Monday, 11 March 2013

(10.00 am)

THE CORONER: Yes, good morning everybody. Do sit down, thank you. Are there any issues to raise before we ask the jurors to come in?

MR MAXWELL-SCOTT: Madam, just by way of housekeeping, we've now updated the sequence of events and the version that we have produced will replace that at tab 12 of the jury bundle.

THE CORONER: Thank you very much.

MR MAXWELL-SCOTT: Mr Atkins has copies here.

THE CORONER: Shall we do that straight away?

MR MAXWELL-SCOTT: We'll do that straight away.

THE CORONER: Thank you, yes.

(In the presence of the Jury)

THE CORONER: Members of the jury, good morning. The sequence of events which you have in your jury bundle has been updated by Mr Maxwell-Scott and Mr Atkins. They have put in a huge amount time and effort and thought into this.

(Technical interruption)

It might be helpful if we hand it out before we ask Mr Davey to give evidence. You have them there.

I'm told that the transcribers have a problem with the computer so we'll have a short pause whilst that's

sorted out. Just to remind everybody that there may be a fire alarm and 11 o'clock this morning. If the fire alarm sounds only for a short time there'll be no need for us to leave the building. (Pause)

I gather that we're up and running again. Thank you very much. Yes, members of the jury, you're going to hear from this morning from an expert in firefighting, Mr Davey. Would you like to come forward Mr Davey, thank you.

BRIAN DAVEY (sworn)

THE CORONER: Mr Davey, thank you. Do sit down. Help yourself to a glass of water if you would like. If you could switch on the two microphones in front of you that would be helpful. I think you've been sitting at the back of the room for part of the hearing so you'll know that the sound in this room isn't very easy. Please, if you could keep your voice up, that would help. If you could give your answers directly across the room towards the members of the jury sitting opposite you, that will help them to hear your evidence and help to keep up close to the microphones.

Mr Maxwell-Scott will ask you questions initially on my behalf and then there will be questions from others.

Questions by MR MAXWELL-SCOTT

MR MAXWELL-SCOTT: Good morning, Mr Davey. Could you give the court your full name, please?

A. Brian William Davey.

Q. You're here to assist us by providing expert evidence in relation to firefighting. Can I ask you first about your background and experience. Firstly, for how many years did you serve as a firefighter and in which country?

A. My service was close to 47 years in the New Zealand Fire Service.

Q. When did you start working for the New Zealand Fire Service?

A. I joined as a volunteer firefighter -- similar to the retained firefighters you have in the UK -- in 1965, and in 1972 I joined as a permanent or full time firefighter of the New Zealand Fire Service.

Q. Did you initially serve in operational roles?

A. I've served in -- all my time with an operational focus -- sorry, an operational role, although I did have other roles that were associated with that.

Q. Did there come a time when you worked in the headquarters of the New Zealand Fire Service?

A. I'd been serving as an area commander based in a provincial town until 1996, when I transferred to the

New Zealand Fire Service national headquarters in Wellington, and I served there for 14/15 years, until 2012, when I was appointed on a secondment basis as the area commander for Dunedin, bottom of the south island.

Q. Just pausing there and looking back over those areas. From 1972 until 1996, is it right that you were a full time career firefighter in operational roles, ending up serving for four years as area commander and chief fire officer?

A. That's correct.

Q. Then from 1996 until 2012, is it right that you worked at the New Zealand Fire Service national headquarters?

A. That's correct.

Q. At headquarters, what were your particular areas of responsibility?

A. I -- during my time at fire service national headquarters I had several roles, but mainly they were focussed on operational policy and procedure development and review.

Q. The clue, of course, is in the name: "the New Zealand Fire Service". Unlike in the United Kingdom, there is a single national fire service in New Zealand; is that right?

A. That's correct.

Q. Then you told us that after you served at national

headquarters, you worked back in the south island. Is it right that you were asked to postpone your retirement in order to fill the operational role of area commander for east Otago and Dunedin?

A. That's correct.

Q. Then did you finally retire from the New Zealand Fire Service a few months ago?

A. Yes, I retired in October 2012.

Q. If I ask you then about other aspects of your career, firstly in terms of qualifications. Do you have any formal qualifications from the Institution of Fire Engineers?

A. Yes, I qualified by examination as a -- at member level of the Institution of Fire Engineers.

Q. Can you explain to the court briefly what the Institution of Fire Engineers is?

A. The Institution of Fire Engineers was formed in 1918 and registered in Scotland as a charity. It has expanded around the world to now include membership from over 35 countries, and a total membership of approaching 12,000 members. Membership is open to all those who active -- or have a role in the broader aspect of firefighting and fire engineering, so that covers operational firefighters, fire engineers, fire alarm systems developers, researchers -- a broad spectrum across the

fire industry.

Q. If I ask you then about a couple of specific roles that you had in New Zealand. Is it right that from 1990 until 2002 you were an examiner on the New Zealand Fire Service examination board, responsible for setting and marking the senior firefighters' examination?

A. That's correct.

Q. From 2007 to 2011, you were the chair of the Standards New Zealand Fire Industry Advisory Group?

A. That's correct.

Q. When you worked at the New Zealand Fire Service headquarters, focussing on policies and procedures, did you continue to have an operational role, in that you could be called upon to take operational responsibility in the event of major incidents?

A. That's correct. I had two roles. One was -- both were on a roster. One was acting for the national commander of the New Zealand Fire Service, which meant I was the first point of contact for any event that affected the wider New Zealand Fire Service, or for any major event. I was also on a roster for the Wellington region to respond to major incidents in a command role.

Q. Did you serve operationally during the Christchurch earthquakes?

A. Yes, I did. I started with the -- both earthquakes as

the fire service liaison officer based at the national crisis management centre based under the Parliament buildings in Wellington. For the second earthquake, having spent 12 hours there, I was then posted to the liaison role with the national silver defence based in Christchurch, where I stayed for a week.

Q. Can I ask you then about your experience of dealing with fires in multi-storey buildings.

A. My experience has not been as extensive as some of the people we've heard evidence from, but I have attended, in a command role, fires involving hotels, commercial buildings and apartment buildings.

