add one point, that would be if the dimer is	12	So the point is that although you may not have seen
13		13	the data, Dr Kite and Professor Simmonds report that
14	formed at the point of ionisation. For a monomer and a dimer to go through the liquid chromatograph at the	14	actually they did witness coelution in 2013?
15		15	A. Yes.
16	same time is highly unlikely.	16	
	Q. I see. But the monomer is M+H+ and the dimer 2M+H+?	17	Q. You would agree with me that that would be another point that would lend credence to their view that this was
17 18	A. Yes.	18	a cluster?
19	Q. You were asked questions by my learned friend	19	
	Mr Moxon Browne in which he asked whether it was	20	A. This would be dimerisation in the ion source, not at the
20	a coincidence that the peak at 180 found in 2016 was		point of injection.
21	very close to the peak in 2013. Do you recall those	21	Q. Indeed.
22	questions?	22	A. Would fit that hypothesis.
23	A. Yes. Yes.	23	Q. You agree it is another point in favour of their answers
24	Q. It is right, isn't it, that one explanation for that	24	on the likelihood or otherwise of it being a cluster?
25	could be that on each occasion they were finding the	25	A. I can see their reasoning
	Page 77		Page 79
	1 450 11		Tage //
1	monomer and that the other peak at 359 was the dimer?	1	Q. Yes.
1 2	monomer and that the other peak at 359 was the dimer? A. Let me just check I have understood. That you have both	1 2	Q. Yes.A it does not persuade me to say certainly that is the
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2		2	A it does not persuade me to say certainly that is the
2 3	A. Let me just check I have understood. That you have both the monomer and dimer going into the mass spectrometer,	2 3	A it does not persuade me to say certainly that is the right conclusion.
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20 (Pages 77 to 80)

1	Q. How long have you been at Kew?	1	Q. Or DNA testing?
2	A. I have been at Kew since 1985.	2	A. DNA testing right, when we started the project in
3	Q. What is your chair in?	3	2013 we could have been undertaking some DNA, but really
4	A. My chair is in biological interactions, which is to do	4	you do need to know what you are looking for. Within a,
5	with the interactions between plants and animals.	5	if you are talking about a gut context, it is often the
6	Q. Can I ask you how often you have had occasion to address	6	chemistry that is the indicator, but yes, we could have
7	the kind of issues that you have been asked to address	7	done DNA.
8	in this particular case?	8	Q. You can not search blind for DNA?
9	A. Quite often. By that I mean once every few years asked	9	A. It is very complex to do that, yes.
10	to provide some information about toxicity that might be	10	Q. Could you just clarify, while we are on the subject of
11	involved in a trial or a police case.	11	that, what you are presently testing and if you are able
12	Q. On a few occasions you have cause	12	to, although I don't want to put you on the spot, when
13	A. Yes.	13	you are likely to have a result for us?
14	Q. There are a number of documents before the court.	14	A. We have been asked now to look at some of the stomach
15	I will not read them all out but you are familiar with	15	contents and material from Reading University, bits of
16	them, they are in the bundles and you will have seen	16	plant material that were isolated, to look at the DNA.
17	them many times.	17	We are now using the new forms of DNA next sequence
18	Dr Kite performed the analyses for the most part in	18	generation, and we are hoping that we will get some
19	your laboratory?	19	results in possibly a fortnight. I am hoping by the end
20	A. Yes, he did.	20	of next week we have an understanding on whether we have
21	Q. Why did he do those?	21	enough DNA to be able to undertake analysis or not.
22	A. When we started the work I was in charge of a group that	22	Q. What are you looking for in that sample. Do you have to
23	would be looking at the chemistry of any form of inquiry	23	target it sorrel has been a plant extract that has
24	that would come into Kew. I had a series of experts on	24	been of particular significance in the context of this
25	different areas and Geoff Kite was an expert on mass	25	Inquest, because it is alleged to be one of the items
	Page 81		Page 83
	1 age 01		1 age 05
1	spectrometry.	1	that was put in the soup that Mr Perepilichnyy consumed.
1 2	spectrometry.Q. What are you an expert on that he is not an expert on?	1 2	that was put in the soup that Mr Perepilichnyy consumed. Will you be able to look for sorrel for starters or
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2 3	Q. What are you an expert on that he is not an expert on?A. I am more an expert on the kind of historical uses of	2 3	Will you be able to look for sorrel for starters or other things?
2 3 4	Q. What are you an expert on that he is not an expert on?A. I am more an expert on the kind of historical uses of the plants, the general chemistry. I am not an expert	2 3 4	Will you be able to look for sorrel for starters or other things? A. I am afraid the simple question that we need to ask at
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 Q. What are you an expert on that he is not an expert on? A. I am more an expert on the kind of historical uses of the plants, the general chemistry. I am not an expert on mass spectrometry; that is his expertise. Q. Just leaving aside the mass spectrometry for a moment, what specifically in terms of expertise do you bring to bear on the analysis of Mr Perepilichnyy's case which Dr Kite hasn't brought to bear? A. I think my general expertise in this area would be looking at which plants should we be looking at that potentially could contain toxins. Therefore what are the types of compounds that we would be looking for, if we were going to undertake an extract which is important in the fact that which method might we use, do we therefore use mass spectrometry or do we use another method. Q. Such as? A. It might be that we use gas chromatography, which could have been another person in the team, or it could have been NMR, nuclear magnetic resonance, which again would have been another person in the team that would have undertaken that. Q. Or DNA testing, presumably? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Will you be able to look for sorrel for starters or other things? A. I am afraid the simple question that we need to ask at the beginning is: do we identify plant DNA from all the human and the bacterial material DNA that will be in the contents? From that we will then go on to look at the potential for identifying the sorrel and then expand it from there. Q. Thank you. You mentioned other types of testing. In this particular case I don't want to jump too far ahead why did you go down the mass spectrometry route and not the other two types of testing that you mentioned? A. Because of the types of compounds that we are looking at, the liquid chromatography mass spec would most likely be the appropriate route to go, it would be able to get an ion profile out of that that we would most likely be able to match to a compound. It is a method that we have used quite successfully in this type of analysis. Q. When you say type of compound, do you mean a toxic alkaloid?

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1	of other compounds derived from plants that could be	1	really reflects, you know, the emphasis you could say on
2	associated with toxicity.	2	organic chemistry.
3	Q. Thank you. You have been here all morning I think	3	Q. You were directing your research towards products which
4	A. Yes.	4	have been identified as derived in the natural world
5	Q so you have heard Professor Cowan's evidence and	5	from plants or from a narrow number of animal species?
6	I think you also will have read his report?	6	A. Yes, we were really concentrating on plants.
7	A. Yes.	7	Q. Yes. You cannot rule out a huge swathe of compounds
8	Q. He identified the fact that as far as he was aware there	8	that are synthetic within the outside world, because
9	are a huge number of compounds that exist, not just in	9	they could be man made by chemists?
10	theory but actually exist, that will have the same	10	Thank you. Could you explain the spectral library
11	molecular form, either as the single molecule that has	11	which I think is a term you used in your initial report.
12	been described or identified by Dr Kite or the cluster	12	What is that?
13	ion that he has identified?	13	A. Because we have been studying using mass spectrometry
14	A. Yes.	14	techniques for a number of years at Kew, we have built
15	Q. Do you accept that as a proposition?	15	up a library of what we call spectra, of the profile of
16	A. If you are using a general chemistry database you will	16	compounds in plants. Not all identified. Some are
17	get much wider, yes, I do.	17	identified, so when we are interested in a particular
18	We deal mostly with the natural product database,	18	compound, we will then go and isolate it, characterise
19	which would give us a smaller number.	19	it, get a structure for it and its associated mass.
20	Q. Can you clarify what so the wider chemist will	20	That would then be added to our library.
21	contain synthetics?	21	Because the fragmentation patterns vary quite a bit
22	A. Synthetics, from not always yes, mainly synthetics,	22	from machine to machine, these are not commercially
23	yes.	23	available. The mass spectrometry library that we have
24	Q. What are natural products or what are in the natural	24	developed is really specific to the equipment that we
25	products database?	25	have at Kew.
	Page 85		Page 87
	Tage 00		Tage 07
1	A. Natural product database, you will find compounds from	1	Q. I see, so you would be comparing apples and pears if you
2	plants, from fungi, also from algae, from frogs.	2	start to look at other people's databases?
3	Q. Frogs did you say?	3	A. There are comparisons you could make, but for us when we
4	A. Yes, frogs. Or snakes.	4	are wanting quite quickly often to look at whether we
5	Q. The type of poisons that one might see on a	5	have a known or unknown compound in a plant, we have set
6	A. Yes, it does contain poisons, as well as other	6	it up to match our equipment, we have set up the mass
7	compounds.	7	spectrometry library to meet our equipment.
8	Q. What about the kind of chemicals or compounds one might	8	There are shared patterns and they are published,
9	find in the human body, the stomach, the gastric tract	9	that is why you publish your retention time, your
10	et cetera?	10	fragmentations and information about the equipment that
11	A. You could say they would be natural and therefore they	11	you have used and also the column type.
12	would be in that database. I don't think they are all	12	Q. Thank you.
13	in that database. I think there are other database that	13	Can I understand the thinking that went through your
14	would contain compounds associated with the human gut.	14	mind when you first did the started to initiate the
15	Q. And food	15	testing. I think you identified five alkaloids
16	A. Food, chemicals from things like cabbage, et cetera.	16	associated with gelsemium, can you explain how you came
17	Q. For "natural foods"?	17	to identify those?
18	A. Natural foods, you will often find them in those	18	A. Can I step back a stage?
19	databases, yes.	19	Q. Please do.
20	Q. If one compares the 4,000 to the much narrower number	20	A. We were asked to look if we could determine any
21	that one might find in the database, why is there such	21	potential toxins from the plants, without any indication
22	a huge difference between those two numbers?	22	what the plant would be, other than the fact that the
23	A. I suppose because the — there are a lot of organic	23	activity, the potential toxins, could have occurred over
24 25	chemists who are interested in, you know, producing	24 25	a short period of time. We were looking therefore for
23	compounds of a range of different masses. I presume it	23	a compound, potential toxin that possibly would act in
	Page 86		Page 88

22 (Pages 85 to 88)

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1	a short period of time, a few hours, and not would	1	stomach contents but were you aware at that stage of
2	accumulate in body over, say, days, weeks.	2	what you were testing, in terms of where the sample had
3	Based on that information we put together a series,	3	come from or how reliable the sample itself was?
4	like a minor database of potential plants that we were	4	A. All we had at that stage was the information given to us
5	aware of that contain toxins, which then contained	5	that sample number and stomach or the various other
6	gelsemium.	6	parts that we were given no history about other than
7	Q. Pausing there, plants which you at Kew were aware of or	7	that it came from the deceased. So we were at that
8	one is aware of in general?	8	stage unaware that it was not the major stomach
9	A. That we are at Kew and therefore from the literature.	9	contents.
10	We went through the toxicity literature that we have at	10	Q. Just for clarification, the evidence is that
11	Kew and then through some other databases, so we	11	Dr Ratcliffe, the first pathologist who performed a post
12	gathered that information about which plants and	12	mortem, performed a non-forensic post mortem and flushed
13	therefore which potential toxins were known, so we had	13	away the stomach contents initially and. You were given
14	an open mind when we started the analysis.	14	effectively what was left in the stomach after that?
15	MR SKELTON: Thank you.	15	A. We were unaware of that at the time.
16	I will pause there, if I may, for lunch.	16	Q. Can you explain what difference from your perspective it
17	THE CORONER: Yes.	17	makes to the reliability and comprehensiveness of the
18	2.05.	18	results that you obtained?
19	(1.01 pm)	19	A. Can I kind of refer back to other cases that we have
20	(The Luncheon Adjournment)	20	looked at when we are dealing with toxins. The toxins
21	(2.15 pm)	21	are usually there present in quite high amounts. If we
22	MR SKELTON: Professor Simmonds, I think you were explaining	22	have homogenate from the stomach. The first run that we
23	before the lunch break how you started your	23	did, we realised that we were dealing with the chemistry
24	investigation in terms of your thinking about what you	24	was at very, very low level, there was no obvious peak
25	were looking for and the references you looked at. Can	25	associated with any of the compounds that we might
23	were looking for and the references you looked at. Can	23	associated with any of the compounds that we might
	Page 89		Page 91
1	you take us healt a stan so you can get the contact again	1	guarant to be in the stomach
1	you take us back a step so we can get the context again,	1	suspect to be in the stomach.
2	please.	2	Q. Can you explain what you mean by an "obvious peak"?
2	please. A. When we were requested to look for some potential plants	2 3	Q. Can you explain what you mean by an "obvious peak"? A. Sometimes when you are running – so you get an extract,
2 3 4	please. A. When we were requested to look for some potential plants toxins, we did a review of those plants that might	2 3 4	 Q. Can you explain what you mean by an "obvious peak"? A. Sometimes when you are running — so you get an extract, you have no idea what the concentration is of that
2 3 4 5	please. A. When we were requested to look for some potential plants toxins, we did a review of those plants that might contain toxins that could act over a shorter period of	2 3 4 5	 Q. Can you explain what you mean by an "obvious peak"? A. Sometimes when you are running — so you get an extract, you have no idea what the concentration is of that particular extract. Sometimes when you run an extract
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1	major stomach contents may mean that that judgment	1	A. 245, yes.
2	cannot be made in this case?	2	Q. Having previously mentioned that there were these
3	A. Yes, we did not know that at that time.	3	alkaloids, then I think in answer to questions their
4	Q. Does it mean you cannot form that judgment in this case?	4	identity was made clear. Are these the ones you were
5	A. We can't, no, because we were dealing with what would	5	talking about as being associated with gelsemium?
6	appear to be the remnants of what was in the stomach	6	A. Yes.
7	contents.	7	Q. Based on what did you take the view that gelsemicine is
8	Q. You ran the data and obtained your MS/MS, your results?	8	the predominant alkaloid associated with human toxicity?
9	A. Yes.	9	A. From information in the literature.
10	Q. You then used that data to go back to your library?	10	Q. Is it conceivable that that is not correct?
11	A. Yes, we ran it against the library and discounted a lot	11	A. Yes. But it is based on what is currently known.
12	of peaks. We couldn't find any of the compounds that	12	Q. Mr Moxon Browne put questions earlier on the premise
13	matched some of the other plants so gelseminine(?) was	13	that there may well be alkaloids associated with
14	the only match that we so to speak potentially had, I	14	gelsemium which haven't yet been identified. I think
15	just want to really emphasise "potential".	15	that is something which you have said yourself; is that
16	Q. Just again to understand the limits of what your library	16	correct?
17	contains, the fact that you haven't found it in your	17	A. Yes.
18	library, what does that mean in terms of positing	18	Q. Can one hypothesise about the potential toxicity of
19	whether or not there may be a plant alkaloid out there	19	alkaloids that have not been identified?
20	which does match but you just don't know about it?	20	A. No.
21	A. That is an absolute possibility. I mean our library	21	Q. So it may in fact be the case that it does contain some
22	search was quite extensive and of course we did make	22	form of toxic alkaloid, not gelsemicine, which as yet
23	reference to the national product library, once we had a	23	the academic studies have not identified?
24	mass spec, to see if it met anything in the Natural	24	A. Or other alkaloids with no toxicity.
25	Product Library.	25	Q. Yes.
	1104400 230141,0	==	Q. 140.
	Page 93		Page 95
1	Q. Is the Natural Product Library a constantly evolving	1	When you get a toxic plant, do you tend to get
2	Ç		
	entity?		
	entity? A. Yes, it is. As soon as scientists have found other	2	a multiplicity of toxic alkaloids or is there usually
3	A. Yes, it is. As soon as scientists have found other	2 3	a multiplicity of toxic alkaloids or is there usually one that predominates?
3 4	A. Yes, it is. As soon as scientists have found other natural product, chemists and they published then the	2	a multiplicity of toxic alkaloids or is there usually one that predominates? A. There is often one that is a predominant one, but you do
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24 (Pages 93 to 96)

1	A. Yes.	1	A. We have no knowledge of that because we were unable to
2	Q. First of all, is that possible to get hold of it?	2	compare living material with dried.
3	A. Right, once we had identified, you know, that this is	3	Q. Based on your knowledge of other plants and how the
4	somewhere we needed to look a little bit further, we did	4	fresh material compares to the dried material, is that
5	look at the Kew collection of verified plant material.	5	a hypothesis which is possible?
6	This is the herbarium collection.	6	A. With our knowledge of alkaloids, they are pretty stable
7	The samples that we had of other species within the	7	compounds if dried correctly in herbarium samples. That
8	genus were poorly documented, so they were not fully	8	is why when we do this, we can undertake this type of
9	verified. That is why we have really kept to two	9	study on dried herbarium samples, so they are usually
10	species of which we had multiple samples that we could	10	very stable.
11	use for the analysis.	11	Q. Are you therefore saying that actually you are quite
12	Q. And is there a particular differentiation between the	12	confident that you have the principal alkaloids of
13	two that you do have when it comes to the presumed	13	gelsemium within the testing you did?
14	gelsemicine?	14	A. Yes.
15	A. Until we started this work, I was not aware of	15	Q. You tested the different parts of the plant for
16	a comparative study that would take the different parts	16	clarification as well, as we will come on to see in the
17	of the plant and study its chemistry. When we started	17	table. That is presumably because different parts may
18	this comparative work, that was one of the first studies	18	have different alkaloids?
19	to be undertaken.	19	A. That's right, and different layer concentrations, yes.
20	Q. What was the result?	20	Q. Were you looking at any particular part of the plant in
21	A. The result is as presented in this report. We have not	21	gelsemium particular or
22	done an in depth study to characterise every compound,	22	A. Traditionally it has been the bark of the plant that has
23	we are talking about working on dried herbarium samples,	23	been used, so we did concentrate on that.
24	of which we have small amounts, so we take a few	24	Q. That is what the literature says?
25	milligrams of plant material from the leaves, the bark	25	A. That is what the literature says, yes.
	9 F	-	
	Page 97		Page 99
1	on other parts and then guind that up and make it into	,	O. You had some somples and you obtained other somples
1	or other parts and then grind that up and make it into	1	Q. You had some samples and you obtained other samples.
2	a solution for analysis.	2	You then ran I think 17 samples in total there was
2 3	a solution for analysis. If we want to do an exhaustive study, we would	2 3	You then ran I think 17 samples in total there was some confusion at one point about the number.
2 3 4	a solution for analysis. If we want to do an exhaustive study, we would require a large amount of plant material, initially it	2 3 4	You then ran I think 17 samples in total there was some confusion at one point about the number. A. Yes, because there were sub samples of some.
2 3 4 5	a solution for analysis. If we want to do an exhaustive study, we would require a large amount of plant material, initially it would be fresh and then we would dry it under the	2 3 4 5	You then ran I think 17 samples in total there was some confusion at one point about the number. A. Yes, because there were sub samples of some. Q. One doesn't need to dwell on that, I don't think.
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25 (Pages 97 to 100)