Q. Finally by way of introduction, can I ask you about your current role with the Institution of Fire Engineers?

A. I'm currently appointed as a director and trustee of the Institution of Fire Engineers, one of eight directors representing the whole of the membership and the wider countries that are involved in the Institution of Fire Engineers.

Q. This is a UK-based organisation but it is international in nature; is that right?

A. That's correct. It's based in Stratford-upon-Avon, where our headquarters and office is, and where the directors meet three times a year.

Q. The directors and trustees, of whom you are one, which

countries do they come from?
A. Directors come from England, Australia, New Zealand, Malaysia and Canada.
Q. And based on your experience of meetings with your fellow directors and your knowledge of the firefighting world, can you comment on which of those countries have systems of firefighting that are close to those in place in the United Kingdom?
A. Australia and New Zealand would be the two countries that closely follow the same systems or similar systems to the United Kingdom.
Q. So although you haven't served as a firefighter in the United Kingdom, your experience is that the New Zealand system is closer to it than that in other countries?
A. That's correct, and in my role at fire service national headquarters in Wellington, we closely followed all the operational policies and procedures that were issued in the larger centres in UK as part of our research in developing our own operational policies.
Q. I'll then turn to ask you about the reports that you have prepared for the coroner on the instructions of the coroner in these inquests. I'll just put them up on the screen so you can identify them. Is that the front page of your first report, dated 15 January 2013?
A. Before I go on to that, could I just express my

sympathies and condolences to the families of the deceased.

Yes, that is the report that I prepared.

Q. So this report was completed by you before any of the firefighters whom we have heard give evidence to these inquests had begun to give their evidence?

A. That is correct.

Q. In terms of some of the assumptions that you were asked to make in preparing your report -- and it may assist to you look at page 4 of it -- is it right that you were asked to assume that the findings of the BRE fire reconstruction, and the times that they attributed to certain events, were accurate?

A. That's correct.

Q. You were asked to assume that the times of the 999 calls were accurate, the times on photographs were accurate, and the times set out in the sequence of events that was in the original computer presentation that the members of the jury saw on the first day of the inquest were all accurate; is that right?

A. That's correct.

Q. You read the report of Professor Bion and were asked to assume that his conclusions were accurate?

A. That's correct.

Q. Did you have an opportunity to make your own visit to

Lakanal House before completing your report?
A. I did.
Q. You were also provided with a large amount of evidence by way of witness statements and documents, London Fire Brigade policies and procedures; is that right?
A. That's correct.
Q. You were told that there was the possibility of small inaccuracies in times recorded in relation, for example, to the arrival of fire appliances or the switching on or closing down of breathing apparatus?
A. Yes, that's true.
Q. So you took that into account when analysing the evidence?
A. I did.
Q. If I can ask you then about the conclusions to your first report. These start on page 50. Is it right that you were asked, for the purpose of your report and of analysing the evidence of this case, to look at it in two distinct ways: firstly, the possibility of extinguishing the fire at some stage before the final spread of the fire as we've seen it from the photographs -- so in other words, whether there were any methods that could have been used to halt the spread of the fire -- and then, secondly and separately, you were

asked to analyse the possibility of rescuing people from the building; is that right?

A. That's correct.

Q. Turning then to the first topic that you were asked about, whether there were opportunities to prevent the fire from spreading to the extent that it did, you were asked firstly about whether there was any opportunity to prevent the fire from spreading from flat 65 into the bedroom of flat 79. What was your view on that?

A. My view was that there was no way to stop that fire spreading from flat 65 into the bedroom of flat 79.

Q. The next event that you were asked to focus on was the fact that we know that the fire spread within flat 79 to involve the staircase in flat 79, and as a result have implications for the survivability of anyone still within flat 79. If you take up the latest version of the sequence of events, which should be in your jury bundle at tab 12.

THE CORONER: Has the most recent version been added yet?

MR MAXWELL-SCOTT: I'm told it has.

THE CORONER: Thank you very much. (Handed)

MR MAXWELL-SCOTT: If you can turn within the sequence of events at tab 12 to page 18, you'll see that we are putting in this document 16.48 as the approximate time at which the internal staircase of flat 79 was alight.

So you were asked about the opportunity, if any, for the London Fire Brigade to have extinguished the fire before it spread to the internal staircase of flat 79 at approximately 16.48. What was your view on that?

A. Even if the incident -- the first incident commander had increased his request from four pumps to eight pumps, the time needed for them to respond and establish a bridgehead with sufficient crews and equipment -- they wouldn't have been able to prevent that fire from spreading.

Q. Then the next point in the chronology that you were asked to focus on was the fire penetrating the boxing in beneath the stairs of flat 81. Is it right that your view was that in order to prevent that from happening, the London Fire Brigade would have needed to have gained entry to the 11th floor with firefighting crews well before 17.20?

A. That's correct.

Q. In fact, if we look at the current version of the sequence of events at page 29, you'll see at the top of page 29 that we are putting forward 17.19 on the basis of the evidence we've heard as an approximate time at which the front door of flat 79 collapsed into the corridor on the 11th floor. I think you've seen the reconstruction video showing the door collapsing and the

implications of it collapsing?

A. That's correct.

Q. In summary, what would be the implications for firefighters trying to access the 11th floor of the door of flat 79 collapsing into the corridor?

A. That would have provided a route for fire to spread into the corridor and involve elements within the corridor itself.

Q. So focussing then on what, in theory, could have been done before around 17.19 or 17.20, you said in your report:

"Even if the first incident commander had immediately increased his request from four pumps to eight pumps, the time needed for them to respond and establish the bridgehead with sufficient fire crews and equipment was such that it would have been difficult to achieve this unless doing so had been prioritised to the exclusion of all the additional tasks resulting from the rapidly developing fire."

A. That's correct.

Q. If I ask you then about the fact that fires started elsewhere in the building below the original flat that was on fire. So they started in flats 37 and 53, although the original fire was above both of those flats. What was your view on whether crews -- in

particular, incident commanders -- might have predicted the possibility of fire spreading to lower floors?