1	A. I would support the report as written.	1	I understand.
2	Q. Why is it gelsemicine though?	2	Without having that literature before us, is it
3	A. It is probably we haven't it is a tentative	3	possible for you to say beyond reasonable doubt that the
4	identification, we cannot be 100 per cent sure because	4	compound found in Mr Perepilichnyy's stomach was not
5	we did not have a standard to run at the same time.	5	gelsemicine?
6	Q. You cannot be 100 per	6	A. Based on the retention time and the mass spectrum
7	A. Therefore that is why we have used "probably".	7	fragmentation pattern, no, it is a different compound.
8	Q. I am trying to understand how you get to probably. Why	8	Q. If it is gelsemicine, then it is beyond reasonable doubt
9	of the various alkaloids that was isolated within the	9	that what is found in the stomach is not gelsemicine?
10	tests that you conducted on the 17 samples is that	10	A. From my interpretation of the data, yes.
11	probably gelsemicine?	11	Q. If it is not gelsemicine, whatever it is is not the same
12	A. Partly it is from the mass spec data, the ions which are	12	as what was found in the stomach?
13	slightly different and the peak area, that the fact that	13	A. Yes. Yes. It is a different compound.
14	that one is supposed to be the dominant one that occurs	14 15	Q. It is a different compound.
15	in the plant. The others are usually there in smaller	16	Can I just go back to the issue of what the compound
16	amounts and that partly is seen by the column there on	17	is. It hasn't been identified. How common will you find a molecule based on MS/MS testing of plant material
17 18	the peak area.	18	which you cannot identify?
19	Q. Does the literature then demonstrate that gelsemicine is the predominant alkaloid, because I think you said it	19	A. A high proportion of the compounds, especially if you
20	was the predominant toxic alkaloid but was it the	20	are dealing with an understudied plant, are not
21	dominant alkaloid? Or have you made a presumption there	21	identified.
22	which may not necessarily be right?	22	Q. When you go back to your data or go back to the
23	A. I am just trying to go back in time looking at the	23	dictionary, or database, you don't find it listed, it is
24	literature.	24	new?
25	It is the one that is reported most frequently and,	25	A. There might be something in the database that indicates
	rest the one that is reported most frequently and,	20	2 mere angue se someoning in the unimouse time indicates
	Page 101		Page 103
1	yes, it is associated with its toxicity.	1	the same mass but it hasn't been confirmed that that is
2	What I am not sure about is whether people have just	2	that compound in that particular plant because it hasn't
3	homed in on that particular alkaloid. I think it is the	3	been found in that plant before. What we would normally
4	most abundant in the plant.	4	do is to hopefully isolate the compound and then confirm
5	Q. Okay. It may be that really nailing that question is	5	that it is, it matches for sure that particular compound
6	something that you have to do by looking again at the	6	in a plant.
7	literature and I think that is probably beyond asking	7	Q. Are there instances where you go through that exercise
8	you to do live as it were in the witness box, but	8	and it doesn't bear fruit in terms of identification?
9	I think it may be an important point because as you	9	A. Yes. Many times we are only able to give tentative
10	appreciate Professor Cowan said well, looking at the	10	identifications. In many papers on natural product
11	tests we have done, I accept that the tests run by	11	chemistry they are tentative.
12	Dr Kite found isomers or compounds which are not the	12	Q. In this particular case, as I understand it from what
13	same as the one found in Mr Perepilichnyy's stomach.	13	Professor Cowan was saying, it is no longer going to be
14	You looked at gelsemium in two forms, you found	14	possible to reliably go back and retest the compound to
15	various isomers and none of them matched satisfactorily	15	try and work out what it is.
16	the unknown compound found in Mr Perepilichnyy's	16	A. It doesn't match any of the compounds that we have
17	stomach. He is prepared to go that far. Where he	17	available to us. When we gave the first report, we were
18	couldn't go is further down the plant biology element	18	wondering if somebody who is an expert on the chemistry
19	and I am trying to understand what you have brought to	19	of the stomach might be able to analyse it and identify
20	the mass spectrometry and it sounds like it is	20	it from our data.
21	literature which we don't have in front of us today?	21	Q. It could be a form of digestive compound?
22	A. No, we don't have that in front of us, the comparative	22	A. It could be, yes. That is not our expertise.
23	data from the literature that has been done in earlier	23 24	MR SKELTON: Thank you.
24 25	studies. Q. Okay.	25	
23	Q. Okay.	23	
	Page 102		Page 104

1 Questions from MR MOXON BROWNE 2 MR MOXON BROWNE: Professor Simmonds, I represent Legal & 2 widely used term. I wouldn't link those two directions of together. 4 Were you aware that in the spring of 2013 there is 5 evidence before the coroner that it was the intention of 5 commonly found in all kinds of foodstuffs but there	ctly
3 General, the insurance company. 4 Were you aware that in the spring of 2013 there is 4 Q. Let's stick with quercetin, quercetin I think is	•
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	is
5 evidence before the coroner that it was the intention of 5 commonly found in all kinds of foodstuffs but there	is
· ·	
6 Surrey Police to send to you some samples of vegetable 6 a particular type of quercetin which is something	
7 material from Mr Perepilichnyy's stomach, so that you 7 something glycoside which is, again, not exclusivel	1
8 could identify them were you aware of that plan? 8 connected with sorrel but is something approaching	
9 A. We were aware that samples were going to be sent to us, 9 a marker?	
10 yes. 10 A. It is found in sorrel. I would be reluctant to sa	
11 Q. With the general objective of trying to find out what it 11 is a marker because it occurs in other plant mat	erial.
12 was that Mr Perepilichnyy might have eaten on the day of 12 Q. That I appreciate.	
13 his death? 13 It was in fact the presence of that particular form	
14 A. Yes. 14 of quercetin in the jar that persuaded you with	
15 Q. The starting point for an inquiry 15 a reasonable degree of confidence that that was ind	eed
16 A. Yes. 16 sorrel?	
17 Q. – you were supposed to help with that? 17 A. Yes.	
18 You are nodding, is that your understanding? 18 Q. I think it is right that you didn't find, I am not goin	
19 A. We knew that we were going to be a request was made 19 to call it a marker because you don't agree with that	
20 for us if we could analyse some plant material from the 20 but this indication, this indicative substance in the	
21 gut contents. 21 stomach contents?	
22 Q. Yes. I think you were sent, with the original batch of 22 A. Yes.	
23 material, a jar of a particular type of Russian or 23 Q. Nor did you find it in any part of the digestive trace	t?
24 Ukrainian sorrel? 24 A. Yes.	
25 A. That's correct. 25 Q. That's correct?	
Page 105 Page 107	
1 Q. Called ST/04 I think. You did have a look at that and 1 A. From memory, yes.	
2 I think you concluded, although short of certainty, that 2 Q. Does that indicate that Mr Perepilichnyy had not eaten	
3 it did indeed contain sorrel as it said on the label? 3 sorrel for lunch or does it indicate that what you were	
4 A. It contained compounds that would be associated with 4 doing wasn't an appropriate way of finding that?	
5 sorrel. Yes. 5 A. We had no idea how much had been used. And that wo	ld
6 Q. Did you understand why you had been asked to perform 6 often indicate the sensitivity of the equipment, it	
7 that function, why had you suddenly been sent this jar 7 would very much depend on how much had been consum	d and
8 to look at? 8 when.	
9 A. From the information that we had been given, it was 9 Q. Well the coroner has a certain amount of information	
an indication that not that particular jar but sorrel 10 which I would like to put to you.	
had been used in a meal that the deceased had taken. 11 The first is that when Dr Ratcliffe opened the	
12 Q. Yes. As you understood it, the purpose of sending you 12 stomach there was in the stomach partly digested food,	
this jar was to advance an inquiry as to what 13 so some of the food that he had apparently recently	
14 Mr Perepilichnyy might have had for lunch? 14 eaten was still in his stomach. That is the first	
15 A. Yes. To see if we could find that in the stomach. Yes. 15 point.	
16 Q. Yes. You I think did analyse the jar of sorrel and you 16 The second point is that people at Reading	
have told us that you found compounds in there that were 17 University had abstracted vegetable material from both	
not exclusively indicative of sorrel but certainly 18 the first part of the digestive tract and the second	
19 consistent with sorrel? 19 part. That would seem to indicate that what he had	
20 A. Yes. 20 eaten, part of it was still in his stomach and part of	
21 Q. I think it is the case that sorrel has an acrid, peppery 21 it had begun to pass into his digestive tract. I think	
taste, it has been described, it is probably associated 22 that the person who was involved with the lunch said	
with quercetin, which is basically tannin, I think? 23 that there was something like maybe 300 grams had gone	
24 A. With quercetin, yes. 24 in, quite a lot. I am just wondering whether you are	
25 Q. Quercetin is basically tannin; is that correct? 25 saying that there is a possibility, or probability, that	
D 400	
Page 106 Page 108	

27 (Pages 105 to 108)

1	within two, three, four hours of consumption of sorrel,	1	equipment is able to detect this group of compounds.
2	all trace of it would have disappeared from his stomach,	2	Q. Yes. Well, obviously we must await and will await the
3	from his digestive tract and indeed from his blood?	3	DNA testing but at the moment are you saying, without
4	A. I am afraid I don't know the retention time of	4	the benefit of that are you saying you think it is
5	quercetin, how long it would remain in the gut. Of	5	unlikely that sorrel formed part of his last meal?
6	course at that stage we did not know that we hadn't got	6	A. I cannot make any comments than that, all I know is that
7	say the main contents of the gut to look at.	7	samples we looked at did not contain the quercetin
8	Q. Yes. Mine is a slightly different question, which is	8	compounds that we would expect.
9	whether if he had eaten quite a lot of sorrel for lunch,	9	Q. I do understand, but I recollect that a few minutes ago
10	all trace of it would have disappeared within two or	10	you said that if he had consumed sorrel you would have
11	three hours?	11	expected to see it.
12	A. No, you would have expected to have found some in the	12	A. Yes. I can talk about the samples that we received,
13	gut.	13	that we did the initial analysis on, which we now know
14	Q. I think that quite recently the vegetable material that	14	were, you know, the stomach contents had already been
15	was abstracted from the digestive tract that was	15	removed, you could say, from that.
16	supposed to have been sent to you was discovered and now	16	Q. Yes.
17	has been sent to you and you are planning to use DNA	17	THE CORONER: Is there a certain level that your tests won't
18	techniques to see if you can identify it.	18	pick up?
19	Just wondering, you now have, as far as I understand	19	A. Yes, there is a lower level of detection. I can't tell
20	it, some small particles of solid vegetable material,	20	you exactly what that would be but yes.
21	that's right, which you are going to do the DNA testing	21	MR MOXON BROWNE: Could I next take you to page 276 of
22	on if you can.	22	bundle 1 of the experts, which is a table. I am having
23	A. Yes.	23	a little difficulty in understanding what this is and
24	Q. Why can't you just use conventional gas chromatography	24	I would like you to help me.
25	mass spectrometry, you have the solid stuff, surely that	25	I see down the left-hand side, my copy appears to
	Page 109		Page 111
		l .	
1	:1-0	1	have have smarted but do we are tissue and then made
1	is enough?	1	have been truncated but do we see tissue and then root
2	A. I actually have not looked at the size of the sample, we	2	bark, leaf, fruit wall, et cetera?
2 3	A. I actually have not looked at the size of the sample, we would need a small amount. I believe it is very small,	2 3	bark, leaf, fruit wall, et cetera? A. Yes, you have the BI number, then the species, then the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I actually have not looked at the size of the sample, we would need a small amount. I believe it is very small, the amount that we have. We did discuss whether we did chemistry on it or we did the DNA and the decision was we would try the DNA. Q. Yes. My understanding is that the GS/MS techniques are capable of detecting minute quantities of compounds. A. Yes. Q. Whereas for DNA, as you have said, you need something you can get a hold of. Why aren't you using that tried and tested technique? A. Because a decision was made that we would go the DNA route and then, if there is any material left over, we could look at it for LCMS. Q. I understand. Is it possible that in that initial series of tests on the stomach contents on the upper and middle part of the upper digestive tract and on the blood, that the techniques you were using were simply not appropriate,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	bark, leaf, fruit wall, et cetera? A. Yes, you have the BI number, then the species, then the tissue of the plant that was examined. Q. You have the BI, the accession number which I haven't, I just have root bark Then going across, do we have four lots of data in four columns, we don't read all the way across we go up and down up and down. Is that right? A. Yes, four columns, isomer 1 and isomer 2, 3 and isomer Q. I am having a little difficulty in hearing and it is my fault. What did you say? A. We have four columns. Q. Right. If we take the first one, root bark, what is the accession number there, it is not written on my bit of paper? A. 25441. Q. The second one, leaf?
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28 (Pages 109 to 112)

1 Q. Ves, now where is the data for the scot barl? Where am 2 I supposed to look to see what you found metation to 3 that particular item? 4 A. If you go for root bark and go across there was nothing 5 preseat associated with isomer. I. 6 Q. Why do you call that isomer 1? 7 A. We had to give them some— 8 Q. Is it marked anywhere on this chart that that is 9 isomer 1? 9 Q. This chart that I am looking at there is a lot of talk 11 about somer 4 and I couldn't find it. 12 about somer 4 and I couldn't find it. 13 IHE CORONIRE: It says at the top. 14 MR SNEALID. Six; a lot of the problems with this is 15 Mr Moson Browne's problems rather than the witnesses and I leave the control in the size of the problems with this is 16 I word if the ought to set another copy of the page. 17 We have posed it out before 18 IHE CORONIRE: I know, we are spending a lot of times 19 establishing the differences between Mr Miston Browne's 20 copy and yours. 21 MR MONON BROWNE: I am not stere it is entirely my fault. 22 ITHE CORONIRE: Newed the less of your fault if you have 23 creactly the same copy as she has. 24 MR MOXON BROWNE: I would I think someone is 25 going to give me one 26 A. Thea New have put is probably is somer 4, that 27 ITHE CORONIRE: Shown you go further down I think is, jest 18 ITHE CORONIRE: Shown you go further down I think is is, jest 19 Q. Yes, I am wondering whether what you have presented to be golsomicine? 20 A. Op was have a ruiter or a pen. 3 THE CORONIRE: Shown you go further down I think is, jest 3 MR MOXON BROWNE: I should be a probably is somer 4, that 3 Ithink if its, yes. 4 Where do you say on this chart is what you have 3 presented to be golsomicine? 4 A. Yes, I than wondering whether what you have identified as probably gelicentiene is from gelectional semperatures root be farther an accession make the same gold and they cannot be gelsemicine? 4 A. Yes, I think if its, yes. 4 A. Retention time, yes. 5 Where do you say on this chart is what you have identified as probably gelicentiene is from gelectiona				
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23 exactly the same copy as she has. 24 MR MOXON BROWNE: It would. It would. I think someone is going to give me one. 25 Page 113 26 Page 115 27 Page 115 28 Page 115 29 Page 115 20 What do you think they were? 20 A. Do you have a ruler or a pen. 30 THE CORONER: So you can read across? 4 A. Yes, thank you. 4 A. Thank you very much. 5 THE CORONER: There will be. 6 A. Thank you very much. 7 MR MOXON BROWNE: Yes. 8 Where do you say on this chart is what you have presumed to be gelsemicine? 10 A. The one that we have put is probably is isomer 4, that last column. 11 Last column. 12 Q. Yes. Is that 359.1977, 11.89? Is that 359.1977 — 13 THE CORONER: When you go further down I think it is, isn't it? 14 it? 15 A. I think it is, yes. 16 MR MOXON BROWNE: Is that the one you are talking about? 17 A. Can you just take me through that again? 18 Q. Yes, I am wondering whether what you have identified as probably gelsemicine is from gelsemium sempervirens root bark with an accession number ending 491 with an accurate mass of 359.1977 and an elution time of 11.89, is that right? 23 A. Retention time, yes. 4 Q. We are agreed that what you think is gelsemicine eluted in your late 2015 tests between 11 and 12 minutes? 24 I think four results, you heard Professor Cowan give evidence about this I expect, four peaks? A. Yes. 25 A. Yes. 26 Q. We are agreed that what you. 27 A. We are not 100 per cent sure because we did not spike them with any compounds, because we don't have any standards so they could be alkaloids from the plant, yes. 4 A. Yes. 9 Q. They could be alkaloids from the root bark? 4 A. Yes. 9 Q. They could be alkaloids from the root bark? 4 A. It is different from the run that we did on the previous data we were looking at, yes. 19 Q. Yes, I am wondering whether what you have identified as probably gelsemicine is from gelsemium sempervirens root bark with an accurate mass of 359.1977 and an elution time of 11.89, is that the one you are talking about? 19 A. It is different from the	21	MR MOXON BROWNE: I am not sure it is entirely my fault.	21	A. Yes.
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2 A. Do you have a ruler or a pen. 3 THE CORONER: So you can read across? 4 A. Yes, thank you. 5 THE CORONER: There will be. 6 A. Thank you very much. 6 A. Thank you very much. 7 MR MOXON BROWNE: Yes. 8 Where do you say on this chart is what you have presumed to be gelsemicine? 9 A. The one that we have put is probably is isomer 4, that 11 last column. 12 Q. Yes. Is that 359.1977, 11.89? Is that 359.1977 – 13 THE CORONER: When you go further down I think it is, isn't it? 14 it? 15 A. I think it is, yes. 16 MR MOXON BROWNE: Is that the one you are talking about? 17 A. Can you just take me through that again? 18 Q. Yes, I am wondering whether what you have identified as probably gelsemicine is from gelsemium sempervirens root bark with an accession number ending 491 with an accurate mass of 359.1977 and an elution time of 11.89, is that right? 20 We are agreed that what you think is gelsemicine eluted in your late 2015 tests between 11 and 12 minutes? 21 A. We are not 100 per cent sure because w did not spike them with any compounds, because we don't have any standards so they could be alkaloids from the root bark? 4 A. Yes, them with any compounds, because we don't have any standards so they could be alkaloids from the root bark? 4 A. Yes. 8 Q. They have got exactly the same or pretty well the same accurate mass as gelsemicine but they cannot be gelsemicine, can they, because the elution time is completely wrong? 21 Last to different from the run that we did on the previous data we were looking at, yes. 4 A. It is different from the run that we did on the previous data we were looking at, yes. 4 A. I tan't say that they can't be. 5 A. I think what you just take me through that again? 6 Q. No, but it doesn't look like it, does it? 7 A. I think what you need to do is to run those samples at the same time to be absolutely sure. 2 Q. Are you suggesting that your machine there could have been drift in point of elution time because it was done on a different occasion? 2 A. They were done on different occasions, ye				
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29 (Pages 113 to 116)

1 A. Yes. 2 changed. 3 Q. It looks much more likely doesn't it that in 2013 you 4 found some alkaloids in the root bark which had not 5 previously been identified. Nothing particularly 6 surprising in that? 6 Somebody asked if we have any further information to the mass linking up with what was already in the 8 literature, we took them as not being an unknown. 9 Q. The mass certainly answered 11 A. Yes. 11 I call them the Hermitage documents but they are HOI 12 Q but when you later came to have a detailed look, you 13 you feel that you had adequately expressed the views you had come to in your first report? Did you feel there was any necessity to provide an addendum or did some suggest it to you? A. Somebody asked if we have any further information to the report. 9 Q. Yes. Can we just see how that evolved. Could Professor Simmonds be provided with bundle 5, volum I call them the Hermitage documents but they are HOI documents really. 12 Couldn't find anything that even remotely matched what you had found in 2013, which is why I call them 14 Professor, if you would be good enough to look at unknowns. 15 page, I think it was 1339.	ou eone
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you had found in 2013, which is why I call them 14 Professor, if you would be good enough to look at	
15 unknowns. 15 page, I think it was 1339.	
16 A. But I think if I could go back and somebody could give 16 This is an email from someone called Ray Fysh to	
me the number of the sample that we looked at in 2013, you, dated 10 August 2013. If we just remind ourselve	
we reran it in the later batch. I just don't have that 18 that is after you had written your report but before you	
19 data in front of me. 19 produced the addendum.	
20 Q. Well I am afraid I didn't know that you had done that. 20 A. Yes.	
21 You got that old one from 2013 and ran it again? 21 Q. Correct?	
22 A. Yes, we ran it again. 22 A. Yes.	
23 Q. That is an interesting piece of information which 23 Q. He is saying:	
I cannot help you with, but perhaps we can put that on 24 "Dear Professor Simmonds, a couple of things if	
25 the back burner for the moment. 25 I may. As you are aware we are just tidying up a few	
Page 117 Page 119	
1 A. That was a form of control. 1 loose ends for the senior investigating officer and the	e
2 Q. Yes, I understand. 2 coroner and one of the aspects that DCI Pollard has	•
What I am suggesting to you, the net result of what 3 What I am suggesting to you, the net result of what 3 requested is to clarify the situation with the unknow	n
4 you did in 2013 was you started out with one 4 compound."	
5 unidentified ion which you have got from 5 I think you had been having a series of exchanges	;
6 Mr Perepilichnyy's stomach and you ended up with five 6 with representatives of Surrey Police before this, do	
7 unidentified ions, including four that you got for some 7 you remember that?	
8 root bark because you were never able subsequently to 8 A. Yes.	
9 retrieve anything like that from your gelsemium plants. 9 Q. The first thing he says is:	
10 It was a one off? 10 "Would it be correct in reporting the following.	
11 A. We did not replicate exactly the same traces as we did 11 Although the analysis of the stomach content but no	ne of
on the initial analysis. 12 the other samples analysed gave a result that indicate	
13 Q. What I am putting to you is that the material that you 13 the possible presence of a compound related to the p	
obtained in 2015 bears no relationship, there is not 14 alkaloid gelsemium. Further tests by analysing	
even a suspect to match what you found in 2013. If 15 a control sample of gelsemium sempervirens conclu	sively
there is, please tell me. 16 showed that the compound was not related to gelser	-
17 A. I would have to compare the two numbers, which I would 17 any other known plant poison."	
need somebody to give me that to be able to just do it 18 That is first proposition.	
19 now but, yes, we often rerun a sample when we are 19 Then the second proposition is:	
20 looking at further analysis to just see if there is any 20 "Looking at the MS/MS with M/Z 180 [that is the	.
21 drift, see if there are any differences. 21 major fragment from what you found] to what may	
22 Q. Yes, I think you wrote your report in two halves, one 22 to be glycosidated material and it was therefore the	
you wrote I think in June/July 2013, and then you wrote 23 compound minus the glycoside would have a molec	ular
24 an addendum or an extra bit dated 28 August 2013. Do 24 weight of 196, if it is a glycoside this I am afraid	
25 you remember that? 25 would invalidate the molecular form of C20H27N20	04."
D 440	
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1	Do you see that?	1	A. No.
2	A. Yes.	2	Q. Do you think that is wrong or have you no view?
3	Q. Do you remember getting those suggestions from Mr Fysh?	3	A. I have no view.
4	A. I can remember, yes, vaguely, getting them yes.	4	Q. Thank you.
5	Q. As far as the first proposition is concerned, of course	5	Can we then just briefly consider, we have nearly
6	what your tests have done and showed pretty certainly	6	finished, the answer to the questions that were posed to
7	was that the sample from the contents of	7	you in December 2014 which you answered in May 2015. To
8	Mr Perepilichnyy's stomach was not the same as what you	8	look at those, we need to go in bundle 1. We can put
9	extracted from a particular part, the root bark of	9	away this 5.6 and go back into bundle 1 of the experts.
10	a particular plant, ie one growing at Kew of	10	It is at page 245.
11	a particular plant, it one growing at New of a particular species which was gelsemium sempervirens.	11	Do you remember that document?
12	That was all you have ever said?	12	A. Yes.
13	A. Yes.	13	Q. These came to you I think, or were certainly issued by
14	Q. As I understand it, you couldn't say that it	14	the coroner on 15 December. You didn't answer them it
15	conclusively showed that the compound was not related to	15	would seem until May 2015. Can you remember why that
16	gelsemium, you were nowhere near that, were you?	16	was?
17	A. We couldn't show that there was anything in that plant	17	A. There was a delay in being able to do some of the
18		18	analysis, et cetera. I think that was most likely why
19	that was related to the stomach contents.	19	
20	Q. No, quite. That was your conclusion. That didn't	20	there was a delay there. Q. I didn't hear the last bit, sorry.
	demonstrate, did it, that the compound wasn't related to	20 21	, ,
21 22	gelsemium, it could have been related to all kinds of	22	A. We had equipment problems and I think that was why there
23	compounds from gelsemium, including that from the leaf,	23	was a delay. Q. Yes. I think if I can help you Professor Simmonds that
23	maybe from elegans, all kinds of things?	23	may account for the delay between May 2015 and October
	A. Our sample that we looked at at that time was the	25	
25	species identified here. We take it then, if one of the	23	of 2015, when we have heard from Dr Kite that you had
	Page 121		Page 123
1	toxins that was reported to be in that plant, then we	1	equipment problems and everyone was waiting for the
2	could show that we had not found it.	2	further tests, and indeed the whole Inquest was waiting
3	Q. Yes, and you appreciate saying, "I haven't found it in	3	and that took a long time. I am talking about the
4	the root bark of sempervirens" is not the same as	4	earlier period, between being given questions in 2014,
5	saying, "The compound is not related to gelsemium", that	5	December, and your answers in May. If you don't
6	a very different and much wider proposition?	6	remember, it doesn't matter.
7	A. Yes, but the comment here is a control sample, it is not	7	A. I can't remember for sure why there would be a delay on
8	saying that it is not the whole of the species, it does		
9		8	that.
	say a control sample we looked at.	9	Q. Were you told by for example the coroner's officer that
10	Q. You did a control sample, you drew conclusions from that	9 10	Q. Were you told by for example the coroner's officer that the Inquest itself was due to start on 17 May I think?
11	Q. You did a control sample, you drew conclusions from that which I have put to you and I think which we all	9 10 11	Q. Were you told by for example the coroner's officer that the Inquest itself was due to start on 17 May I think?A. There was a delay in us having that information.
11 12	Q. You did a control sample, you drew conclusions from that which I have put to you and I think which we all understand, which appeared in your report. I am simply	9 10 11 12	Q. Were you told by for example the coroner's officer that the Inquest itself was due to start on 17 May I think?A. There was a delay in us having that information.I think we had emails to that effect, that emails were
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that was most available to us at Kern. 3 Q. Yes. 4 A. And it was also reported to contain some of the compounds, as starting material. 5 Compounds, as starting material. 6 Q. Obviously the cornor was very relateant to adjourn the language that first that is what it suggests. 8 that further tests be done on elegans? 9 A. We awardet to make sure that we had related out any potential toxins that might have been occurring, with the knowledge that these plants are not particularly well studied. 10 Q. Yes. 11 interature, gelemmican is found in bedis semperities and elegans whereas the isomers, according to the literature, are only found in elegans? 12 A. From those studies, yes. 13 Suggests. 14 If that is right, if one adopts that as geopel, what we have from 2013 is not one unidentified peak but four identified peak, that is what we are? 15 well studied. 16 Q. Yes. 17 Expectable yes storage comments have come from a species of gelemian other than gelsemian sempervirens such as elegans? 18 Suggests. 19 Expectable yes storage concerning with the knowledge that these plants are not particularly uniformed the could be considered to the sample of the properties of the sample of the properties of the plant, the sample of the properties of the plant is a properties. 19 Page 125 10 In the repetition of the sample of the properties of the sample of the sample of the plant is a properties. 10 A. We have not given an accurate identification is that what we term is some read to a lock the sample of the plant is not plant in the fail and plant in the fail and plant matched what you identify as a specially saying that elegans is a known toxin and plant the plant is not the same and a special plant. 10 Q. What it may be a subject to the sample properties of the plant is a well as comperiors and	1			
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4 A. And it was also reported to contain some of the compounds, as starting material. 5 Q. Obviously the coroner was very reluctant to adjourn the Inquest but you were really recommending, weren't you, that further tests be done on elegans? 9 A. We wanted to make sure that we had ruled out any poperated towins that night have been occurring, with the knowledge that these plants are not particularly well studied. 13 Q. Yes. 14 It has that question 12 on page 248: 15 "Could the compounds detected in the sample of a species of gelsemian other than gelsemian sempervitiens such as clegans?" 16 Mr Perepliichny's stornach contents have come from a species of gelsemian other than gelsemian sempervitiens such as clegans?" 19 You say: 20 "Yes, this is an option that could be considered 21" 21 Especially saying that elegans is a known toxin plant. You seem to be encouraging the idea of further tests? 22 Especially saying that elegans is a known toxin plant. You seem to be encouraging. We would want to do 21 Page: 125 11 an exhaustive study to rule things out, yes. 22 Q. Well you did do a thorough study in the late autumn of 2 2013 and so we can perhaps put that, the possibility that are they? 23 A. I wouldn't say! was encouraging. We would want to do 24 A. Yes, it is an understudied plant. 25 A. We don't know what exactly they are. 26 A. We don't know what they are? 27 A. We don't know what they are? 28 A. Yes, this in understudied, yes. 29 A. Was in 2013. 20 Do you say you didn't host armstrin but you looked at the same has a couple of questions on timing and then Mr. Straw has a couple of other questions if that the same face but none of it links with a same performance to the performance of the perfo	2	that was most available to us at Kew.	2	and elegans whereas the isomers, according to the
5 compounds, as starting material. 6 Q. Ohreliously the concore was very reluctant to adjourn the 7 Inquest but you were really recommending, weren't you, 8 that further tests be done on elegans? 9 A. We wanted to make sure that we had ruled out any 10 potential toxins that might have been occurring, with 11 the knowledge that these plants are not particularly 12 well studied. 13 Q. Yes. 14 Think at question 12 on page 248: 15 "Could the compounds detected in the sample of 16 Mr Pereplikneny's stomed contents have come from 17 a species of gelsemium other than gelsemium sempervirens 18 such as Gegans?" 19 You say. 20 "Yes, this is an option that could be considered 21" 21 Especially saying that elegans is a known toxin 22 plant. You seem to be encouraging the idea of further 23 plant. You seem to be encouraging the idea of further 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 3 2015, you didn't look at rankinii but you looked at 4 elegans as well as sempervirens and you looked at 5 different parts of the plant, as we have seem. 6 The net result of fall of that was, as I have put to 7 you, thus you didn't repeat the trace of the same in 2015 2 as it was in 2013. 3 Q. Do you say you didn't repeat the trace? You didn't find 4 the same trace but you did exame type of fest on the 5 same type of material, you used root bark from 6 same type of material, you used root bark from elegans and you 18 looked anything like what you had composition 20 depending on which bit of the rout you take. So it is 18 lightly unitled you would get exactly the same. 21 Page 20, You are being helped. 22 Page 40, You are now aware, areful you, you may not have been in 23 Early that any of those special plant. 24 Could I ask for Professor. Simmonds to be given what 25 Interest the professor. 26 Page 60, Numbering on the top right-hand side, please. 27 Lightly the at any professor is monded to the correspondence that was provided by Dr. Branch but some 28 complete for questions about some deates if I may. Do you	3	Q. Yes.	3	literature, are only found in elegans?
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13 Q. Yes. 14	11	the knowledge that these plants are not particularly	11	peaks, of the peak that we have identified, we give
14 I think at question 12 on page 248: 15 "Could the compounds detected in the sample of 16 Mr Pereplicharyys stomach contents have come from 17 a species of gelsemium other than gelsemium sempervirens 18 such as elegans?" 19 You say: 20 "Yes, this is an option that could be considered 21" 22 Especially saying that elegans is a known toxin 23 plant. You seem to be encouraging the idea of further 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 26 Page 125 27 A. I wouldn't say I was encouraging. We would want to do 27 Q. Well you did do a thorough study in the late autumn of 28 cleams as well as sempervirens and you loaded at 29 cleams as well as sempervirens and you load in that initial study, the trace is not the same trace but you did the same trace but you did the same trace as that we found in that initial study, the trace is not the same in 2015 29 as it was in 2013. 20 Do you say you didn't repeat the trace? You didn't find anything that matched what you seed material from leaves and seeds but none of it 20 seed material from leaves and seeds but none of it 21 linely unlikely you would get exactly the same profile from a trank taking a sample there and taking a sample tere and taking a sample to a couple of questions about some dates if I may. Do you are now aware, aren't you, you may not have been in 20 Q. You are now aware, aren't you, you may not have been in 20 Q. You are now aware, aren't you, you may not have been in 20 Q. You are now aware, aren't you, you may not have been in 20 Q. You are now aware, aren't you, you may not have been in 20 Q. You are now aware, aren't you, you may not have been in 21 Q. You are now aware aren't you, you may not have been in 22 Q. You are now aware aren't you, you may not have been in 23 Q. You are now aware, aren't you, you may not have been in 24 Q. You are now aware aren't you, you may not have been in 25 You are n	12	well studied.	12	a tentative identification, is that what we term
15 "Could the compounds detected in the sample of Mr Perepilchopy's storach contents have come from a species of gelsemium other than gelsemium sempervirens such as elegans?" 18 20 "Ves, this is an option that could be considered 18 20 "Ves, this is an option that could be considered 20 "Especially saying that elegans is a known toxin 21 22 Especially saying that elegans is a known toxin 22 plant. You seem to be encouraging the idea of further 23 plant. You seem to be encouraging. We would want to do Page 125 24 A. I wouldn't say I was encouraging. We would want to do Page 125 25 A. I wouldn't say I was encouraging. We would want to do 20 Q. What it means is, isn't it, that you find all sorts of the plant, as we have seen. 24 elegans as well as sempervirens and you looked at degrans as well as sempervirens and you looked at degrans as well as empervirens and you looked at degrans as well as empervirens and you looked at degrans as well as empervirens, you, that you didn't find anything that matched what you had found in the root bark in 2013, and we have seen the thin third study, the trace is not the same in 2015 as it was in 2013. A. We didn't repeat the trace? You didn't find the same trace but you did the same type of test on the same type of material, you used root bark from sempervirens, you used root bark from sempervirens, you used root bark from sempervirens, you used root bark from degrans and you degrans and you degranding on which bit of the root you take. So it is highly unlikely you would get exactly the same profile from a trunk taking a sample there and taking a sample there and taking a sample from a trunk taking a sample there and taking a sample from a trunk taking a sample there and taking a sample from a trunk taking a sample there and taking a sample correspondence. I just have a couple of questions about some dates if I may. Do you are ounple of questions about some dates if I may. Do you are ounple of q	13	Q. Yes.	13	isomer 4.
16 Mr Pereplitichnyy's stomach contents have come from 17 a species of gelsemium other than gelsemium sempervirens 18 such as elegams?" 18 you say: 20 "Yes, this is an option that could be considered 21" 21 Especially saying that elegans is a known toxin 22 Especially saying that elegans is a known toxin 23 plant. You seem to be encouraging the idea of further 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 20 Page 125 21 an exhaustive study to rule things out, yes. 22 Q. Well you did do a thorough study in the late autumn of 23 2015, you didn't look at rankinit but you looked at 24 elegans as well as sempervirens and you looked at 25 different parts of the plant, as we have seen. 26 The net result of all of that was, as I have put to 27 you, that you didn't find anything that matched what you 28 had found in the root bark in 2013, and we have seen the 29 thumbnails and you cannot find it. 29 A. We don't know what they are? 30 A. We don't know what they are? 40 A. Yes, it is an understudied plant. 41 You don't know what they are? 42 A. Yes, it is an understudied plant. 43 This is absolutely that compound. 44 that put of those four is gelsemicine, it is not the same as ow ecan perhaps we can 45 put to one side. You still have four to account for, 46 what are they? 48 A. We don't know what exactly they are. 49 Page 127 40 Q. What it means is, isn't it, that you find all sorts of 40 things in the roots and other parts of gelsemium and 41 that you don't know what they are? 40 Q. That's an understudied plant. 41 MR MOXON BROWNE: Understudied, yes. 42 Yes, thank you very much. 43 Understudied plant. 44 Page 127 41 Q. What it means is, isn't it, that you find all sorts of 45 things in the roots and other parts of gelsemium and 46 that you don't know what they are? 48 A. Yes, it is an understudied plant. 49 Q. That's an understudied plant. 40 Page 127 41 A. Yes, it is an understudied plant. 41 A. We didn't repeat exactly the same in 2015 41 as it was in 2013. 42 A. We don't know what they are?	14	I think at question 12 on page 248:	14	Q. That is in 2016. I am still I am afraid in 2013.
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20 "Yes, this is an option that could be considered 21" 22 Especially saying that elegans is a known toxin 23 plant. You seem to be encouraging the idea of further 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 26 Page 125 27 Page 125 28 Page 127 1 an exhaustive study to rule things out, yes. 29 Q. Well you did do a thorough study in the late autumn of 30 2015, you didn't look at rankinii but you looked at 4 elegans as well as sempervirens and you looked at 4 elegans as well as sempervirens and you looked at 5 different parts of the plant, as we have seen. 6 The net result of all of that was, as I have put to 7 you, that you didn't find anything that matched what you 8 had found in the root bark in 2013, and we have seen the 9 thumbnails and you cannot find it. 10 A. We didn't repeat exactly the same trace as that we found 11 in that initial study, the trace is not the same in 2015 12 as it was in 2013. 13 Q. Do you say you didn't repeat the trace? You didn't find 14 the same trace but you did the same type of fleets on the 15 same type of material, you used root bark from 16 sempervirens, you used root bark from elegans and you 17 used material from leaves and seeds but none of it 18 looked anything like what you had found in 2013? 20 A. Material varies quite a bit in its chemical composition 21 depending on which bit of the root you take. So it is 22 highly unlikely you would get exactly the same. 23 publ to one side. You still have four to account for, 24 what are they? 25 A. We don't know what exactly they are. 26 Page 6. We don't know what they are. 27 A. Yes, it is an understudied plant. 28 Yes, thank you very much. 29 Questions from MS HILL 30 MS HILL: Professor, I have a couple of questions of timing 31 and then Mr Straw has a couple of other questions if 32 that is all right. 33 Could I ask for Professor Simmonds to be given what 34 I think we are calling the Branch correspondence bundle, 35 Professor. 36 Page 6. Page 60. Numbering on the top right-hand side, please. 37 A.	18	such as elegans?"	18	Q. No, I know you don't. You have said that what eluted
21 Especially saying that elegans is a known toxin 22 plant. You seem to be encouraging the idea of further 23 plant. You seem to be encouraging. We would want to do 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 26 Page 125 27 Page 125 28 Page 127 1 an exhaustive study to rule things out, yes. 29 Q. Well you did do a thorough study in the late autumn of 3 2015, you didn't look at rankinii but you looked at 4 elegans as well as sempervirens and you looked at 5 different parts of the plant, as we have seen. 29 The net result of all of that was, as I have put to 4 you, that you didn't find anything that matched what you 5 thumbnails and you cannot find it. 20 A. We didn't repeat exactly the same trace as that we found in that initial study, the trace is not the same in 2015 as it was in 2013. 30 Q. Do you say you didn't repeat the trace? You didn't find anything like what you had found in 2013? 41 A. Material varies quite a bit in its chemical composition depending on which bit of the root you take. So it is highly unlikely you would get exactly the same. 20 Q. You are now aware, aren't you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware, arent you, you may not have been in 2013 but you are now aware, arent you, you may not have been in 2013 but you are now aware, arent you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware, aren't you, you may not have been in 2013 but you are now aware that according to the 2013 but you are now aware that according to the 2013 but you are now aware that according to the 2013 but you are now aware that according to the care of turner that according to the care of turner that according to the care of turner that according to the	19	You say:	19	
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22 Especially saying that elegans is a known toxin 23 plant. You seem to be encouraging the idea of further 24 tests? 25 A. I wouldn't say I was encouraging. We would want to do 26 Page 125 27 Page 125 28 Page 127 1 an exhaustive study to rule things out, yes. 29 Q. Well you did do a thorough study in the late autumn of 30 2015, you didn't look at rankimi but you looked at 4 elegans as well as sempervirens and you looked at 5 different parts of the plant, as we have seen. 6 The net result of all of that was, as I have put to 7 you, that you didn't find anything that matched what you 8 had found in the root bark in 2013, and we have seen the 9 thumbnails and you cannot find it. 10 A. We didn't repeat exactly the same trace as that we found 11 in that initial study, the trace is not the same in 2015 12 as it was in 2013. 13 Q. Do you say you didn't repeat the trace? You didn't find 14 the same trace but you did the same type of test on the 15 same type of material, you used root bark from 16 sempervirens, you used root bark from elegans and you 17 used material from leaves and seeds but none of it 18 looked anything like what you had found in 2013? 19 A. Material varies quite a bit in its chemical composition 19 depending on which bit of the root you take. So it is 10 highly unlikely you would get exactly the same. 20 Q. You are now aware, aren't you, you may not have been in 21 correspondence that was provided by Dr Branch but some 22 correspondence. I just have 23 a couple of questions about some dates if I may. Do you	21	"	21	
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2 Q. Well you did do a thorough study in the late autumn of 3 2015, you didn't look at rankinii but you looked at 4 elegans as well as sempervirens and you looked at 5 different parts of the plant, as we have seen. 6 The net result of all of that was, as I have put to 7 you, that you didn't find anything that matched what you 8 had found in the root bark in 2013, and we have seen the 9 thumbnails and you cannot find it. 10 A. We didn't repeat exactly the same trace as that we found 11 in that initial study, the trace is not the same in 2015 12 as it was in 2013. 13 Q. Do you say you didn't repeat the trace? You didn't find 14 the same trace but you did the same type of test on the 15 same type of material, you used root bark from 16 sempervirens, you used root bark from leaves and seeds but none of it 17 looked anything like what you had found in 2013? 18 looked anything like what you had found in 2013? 29 A. Material varies quite a bit in its chemical composition 20 depending on which bit of the root you take. So it is 21 highly unlikely you would get exactly the same. 22 from a trunk taking a sample there and taking a sample 23 there. It will not be exactly the same. 24 Q. You are now aware, aren't you, you may not have been in 25 2013 but you are now aware that according to the	1	an exhaustive study to rule things out, yes.	1	O. What it means is, isn't it, that you find all sorts of
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Page 126 Page 128	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	had found in the root bark in 2013, and we have seen the thumbnails and you cannot find it. A. We didn't repeat exactly the same trace as that we found in that initial study, the trace is not the same in 2015 as it was in 2013. Q. Do you say you didn't repeat the trace? You didn't find the same trace but you did the same type of test on the same type of material, you used root bark from sempervirens, you used root bark from elegans and you used material from leaves and seeds but none of it looked anything like what you had found in 2013? A. Material varies quite a bit in its chemical composition depending on which bit of the root you take. So it is highly unlikely you would get exactly the same profile from a trunk taking a sample there and taking a sample there. It will not be exactly the same. Q. You are now aware, aren't you, you may not have been in	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MOXON BROWNE: Understudied, yes. Yes, thank you very much. Questions from MS HILL MS HILL: Professor, I have a couple of questions on timing and then Mr Straw has a couple of other questions if that is all right. Could I ask for Professor Simmonds to be given what I think we are calling the Branch correspondence bundle, please. It is page 60 please, of that bundle, Professor. A. I do not have the bundle yet. Q. You are being helped. A. Page? Q. Page 60. Numbering on the top right-hand side, please. A. Yes. Q. Just is to assist you, Professor, this is a bundle of correspondence that was provided by Dr Branch but some emails from you are in this correspondence. I just have
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32 (Pages 125 to 128)