A. The spread, as fire did, to the lower flats is unusual and we've heard some evidence about that, but when I was reading the written evidence, I also looked to see if I could find any other examples of fires having started -- spread downwards in a similar manner, and I couldn't find anything. That would indicate it was a common approach at fire sites, and I think it's not unreasonable for the initial incident commanders to have not thought of that particular possibility based on their training and their experience.

Q. So as a matter of fact, it is certainly very rare and you couldn't find previous instances of it; is that right?

A. No, I couldn't.

Q. Although standing back now, we can see the mechanism involved burning debris falling and entering open windows?

A. Certainly.

Q. In your report, you said that during the initial stages of directing crews and prioritising tasks, this mechanism, this spread of fire downwards, would have been difficult but not impossible to predict?

A. Yes.

Q. And that's your view?
A. That's my view, yes.
Q. Just pausing there and thinking about those fires on the 5th and 7th floors, can you return to the sequence of events and page 18. In the second half of that page, we can see photograph 21, which is timed at 16.49, and you comment on that photograph specifically at page 37 of your first report. What I wanted to ask you to comment on was the ability of what we have heard described as a ground monitor, so a jet at ground level, to attack those fires on the 5th and 7th floors.
A. The use of a delivery or ground monitor is a legitimate approach to trying to control fire above ground, but in this case I think the height and the angle would have resulted in a limited effect of that ground monitor to actually control and extinguish. It may have slowed fire development, it may have bought some time for crews to attack from internally, but as you can see from the photograph, the angle meant that it would be difficult to penetrate very far into those bedrooms.
Q. Does it follow that in order fully to extinguish those fires, one would need to mount an internal attack?
A. Yes.
Q. If I move away then from possible opportunities to prevent the fire spreading to the extent that it did and

ask you about issues relating to rescue, and firstly about whether or not it would have been appropriate to attempt a complete evacuation of Lakanal House, in other words to advise all residents to leave, or try and get all residents out as a matter of principle. You comment on this issue at page 51 of your report.

A. The decision to completely evacuate does not appear to be a common approach by the London Fire Brigade because of what I've come to understand as the early design approaches, where residents are safe in their apartments other than in times when they're directly impacted by fire and smoke. To completely evacuate would have required a method of advising all residents, some sort of internal alarm system or some other method which I don't see as being present in Lakanal House.

If there had been a decision to evacuate, and if residents had been able to evacuate with the sounding of some alarm, that would have created additional congestion on the single staircase and possibly created additional hazards and certainly delays for fire crews trying to work their way up the stairs to the floors that were involved.

Q. You concluded your section on this in your first report by saying you do not consider that the London Fire Brigade should have advised complete

evacuation by all residents of this fire:

"To have done this would have required both the benefit of hindsight and a departure from established advice."

A. That's correct.

Q. So putting complete evacuation to one side and then thinking about the possibility of trying to evacuate or rescue some residents, you've already made the point that residents are usually safest in their flats unless their flat is affected by heat and smoke; is that right?

A. That's correct.

Q. What was your view about the appropriateness of the "Stay put" advice, or at least the need to reconsider it, for residents in some areas of Lakanal House?

A. I think the "Stay put" advice was -- is appropriate for probably most of the residents of Lakanal House. Clearly, the flats that were directly impacted by the fires would need to have been considered for evacuation.

Q. In your report you focussed on residents immediately impacted by the fire and you said that is above and to the north of flat 65.

A. That's correct.

Q. You then considered who, if anyone, would have been the appropriate person to give advice to Dayana Francisquini and Helen Udoaka to leave their flats. What was your

view on who, if anyone, could give that advice in the command structure?

A. That advice would have needed to have originated from the incident commander because that advice would have impacted on the tactics that he would have adopted for both firefighting and search and rescue.

Q. Then you said in your report that at the time of writing you'd seen no evidence that any incident commander in fact considered advising those in the bathroom of flat 81 to make their way to the east balcony of the 12th floor, and at the time of writing you said there were reasons why that may not have been considered. Those included: limited knowledge of the layout of Lakanal House by those required to make decisions and brief crews and the fact that incident commanders did not appear to have recognised that they could use existing lines of communication by way of mobile phones to Dayana Francisquini and Helen Udoaka.

A. That's correct.

Q. You then commented on the fact that, with the benefit of hindsight, one can say that those within the bathroom of flat 81 would have had a better chance of survival if they had been on the east balcony of the 12th floor, where we know the Nuhu family spent some 25 minutes or so.

A. That's correct.
Q. You commented on the considerations that would need to have been taken into account if somebody had in fact gone through the process of thinking: "Should we advise those in the bathroom of flat 81 to move onto the east balcony on the 12th floor"?
A. That's correct.
Q. This is page 52 of your report. Can you just outline briefly the sort of competing considerations that any incident commander who got as far as thinking about giving such advice would have had to reflect on?
A. Some of the considerations they would have needed to think about was the smoke-logging or the increasing amount of smoke coming into flat 82 --
THE CORONER: 81.
A. Sorry, flat 81 -- the ability of the people that were in the bathroom to move through that smoke up the stairways, out onto the balcony, and what would they be faced with once on the balcony, the development of fire that was coming out on that side from flat 79, would that have created additional hazards for them, how long they may have been there, what stage of fire development was occurring at flat 79, and the number of resources that would have been available to go up there -- up to the 12th floor to assist them or rescue them.

Q. We know, of course, that this is essentially a hypothetical discussion, and one cannot therefore say exactly what information might have been available to an incident commander going through the process of considering whether to make such a decision, but in your report you said that in the circumstances advising those in the bathroom of flat 81 to move to the east balcony on the 12th floor would have been a bold decision to make?

A. Yes, I think when you look at what the incident commander would have needed to have considered to make that decision, along with all the other decisions that he was faced with for the developing fire, deploying resources, I think he was at a point where he would have needed to focus on that decision only, and that's probably not the most effective role of an incident commander. He's got to consider the whole incident.

THE CORONER: If he had focussed just on that particular decision, are you saying that there were too many unknowns, in effect?