1 see at the foot of page 60 an email from you of 1 Q. I see, so as far as the	he police were concerned, they
	vn until 13 July the detail of your
3 at Reading. Do you see that? 3 report. Is that right	· · · · · · · · · · · · · · · · · · ·
4 A. Yes. 4 A. Yes. As far as I a	
	f any announcement being made by Surrey
	at time about the conclusion of their
7 gelsemium. Is that right? 7 investigation or not	
8 A. Yes, that is really at the initial stages when we have 8 A. No, I was unawar	
9 something, before we do the detailed analysis. 9 MS HILL: Thank you	
	from MR STRAW
	sor Simmonds, in one of your reports you
	undertaken by Dr Kite is not
	sis of all potential toxins. Does
- I	e, and, if so, can you explain in
	not an exhaustive analysis?
	the beginning of my evidence, that we
	a list about 120 potential toxins,
	kins from plants around than we have
Do you see that on 21 June, on that date, I think 19 analysed in that re	
	ree other reasons for that.
	us that the method of analysis
	y pick up all toxins from plants or
Q. Then we see your report I think at page 104, do you see 23 fungi; is that correct	
24 that? 24 A. Absolutely correct	
·	re told us this morning that the library
3,7,	Ş
Page 129	Page 131
	ompared the suspect ion in the stomach
	y contain all toxins?
page 102, does it look rather like you provided that 3 A. That is right.	
	ere not analysing non-natural things, so
	xin anions, toxic gases?
	at any of those, we concentrated on the
7 you say: 7 plant toxins.	
	expert bundle, number 1, in front of you
9" 9 and if not	
Saturday, 13 July, it appears that you provide the 10 A. I should have.	
11 report on that day? 11 File number 1,	
	This is a series of questions asked by
	ble of Surrey. Can you see question 1
14 correct, it may be 13 July? 14 says:	
	oid contained in one of the plants
	m were orally ingested by a person with
17 Q. But it was sent to the police on 13 July? 17 fatal results"	
	g to down to (iii) at the bottom:
	caloid be subsequently detectable post
	ne of that person? If so, for how long
21 possibility of gelsemium were certainly continuing 21 and by what mean	
22 throughout the whole of June. Is that right? 22 I think your ans	
	t compounds from gelsemium could be
	ine and that is why we asked for the
25 Saturday. 25 sample to test it. I	It arrived on 30 July 2015.
Page 130	Page 132
1 486 100	22 (D 120 t- 122)

33 (Pages 129 to 132)

		1	
1	"As indicated there is very little information	1	A. 251, yes.
2	about the levels of alkaloids in gelsemium, let alone	2	Q. Question number 4, the question is:
3	how they break down in different conditions."	3	"The suspect compound [the unidentified compound in
4	A. Yes.	4	the stomach that is] has a molecular weight of 358 and
5	Q. Does that remain the case as well?	5	a possible molecular formula is it possible that
6	A. Yes.	6	this compound is derived from a constituent of the
7	Q. Is it right that it is possible that there had been	7	following harmless things that the deceased may have
8	gelsemium in the stomach but that it had broken down by	8	ingested prior to his death, sorrel leaves, mericarps,
9	the time it came to be tested?	9	caraway and potato."
10	A. That is a possibility.	10	Then is that your answer underneath that?
11	Q. In another report, I can take you there if that would	11	A. Yes:
12	help but just for speed, you say:	12	"A search of the databases at Kew and of commercial
13	"It is highly unlikely that the urine samples would	13	databases that provide information about the chemistry
14	contain the intact alkaloids because they would most	14	of different plants showed no record of compounds in
15	likely be broken down."	15	these plants that have the above formula. Thus it is
16	Can you explain that in any more detail? Does that	16	not unlikely."
17	mean that it is most likely that they would be broken	17	Q. Sorry, does it say "Thus it is not likely"?
18	down in the period between the death and when they came	18	A. "It is not likely."
19	to be tested?	19	Q. Okay.
20	A. No, it is as they go through your alimentary canal it is	20	That unidentified compound then, I think you have
21	highly likely that they would be broken down subject to	21	said already but it could have been toxic, is that
22	the conditions that are in your gut.	22	correct?
23	Q. Thank you.	23	A. I can make no comment on that.
24	The unidentified compound in the stomach, is it	24	Q. Is it right you cannot say anything about the toxicity,
25	likely that Mr Perepilichnyy ingested a substance that	25	you don't know whether or not it was toxic?
	Page 133		Page 135
1	contained that compound?	1	A. I don't know what it is.
2	A. That is not the only route of course, it could be	2	Q. The unidentified compound I think was originally matched
3	a breakdown product but if it is associated with diet,	3	in terms of its mass with five gelsemium alkaloids; is
4	you would assume that he would have eaten it, yes.	4	that correct?
5	Q. I think if it helps, the way you put it in one of your	5	A. Could you say that again, please?
6	reports, this is 247 if you would like to go to it, you	6	Q. You have told Mr Skelton a little earlier that the
7	were asked:	7	unidentified compound in the stomach, its mass matched
8	"Does the presence of the ion in the deceased's	8	that of five alkaloids from gelsemium?
9	stomach at autopsy oblige the conclusion that at some	9	A. It was a mass that linked to that was the only
10	point prior to his death the deceased ingested some	10	when we did the analysis of the gut, that was the only
11	substance containing a compound?"	11	link with gelsemium.
12	Your response I think was:	12	Q. Since then, has it been matched to a further alkaloid,
13	"Yes, the data would suggest that the deceased had	13	scopolia?
14	ingested a substance that contained a compound with that	14	A. Not in our
15	molecular formula."	15	Q. It may help if I take you to your joint report.
16	Is that correct?	16	A. Yes, sorry, we did look yes, at further analysis.
17	A. Yes. Rethinking about it of course, you know, it could	17	Could you just take me to the
18	be a breakdown as associated with the time of	18	Q. Yes, of course. Don't worry, there is so much
19	decomposition, et cetera.	19	information, it is not a memory test, it is your joint
20	Q. Is it likely that the compound came from sorrel,	20	report
21	mericarps, caraway or potato?	21	A. Yes.
22	A. I really cannot make any comment on that.	22	Q which is in a different bundle I am afraid. It is in
23	Q. Could you have a look, please, we were at page 249	23	expert bundle 3, tab 95, please, page 832, question D28.
		24	Do you say there:
24	I think in tab 44, could you have a look over at	2-7	Do you say there.
	I think in tab 44, could you have a look over at page 251.	25	"It is agreed that the molecular formula of the
24	page 251.		"It is agreed that the molecular formula of the
24			•

34 (Pages 133 to 136)

1	compound found in the stomach is in accordance with	1	that.
2	an alkaloid. The Dictionary of Natural Products lists	2	Q. If it is not on that list
3	six compounds with that formula, five are alkaloids from	3	A. Then we didn't look at it.
4	gelsemium, and one is an alkaloid from scopolia."	4	Q then you didn't test for it and then therefore it
5	A. Yes, that is a later when we were writing this	5	cannot be excluded presumably that the stomach compound
6	report, we looked back at the natural product database,	6	was scopolia?
7	yes.	7	Are some alkaloids from scopolia poisonous?
8	Q. Dr Kite's analysis of the 17 or so gelsemium samples	8	A. Speltamine(?) I think is toxic, I couldn't tell you
9	that you obtained found four isomers within that. He	9	comparatively how toxic they are. I mean it is known to
10	said to us, what that meant is since there were only	10	be a toxic plant and the main ingredients in it are
11	four isomers within the samples tested, some of the six	11	alkaloids.
12	mass matching alkaloids were missing. Would you agree	12	Q. Did you say scopolamine there?
13	with that?	13	A. Yes.
14	A. Are missing? We were only able to match four, I am not	14	Q. Is that the comparatively well known alkaloid that has
15	quite sure I would use the word "missing". There wasn't	15	been said to have been used by Dr Crippen to murder his
16	a total overlap.	16	wife?
17	Q. Yes, so you had four isomers, but since there were six	17	A. From memory, yes.
18	alkaloids whose mass matched that in the stomach, we	18	Q. Is the scopolia plant sometimes called nightshade?
19	know that two of those alkaloids at least	19	A. Yes.
20	A. Sorry, in the stomach?	20	MR STRAW: That is everything, thank you very much.
21	Q. Yes, there were six alkaloids which	21	Questions from MS BARTON
22	A. In the stomach?	22	MS BARTON: Professor Simmonds, a couple of issues on the
23	Q. Six alkaloids whose mass matched the compound found in	23	chronology if I may. I appear on behalf of the police.
24	the stomach, so we have on the one hand the unidentified	24	Were the police very anxious to get the results of
25	ion in the stomach and then on the other hand the five	25	the toxicological tests in order to advance their
	Page 137		Page 139
1	alkaloids from gelsemium and then sconolia so six all	1	inquiries?
1	alkaloids from gelsemium and then scopolia, so six all	1	inquiries?
2	together, whose masses matched. Do you follow?	2	A. Do you mean the chemistry?
2 3	together, whose masses matched. Do you follow? A. Yes, I follow.	2 3	A. Do you mean the chemistry?Q. All of the expert tests, the chemistry, yes?
2 3 4	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four	2 3 4	A. Do you mean the chemistry?Q. All of the expert tests, the chemistry, yes?A. They were yes, they were keen to get our chemical
2 3 4 5	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that	2 3 4 5	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes.
2 3 4 5 6	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six.	2 3 4 5 6	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was
2 3 4 5 6 7	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes.	2 3 4 5 6 7	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall?
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2 3 4 5 6 7 8 9	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes. Q. Yes. Would it follow from that that it cannot be excluded	2 3 4 5 6 7 8 9	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall? A. For some of the time, yes, and then it was a Ben? Q. Yes.
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2 3 4 5 6 7 8 9 10	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes. Q. Yes. Would it follow from that that it cannot be excluded that the unidentified compound in the stomach was one of the missing alkaloids that weren't within the plant	2 3 4 5 6 7 8 9 10	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall? A. For some of the time, yes, and then it was a Ben? Q. Yes. A. Yes. Q. They were making contact, were they, on a fairly regular
2 3 4 5 6 7 8 9 10 11 12	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes. Q. Yes. Would it follow from that that it cannot be excluded that the unidentified compound in the stomach was one of the missing alkaloids that weren't within the plant samples you tested?	2 3 4 5 6 7 8 9 10 11 12	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall? A. For some of the time, yes, and then it was a Ben? Q. Yes. A. Yes. Q. They were making contact, were they, on a fairly regular basis to see how your inquiries were progressing?
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2 3 4 5 6 7 8 9 10 11 12 13 14	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes. Q. Yes. Would it follow from that that it cannot be excluded that the unidentified compound in the stomach was one of the missing alkaloids that weren't within the plant samples you tested? A. Yes, that could be. We have not looked for these other compounds.	2 3 4 5 6 7 8 9 10 11 12 13	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall? A. For some of the time, yes, and then it was a Ben? Q. Yes. A. Yes. Q. They were making contact, were they, on a fairly regular basis to see how your inquiries were progressing? A. I would have thought it was every few months. Q. Because what we see with the report that was sent on
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	together, whose masses matched. Do you follow? A. Yes, I follow. Q. We have those six, but because there are only four isomers within the gelsemium plant samples, we know that we cannot have all of the six. A. Yes, because there are two that are not linked, yes. Q. Yes. Would it follow from that that it cannot be excluded that the unidentified compound in the stomach was one of the missing alkaloids that weren't within the plant samples you tested? A. Yes, that could be. We have not looked for these other compounds. Q. In particular the alkaloid from scopolia, so the new one that has come up, would that appear in the gelsemium samples? A. From looking at the database I think it is a different compound that is not present in the gelsemium. Q. Did you test any samples from the plant scopolia? A. I would have to go back and have a look at the database we put together to actually confirm that. Q. Okay, so from what you can tell us today —	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 A. Do you mean the chemistry? Q. All of the expert tests, the chemistry, yes? A. They were yes, they were keen to get our chemical data, yes. Q. The person who was liaising with your organisation was Mr Craggs of the police, do you recall? A. For some of the time, yes, and then it was a Ben? Q. Yes. A. Yes. Q. They were making contact, were they, on a fairly regular basis to see how your inquiries were progressing? A. I would have thought it was every few months. Q. Because what we see with the report that was sent on 13 July is the report itself was actually dated 13 June, isn't it? A. That's right. Q. Within that report it makes reference to tests that had been conducted by Dr Kite on 20 May? A. Yes. Q. We see that, if you need to check that, it is at page 230 of volume 1. Is it likely that the results of those tests were in
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35 (Pages 137 to 140)

important the results of the test were? 2 A. It is highly unlikely that we would communicate 3 something without having the report — 4 Q. Without? 4 Q. Without? 5 A. Without sending the report. 6 Q. The report that is tands separately from the one that you later wrote, dated fune? 9 A. The technical that we normally put them together— 10 Q. Yes. 11 A. — because I would write a summary of his report after 12 going through it in decise that by 7 and 12 says and 12 say				
3	1	important the results of the test were?	1	please, is that the results of it?
4 A. 328? 5 A. Without sending the report. 6 Q. The report that Mr Kite has done, is that a technical report that stands separately from the one that you a later wrote, dated Jane. 7 The report that stands separately from the one that you a later wrote, dated Jane. 9 A. The technical that we normally put them together— 10 Q. Yes. 11 A. — because I would write a summary of his report after going through it in detail. 12 going through it in detail. 13 Q. You see, we have heard some evidence from the senior investigating officer in the case that by 7 June he was a summary of his report after a contents, there was no evidence to support it being a toxic compound. We know that by 20 May your expert, 18 Dr Kite had concluded there was no support for the compound detected in the stomach being gelsenicine. 10 Where else would he have got that from if he didn't get if if from Kew? 11 A. Yes. 12 Q. What we do know is that the result of the test that 12 Dr Kite did in fact were available to Kew by 20 May, doard we? 13 A. Yes. 14 Q. Yes. Thank you. 15 A. The priddle trace, yes. 16 MS BAKTON: Yes. 16 De William of the detail. 17 Q. Which is an or chircle, the will be able to do ther a 228; is that correct? 18 Q. Which is an update on a previous report? 19 A. Yes. 20 Q. which lists all your samples. 21 A. Yes. 22 Q. — which lists all your samples. 23 A. Yes. 24 Q. Yes. Thank you. 25 A. The prediminary data, yes. 26 MS BAKTON: Yes. 27 Further questions from MR SKELTON 28 MR SKELTON: May 1 take you back, you were asked some questions by Mr Moron Browne about the 2015 testing of material that may have been available in 2013 - which is a number to keep your finger in the old one, you can do fingers. 28 A. Yes. 29 Q. and the retesting issue. 30 MR SKELTON: Dr Kire's analysis dated 20 May 2013, do you have per back to the 2013 sample and taken a further sample backle as 22915." 31 A. Yes. 32 A. Yes. 33 A. Yes. 44 Q. That while testing all the new material that may have been available in 2013 - which is an experience, it says: 45 A	2	A. It is highly unlikely that we would communicate	2	A. Yes.
5 A. Without sending the report. 6 Q. The report that Mr Kite has done, is that a technical report that Mr Kite has done, is that a technical report that Mr Kite has done, is that a technical report that slands separately from the one that you later wrote, dated Jane? 9 A. The technical that we normally put them together—10 Q. Yes. 10 Q. Yes. 11 A. — because I would write a summary of his report after going through it in detail. 12 going through it in detail. 13 Q. You see, we have heard some evidence from the senior measuring officer in the case that by 7 June he was saying that the compound detected in the stomach being gestermine. 15 saying that the compound detected in the stomach being gestermine. 16 contents, there was no evidence to support to theing a review compound detected in the stomach being gestermine. 17 a review of the detail of the compound detected in the stomach being gestermine. 18 Dr Kite had concluded there was no support for the compound detected in the stomach being gestermine. 19 compound detected in the stomach being gestermine. 20 Where she would he have got that from if he didn't get it from Kev? 21 a. A. He couldn't — unless somehody else was involved in analysis. I don't think he could have got it anywhere else. 22 don't we? 23 analysis, I don't think he could have got it anywhere else. 24 Q. What we do know is that the result of the test that page 143 1 Dr Kite did in fact were available to Kew by 20 May, don't we? 2 don't we? 3 A. Yes. 4 Q. Yes. Thank you. 5 A. The middle and then I think he MS/MS data is on either side, is that right? 4 A. Yes. 20 (D. That would van own look under tab 46 at page 266, please. 4 A. Yes. 21 (D. Which is an update on a previous report? 22 A. Yes. 23 (D. The two peaks in the middle and then I think he MS/MS data is on either side, is that right? 4 A. Yes. 4 (Ves. 4 (Which is an update on a previous report? 5 (A. Yes. 5 (D. Harby on a previous report? 6 (Which is an update on a previous report? 7 (D. Harby on a previous report? 8 (Which is an update	3	something without having the report	3	Q. You have two peaks, mass 359 and then MS/MS of 328?
6 Q. The report that Mr Kite has done, is that a technical report that stands separately from the one that you have report that stands separately from the one that you have report that stands separately from the one that you have report that stands separately from the one that you have report that stands separately from the one that you have seen available to Kew by 20 May, do not we? 9 A. The technical that we normally put them together—Q. Q. Yes. 11 A. Yes. 12 going through it in detail. 13 Q. You see, we have heard some evidence from the senior investigating officer in the case that by 7 June he was sufficiently a took compound detected in the stomach ocortexts, there was no evidence to support to the compound detected in the stomach being gelsemicine. 14 by Kisch had concluded there was no support for the compound detected in the stomach being gelsemicine. 15 Where less would he have got that from if he didn't get it from Kew? 21 A. He couldn't—unless somebody else was involved in analysis, I don't think he could have got if anywhere else. 22 Q. What we do know is that the result of the test that 23 A. Yes. 24 Q. Yes. Tank you. 25 Q. What we do know is that the result of the test that 26 Page 141 27 Dr Kite did in fact were available to Kew by 20 May, don't we? 28 A. The preliminary data, yes. 29 Q. Further questions from MR SKELTON 29 MR SKELTONS. May Itake you back, you were asked some questions by Mr Moxon Browne about the 2015 testing of material that may have been available in 2013— 30 MR MCLTONS: Dr Kite's analysis dated 20 May 2013, do you have that? 31 A. Yes. 32 Q. — and the retesting issue. 33 A. Yes. 34 A. Yes. 35 A. Yes. 36 A. The riddle trace, yes. 36 A. Yes. 37 A. Yes. 38 A. Yes. 39 A. Yes. 30 A. Yes. 30 A. Yes. 31 Dr Kite did in fact the were available in 2013— 41 A. Yes. 42 Q. The third one down, which has a little star next to it it— 42 Dr Kite did in fact were available in 2013— 43 A. Yes. 44 Q. Yes. 45 A. The riddle trace, yes. 46 A. Yes. 47 Could you	4	Q. Without?	4	A. 328?
report that stands separately from the one that you later wore, dated June? A. The technical that we normally put them together— Q. Yes. Q. Yes. Q. You see, we have heard some evidence from the senior moves againgt officer in the case that by 7 June he was saying that the compound detected in the stormach contents, there was no evidence to support to their occurrents, there was no evidence to support to their occurrents, there was no evidence to support to their occurrents, there was no evidence to support to their occurrents, there was no evidence to support to the good a toxic compound. We know that by 20 May your expert, Dr. Kite had concluded there was no support for the compound detected in the stormach being ossemble to the somach being destermine. Dr. Kite had concluded there was no support for the compound detected in the stormach being destermine. Where cles would he have got that from if he didn't get it if from Kew? 22. A. He couldn't — unless somebody else was involved in analysis, I don't think he could have got it anywhere else would he have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywhere else destermined that the could have got it anywher	5	A. Without sending the report.	5	Q. If the two peaks
Solution	6	Q. The report that Mr Kite has done, is that a technical	6	
9 A. The technical that we normally put them together— 10 Q. Yes. 11 A. — because I would write a summary of his report after going through it in detail. 12 Q. You see, we have heard some evidence from the senior investigating officer in the case that by 7 June he was saying that the compound detected in the stomach contents, there was no evidence to support for the compound. We know that by 20 May your expert, 17 Could you now look under tab 46 at page 266, please. 13 A. Yes. 14 Couldy you now look under tab 46 at page 266, please. 15 A. The prediction in the stomach being gelsemicine. 16 Contents, there was no evidence to support for the compound detected in the stomach being gelsemicine. 17 Could you now look under tab 46 at page 266, please. 18 A. Yes. 19 A. Yes. 20 A. He couldn't – unless somebody else was involved in analysis, I don't think he could have got it anywhere else. 21 A. Yes. 22 A. He couldn't – unless somebody else was involved in analysis, I don't think he could have got it anywhere else. 23 Q. What we do know is that the result of the test that Page 141 24 Dr Kite did in fact were available to Kew by 20 May, don't we? 25 Q. Yes. Thank you. 26 A. The preliminary data, yes. 27 A. Yes. 28 A. Yes. 29 Q. Freshing space. 20 Q. Freshing space. 20 Q. Freshing space. 21 A. Yes. 22 Q. — and the retesting issue. 23 A. Yes. 24 Q. The hird one down, which has a little star next to it— 25 I am hoping you will be able to help me in a moment as to why it has a star. 29 Q. Freshing space. 30 A. Yes. 41 Q. Freshing space. 42 Q. Freshing space. 43 A. Yes. 44 Q. Freshing space. 45 Q. Freshing space. 46 Q. Freshing space. 47 Page 143 48 Page 143 49 Page 143 40 Page 143 40 Page 143 41 Lan muning out of the east it is a 197 and a 328 and on the other inversing space. 40 Q. Which is an update on a previous report? 40 Q. Which is an update on a previous report? 41 A. Yes. 42 Q. Freshing space. 43 A. Ye	7	report that stands separately from the one that you	7	Q. The two peaks in the middle and then I think the MS/MS
Q. You can see on one there is a 197 and a 328 and on the other a 328, is that correct? A. — because I would write a summary of his report after general through it in detail. Q. You see, we have heard some evidence from the senior investigating officer in the case that by 7 June he was 15 saying that the compound detected in the stomach 16 contents, there was no evidence to support it being a toxic compound. We know that by 20 May your expert, 18 Dr Kite had concluded there was no support for the compound detected in the stomach being gelsemicine. Where else would he have got that from if he didn't get it from Kew? A. He couldn't – unless somebody else was involved in analysis, I don't think he could have got it anywhere else. Dr Kite did in fact were available to Kew by 20 May, don't we? A. Yes. Dr Kite did in fact were available to Kew by 20 May, don't we? A. Yes. Dr Kite did in fact were available to Kew by 20 May, don't we? A. Yes. Dr Kite did in fact were available to Kew by 20 May, don't we? A. Yes. MB BARTON: Yes. MB SARTON: Yes. MB SARTON: Yes. MR SKELTON: May I take you back, you were asked some questions by Mr Moxon Browne about the 2015 testing of material that may have been available in 2013 – A. Yes. MR MSCETON: 230 under tab 41, please? MR MSCOND BROWNE: 2307 MR MR SKELTON: 230 under tab 41, please? A. Yes. A. Yes.	8	later wrote, dated June?	8	data is on either side; is that right?
11 A. — because I would write a summary of his report after going through it in detail. 12 going through it in detail. 13 Q. You see, we have heard some evidence from the senior investigating officer in the case that by 7 June he was supported in the contents, there was no evidence to support it being a toxic compound detected in the stomach of contents, there was no evidence to support it being a toxic compound. We know that by 20 May your expert, by the detected in the stomach being gelsemicine. 15 A. Yes. 16 Could you now look under tab 46 at page 266, please. 17 A. Yes. 18 Q. Which is an update on a previous report from Kew dated I February 2016 from you and Dr Kite? 18 Q. Which is an update on a previous report? 29 A. Yes. 20 Q. A large 266, there is a table set out — 21 A. Yes. 22 A. Yes. 23 A. Yes. 4 Q. What we do know is that the result of the test that 25 Q. What we do know is that the result of the test that 26 Dr Kite did in fact were available to Kew by 20 May, don't we? 3 A. Yes. 4 Q. Yes. Thank you. 4 Q. Yes. Thank you. 4 Q. Yes. Thank you. 5 A. The preliminary data, yes. 6 MS BARTION: Yes. 6 MS BARTION: Yes. 7 Further questions from MR SKELTON 8 MR AKELTON. May I take you back, you were asked some questions by Mr Moxon Browne about the 2015 testing of material that may have been available in 2013 — 11 A. Yes. 12 Q. — and the retesting issue. 13 Q. Yes don't have to keep your finger in the old one, you can go straight to 268. 14 I an running out of fingers. 15 I am Poping you while be able to help me in a moment as to why it has a star. 16 I you go forward to page 268. 17 I have that? 18 Q. Which is an update on a previous report from Kew dated I February 2016 from you and Dr Kite? 19 A. Yes. 20 Q. The third one down, which has a little star next to it — 21 A. Yes. 22 Q. — which lists all your samples. 23 A. Yes. 4 Q. Now I didn't find the answer to what the star is but I am hority you will be able to help me in a moment as to why it has a star. 11 I you go f	9	A. The technical that we normally put them together	9	
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Page 141 Page 143 Page 143 Page 143 Page 143 A. Yes. A. Yes. Q. Yes. Thank you. A. The preliminary data, yes. MS BARTON: Yes. Further questions from MR SKELTON MR SKELTON: May I take you back, you were asked some questions by Mr Moxon Browne about the 2015 testing of material that may have been available in 2013 A. Yes. Q and the retesting issue. May I just take you back to that, please. If you go to page 230, under tab 41, please? MR MOXON BROWNE: Thank you. MR SKELTON: 230 under tab 41, yes. MR MOXON BROWNE: Thank you. MR MR MOXON BROWNE: Thank you. MR SKELTON: Dr Kite's analysis dated 20 May 2013, do you have that? A. Yes. Q. At the bottom you see exhibit 22915, gelsemium sempervirens? A. Yes. Q. Hank you. If you go forward to page 268. A. I am running out of fingers. Q. You don't have to keep your finger in the old one, you can go straight to 268. There is question 6, do you see that? A. Yes. "It should be noted that sample 25492 is from the same sample batch as 22915." A. Yes, that's right. Q. Has what has happened here, that while testing all the new material that you have got hold of in the interim period, you have got back to the 2013 sample and taken a further sample from it to test at the same time? A. Yes, and the key to be able to work that out, if you look at page 266, the number 25492, under collection number, it has an EBC number. A. Yes, and the key to be able to work that out, if you look at page 266, the number 25492, under collection number, it has an EBC number.			1	
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Page 142 Page 144	24			
rage 144		•	25	A. That is it, that is economic botany collection number,
		If you scroll on through that analysis to page 236	25	·

36 (Pages 141 to 144)

1	90489. If you go back to the technical report on	1	Q. The elution times are different from the original
2	May 2013, the BI number, 22915 is from that same	2	elution times, we had previously 8.68 and 9.75 and now
3	economic botany collection number, 90489. We have	3	we have 11.51?
4	a repeat sample as a form of control from our initial	4	A. And yes, 10.2 and 11.51, yes.
5	analysis to the 2016 analysis.	5	Q. Yes.
6	Q. Thank you.	6	I think Dr Kite explains why that may be the case,
7	That is the answer to where you located the original	7	in that you have you had had a change of equipment
8	sample and retested it.	8	for starters?
9	Can I now just show you what I think are the results	9	A. We would have different columns on the
10	and just ask if you can interpret them for me.	10	Q. And a different form of preparation using different
11	What I didn't take you to was the elution time.	11	solutions?
12	Perhaps it is just worth before we go to the second	12	A. Yes.
13	result, looking at that, under, again, tab 41, please.	13	Q. Is the MS/MS the same, and is that significant?
14	A. Tab 41, yes, page?	14	A. You have a 328, looks exactly the same, 328. 328
15	MR MOXON BROWNE: Page?	15	lost it now. (Pause)
16	MR SKELTON: Page 236.	16	Q. On one we have
17	A. Yes.	17	A. 297.
18	Q. Could you just explain the elution time there of the	18	Q. 328 and 297 on isomer 3?
19	A. If you take elution time in the middle.	19	A. You have exactly the same as last time.
20	Q. Yes.	20	Q. Exactly the same MS/MS.
21	A. There is 359 peak, 9.75.	21	A. The same as last time.
22	Q. Yes. What about the other peak?	22	Q. What does that say to you?
23	A. The 389 at 8.68. Is that the one you mean?	23	A. They chemical composition is very, very similar from one
24	Q. 359 is it?	24	to another.
25	A. 359, 8.68.	25	Q. Notwithstanding the different elution times?
	Page 145		Page 147
1	Q. There are two peaks at 8.68 and there is one at 9.75?	1	A. The different elution times.
2	A. Why is.	2	MR SKELTON: Thank you.
3	Q. As we say, the MS/MS in both cases is 328?	3	Sir, may we have a short break, I have not had the
4	A. Yes.	4	chance to speak to Dr Rice.
5	Q. And a smaller peak of 297?	5	THE CORONER: It is all obviously complicated material.
6	A. Yes.	6	I am just anxious, I am looking at the press
7	Q. Then if you go to the isomers that were tested in 2015,	7	representatives I just hope everybody has understood
8	could you look on page 276 which is the final page of	8	exactly what has been tested when, because it would be
9	tab 46. Do you have that?	9	possible to get a very misleading impression from some
10	A. Yes.	10	of the things that are said if you were not clear what
11	Q. About two-thirds of the way down I think we find 25492;	11	was actually being looked at at a particular time,
12	is that correct?	12	whether it was stomach contents or a sample that Kew
13	A. Yes.	13	already has, you see, it would be possible to get it
14	Q. Is that the original sample?	14	very wrong, wouldn't it, that is what just has been
15	A. Yes.	15	going through my mind, but if you are all clear.
16	Q. Or sorry, it is a resample of the original sample?	16	Had the same thought occurred to you.
17	A. It is a resample, yes.	17	A MEMBER OF THE PRESS: It had occurred to us, if it is
18	Q. Thank you.	18	possible to refer to your counsel if we need
19	Scrolling across, I think we don't find any results	19	clarification or even if a report could be available for
20	in isomer 1 or isomer 2 columns	20	us to refer to should we have any questions, that
21	A. That's right.	21	perhaps would be a great advantage to us.
22	Q but we do find results in both isomer 3 and isomer 4?	22	THE CORONER: I will have a think about it, but it is on my
23	A. That's right.	23	mind.
24	Q. The masses, 359.1987 in one and 359.1966 in the other?	24	Yes, we will certainly have a break. Yes.
25	A. That's right.	25	(3.40 pm)
	-		
	Page 146		Page 148
·			37 (Pages 145 to 148)

37 (Pages 145 to 148)

1	(A short adjournment)	1	through a large spreadsheet on which a number of
2	(4.25 pm)	2	potential poisons, toxins, had been listed by the police
3	MR SKELTON: Sir, the next witness is Dr Rice, we are within	3	and whether or not we could actually eliminate some of
4	striking distance of the usual court time that we	4	them from their investigation. My understanding was
5	conclude, sir. Dr Rice is able to stay a little late,	5	that I was just called to that meeting to comment on the
6	so hopefully we will try and conclude him this	6	materials that were in that spreadsheet that were or can
7	afternoon.	7	be defined as chemical weapons.
8	THE CORONER: Whatever suits everybody is what we will do.	8	Q. Chemical weapons, what categories is one looking at?
9	MR SKELTON: Thank you.	9	Obviously we have heard something about organophosphates
10	DR PAUL RICE (sworn)	10	which can be pesticides or can be used as nerve agents.
11	Questions from MR SKELTON	11	A. There are three main classical categories.
12	MR SKELTON: Dr Rice, would you give your full name, please.	12	The toxic gases that you breathe in, the examples
13	A. Dr Paul Rice.	13	being the gases we used during the First World War such
14	Q. And your position?	14	as chlorine and phosgene.
15	A. I am currently chief medical officer at the DSTL	15	You then have the blister agents, so things like
16	laboratory at Porton Down.	16	sulphur mustard, mustard gas, which predominantly affect
17	Q. DSTL stands for?	17	the outside of the body causing burns to the skin.
18	A. Defence Science and Technology Laboratory.	18	Then the next big category is the agents we call
19	Q. How long have you held that position?	19	nerve agents, which can be absorbed through the body in
20	A. I have held that position for the last four years.	20	many different ways but essentially affect the nervous
21	Q. Are you a pathologist by training?	21	system.
22	A. Yes.	22	Q. Are they all organophosphate compounds?
23	Q. You have become a specialist in certain types of	23	A. The nerve agents are all organophosphates, yes.
24	toxicology?	24	Q. Thank you.
25	A. Yes, mainly to do with the medical and toxicological	25	Obviously, Operation Daphne has to some extent been
			,
	Page 149		Page 151
1	effects of biological and chemical weapons.	1	eclipsed by the further investigations that have been
2	Q. It is axiomatic that much of your work is necessarily	2	done during the course of this Inquest, so I am going to
3	sensitive because you work in the defence sector?	3	focus primarily on the elimination as far as you can
4	A. It is, yes.	4	give a view that has occurred during that process.
5	Q. As you are aware, this Inquest is a public enterprise	5	Particularly by reference to your joint statements,
6	and therefore evidence which is based on open source	6	which we will come on to, because you met
7	information can be elicited in open at this Inquest but	7	Professor Ferner and Dr Perry recently?
8	evidence based on matters which you have received which	8	A. That's correct.
9	are sensitive or confidential to the work you have	9	Q. Can I just start by some background.
10	conducted on behalf of your organisation cannot be aired	10	You were aware that Dr Perry performed particular
11	today. You understand the distinction?	11	tests through LGC Forensics and HFL sports science and
12	A. I do.	12	the primary purpose of those tests was to look for drugs
13	Q. Will you please signal or explain if we get to the point	13	of abuse, medications, cardiac glycosides and other
14	where you feel that you are unable to give an answer	14	substances which may be used to kill a human being?
15	based on open source material?	15	A. Yes.
16	A. Yes, of course.	16	Q. You were aware obviously of Kew performing particular
17	Q. Thank you.	17	texts on plant toxicology and I think you have been here
18	You I think were involved, although not central, to	18	today during the evidence of Professor Simmonds?
19	the Operation Daphne conducted by Surrey Police into the	19	A. Yes, I have, yes.
20	death of Mr Perepilichnyy?	20	Q. And Dr Black at Reading University looked for heavy
21	A. Yes, I was called to a single meeting back in I think it	21	metals and anions as well?
22	must have been December I can't remember the exact	22	A. Yes.
23		23	Q. Finally can I show you, because it hasn't featured in
	date but early December 2012.	24	evidence at the moment in any great detail, some testing
	O What was the reason that you were brought in?		
24	Q. What was the reason that you were brought in?	1	
	Q. What was the reason that you were brought in?A. I was invited to attend that meeting purely to go	25	which was performed by the Atomic Weapons Establishment.
24		1	