A. Yes.

MR MAXWELL-SCOTT: Looking at the same issue but coming at it from an opposite direction, thinking about it not as giving those in the bathroom of flat 81 advice to leave but about tasking firefighters to rescue them, using the

route from the 12th floor balcony and therefore avoiding the corridor on the 11th floor, you say that again, you had seen no evidence of incident commanders considering tasking firefighters to carry out a rescue using that route. And again, the reason for that would mainly seem to be the limited knowledge that the London Fire Brigade had of Lakanal House?

A. That's correct.

Q. Then you commented on the evidence that you read in relation to the rescue of the Nuhu family, from the witness statements that you had seen and the evidence in them relating to the crew being split and some of them rescuing an occupant from flat 56. You said that that indicated that the incident command function was not effective, as the new instruction to carry out a rescue from flat 56 effectively split the rescue crew and meant that only a crew of two reached the 12th floor?

A. That's correct. I think the decision to task that crew to carry out the rescue by the incident commander -- in his mind, he had a crew of four to carry out that task. Before they could, they were given alternate instructions and they split themselves up, and I think when they were faced with that decision -- I'm not criticising them for that; I'm simply highlighting that things changed from what the incident commander thought

to what actually happened in practice on the ground.
Q. At the time of writing your report, you said you couldn't express a firm view on who, if anyone, in flat 81 could have been saved if more resources had been deployed or the crew of firefighters had not been split?
A. No, that's true.
Q. Then turning to the situation of Catherine Hickman and the opportunities she might have had to escape, you made the point that the rapid fire spread into flat 79 from flat 65 meant that there was only a limited time for her to escape. In your first report, you said that nevertheless there were opportunities during the fire survival call to explore in more detail and make use of escape options available to her before it became untenable.
A. That's correct.
Q. So that was your first report, completed shortly before the firefighters began giving their evidence in these inquests. Is it right that you then attended the inquests for the first five weeks or so and had the opportunity, therefore, to hear the firefighters, whose statements up until then you'd only read, give their evidence to this court?
A. Yes, that's true.
Q. You then prepared a second report at the end of that

process, a supplementary report, dated 15 February 2013.
A. That's correct.
Q. If we turn to that now. On page 3 of it, you reflected on the conclusions set out in your first report and said this:
"I confirm that the conclusions set out at pages 50 to 54 of my first report continue to reflect my opinions on the matters considered in that report."
Is that right?
A. That's correct.
Q. Then you set out a section on issues relating to pre-planning, on which the evidence was now more developed than when you had come to write your first report.
A. That's correct.
Q. If I could ask you some questions about pre-planning. Firstly, you make the point that at the time of the fire, appliances in the London Fire Brigade carried any information that they had on the appliances on paper rather than electronically.
A. That's correct.
Q. Although we have heard evidence that since the fire, mobile data terminals have been installed on some if not all appliances.
A. That's correct.

Q. But when you expressed your opinions in your supplementary report, they were against the background that any records on an appliance would have had to have been held on paper rather than electronically?
A. That's correct.
Q. What, then, is your view on the level of information you would have expected to be held on an appliance if it had to be held in paper form?
A. I'm aware that there are a large number of high rise buildings in the Peckham station area and that it's impractical to carry information on paper on every one of those, so in terms of prioritising the high risk buildings, I think that's appropriate but I would have expected that there were some records, even at station level, to record --
Q. I'll stop you there because I want you to focus firstly on what you would have expected an appliance to carry with it when it was driving around and attending fires. I think you were saying that there were many high rise buildings in Peckham and it wouldn't be practical to carry information on paper on an appliance in relation to all those high rise premises; is that right?
A. That's -- that's correct. I would expect them to carry information on high rise buildings and other buildings that present an unusual or high hazard compared to the

majority of the buildings in the area that they were responding to.

Q. Would you have expected a paper file carried on an appliance at the time to have had information in it about Lakanal House?

A. No, I wouldn't have done.

Q. Briefly, why not?

A. Lakanal House didn't have any unusual features compared to other high rise buildings that would have needed the firefighters to have specific or special information relating to the building. Their fire attack tactics would have been common to that type of building and I would have expected that their normal training would have provided them with the level of knowledge on the London Fire Brigade policies and procedures for high rise firefighting, and for that to be automatic once they arrived.

Q. So that deals with the question of what, in your opinion, the appliances should have carried on them. Looking, then, at page 4 of your supplementary report, what is your view on the extent to which there should have been paper records created after familiarisation visits and kept at the fire station?

A. Having listened to the evidence of firefighters on the familiarisation visits, I was able to form the opinion

that there could have been an improvement in the way they were able to access previous information from some of the familiarisation visits, even if that was a simple check sheet that indicated a range of checks and tests had been conducted on the building and they were all correct. The next crew that would have attended the building could have seen that the previous visit there was no problems, or, if there had been recurring problems, they would be able to target the areas where the recurring problems were happening. So it was a paper-based record for the use of crews doing the familiarisation visits on what had been happening in the past.

Q. So this is a document, which you regard by way of improvement if crews carrying out familiarisation visits completed a formal document as they went round or at the end, it was then kept at the fire station. Then, the next time a crew went to carry out a similar visit, they would take a copy from the fire station and have it available as they did their own visit?

A. That's correct, and I think it would also provide a prompt on all the areas that needed to be checked.

Q. In terms of what you would expect crews to look for on a 72D visit or familiarisation visit, you commented in your report that you would expect them to look out for

any information which could help them, for example signs indicating important aspects of the layout of the building?

A. That's correct. I would have expected them to look for the signs that were clearly present at Lakanal House above the -- the lifts, indicating the floors and what flat numbers were on each floor. I would expect firefighters to see that as a piece of useful information that would help them get into the habit of looking for that type of sign rather than recording perhaps the detail within that sign itself.

Q. You said you'd expect firefighters to consider the location of fire hydrants, access to the building, including entrances and exits, escape routes, lifts and stairwells?

A. That's correct, the information that they could get visually by walking around the building.

Q. We heard also about home fire safety visits. What were your views on those and on the possibility and advantages of, to some extent, combining them with 72D visits?