1 If you have bundle 2 of the expert bundle in front of 1 have an immediate identity? 2 2 you, under tab 52, please, page 407 --A. I think that is almost certainly true, yes. 3 3 Particularly if you are using these very sophisticated A. Sorry, could you say the tab number again? 4 Q. Tab 52, page 407. 4 techniques of mass spec/mass spec where you are looking 5 This is one of the conclusions of Dr Fysh's 5 for, you know, basically molecular weights that have 6 involvement in 2013 where he summarises some of the 6 a whole range of different structures. 7 7 Q. Do you give that answer from your general knowledge as testing that is undertaken. You can see there, at 8 8 a physician specialist in pathology and toxicology or -paragraph 6.3, there is reference to radionuclide 9 9 A. Just from a position of general knowledge in terms of poisoning? 10 A. Yes, I see it. 10 those kind of techniques and what kind of molecular 11 weights and structures that they can throw up. Some of 11 Q. It says in effect that prior to the second post mortem 12 being carried out the body of Mr Perepilichnyy was 12 those are going to be unknown in terms of particularly 13 13 monitored for alpha and beta contamination with no their effects. 14 detectable amount found. Personal clothing was also 14 Q. The other aspect of course of the testing which I think 15 deemed free of contamination and that work was carried 15 you are aware of and you discussed with your fellow 16 out by the AWE? 16 experts was the imperfection of the samples. For 17 A. Okay, yes. 17 example, the stomach contents were thrown away because 18 18 a forensic post mortem was not conducted and so what was Q. Then further testing was done of internal body tissue 19 which was sent to HPE. You can see that the results of 19 left was effectively washings from the stomach that were 20 20 that are recorded underneath, which says that in tested. That, from your perspective as a toxicologist, 21 addition external alpha beta monitoring and gamma 21 will inevitably affect the ability to test? 22 22 A. Yes, I think with any death which there isn't spectrometry of post mortem specimens didn't demonstrate 23 23 the presence of any radioactive material at a level that an immediate cause for, one tries to retain as much of 24 could be harmful to health and certainly not in lethal 24 the body as possible for further toxicological testing 25 25 and that is normally what the position would be at the doses? Page 153 Page 155 1 first post mortem. If structurally you cannot see 1 A. Yes, I see that. 2 Q. Broadly speaking, that covers the toxicological 2 an immediate cause of death, that you would then have to 3 3 start thinking about other causes and that would involve investigations that took place, Dr Perry's work, the Kew 4 4 toxicology and retaining the relevant samples to allow work, Dr Black's work at Reading and the AWE work 5 primarily. I am right in thinking that as far as you 5 you to do that toxicological testing. 6 Q. The other aspect was that the preservation itself of the 6 were concerned, certainly when you were involved in the 7 Operation Daphne, there was no positive identification 7 samples was not perfect. 8 8 of a poison? A. I am not quite sure how those samples were stored. 9 9 I mean I have seen evidence but I couldn't comment on A. That's correct. 10 10 Q. What was identified by Kew, and has been the subject of whether or not those were appropriate storage 11 a lot of discussion during the Inquest hearings, was 11 conditions. 12 12 Q. I think it has been agreed that there had been some an unknown compound which had a similar atomic mass to 13 a gelsemium derivative but which ultimately Kew ruled 13 adulteration of some of the samples and so on and that 14 from your perspective is going to inevitably undermine 14 out as being gelsemicine or connected to gelsemium as 15 far as they could test the samples. I don't want to 15 the efficacy of the test? 16 16 rehearse any of that, you obviously heard quite a bit of A. Yes for certain substances, as is the time delay, 17 I would suggest, between the time the person died, the 17 evidence about it already today. 18 18 time at which the first post mortem was conducted, and A. Yes, I have. 19 Q. Can I ask you generally and if you cannot express a view 19 therefore the time at which the first samples were 20 on this then please don't speculate, but as far as, if 20 taken, and then the subsequent samples that were taken 21 21 at the second autopsy, you know, that time period for me one conducts toxicology of someone that you suspect has 22 died from poisoning or toxicology from someone who 22 is very important. 23 23 Q. Focusing on the timing, one of the points made by hasn't and you are looking for compounds and trying to 24 identify what is in their stomach or in their intestine, 24 Dr Perry, with whom I think Professor Ferner agreed, was 25 25 will one commonly find compounds for which you don't that a poisonous agent such as cyanide needs to be

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tested within a relatively small window of time, about 1 A. Yes. 2 2 Q. On that basis, one excludes on the balance of a week or so, in order for you to draw a reliable 3 3 conclusion that it has or has not been used. probabilities that as a form and in particular in 4 A. Yes, and I would concur with that view. 4 Mr Perepilichnyy's case, we know that he went for a run, 5 Q. The fact that cyanide was not tested during that period 5 which I think is probably one of few things we can be 6 of time means that it cannot be ruled out, for example? 6 clear about. 7 7 A. Yes. A. It cannot be ruled out, no. 8 8 O. Although one of course must look also to other potential Q. He decided that he felt well enough to go for a run? 9 9 signs and symptoms? A. Well enough to run, yes. 10 A. Yes. 10 I think the classic example here if I may is arsenic 11 Q. We will come on to the totality of the elimination but 11 poisoning where people have small amounts of arsenic put 12 12 broadly speaking you have your toxicological testing, in their food over long periods of time, you eventually 13 13 you have pathology, you have clinical signs and start looking unwell as well as feeling unwell and it 14 14 symptoms -may then be several weeks before you actually die. That 15 15 A. Yes. is not the sort of picture that I get from the evidence 16 Q. -- you have method of administration and availability 16 that I have read in this particular case. 17 17 insofar as you can ascertain those --Q. It is not a cumulative action poisoning, then the two 18 18 other possibilities are a fast-acting poison, which are A. Yes. 19 O. -- and you have got things like perhaps testing on the 19 administered in the hours or minutes before he dies? 20 20 family for genetic testing. I think we heard from A. Yes. 21 Dr Sheppard that it is possible to test the family 21 Q. Or a delayed-action poison which has been administered 22 22 some time before that but hasn't come into effect until members to see if you can identify genetic channel opathy 23 23 which you could then use to identify channelopathy with he goes on his run? 24 the deceased, which may then help to you rule out 24 A. Yes, some poison formulated in such a way that you could 25 25 give it to somebody, it wouldn't have an immediate a toxicological cause? Page 157 Page 159 A. Yes. 1 1 effect but as it reacts with things in the stomach or in 2 Q. Thank you. 2 the intestines slowly releases a lethal amount of 3 3 In Mr Perepilichnyy's case, I think that you and poison, some time away from actually administering it. 4 Dr Ferner have ruled out the possibility of a cumulative 4 Q. One can hypothesis one can that it could be a poison 5 5 action poisoning, in other words a poison which had that was administered in the day before in France or the 6 accumulated or been administered secretly and 6 morning in the airport for example, it is possible? 7 accumulated over a long period of time to the point of 7 A. That is -- that remains a possibility. 8 8 toxicity. Could you explain your basis for coming to Q. If one tries to go further backwards, does it become 9 Q that conclusion on the balance of probabilities? less and less probable? 10 A. We did consider that as a possible route but 10 A. I think it becomes less and less likely, yes, because of 11 administering small amounts cumulatively over a long 11 how do you control for that much longer time delay? 12 12 Q. Are delayed-action poisons generally ingested through period of time, you ultimately reach a point where the 13 person starts becoming unwell and starts showing signs 13 food and drink and then become active or can you have 14 14 a delayed-action poison that is administered by another of that illness. 15 Reading the evidence as I have, it appeared to me 15 that there was very little evidence of this slow 16 16 A. I think I am talking about in terms of delayed action is 17 accumulation and him having periods where he felt unwell 17 you have a poison but the way in which you administer 18 prior to the day that he died. Therefore I think we 18 it, the formulation in which it exists is different and 19 19 were fairly confident that based on the overall clinical allows it to be slowly absorbed. An example would be to 20 picture here, that the likelihood of a continual 20 put a sugar coat round it or a fatty coat round it and 21 administration of a low level of a poison that basically 21 then ingest it, such that the actual release of the 22 22 accumulated in the body, was not strong. lethal amount of poison which is contained within that 23 Q. The expectation is that if a cumulative poison is given, 23 coated pill is released some time after they have 24 it is likely to be demonstrated by clinical signs and 24 actually ingested it. That is what I mean by slow 25 symptoms before the critical event? 25 acting. Page 160 Page 158

1 Q. Yes, but ingestion is the ordinary route for that kind 1 either he had taken previously and it had been delayed 2 2 of poisoning? action or it had been a fast-acting poison somehow 3 3 administered. We don't have any obvious signs on A. Normally, yes. 4 Q. An example given by Dr Perry would be paracetamol, which 4 pathology of forcible administration? 5 can be ingested in large quantities and not have 5 6 immediate effect until some time when you get 6 Q. But Professor Ferner I think agreed it would be possible 7 catastrophic liver failure? 7 for someone to be given a poison inadvertently through 8 8 A. Yes. food and drink or for example through a pinprick of some 9 Q. Of course you will find that, it is --9 kind or indeed just a splash of fluid while you are out 10 A. You would expect to see it in the stomach contents, the 10 and about which can then activate and kill without you 11 slow absorption of that massive amount may have 11 realising, a trite statement it may be but is that true? 12 12 A. Those are all possibilities, yes. structural effects on the stomach and its lining for 13 example. You would expect to see evidence on that. 13 Q. As far as elimination is concerned, the screening 14 Q. What kind of poison would you use that isn't an ingested 14 Dr Perry did looked broadly for opioids and the like, 15 poison? 15 I have also mentioned things like heavy metals, I have 16 16 mentioned atomic radiation of some kind that was tested A. That acts more slowly? 17 Q. That has a delayed action, yes. 17 for, drugs of abuse as well, all of which appears to 18 18 A. I don't know of any poisons but the pharmaceutical have been screened out by those tests as I understand 19 industry are continually formulating drugs that can be 19 20 20 I am just trying to work without what one has left injected into the muscle which slowly release the drug 21 over a period of weeks or months. Such that the person 21 that one can consider, further poisons which you I think 22 22 doesn't have to take a tablet every day, they have consider to be eliminated. If you want to look on your 23 a single injection which then lasts them for the next 23 joint statement, I don't know if you have a copy of 24 month or so. 24 that. Do you have your own copy of it or do you need to 25 Q. My question really was focused on whether or not there 25 rely on the bundle copy? Page 161 Page 163 1 was other things, not like tablets or fluids that you 1 A. I need to rely on the bundle. 2 are actually taking in that way, but for example a gas 2 Q. It should be at tab 98 of bundle 3, and it is printed 3 3 or an injection. Phosgene for example is something horizontally. Page 877 and following, although I am not 4 which doesn't necessarily have an immediate fatal effect 4 using the bundle paginated version. 5 but it may have an immediate clinical effect of some 5 A. Yes, I have it. 6 kind and later become fatal. Is that right? 6 Q. You have it, thank you. 7 A. Yes, phosgene is a good example of a gas which you can 7 If we refer to the internal pagination, I would just 8 8 inhale, you may initially experience some irritation, like to take you back to the things that you have ruled 9 Q because it is quite an irritant gas, so a bit of out, so page 15? 10 coughing and streaming of the eyes. But then, depending 10 A. Yes, I am there. 11 on how much you have inhaled, it might be 6, 8, even 11 Q. And overleaf, page 16 I think it continues on to. Just 12 12 hours before the full effects of the gas that you 12 taking phosgene gas, which is something you deal with 13 have actually inhaled become apparent in terms of its 13 under "Specific poisons", that in effect is it ruled out 14 14 on the basis of absence of the sort of precursor toxic effect, truly toxic and potentially lethal effect, 15 actually. 15 symptoms, partly? 16 16 Q. Before we come on to the elimination, just to go back to 17 what we know about Mr Perepilichnyy. We in effect don't 17 Q. Then what about the -- can one in fact, aside from that, 18 know because we don't have any account from him or his 18 can one rule it out on the basis of the findings during 19 19 doctors about how he felt in the preceding days or the final phase of Mr Perepilichnyy's life, when he did 20 indeed on the day, but we do know that he didn't report 20 demonstrate pulmonary oedema which can be consistent 21 anything untoward as far as we can tell certainly to his 21 with toxicity? 22 family, that was the evidence that we received and he 22 A. Yes, from my personal perspective, somebody dying of 23 did go out for a run. 23 pulmonary oedema is not a very pleasant sight. We 24 A. Yes. 24 notice from the reports of the ambulancemen that he was 25 Q. That narrows it down to certain types of poison which 25 coughing up a little bit of fluid but not that much and Page 162 Page 164

41 (Pages 161 to 164)

1			
1	he had some phlegm in his mouth. Somebody who is	1	A. About a third of the general population have the gene
2	actually just about to die because of overwhelming	2	for smelling it, yes.
3	pulmonary oedema the fluid just pours out of them and	3	Q. The definitive testing needs to be done within a few
4	that is why I would rule out phosgene on clinical	4	days of death, which was not done?
5	grounds, because from my experience of seeing animals	5	A. On most biological samples yes, that is true.
6	die of phosgene poisoning, what is described in	6	Q. You cannot eliminate that on the balance of
7	Mr Perepilichnyy's case is not consistent with phosgene	7	probabilities?
8	poisoning. Plus the fact that when you look in detail	8	A. No, I mean they did check for it but at the time the
9	at the pathologists' reports from both the first and	9	tests were done, the negative result, well, you can just
10	second post mortem, there are other things that you	10	cannot interpret it.
11	would see microscopically in the lung, so looking at	11	Q. It is unreliable?
12	thin sections of the lung tissue under a microscope,	12	A. It is unreliable.
13	that were not seen that you would most certainly expect	13	Q. Azides, could you just explain what an azide is and how
14	to see in a fatal case of phosgene poisoning.	14	one tests for azides?
15	Then you add to that, well, how are you going to	15	A. It is a very reactive ion, so it is basically
16	administer the phosgene to him? That is not easy,	16	a trivalent nitrogen ion, so cyanide is CN-, azide is
17	particularly in an open space, so taking all of those	17	N3- and then you have phosphide, which is the P3- ion.
18	into consideration together, that is why I argued that	18	They are all reactive ions basically.
19	you could I think, fairly comfortably eliminate it.	19	Q. You can test for azides if you do it deliberately, as it
20	I mean Professor Ferner is right in that, you know,	20	were. It doesn't get picked up, you have to look for
21	the symptoms, as far as we know them, you know, wouldn't	21	it. Is that right?
22	preclude it but I think they probably would.	22	A. That's right.
23	Q. Thank you. Dr Black has ruled out heavy metals?	23	Q. Again, is it the case that there is a window of
24	A. Yes.	24	opportunity for testing an azide?
25	Q. You do not dissent from his view?	25	A. Yes, much the same way as for cyanide.
	(· · · · · · · · · · · · · · · · · · ·	23	11. Test, much the same way as for equilites
	Page 165		Page 167
1	A. No, I think the analysis for all of those was negative,	1	Q. Just moving on ahead to phosphide, is that the same
2	and clearly negative.	2	position?
3			•
	Q. Dr Perry has ruled out opioids?	3	A. Yes.
4	A. Yes.	4	A. Yes. Q. You need to actively look for azides, phosphides and
5	A. Yes.Q. Again, you do not dissent from her conclusions on that?	4 5	A. Yes.Q. You need to actively look for azides, phosphides and cyanides?
5 6	A. Yes.Q. Again, you do not dissent from her conclusions on that?A. No.	4 5 6	A. Yes.Q. You need to actively look for azides, phosphides and cyanides?A. I think you have to have in your mind those three
5 6 7	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes 	4 5 6 7	A. Yes.Q. You need to actively look for azides, phosphides and cyanides?A. I think you have to have in your mind those three poisons because if you don't think about them, you will
5 6 7 8	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? 	4 5 6 7 8	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in
5 6 7 8 9	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. 	4 5 6 7 8 9	A. Yes.Q. You need to actively look for azides, phosphides and cyanides?A. I think you have to have in your mind those three poisons because if you don't think about them, you will
5 6 7 8 9	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its 	4 5 6 7 8 9 10	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen.
5 6 7 8 9 10	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that 	4 5 6 7 8 9 10	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those
5 6 7 8 9 10 11	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that area. 	4 5 6 7 8 9 10 11 12	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those conclusively?
5 6 7 8 9 10 11 12 13	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that area. Q. Of plant alkaloids broadly? 	4 5 6 7 8 9 10 11 12 13	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those conclusively? A. That's correct.
5 6 7 8 9 10 11 12 13 14	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that area. Q. Of plant alkaloids broadly? A. Not of plant alkaloids, no. 	4 5 6 7 8 9 10 11 12 13 14	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those conclusively? A. That's correct. Q. Is there in fact a specific test for phosphides, that
5 6 7 8 9 10 11 12 13 14 15	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that area. Q. Of plant alkaloids broadly? A. Not of plant alkaloids, no. Q. Sildenafil was raised as a possibility but if that 	4 5 6 7 8 9 10 11 12 13 14 15	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those conclusively? A. That's correct. Q. Is there in fact a specific test for phosphides, that you know of?
5 6 7 8 9 10 11 12 13 14 15 16	 A. Yes. Q. Again, you do not dissent from her conclusions on that? A. No. Q. You defer I think to the Kew plant experts when it comes to gelsemium? A. Yes. Q. And its A. I do not have any experience at all or expertise in that area. Q. Of plant alkaloids broadly? A. Not of plant alkaloids, no. Q. Sildenafil was raised as a possibility but if that A. Certainly not any experience in that area either, sir. 	4 5 6 7 8 9 10 11 12 13 14 15 16	 A. Yes. Q. You need to actively look for azides, phosphides and cyanides? A. I think you have to have in your mind those three poisons because if you don't think about them, you will never make the diagnosis because there can be delays in actually testing for them which is crucial, as we have seen. Q. At this stage it would not be possible to exclude those conclusively? A. That's correct. Q. Is there in fact a specific test for phosphides, that you know of? A. Not that I know of.
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42 (Pages 165 to 168)

then the chemical weapon type. You can test for these as well? 2 as well? 3 A. Yes, you can. 4 Q. What is the window of reliable testing? 5 A. What you would normally do to confirm a case of organophosphorous poison is actually measure an enzyme in the blood and tissue called acetylcholinesterase. 8 That is a specific target for all of those organophosphate materials, the pesticides and the nerve agents. It is a bit like the cyanide really, you have to think of that as a diagnosis so you can actually do to think of that as a diagnosis so you can actually do to think of that as a diagnosis so you can actually do time between death and actually doing the testing, you get a false level of that enzyme, it naturally starts thave between death and actually doing the testing, you get a false level of that enzyme, it naturally starts thave measured the acetylcholinesterase level to see if that enzyme had been poisoned, the longer you go out from the time of death, the less reliable that test possible organophosphates and particularly in our nervous system. 10 The classic features that you see are basically an overstimulation of the nervous system becomes more exhausted because of this year could start running, you would start running, you would start crupning your poss would start running, you would start coughing up secretions, you would see eventually a slowing of the heart, a graphophosphates and particularly the nerve agents. 1 are tests for those that labs like LGC are able to conduct. Tests for actually identifying the presence of intact nerve agents is a very specialist area and I believe that the laboratory I work for is currently the organophosphates and particularly the nerve agents. 1 are tests for those that labs like LGC are able to conduct. Tests for actually identifying the presence of intact nerve agents is a very specialist area and I believe that the laboratory I work for is currently the nerve agents. 2 A. A. That I
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13 after this period of time that you would be able to 13 a poisoning you go through that, those symptoms, you go
14 detect the nerve agents. I wouldn't like to comment on 14 through the crisis exhibiting those symptoms?
15 some of the pesticides because I know some of those are 16 fairly long lived because they actually partition into 17
the fat of the body. If there were tissue samples still 17 that entire range of symptoms means that
18 available from the deceased then it is a possibility, 18 organophosphates on balance can be ruled out here?
but I don't know enough about the technical detail of 19 A. I don't think you can be absolutely certain and rule
20 how you would test them and how reliable your result 20 them out but somebody dying acutely of nerve agent
21 would be, so long a period after the death. 21 poisoning, and some of the organophosphate pesticides,
22 Q. You mentioned the particular enzyme and how effectively 22 those symptoms are so remarkable it would be difficult
23 all organophosphates effectively end up with the same 23 to overlook them.
24 toxicological pathway within the human body, resulting I 24 Q. If it is the case that Mr Perepilichnyy didn't
25 think in a cholinergic reaction which is quite obviously 25 demonstrate the range of cholinergic crisis symptoms
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1	that you have described, including for example seizures,	1	going to be looking to make those poisons for reasons
2	incontinence et cetera, is it more likely than not that	2	which we are all familiar with?
3	it was not organophosphates? You don't have to be	3	A. Possibly, yes.
4	certain, but is it more likely than not that it wasn't?	4	Q. Just to sum up then, there is no positive evidence that
5	A. More likely than not, certainly.	5	Mr Perepilichnyy was poisoned in this case,
6	Q. Thank you.	6	notwithstanding the battery of tests which were
7	You were asked in your joint statement to consider	7	conducted which I have taken you through?
8	who might have access to nerve agents. If you want to	8	A. Yes.
9	look at page 23 of your answers, at paragraph 65,	9	Q. Do you accept the hypothesis that either he died from
10	please.	10	a cardiac arrhythmia or he died from poison?
11	A. Yes.	11	A. I think those still remain possibilities, yes. Two
12	Q. As you are aware, in this case it is alleged that	12	possibilities.
13	Mr Perepilichnyy had become involved with a fraud in	13	Q. Is it the case that if one becomes unlikely, the other
14	Russia and that those who may have been directly	14	becomes likely, is that a proper assessment of the logic
15	responsible for the fraud may have had an animus against	15	of the death, if it's only to take those two potential
16	him which motivated them to kill him, that is	16	causes, that if one is unlikely, the other must
17	a possibility which has been raised in this Inquest,	17	necessarily become likely?
18	that agents of the Russian state of some kind may have	18	A. Yes, I would agree with that. It works both ways round,
19	been responsible for his death.	19	I think if you are absolutely certain and you can
20	From your perspective, based on open source	20	absolutely eliminate poisoning, then your diagnosis
21	material, is it the case that the Russian state or	21	becomes one of sudden cardiac death but vice versa, if
22	agents of the Russian state could have access to	22	the expert opinion is that sudden cardiac death is
23	organophosphate nerve agents?	23	unlikely, it then puts more emphasis on poisoning as the
24	A. That is a possibility, yes.	24	only other cause of death that you have left to you.
25	Q. I think you go on to say in that answer, just for	25	Q. And
23	Q. I tillik you go on to say in that answer, just for	23	Q. Alid
	Page 173		Page 175
1	completion, that they are potentially fatal in very	1	A. I think is that the dilemma that we are in.
1 2	completion, that they are potentially fatal in very small doses indeed?	1 2	Q. Just taking the totality of the evidence as you have
	small doses indeed? A. Yes.		Q. Just taking the totality of the evidence as you have seen it or the information available about the timing of
2	small doses indeed? A. Yes. Q. Is it the case that there are some nerve agents,	2	Q. Just taking the totality of the evidence as you have seen it or the information available about the timing of Mr Perepilichnyy's death and the supposition that it
2 3	small doses indeed? A. Yes. Q. Is it the case that there are some nerve agents, organophosphates, that can be really a spec of fluid	2 3	Q. Just taking the totality of the evidence as you have seen it or the information available about the timing of Mr Perepilichnyy's death and the supposition that it could have been a delayed-action poison or a fast-acting
2 3 4	small doses indeed? A. Yes. Q. Is it the case that there are some nerve agents, organophosphates, that can be really a spec of fluid that can, if it gets into your system through the eyes	2 3 4	Q. Just taking the totality of the evidence as you have seen it or the information available about the timing of Mr Perepilichnyy's death and the supposition that it could have been a delayed-action poison or a fast-acting poison, the means of administration that are available
2 3 4 5	small doses indeed? A. Yes. Q. Is it the case that there are some nerve agents, organophosphates, that can be really a spec of fluid	2 3 4 5	Q. Just taking the totality of the evidence as you have seen it or the information available about the timing of Mr Perepilichnyy's death and the supposition that it could have been a delayed-action poison or a fast-acting
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44 (Pages 173 to 176)

1	it because it has been eclipsed by the overall	1	I wasn't involved in any of those meetings where that
2	A. Okay.	2	report was put together.
3	Q. The report is dated 20 December 2016.	3	Q. No.
4	A. Yes.	4	A. The criteria they were using looked very reasonable to
5	Q. Do you also stand by the opinions expressed in your	5	me and it would be
6	joint statement with your fellow experts?	6	Q. It is not so much the criteria they were using, it is
7	A. I do.	7	the way they were applied, particularly to nerve agents.
8	Q. Is there anything that I have not asked you about or	8	Let's not worry too much about what Mr Fysh may have
9	which doesn't appear in those documents that I have just	9	said, let's just concentrate on your views today.
10	referred to which you think is of significance for the	10	It was suggested to you by Mr Skelton that the
11	learned coroner in his determination on how	11	Russian state well, he was seeking your opinion as to
12	Mr Perepilichnyy died?	12	whether or not they would have access to nerve agents.
13	A. I can't think of any other matters.	13	Your reply, I would suggest, was a very cautious one,
14	MR SKELTON: Thank you.	14	was possibly, there is no doubt is there that the
15	Questions from MR MOXON BROWNE	15	Russian state has easy access to these types of weapons?
16	MR MOXON BROWNE: Dr Rice, I think you have reminded us that	16	A. The reason I answered "possibly" was that we know the
17	your involvement in this investigation was pretty	17	UK, the US and the former Soviet Union stock piled huge
18	slender, you attended I think one meeting?	18	quantities of these particular chemical agents.
19	A. Yes, I did, sir.	19	Q. Yes.
20	Q. I think you were also asked for some advice?	20	A. We have all undergone and are I believe in the
21	A. Yes, outside the meeting by correspondence with one of	21	Russian state case, still undergoing the destruction of
22	the police officers leading the investigation.	22	those agents as part and parcel of being signatories to
23	Q. Yes I think you were able to help either at that stage	23	the Chemical Weapons Convention. I currently don't know
24	or certainly in the course of the coronial investigation	24	the status of the destruction process in the former
25	by saying that you know that no tests for weaponised	25	Soviet Union. That is why I said possibly, because they
	Page 177		Page 179
1	biological warfare weapons were carried out at Porton	1	may not have got rid of all their stockpile.
2	Down?	2	Q. They may not have got rid of all of them?
3	A. That's correct, we were not asked to test any samples.	3	A. All of their nerve agents, no.
4	Q. No, and I think you are also aware that Dr Perry has	4	Q. That really wouldn't be a reason, would it, for
5	said that no tests of that kind were carried out at her	5	eliminating this particular form of poison, that there
6	establishment?	6	would be some difficulty in getting hold of it, possibly
7	A. Yes, I believe I saw that in her earlier evidence, that	7	they got rid of it all but that wouldn't be a reason for
8	they hadn't undertaken those tests for	8	eliminating it if you are not sure about
9	Q. As far as you know, no such tests were carried out?	9	A. No, but I think what I would say there, sir, with due
10	A. Correct.	10	respect, is that these are not generally widely
11	Q. There seems to have been a perception by those who were	11	available materials. I think I would use
12	writing reports on the whole picture that perhaps	12	Q. I am not suggesting that, I am suggesting that they
13	relevant tests had been done which would have revealed	13	would be available to the Russian state?
14	the presence of weaponised organophosphates. Do you	14	A. Yes, possibly.
15	know where that idea came from?	15	Q. Possibly?
16	A. No.	16	A. Yes.
17	Q. Not from you anyway?	17	Q. Yes.
18	A. Certainly not from me, no.	18	THE CORONER: Sorry, I am afraid was there anything else you
19	Q. I think you were involved, but I am not at all sure	19	wanted to say, you were saying not generally widely
20	exactly how, in whether or not it would be appropriate	20	available but then you were interrupted. You went on to
21	to eliminate the possibility of the use of weaponised	21	say but possibly to the Russian state or to the Russian
22	nerve agents in this particular case, by reference to	22	state, had you said all you wanted to?
23	various criteria.	23	A. Yes, I think I have, thank you.
24	A. I have subsequently seen the criteria that were applied	24	MR MOXON BROWNE: I think that you gave evidence at the
25	and what resulted in the production of Dr Fysh's report.	25	inquest into the death of an aircraftman at Porton Down
-5	and macresured in the production of Dr 1 you steport	-5	
	Page 178		Page 180
-		-	

45 (Pages 177 to 180)

1	who died as a result of sarin poisoning?	1	it, is that
2	A. Yes, sir, I did.	2	A. Yes.
3	Q. Certainly the reports of that inquest suggested that he	3	Q. Do you know how long it took for him to exhibit
4	died as a result of a dab on the arm with sarin.	4	symptoms?
5	A. He had sarin applied to his forearm over pieces of	5	A. Not exactly. Only what was reported in the press, which
6	clothing that he was wearing on his forearm, yes.	6	was 15 to 20 minutes.
7	Q. Yes. That would seem to indicate, would you agree, that	7	Q. Yes, and do you know, in the same way, how long he lived
8	difficulty of administration certainly wouldn't be	8	for?
9	a reason for eliminating that type of poison in this	9	A. I don't.
10	case, it sounds as if it is very easy to administer,	10	Q. Do you know what symptoms he exhibited before he died?
11	albeit at some risk to the assailant?	11	A. No, just symptoms of collapse. He collapsed.
12	A. But in the death of the aircraftman at Porton Down, he	12	Q. You couldn't say for example whether he exhibited a
13	"voluntarily" allowed them to apply the material to him.	13	do you get a cholinogenic crisis as a result of VX?
14	He had some understanding that he was partaking in	14	A. Yes, you do.
15	an experiment and that was part of the experiment.	15	Q. Do you know whether he exhibited the suite of symptoms
16	Q. Yes.	16	or not?
17	A. I don't think	17	A. I don't, I don't.
18	THE CORONER: Do	18	Q. Thank you.
19	A there is a read across from that and the current	19	Do you agree with the proposition that the
20	situation. What I was erring towards in terms of	20	difficulty of administration of a nerve agent would not
21	administering something like a nerve agent, the person	21	be a reason for eliminating that particular poison in
22	who is administering it has to handle it and there are	22	this case?
23	certain dangers in doing that. But you also have to	23	A. No, but I think it makes it less likely.
24	administer it in such a way that it would act rapidly.	24	Q. Yes.
25	Q. Yes.	25	Just for completeness, I think there is information
	D 101		P. 102
	Page 181		Page 183
1			
1	A. Depending on what the nerve agent is and what physical	1	available about the terrorist attack using sarin in the
2	A. Depending on what the nerve agent is and what physical form it is in, you would pick certain routes of	1 2	_
	form it is in, you would pick certain routes of		available about the terrorist attack using sarin in the Tokyo subway in the 1990s which you know about. A. Yes.
2		2	Tokyo subway in the 1990s which you know about.
2 3	form it is in, you would pick certain routes of administration. If you wanted to kill somebody very	2 3	Tokyo subway in the 1990s which you know about. A. Yes.
2 3 4	form it is in, you would pick certain routes of administration. If you wanted to kill somebody very quickly you would want to inject it. Not apply it to	2 3 4	Tokyo subway in the 1990s which you know about. A. Yes. Q. I think the technique there was to burst polythene
2 3 4 5	form it is in, you would pick certain routes of administration. If you wanted to kill somebody very quickly you would want to inject it. Not apply it to their skin.	2 3 4 5	Tokyo subway in the 1990s which you know about. A. Yes. Q. I think the technique there was to burst polythene plastic bags containing sarin, so that doesn't sound
2 3 4 5 6	form it is in, you would pick certain routes of administration. If you wanted to kill somebody very quickly you would want to inject it. Not apply it to their skin. THE CORONER: Did you say you would want to inject it,	2 3 4 5 6	Tokyo subway in the 1990s which you know about. A. Yes. Q. I think the technique there was to burst polythene plastic bags containing sarin, so that doesn't sound A. The agent was in three polythene bags that were all left
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1	THE CORONER: Can I just ask you	1	I think you haven't mentioned it but I think
2	A. Does that make sense?	2	hypothermia, that is cold to the touch, apparently
3	MR MOXON BROWNE: Perfectly.	3	a cold body is one of the features. You are obviously
4	THE CORONER: The sarin you were giving as an example and	4	aware that two witnesses independently observed that
5	saying if in this courtroom and on the underground, if	5	Mr Perepilichnyy's body was cold.
6	you were outdoors and so on	6	There is a feature of the release of mucous?
7	A. You would have to put a lot more down	7	THE CORONER: Forgive me interrupting. Did you say coldness
8	THE CORONER: That is what I was	8	is a consequence, did you say?
9	A the dilution in the air but in a fairly confined	9	A. Of nerve agent poisoning?
10	space, you know, a reasonable amount of it would	10	THE CORONER: Is that what the suggestion was?
11	evaporate very quickly and cause effects in all of us.	11	MR MOXON BROWNE: Yes, it was.
12	MR MOXON BROWNE: I am taking, amongst other things, from	12	THE CORONER: You may have not understood, that is the
13	what you are saying that VX is much more potent, much	13	suggestion.
14	more poisonous than sarin but on the other hand much	14	A. Sorry, I misinterpreted what you were trying to suggest.
15	less volatile, or not volatile at all.	15	MR MOXON BROWNE: I was not trying to suggest anything.
		16	
16 17	A. It is far less volatile and therefore it is mainly deemed to be a contact hazard	17	I thought it was common ground and I may be wrong, please correct me if I am, that hypothermia belonged in
18	Q. Yes.	18	the suite of symptoms of a cholinogenic crisis, it is
	~	19	one of things that you list as
19	A you have to touch it. Sorin is more veletile and therefore it is	20	
20	Sarin is more volatile and therefore it is	20 21	A. It can be, yes.
21	an inhalational hazard, you breathe in the vapour.	21 22	Q. Can be?
22	Breathing something in often has effects very much more		A. Yes.
23	quickly than actually touching something and getting it	23	Q. Right. I had misunderstood that.
24	on your skin because you then have to absorb it through	24	Another feature is the free running of mucous and
25	the thickness of your skin which takes time. For VX,	25	saliva. A piece of new information we received from the
	Page 185		Page 187
1	the symptoms would take longer to come on, because it	1	paramedics who attended that in addition to finding
2	has to get through your skin.	2	a mixture of mucous and saliva in the mouth, which
3	Q. Yes.	3	I think you knew about, there was also what was
4	A. That time can be several hours.	4	described as drooling, that is as I understand it saliva
5	If you were to inhale sarin, you would expect to see	5	and/or mucous actually coming out of his mouth,
6	the effects within one or two minutes and you could be	6	"drooling" was the word that was used. That is I would
7	dead within three minutes. VX is slightly more toxic	7	suggest a classic symptom of a cholinogenic crisis.
8	than sarin but not hugely so.	8	A. The evidence I have seen, it was some mucous in his
9	Q. I want finally, on the question of elimination criteria,	9	mouth.
10	to ask you about the suite of symptoms of the	10	Q. I am telling you that the coroner has heard evidence
11	cholinogenic crisis. Mr Skelton pressed you a little on	11	from the paramedic, and Mr St Clair-Ford, and I am
12	the question of a seizure or epileptic fit and that the	12	saying you have not heard that and I am telling you.
13	absence of evidence of such a fit might tell against	13	A. I haven't seen that evidence or heard that evidence.
14	that account, that explanation.	14	Q. Now I tell you that there is that evidence and the
15	It is by no means I think an inevitable feature of	15	coroner will make of it what he will. I am suggesting
	-	16	to you that that is symptomatic of the cholinergic
16	a cholinogenic crisis, it sometimes happens but	17	
17	A. No, it is not inevitable but it is one of the signs that	18	crisis, drooling?
18 19	if you are exhibiting it, it does go along with all the others in helping you make the diagnosis.	19	A. Yes. THE CORONER: To what extent? I mean I think I have
		20	a recollection of what the evidence was about it but to
20	Q. Yes, so if it is there, it would tell in favour, but		
21	I am suggesting to you if it is not there, it doesn't	21	what extent I mean a very marked extent or
22	really tell very strongly against?	22	A. Very marked extent.
. ,,	A. Agreed.	23 24	THE CORONER: Then you had better just tell us.
23	O Th 1	. 7/1	A. Once you have seen an animal poisoned with one of these
24	Q. Thank you.		•
	Q. Thank you. Let's look at what some of the symptoms are.	25	nerve agents you don't forget it, because they bring up
24			•

1	and drool vast quantities of fluid. It is not just	1	MR MOXON BROWNE: I would like to suggest to you that taken
2	a little bit of dribbling, it is constant production	2	in the round, that is to say hypothermia, drooling, and
3	over several minutes, hours of very excessive amounts of	3	the other symptoms that we have shivering, whatever
4	fluid.	4	that means, I think another person used the word
5	THE CORONER: The whole time?	5	"shuddering", are consistent with, although not
6	A. Yes.	6	exclusively consistent with, a cholinogenic crisis.
7	THE CORONER: Hold on.	7	A. Yes, but if we are talking about a cholinergic crisis,
8	MR MOXON BROWNE: I think all of us have seen on the	8	then I would have expected to see other symptoms which
9	television the horrible effects of sarin poisoning in	9	have not been reported, was the point I was trying to
10	Syria. The picture which we have seen on the	10	make.
11	television, please comment, is of shivering and saliva	11	Q. Perhaps we can examine those, there is the question of
12	dripping from the mouth. That is what we are talking	12	a seizure?
13	about.	13	A. Yes.
14	A. Yes.	14	Q. Miosis is mentioned?
15	Q. I am suggesting to you that the evidence the coroner may	15	A. Yes.
16	recall is that I think in the short time that he was	16	Q. We heard evidence from Professor Ferner that the eyes
17	observed was two tablespoons of drooling coming out of	17	dilate in death. Is that within your professional
18	his mouth. Is that relevant or not?	18	knowledge?
19	THE CORONER: It didn't sound like that is the sort of	19	A. Yes.
20	amount you were talking about.	20	Q. So that
21	A. No, I would have said more than that.	21	A. But the classic sign of nerve agent poisoning is not
22	THE CORONER: You are talking about a lot more than that.	22	a dilatation of the pupils it is a constriction of the
23	MR MOXON BROWNE: Are we?	23	pupils.
24	THE CORONER: That is what you have said, bring up vast	24	Q. Quite, that I understand, miosis.
25	quantities, very large amounts of	25	A. That was not observed as far as the evidence
	Page 189		Page 191
,	MD MOVON DROWNE. O	,	O. N had I am a dilated as in the character of
1	MR MOXON BROWNE: Over what period?	1	Q. No, what I am putting to you is the observation of
2	THE CORONER: The whole time is what the witness just said.	2	Professor Ferner, that if you die your pupils dilate and
3 4	That is why I said it sounded different from my recollection of a tablespoon or two.	3 4	since we don't know when the observation was made, it doesn't seem to tell either way.
5	A. It depends on the dose, quite clearly. You may not see	5	•
6	any drooling at all if death occurs very rapidly, which	6	A. They do eventually. Q. Dilate?
7		7	A. Yes.
8	it can with an inhaled nerve agent.	8	
9	With the ones that go through the skin, over a longer period of time, those kind of symptoms can go		Q. What do you mean by that?A. Well it takes some time, they don't dilate immediately.
10		9	Depending on the cause of death. I would suggest that
11	on for many, many minutes if not hours and in vast	11	. 0
12	quantities. Q. Yes.	12	if you are suggesting that the cause of death here is nerve agent poisoning, I would expect the pupils to
13		13	remain constricted for some time after death.
14	A. More than a teaspoon. Q. I do appreciate that but, as I think you know,	14	Q. That is useful.
15	Mr Perepilichnyy did not live very long under the	15	I am not suggesting anything, I am simply exploring
16	observation of the people who we are talking about, in	16	the possibilities with you. We are not I think at odds.
17	that time, however, it is a matter of minutes or	17	
18	slightly longer, he was observed to be drooling, that is	18	A. Thank you.Q. All in all, and given the comparatively short time that
19	really what I am putting to you. Not what may have	19	this gentleman was in the hands of the paramedics,
20	happened over hours.	20	I would suggest that the suite of symptoms he exhibited,
21	A. Equally we don't have any good evidence of what he	20	although by no means exclusively consistent with nerve
22	appeared like before he collapsed either.	22	agent poisoning was certainly not inconsistent with it?
23	Q. We don't have any evidence at all.	23	
24		23	A. I would agree.
25	A. And I recognise that. THE CORONER: We have some, I think.	25	Q. Thank you. At the end of your evidence, and I think it is the
23	THE CONOTICE. We have some, I tillik.	23	At the end of your evidence, and I think it is the
	Page 190		Page 192
	-		-