A. If the whole crew is not involved in a home fire safety visit, there are opportunities for the remaining crew members to carry out some of the regular checks on items such as firefighting lifts, riser outlets, checking of

security keys, where they were carried, to make sure that they did work and open the doors -- that type of check that other crew members could carry out while the home fire safety check was being conducted.

Q. You also considered whether crew members who might have specific roles in an incident might approach a familiarisation visit in a particular way. Can you comment on that in particular in relation to those who might be called upon to operate an aerial ladder platform?

A. The drivers of the aerial ladder platforms and the operators should take the opportunity of a familiarisation visit to look at where they may end up parking their appliance, either for rescues or providing access up into the building, and identify such things as narrow driveways, whether there is enough room to operate the jack legs within the space between car parks and the side of the road, overhanging foliage from trees, aerial causeways. Any -- anything that may obstruct the use of the ALP is something that the operators should look for and become aware of.

Q. Then you commented on the possibility that there might be other buildings of an identical or almost identical layout within a station's ground, and the opportunities that that would provide to build up a knowledge of

certain types of building layout.

A. Yes, I became aware that in some of the estates there were blocks of flats that were built pretty much the same, and in terms of the detail of the building, I couldn't see the point in needing to visit all of them to record the same detail, but certainly listing those buildings that were built in a similar manner and had the same features may have helped reduce the number of familiarisation visits that they needed to carry out. That wouldn't have meant them not attending for the purpose of riser outlets and lifts et cetera.

Q. So there will, of course, still be a need, from time to time, to visit to look for any defects, for example with the dry riser, or any changes. But if one hadn't visited a building for some time but knew it had an identical or almost identical layout to a building that one had visited more recently, one could use that knowledge; is that right?

A. They could, yes.

Q. Then in summary, you expressed the view that there were features of the way in which information was gathered which could have been improved and which might have led to more information being available on the day of the fire. There would have been some scope for carrying out 72D visits at the same time as home fire safety visits,

and you would have expected a paper record of each such visit to be kept, but at the fire station rather than on the appliance; is that right?

A. Yes, that's correct.

THE CORONER: Before you move on from that, can I just clarify two points. Once information has been gathered -- normally it will be gathered just by one watch, won't it? The crew from one watch who happen to be on duty on the day in which they make that inspection. How, if at all, should that information be shared with other watches within the same fire station?

A. We heard in evidence that defects were reported through the station log book, the station diary, and where there were no defects there's no way of passing information on, and what I would suggest is that if there had been a paper check sheet -- and we did hear that different watches were programmed to attend the same buildings over time -- by taking that paper document, they had some reference to what was found at the present previous visit. So I see that as one way of being able to pass information on between watches where there was no urgent or specific defect.

THE CORONER: Thank you. Can I just ask you to clarify another point. Your opinion is that on a visit someone should have a look to see whether an ALP, an aerial

ladder platform, could get close to the building and look out for hazards and so on. But if you have a fire station like Peckham, which had one pump and one pump ladder, would you expect somebody from that station to have sufficient knowledge of use of an ALP to be able to carry out that sort of check?

A. No, I wouldn't. I would expect the ALP that was on the predetermined attendance to have that building as part of its familiarisation for the purpose of checking those points: access and ability to operate around that building.

THE CORONER: We've heard that there are a limited number of ALPs available for the whole of London, but your opinion is that those who have responsibility for using those ALPs should carry out that sort of inspection on a really quite a wide geographical area?

A. That's correct, because the nature of operating an ALP is quite specific, and it's those that are trained in its use and those that would be operating it in the event of an incident who need to accumulate that knowledge. I appreciate, yes, it does create a bit of a problem with the number of appliances, but it is important that they do look for access ways or change the predetermined attendance.

THE CORONER: Thank you. Yes.

MR MAXWELL-SCOTT: If I then ask you about certain comments that you made about practices, policies and procedures and then finally turn to your recommendations.

So firstly premises information boxes. We know that there wasn't one at Lakanal House and that there were very few buildings in Southwark that had them at this time. Firstly, standing back, do you think it would have been helpful if there had been, at Lakanal House, a premises information box, in other words a specially designed box that contained within it some plans and information about the layout of the building?

A. Yes, I do, and I qualify that by my understanding that that wasn't a legal requirement of the London Fire Brigade; that was a building owners' requirement. So there's a bit of a conflict about who would provide it there, but some sort of box at the premises with key information would certainly be useful.

Q. Then you commented on the fact that there were radio communication difficulties on the day of the fire, meaning that some key messages were either not transmitted or were not received; is that right?

A. That's true.

Q. Then you commented on what we've heard of as "make pumps" messages. You said it would be helpful to review the training provided in relation to "make pumps"

messages. We'll come to that in your recommendations.

Then in terms of fire survival calls, you said it seemed that some of those making operational decisions had a limited awareness of the term "fire survival call", which meant they may not have appreciated the nature of the advice being given to the caller or that this may have an impact on their own firefighting and rescue decisions; is that right?

A. That's correct.

Q. Then finally, I'm going to ask you about your recommendations. I'll put those up on the screen for you. Page 7 of your supplementary report. You introduce them by saying:

"The court has heard evidence about the practices and procedures that were in place at the time of the fire. I am conscious that at a later stage in the inquests witnesses from the London Fire Brigade are likely to give evidence about the extent to which those practices and procedures have changed since the fire."

We'll be hearing some of that evidence later this week. The recommendations that you put in your report -- and there are five of them -- are, as you say, based on the evidence that you've heard so far?

A. That's correct.

Q. If we look at those then in turn. You said that:

"The London Fire Brigade should review all of the opportunities that exist to gather building-related information and consider, in each case, what is expected in terms of the information that should be obtained and recorded and in terms of the sharing of information between watches and between fire stations."

Secondly:

"The London Fire Brigade should review their policy 513 on premises information boxes. There is a need for more specific guidance in relation to high rise buildings and other buildings posing a high fire risk."

A. Yes.

Q. That ties in with the comment earlier in your supplementary report that a premises information box would have been very helpful in this case.

A. That's correct.

Q. Thirdly, you said:

"It would be helpful to review the training provided to firefighters and potential incident commanders about the sending of 'make pumps' messages."