48 (Pages 189 to 192)

and some sudden cardiac event, which we know has no structural basis. What we are then talking about is some kind of arrhythmia, channelopathy is just one cause of, you know, those arrhythmias. From all the evidence I have seen, all I am saying is personally I would favour a cardiac death rather than a poisoning, but from the evidence whave, you cannot 100 per cent rule out cither cause — 22 mn observed, we just don't know. 23 mn observed, we just don't know. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 picture — just assume for these purposes there is 27 page 193 Page 195 1 are saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 4 that he died from a channelopathy. Your response to 4 that was that you thought that either explanation was 5 possible. That was your words. 4 Correct. 4 Just was that you thought that either explanation was 6 possible. That was your words. 6 If you don't see most of those, without necessarily ruling it out, does it make it less likely or does it — 4. A. I think it makes it less likely to word be cause that presents itself? 1 probability? 1 fit to your opinion, that there isn't any other likely cause that presents itself? 1 probability? 1 A. Yes. 1 fif I can call it that, she gave evidence that the possibility in this case. Does that accord with your 1 makey ou, sir. 1 final know to understand what you are saying. 21 on it?				
a had died from a cardiac channelopathy. From what aspect of your expertise does that opinion derive? A. Well, just the circumstances around him actually collapsing and dying quite quickly. O. Yes, You would presume and then you stop breathing. The CORONER. Sory, what is it you are relying on? What is if you are drawing attention to? A. Nothing in particular. I mean it was just in relation it as question that W Skelton asked about, on the balance of probability. —you know, between poisoning and some sudden cardiac event, which we know has no it structural basis. What we are then talking about is of you know, those arrhythmia. From all the evidence I have seen, all I am saying is personally I would favor a cardiac death rather than a poisoning, but from the evidence we have, you cannot 100 per cent rule out either cause — Page 193 That is why I answered the way I did. That is why I answered the way I did. That is why I answered the way I did. That is why I answered the way I did. That is why I answered the way I did. That is was that you thought that either explanation was possible. That was your words. A. Correct. Q. I think that if we just adopt, as I think you were doing, what I might call a binary analysis, because possible. That is was just adopt, as I think you were doing, what I might call a binary analysis, because possible. That is was just was the you thought that either explanation was possible. That is well as the other really is a matter of high probability? A. Yes. A. Yes. I have been all that if we just adopt, as I think you were doing, what I might call a binary analysis, because possible. That is was your words. A. I think it makes it less likely of does it — A. I think it makes it less likely of does it — A. I think it makes it less likely of goes it is called the probability? Thank you, sir. That conyoners. Can you just help me, death from a nerve go doin? The goot it right, spileptic sective, we institution that citled was the you coulomed to the cannel of the your point of the	1	first time you have said this, it was elicited from you	1	the eyes and the nose running, coughing, secretions,
4 of your expertise does that opinion derive? 5 A. Well, just the circumstances around him actually 6 collapsing and dying quite quickly. 7 Q. Yes. You would presumably defer to the opinions of the 8 experts in that field? 9 A. Most certainly. Most certainly. 10 THE CORONER: Sorry, what is it you are relying on? What is 11 it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr Skelton asked about, on the 14 balance of probability. — you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia, channelopathy is just one cause 18 of, you know, those arrhythmias. From all the evidence 19 flaves wea, all I am saying is personally twould 20 favour a cardiac death rather than a poisoning, but from 21 the evidence we have, you cannot 100 per cent rule out 22 either cause — 23 MR MOXON BROWNE: No. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 a situation in which the coroner may come to the 27 conclusion that either Mr Pereplichnyy was poisoned or 28 that was that you thought that either explanation was 29 doing, what I might call a binary analysis, because 29 doing, what I might call a binary analysis, because 29 doing, what I might call a binary analysis, because 29 doing, what I might call a binary analysis, because 30 (I think that it we just adopt, as I think you were 31 doing what I was alth a point of the evidence whose itself? 31 A. That is true. 32 THE CORONER: Thank you. 33 The CORONER: Thank you. 34 Think you ask of the evidence whose itself? 35 THE CORONER: Thank you. 36 THE CORONER: Thank you. 37 Think you, sir. 38 Then think what the then you ask point with the coroner may of the evidence whose the was an office of the principle of the evidence whose state of those symptoms are reliable potenter of what state he was in, if it is 38 THE CORONER: Thank you. 39 Think you, sir. 30 THE CORONER: T	2	an opinion about the likelihood that Mr Perepilichnyy	2	unable to control bladder and bowels, just making sure
5 A. Well, just the circumstances around him actually 6 collapsing and dying quict quickly. 7 Q. Yes. You would presumably defer to the opinions of the 8 experts in that field? 8 A. Most certainly. Most certainly. 10 THE CORONER: Sorry, what is it you are relaying on? What is 11 if you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr Skelton asked about, on the 14 balance of probability. you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia. From all the evidence 18 of, you know, those arrhythmias. From all the evidence 19 If have seen, all I am saying is personally I would 10 favour a cardiac death arther than a poisoning, but from 11 the evidence we have, you cannot 100 per cent rule out 12 either cause - 13 MR MOXON BROWNE: No. 14 A. A. as far as I am concerned. 15 Q. Just so that we are not misunderstanding anything you 16 are saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 3 conclusion that cither Mr Percipilichny was poisoned or 4 that he died from a channelopathy. Your response to 4 doing, what I might call a binary analysis, because 9 dosing, what I might call a binary analysis, because 10 although what you said opt, as I think you were 11 doing what Just aid was true, you could probably add, 11 if it be your opinion, that there isn't any other likely 12 cause that presents itsel? 13 A. That is true. 14 Q. Although both are possible, the fact that it has to be 15 either one or the other really is a matter of high 16 probability? 17 A. Yes. 18 MR MOXON BROWNE: Thank you. 19 Thank you, sir. 11 THE CORONER: Can you just help me, death from a nerve 21 agent, I just want to understand what you are saying. 22 agent, I just want to understand what you are saying. 23 and the probability in this case. Does that accord with your understanding or would you just defer to her expertise 24 agent,	3	had died from a cardiac channelopathy. From what aspect	3	I've got it right, epileptic seizure, slowing of heart,
6 collapsing and dying quite quickly. 7 Q. Yes. You would presumably defer to the opinions of the 8 experts in hat field? 9 A. Most certainly. 10 THE CORONER: Sorry, what is it you are relying on? What is 11 it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr. Skelton asked about, on the 14 balance of probability you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia, channelopathy is just one cause 18 of, you know, those arrhythmias. From all the evidence 19 I have seen, all I am saying is personally I would 20 favour a cardiac death rather than a poisoning, but from 21 the evidence we have, you cannot 100 per cent rule out 22 either cause 23 MR MOXON BROWNE: No. 24 A as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 a re saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 2 a situation in which the coroner may come to the 3 conclusion that either Mr Perepitichnyy was poisoned or 4 that he died from a channelopathy. Your response to 4 that he died from a channelopathy 2 your and the probability? 11 are saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 3 possible. That was your words. 4 A Cerrect. 8 Q. I think that it we just adopt, as I think you were 9 doing, what I might call a binary analysis, because 10 although what you said was true, you could probably add, 11 if it be your opinion, that there isn't any other likely 2 cause that presents isself? 2 A. Yes. 3 A. That is true. 4 Q. Although both are possible, the fact that it has to be 2 cither one or the other really is a matter of high 15 probability? 16 A. Yes. 17 A. Yes. 18 MR MOXON BROWNE: Thank you. 19 THE CORONER: Can you just help me, death from a nerve 20 angent, I just want to understand what you are saying. 21 understanding or	4	of your expertise does that opinion derive?	4	reduction of blood pressure and then you stop breathing.
7 Q. Yes. You would presumably defer to the opinions of the 8 experts in that field? 9 A. Most certainly, Most certainly, 10 THE CORONER: Sorry, what is it you are relying on? What is 11 it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr Skelton asked about, on the 14 balance of probability you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia, channelopathy is just one cause 18 of, you know, those arrhythmias, From all the evidence 19 I have seen, all I am saying is personally I would 20 favour a cardiac death rather than a poisoning, but from 21 the evidence we have, you cannot 100 per cent rule out 22 either cause — 23 MR MOXON BROWNE: No. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misundestrading anything you 26 are saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 2 conclusion that either MP ereplichny was poisoned or 2 that he died from a channelopathy. Your response to 2 doing, whal I might call a binary analysis, because 2 although what you said was true, you could probably add, 11 if it be your opinion, that there isn't any other likely 2 cause that presents itself? 3 A. That is true. 4 Q. Although both are possible, the fact that it has to be 2 either one or the other really is a matter of high 3 for probability? 4 A. Yes. 5 MR MOXON BROWNE: Thank you. 5 That CORONER: Can you just help ms, death from a nerve 2 agent, I just want to understand what you are saying. 5 THE CORONER: Can you just help ms, death from a nerve 2 agent, I just want to understand what you are saying. 5 THE CORONER: Can you just help ms, death from a nerve 2 agent, I just want to understand what you are saying. 5 The CORONER: Can you just help ms, death from a nerve 2 agent, I just want to understand what you are saying. 5 The CORONER: Can you just help ms, death from a nerve 2 agen	5	A. Well, just the circumstances around him actually	5	Then I think what you said to Mr Moxon Browne was
8 experts in that field? 9 A. Most certainly. Most certainly. 11 THE CORONER: Sorry, what is it you are relying on? What is it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation to a question that Mr Skelton asked about, on the balance of probability: you know, those than a poisoning and some sudden cardiac event, which we know has no structural basis. What we are then talking about is some kind of arrhythmia, channelopathy is just one cause of the structural basis. What we are then talking about is some kind of arrhythmia, channelopathy is just one cause of the structural basis. What we are not misunderstanding anything you differ cause — 12 MR MOXON BROWNE: No.	6	collapsing and dying quite quickly.	6	that what there was here was not inconsistent with such
9 don't have them it becomes inconsistent with it? Do you follow what I am asking? 10 THE CORONER: Sorry, what is it you are relying on? What is it you are drawing attention to? 11 it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation to a question that Mr Skelton asked about, on the balance of probability — you know, between poisoning and some sudden cardiac event, which we know has no structural basis. What we are then talking about is some kind of arrhythmia, channelopathy is just one cause of, you know, those arrhythmias. From all the evidence of probability — you know, those arrhythmias. From all the evidence of probability — you know, those arrhythmias. From all the evidence of the evidence we have, you cannot 100 per cent rule out either cause — 22 circle ause — 23 MR MOXON BROWNE: No. 23 MR MOXON BROWNE: No. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 page 193 Page 195 1 are saying, it was suggested to you that this may be a situation in which the coroner may come to the concision that either Mr Pereplichnyp was poisoned or that he died from a channelopathy. Your response to that was that you thought that either explanation was 6 possible. That was your words. 4 Q. I think that if we just adopt, as I think you were 9 doing, what I might call a binary analysis, because 10 either one of the other really is a matter of high 16 probability? 12 cause that presents itself? 12 cause that presents itself? 12 cause that presents itself? 13 A. That is true. 14 CORONER: Yes. All right. 15 Who is next? 15 Questions from MS HILL 16 MS HILL: Dr Rice, just a couple of questions about the evidence that the possibility mained of etophine being a viable possibility or would you just defer to her expertise 21 agent, I just want to understand what you are saying. 21 on it?	7	Q. Yes. You would presumably defer to the opinions of the	7	
THE CORONER: Sorry, what is it you are relying on? What is it you are drawing attention to? A Nothing in particular. I mean it was just in relation to a question that Mr Skelton asked about, on the balance of probability. — you know, between poisoning and some sudden cardiac event, which we know has no is some kind of arrhythmia, channelopathy is just one cause of, you know, those arrhythmias. From all the evidence of, you know, those arrhythmias. From all the evidence of, you know, those arrhythmias from all the evidence of, you know, those arrhythmias. From all the evidence of, you know, those arrhythmias. From all the evidence of, you know, those arrhythmias. From all the evidence of you know, those arrhythmias. From all the evidence of you know, those arrhythmias. From all the evidence of you know, those arrhythmias. From all the evidence of you know, those arrhythmias. From all the evidence of you know, those arrhythmias. From all the evidence of you cannot 100 per cent rule out the evidence of have, you cannot 100 per cent rule out the evidence of have, you cannot 100 per cent rule out the evidence of have, you cannot 100 per cent rule out the evidence of have, you cannot 100 per cent rule out the evidence of have, when you will don't know. By a far as I am concerned. A — as far as I am concerned. Page 193 Page 193 Page 195 I are saying, it was suggested to you that this may be a situation in which the coroner may come to the conclusion that either Mr Perepliichnyy was poisoned or that he died from a channelopathy. Your response to that he died from a channelopathy. Your response to that the died from a channelopathy. Your response to that the died from a channelopathy. Your response to that the died from a channelopathy. Your response to that the died from a channelopathy. Your response to that the died from a channelopathy. Your response to the doing, what I might call a binary analysis, because of the picture of what state he was in, if it is reliable you would expect to see most of those, with	8	experts in that field?	8	how many of these things do you have to have and if you
11 it you are drawing attention to? 12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr Skelton asked about, on the 14 balance of probability you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia, channelopathy is just one cause 18 of, you know, those arrhythmias. From all the evidence 19 I have seen, all I am saying is personally I would 20 favour a cardiac death rather than a poisoning, but from 21 the evidence we have, you cannot 100 per cent rule out 22 either cause - 23 MR MOXON BROWNE: No. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 page 193 27 Page 193 28 Page 195 29 are saying, it was suggested to you that this may be 2 a situation in which the coroner may come to the 3 conclusion that either Mr Pereplichmyy was poisoned or 4 that he died from a channelopathy. Your response to 4 that was that you thought that either explanation was 5 that was that you thought that either explanation was 6 possible. That was your words. 6 Q. I think that if we just adopt, as I think you were 9 doing, what I might call a binary analysis, because 10 although what you said was true, you could probably add, 11 if it be your opinion, that there isn't any other likely 12 cause that presents itsel? 13 A. That is true. 14 Q. Although both are possible, the fact that it has to be 15 cither one or the other really is a matter of high 16 probability 17 A. Yes. 18 MR MOXON BROWNE: Thank you. 19 Thank you, sir. 20 THE CORONER: Can you just help me, death from a nerve 21 agent, I just want to understand what you are saying. 21 Link it makes it less like or the expertise 22 on it? 22 on it? 23 CRONER is a the point at which these observations were emot of the spin and the responsion of the experience of the support or reliability of the people that were observing him, and there is him and the vidence cause the reliability of the people th	9	A. Most certainly. Most certainly.	9	don't have them it becomes inconsistent with it? Do you
12 A. Nothing in particular. I mean it was just in relation 13 to a question that Mr Skelton asked about, on the 14 balance of probability: you know, between poisoning 15 and some sudden cardiac event, which we know has no 16 structural basis. What we are then talking about is 17 some kind of arrhythmia, channelopathy is just one cause 18 of, you know, those arrhythmias. From all the evidence 19 I have seen, all I am saying is personally I would 20 favour a cardiac death rather than a poisoning, but from 21 the evidence we have, you cannot 100 per cent rule out 22 either cause - 23 MR MOXON BROWNE: No. 24 A. — as far as I am concerned. 25 Q. Just so that we are not misunderstanding anything you 26 a situation in which the coroner may come to the 27 that he died from a channelopathy. Your response to 28 that was that you thought that either explanation was 29 that was that you thought that either explanation was 20 that was that you thought that either explanation was 21 think in retrospect, knowing the time at which he 22 did, so the point at which he 23 deeps in an inmals and in man, that you should, but it comes down to the 24 that eve observing him, you 25 know, he may have shown some of those symptoms 26 unobserved, we just don't know. 27 THE CORONER: No, well I have beard evidence about that 28 THE CORONER: No, well I have beard evidence about that 29 a situation in which the coroner may come to the 20 a situation in which the coroner may come to the 21 areliable joicture of what state he was in, if it is 22 reliable you would expect to see most of the symptoms? 23 A. I would suggest so, yes. At the point so close to his 24 death. 25 (I think that if we just adopt, as I think you were 26 doing, what I might call a binary analysis, because 27 using it out, does it make it less likely. I wouldn't rule it 28 out, to be fair to Mr Moson Browne. 29 THE CORONER: Thank you. 20 THE CORONER: Can you just help me, death from a nerve 21 agent, I just want to understand what you are saying. 21 THE CORONER: Can you	10	THE CORONER: Sorry, what is it you are relying on? What is	10	follow what I am asking?
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21 agent, I just want to understand what you are saying. 21 on it?		• •	1	
			21	
			1	A. No, I think I would defer to her expertise on etorphine,
23 narrow for some time, is that right? 23 it is not a compound that I am familiar with.			1	
24 A. Hmm. 24 Q. You also are not a cardiologist, are you?			1	
25 THE CORONER: Just looking at the evidence you gave earlier 25 A. No.			25	
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	•		
1	Q. Although you have given some evidence of your	1	the expert has answered that stray outside his area of
2	understanding of how sudden adult death syndrome is	2	expertise. I just put a marker down.
3	diagnosed, that is not your primary area of expertise?	3	MR SKELTON: That is why I said "are you able to say".
4	A. It is not, no.	4	MS HILL: The questions have already been asked of this
5	Q. To the extent that you have assisted the coroner, your	5	witness in a similar vein.
6	understanding is that the approach is one that looks at	6	MR SKELTON: You are not able to say?
7	whether or not poisoning could be absolutely eliminated.	7	A. Sorry?
8	That is the sort of phrasing you have used?	8	Q. You are not able to say?
	A. Yes.	9	
9			A. I am not able to say, no.
10	Q. You stand by the contents of the joint report, as	10	MR SKELTON: Thank you.
11	enlarged a little bit today, about which possibilities	11	THE CORONER: No one else? No.
12	of poisoning remain in play. Is that fair?	12	There we are. Thank you very much indeed.
13	A. I do.	13	A. Thank you.
14	Q. Generally, it is for the pathologist, is it not, to	14	THE CORONER: Thank you.
15	define the cause of death from the entire evidential	15	Is that all for now?
16	matrix?	16	MR SKELTON: It is, sir.
17	A. Absolutely.	17	THE CORONER: 10.00 tomorrow.
18	MS HILL: Thank you.	18	MR SKELTON: Yes, please.
19	Further questions from MR SKELTON	19	(5.39 pm)
20	MR SKELTON: Sir, I had one very small point of	20	(The Inquest adjourned until 10.00 am the following day)
21	clarification.	21	
22	Looking at the joint report, Dr Rice, where you	22	
23	describe in paragraph 58 on page 20 the signs of	23	
24	cholinergic crisis, you don't I think mention	24	
25	hyperthermia or hypothermia. Is it the case that	25	
23	hyperthermia of hypotherma. Is it the ease that	23	
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1	cholinergic crisis includes one of those and which one	1	
2	is it?	2	
3	A. Well, we have missed it off the list, I mean the list is	3	INDEX
4	not entirely comprehensive, one does see hypothermia.	4	
5	Q. I think Mr Moxon Browne may have said "hyper" but meant	5	PROFESSOR DAVID COWAN (affirmed)1
6	"hypo"	6	Questions from MR SKELTON1
7	MR MOXON BROWNE: I meant "hypo".	7	Questions from MR MOXON BROWNE25
8		8	Questions from MR STRAW75
	A. No, I think he did say hypo, and that is what I would	9	
9	agree with.		Questions from MR COHEN76
10	Q. Is that hypothermia based on core body temperature which	10	PROFESSOR MONIQUE SIMMONDS (sworn)80
11	you would test, not peripheral?	11	Questions from MR SKELTON80
12	A. Yes.	12	Questions from MR MOXON BROWNE105
13	Q. Thank you.	13	Questions from MS HILL128
14	THE CORONER: Can you give us a figure?	14	Questions from MR STRAW131
15	A. Not for humans, because I don't think it has ever been	15	Questions from MS BARTON139
16	measured.	16	Further questions from MR SKELTON142
17	THE CORONER: All right.	17	DR PAUL RICE (sworn)149
18	A. But animals, it is quite typical to see a fall of two or	18	Questions from MR SKELTON149
19	three degrees from their normal body temperature.	19	Questions from MR MOXON BROWNE177
20	MR SKELTON: Are you able to say whether or not cardiac	20	Questions from MS HILL196
21	failure is consistent with you become hypothermic	21	Further questions from MR SKELTON197
22	from cardiac failure or is that beyond your expertise?	22	•
23	MS HILL: Sir, I am loathe to interject but I am not sure	23	
24	that is a matter for this expert and his expertise,	24	
25	there has already been several questions already that	25	
23	mere has an early occur several questions affeatly that	23	
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