Can you just explain why that is and what you mean by that?

A. Listening to the evidence from the incident commanders and why they said they made pumps, I can understand their reasoning but what I didn't see is a link between

tasks that needed to be performed on the incident ground and the number of people that are require to do them. Certainly I'm not suggesting that it's a calculation that incident commanders stop to make, but as part of their training, I'm suggesting that if they can associate the tasks with the number of firefighters needed, that helps to identify why they're making pumps. Are they making them for firefighters to conduct specific tasks? Are they making pumps because they want more ability to pump water? I just didn't see the link between "make pumps", the number of pumps needed and what the anticipated tasking for those pumps would have been. Sorry, the tasking for the crews and the pumps.

Q. Fourthly, you said:

"The London Fire Brigade should consider whether it would be appropriate to utilise additional breathing apparatus communications and personal radio channels at major incidents to reduce the amount of traffic on each channel."

Which I think is self-explanatory. Then finally, you said:

"It would be helpful for the London Fire Brigade to review the training given to operational crews about brigade control practices and procedures."

What was that specifically a reference to?

A. That became my view having listened to the evidence from brigade control staff and operational firefighters that -- it appeared that the training and the use of fire survival guidance calls was not shared across the whole brigade, and the danger, I think, is that the two parts of the London Fire Brigade develop policies and procedures without reference to the other part, and I'm just suggesting that as part of the development of policy and procedure that both parts consider the roles of brigade control and the operational staff.

Q. Mr Davey, thank you very much. Those are my questions. There may be questions from others.

THE CORONER: Thank you. Mr Hendy.

MR HENDY: Madam, I wonder if this would be an opportunity for the jury to have a short break. There's particularly a matter I'd like to raise with you.

THE CORONER: All right. Thank you very much.

Well, in that case, members of the jury, do you want to have a break for coffee now. If you could be back by just before 11.30, please. Thank you very much.

(In the absence of the Jury)

THE CORONER: Yes, Mr Davey, do you want to take a break as well.

Yes, Mr Hendy.

MR HENDY: Madam, it's just this: everybody will understand

that the thrust of my questions will be directed to the points raised by Mr King and not dealt with by Mr Davey, where there's a difference of opinion, but I understand that in fact Mr Davey's not seen Mr King's report. I know Mr Maxwell-Scott told me he wasn't going to send it to Mr Davey last week but I had rather assumed that Mr Davey would read it over the weekend, and before I ask my questions, I think it would shorten things if he did see Mr King's report. That would certainly ease my questioning of him.

Obviously it's going to take him 30 minutes just to read through it and rather than take up time now, I wonder whether the more sensible course might be for others to ask their questions and then for him to read it over lunchtime so that I can come to him this afternoon. Obviously whatever suits you and other parties, but I do think that he ought to have a chance to look at it. He doesn't have to read every line of it, and I'm certainly not going to interrogate him on all parts of it, but you, of course, know the evidence that I would wish to focus on.

THE CORONER: Well, at the moment, Mr King has no standing. Mr King's report is not a document which has any standing. I asked Mr Maxwell-Scott to send Mr Davey the appendices to Mr King's report so that those were the

documents which, if he hadn't already seen, he had the opportunity to have a look at, and this is going to be, in large part, a way for the jury to understand the points that you want to make, so are you not in any event, Mr Hendy, going to have to be putting your points to Mr Davey in a way that the jurors can follow? I'm not quite sure that Mr Davey's reading Mr King's report is going to assist with that process.

MR HENDY: Of course I'll have to put them in a way that the jury understand them. It's just that Mr Davey will then see the reasoning that's led Mr King to reaching his conclusion and he may well say, "Well, for those reasons, I accept what you say", or: "For other reasons, I disagree." But if it's not an attractive course to you, madam, of course I don't press it. I just thought it might save time in the long run.

THE CORONER: Well, in terms of timing, we have the rest of today and I think that we do have plenty of time, so I don't think that timing is going to be a real issue on that. Does anyone else have any observation they want to make?

MS AL TAI: Madam, merely that if Mr Hendy is inviting Mr Davey to give opinion on points upon which there might be controversy, it might assist Mr Davey, purely from his perspective, to see the angle at which Mr King

approaches his report, and that's purely from the witness's perspective as opposed from anything else.

THE CORONER: All right, that's helpful. Anybody else want to make any observation? Mr Walsh?

MR WALSH: Madam, it is difficult, because as you've said, the report itself hasn't been adduced in evidence, so it would be difficult to put extracts of Mr King's report to Mr Davey and ask whether or not he agrees with it by contrast with the appropriate course of action, which would be simply to put to Mr Davey certain scenarios. I can see why Mr Hendy would want to do that, I can see why it might simplify it, but it would, of course, introduce a report or parts of a report which we haven't yet discussed the admissibility of being put to him as though they were part of the report. We don't take a particularly strong view of it, but those are the difficulties I can see.

THE CORONER: Thank you very much. Anybody else?

MR HENDY: I'm sorry, just to respond to Mr Walsh, I'm certainly not intending to ask Mr Maxwell-Scott to put bits of Mr King's report on the screen and I shall be putting conclusions -- not the section heading "Conclusions" but Mr King's thinking -- to Mr Davey, rather than trying to read parts of Mr King's report. This is not a sort of backdoor way of getting a document

before the jury which you have not admitted; I'm just trying to facilitate the points that I'm going to put to Mr King (sic). I'm sorry to rise twice.

THE CORONER: That's all right. Thank you very much, that's helpful. I think there's understandable desire to assist Mr Davey in giving his answers, but I think the better course will be simply to let matters stand as they are at the moment and not ask Mr Davey to read Mr King's report. Mr Hendy, I'm sure that you'll be able to put your points to Mr Davey with the necessary explanation so that Mr Davey can understand the question that you're putting and the jury will be able to follow it.

So I think we'll leave it like that for the moment. If circumstances arise which look as if we ought to take a different view, we can revisit that. But that's my position at the moment.

MR HENDY: Madam, I'm grateful for that, and I shall follow that, but I should just say that unless you tell me otherwise, I'm not going to pretend that there isn't such a report by not referring to, for example, Mr King taking a different view. Mr Davey obviously knows that Mr King has written a report, so I imagine that's acceptable to you, without quoting from it?

THE CORONER: Well, that then immediately gives rise to

questions in the minds of the jurors as to why they haven't seen the report and why they may not -- well, we haven't yet come to that point but why they may not actually be shown it or be told about it, which I think would be rather muddling for them. Are you not in a position where you can put the points that you wish to put without specific reference back to the report?

MR HENDY: I'll do my best, madam.

THE CORONER: I'm sure you will.

MR HENDY: I don't want to find myself in an position where I've referred to Mr King when I shouldn't have done, as though it were taboo, that his very existence should not be acknowledged, but I certainly do not wish to put queries in the minds of the jurors that we don't need to have.

THE CORONER: They have enough to cope with without that.

MR HENDY: Absolutely, madam.

THE CORONER: All right, thank you very much, Mr Hendy, that's helpful. All right, we'll have a break now and be back at 11.30.

(11.20 am)

(A short break)

(11.35 am)

THE CORONER: Thank you.

(In the presence of the Jury)

THE CORONER: Yes, Mr Hendy.

Questions by MR HENDY

MR HENDY: Mr Davey, my name's Hendy. I represent all the families of the bereaved. Can I ask you first about pre-planning and your conclusions in relation to that. In your second report, you say that the information about Lakanal House you wouldn't have expected to be carried on the Peckham appliances, or indeed on the appliances from other fire stations, and you say there was nothing about Lakanal House that required it to be identified as creating a special or unusual risk "that would not be expected in a high rise apartment block".

Can I just put to you evidence that the jury heard last week from Mr Walker, who, in considering whether fire risk assessments should have been carried out on Lakanal House, said that Lakanal House was a high risk building which should have been prioritised in any fire risk assessment programme. Now, obviously he's talking about high risk from a different point of view to that which you're talking about, but nevertheless can I put to you the factors that he took into consideration and ask you whether they are not factors that do point to Lakanal House being a high risk from a firefighting point of view. Height of the building, which exceeded the height that ALPs could reach, over 30 metres, yes?

A. That in itself I don't consider as high risk.
Q. No. It would have to be combined with other factors. Let's look at those other factors. The number of residential units within the building, 98 of them. I put to him -- and I put it to you -- that if one assumed an occupancy of three per flat -- these were all two-bedroomed flats -- that would give you some 296 residents at any point in time when the house was completely full. Therefore the number of units combined with the height of the building point towards high risk?
A. I don't think so, no.
Q. Factors which, in combination with others, might lead on that conclusion?
A. There could be other factors, yes.
Q. Unusual construction. These were maisonettes which we've heard described as upside down maisonettes, because the bedrooms were underneath, the lounge/kitchen above, in a scissor formation across the building.
A. If it had been a brand new building with a different method of design, I would have said so, but the fact that this was a building that was instructed late 1950s/1960s -- it was an old building -- I wouldn't say that that was something they wouldn't expect.
Q. Well, it made it unusual, and we know that the fire crews at this fire found that confusing and had to

ascertain for themselves that layout?
A. Yes, at this fire, I would agree.
Q. Yes. Well, doesn't that therefore suggest a factor pointing towards high risk?
A. It may be a factor, yes.
Q. You've mentioned the age of the building. That was another factor that Mr Walker took into account. I think he said that more modern buildings have safer precautions within them?
A. That's probably correct as well.
THE CORONER: He was also identifying the likelihood that work had been undertaken internally.
MR HENDY: Absolutely, madam. I've overlooked that. He was pointing out that because of the age of the building, all sorts of changes might have taken place within the building.

Previous history of fire in that building he identified as a factor pointing towards high risk. Would you accept that?
A. No.
Q. Is that because you don't accept there was a previous history of fires or ...?
A. No, I base my view there on that there had been previous fires and they'd all been fought successfully and there had been no issues raised from any of those fires

relating to factors that could be seen as an additional high risk.

Q. He added that the fact that this had a single staircase was a factor.

A. Given that the building was designed for people to be safe in their own flats, while a single staircase may have presented a problem, I don't see that as a factor either.

Q. Obviously it presents a higher risk than a building with two staircases, one on either end, doesn't it?

A. If you're evacuating the whole building, it probably would, yes.

Q. Well, whether you're evacuating the entire building or not, it means if you have two staircases there are two ways out, whereas if you only have one staircase there's only one way out?

A. That's correct.

Q. Indeed, this was a building where there were escape balconies on alternate floors but the escape balconies themselves led to a single staircase?

A. (The witness nodded)

Q. Is that not a factor pointing towards high risk?

A. It would be a factor, but I couldn't say it is on itself is one of high risk.

Q. A particular feature of this staircase, which the jury

will recall, is that it's a very narrow one. It's only a bit over one metre in width, so if there's a fire -- if one takes the fire on 3 July 2009, you have people coming down, self-evacuating, people being rescued, firefighters going up with equipment, firefighters firefighting and hoses occupying part of the staircases.

A. That's certainly factors that impact on firefighting activities, but again, I would look at: did the building meet its regulatory requirements? If it did, it clearly was designed to be a safe building and -- rather than a failure of the legislation or the building standards, which may have indicated that it should have been a high risk, but I hadn't seen anything that refers to anything relating to non-compliance with being standards.

Q. Well, I put it to you that the narrowness of the single staircase was yet another factor that pointed towards high risk.

A. Yes, it certainly would be a factor.

Q. The final matter would be the uninformative flat numbering system. If you didn't have the board in front of you and weren't familiar with the block, it would be practically impossible to tell where flat 79 was, by way of example?

A. I don't agree with that, because the labelling did give a floor number and a flat number relating to a floor,

and certainly the hotels I've been staying in, I've looked at how they describe room numbers and it's been fairly common that room numbers don't always relate to floor numbers.

Q. No doubt that's often the case, Mr Davey. What I'm doing is asking you whether the fact of the curious flat-numbering system -- obviously it has its own logic, but the uninformative nature of the flat-numbering system is yet another factor pointing towards this block being high risk?

A. It's certainly a factor, but it's -- again, I don't see that as contributing to the high risk. It's a design feature.

Q. With hindsight, we know that that made it a risk, don't we, because the firefighters on the ground couldn't make out where flats 79 and 81 were, so it was clearly an important matter?

A. It was important, yes.

Q. I suggest to you, again, that taking all those factors together, this was sufficiently high risk to warrant appliances knowing some of those features?

A. I would say it was sufficiently of risk that firefighters should have been more aware of those common factors.

Q. That means the information should have been carried on

the appliances?

A. One of the issues about carrying paper-based information on appliances is the volume of paper and the short time available to refer to it, and I think from memory we had a response time of two or three minutes. For the first arriving crews to locate that information and absorb it would have been difficult.

Q. But had it been on a Peckham appliance, even if the first Peckham appliances couldn't have accessed it within the journey time, it would have been available for incident commanders in the minutes following?

A. Yes, that's true.

Q. In any event, this information could have been held by brigade control so that they could have passed a summary of that information on to all appliances attending the fire?

A. That's possibly as well.

Q. Not merely possible; desirable, wouldn't you agree?

A. Desirable, and I think it would be dependent upon the ability of brigade control to have a way to retrieve that in a timely manner.

Q. If we can look at a risk assessment that was carried out as part of an earlier exercise by the Fire Brigade. This is in the risk assessment bundle at 1369. I don't know whether you have had an opportunity to look at it

but there's only a sentence I want to draw your attention to, and that's towards the bottom of the page. It's probably enough, Mr Clark, for Mr Davey to see it on the screen, unless he wants to see the whole thing. It's just that description of the premises:

"Residential block of 14 floors. 14 maisonettes on floors 1, 3, 5, 7, 9, 11, 13. All maisonettes over two floors."

That is, in three sentences without verbs, something that it would have been very desirable if brigade control could have told the appliances of; do you agree?

A. I do, and that was my reference to London Fire Brigade looking at all opportunities to collect information about buildings.

Q. One might have added another sentence: "Escape balconies on even floors"?

A. I agree.

Q. You talked this morning about paper records made after familiarisation visits, and in answer to questions from our coroner, you explained that if there was a paper record after a familiarisation visit then the next watch going to visit that block would take the piece of paper with them to check any changes and see what had been written on the last occasion. I'm sure the jury understand the logic of that.

What I wanted to ask you about was the description of this as a "familiarisation visit". Familiarisation, presumably, is not simply to check the hazards and the firefighting equipment and so forth; it's also to become familiar with the premises, so you know what to do if you have to get there in a rush?

A. That's my view as well.

Q. The difficulty there with your system of taking the paper from the last familiarisation visit when the next watch visit is that that doesn't necessarily give them familiarisation, does it? It just gives them a checklist of things to look for?

A. That's one way of looking at it, and I think my comments were based on something that didn't happen at the time.

Q. Meaning?

A. They didn't have paper records for visits, and I was suggesting that that was one way that may have helped.

Q. But the other thing that came across -- I can't speak for the jury, but may have come across to the jury is that a good number of these firefighters, even from Peckham, weren't familiar with the layout of this building. How do we overcome that?

A. I agree with what you say, and that was a suggestion that I put forward for what was in place at the time. I'm aware that they have now changed things, and I think

my comments have to be seen as what was in place in 2009, not what may have been changed since, and if that comment can be used to improve things, that's what it was there for.

Q. Well, I'm not asking what's happened since, but just how one familiarises the crew of a fire station with buildings such as this -- how is the knowledge to be disseminated for familiarity?

A. With great difficulty. I think it depends on how each officer of the -- how each manager of the crew takes that task and what the crew have been taught to expect when they do those tasks. I think it's a role of the watch manager to ensure that the crews do look at those things and follow up, and one way was with a check sheet that at least people had to check off that they say they had looked at it.

Q. One of the things that you mention should be looked for on a familiarisation visit is signage, and in particular you mentioned looking for the sign above the lifts which showed the numbers of flats on each of the floors.
I think I'm being fair to the evidence in saying that one of the features here is that nobody on the fire ground, on the firefighting side, actually looked at that sign board, or indeed even looked for it.

A. (The witness nodded)

Q. Does that point to a failure of training, training firefighters that they should look for these boards as an obvious source of information when it's not clear what the distribution of flats on each floor is?
A. I think that's one possibility, yes.
Q. Can I entice you to go further than a mere possibility? Isn't it a desirable thing?
A. Yes, it is desirable.
THE CORONER: What, desirable that there should be training; is that what you're saying?
A. Yes.
MR HENDY: And that the training should include specifically that firefighters, if in doubt as to the distribution of flats on floors, should look for such a board, normally in the lift or entrance lobby area?
A. I think so, yes.
Q. So far as ALP, aerial ladder platform, familiarisation is concerned, you've described how they should look for access to high rise buildings. Some fire stations have an ALP and some don't, as I understand; is that right?
A. That's my understanding as well, yes.
Q. So the fire ground that an ALP would be expected to cover would be wider than the fire ground that the local station covered, at first instance anyway.
A. Yes.

Q. Do you suggest that when not called upon on operational duties, they should visit, other things, the high rise blocks in the areas that they're likely to go to?
A. I would say they should do that, and I realise that that presents a logistical problem but I think familiarisation of the response area is part of their role.
Q. And in the course of looking for access, should they also carry out training by practising to see what the access is going to be like, or would they be so familiar with their appliances that that wouldn't be necessary?
A. Carrying out training is one way of reinforcing the knowledge.
Q. So that too would be desirable?
A. It would be.
Q. If they trained whilst in place next to a block like Lakanal, put up their platform -- they don't need to actually fire any water but they can make judgments about how easy it is to rescue, put curtains of water down, use it as a high pressure monitor -- all those sorts of thoughts can go through their minds, presumably?
A. That's what I would expect them to do.
Q. That knowledge that they should gain by that sort of familiarisation, how would that be communicated to the

incident commanders? As I understand it, it's for the incident commander to say, "Right, I want an ALP situated over there and I want it to lay a curtain of water against this flank of the building", or whatever the instruction is.

A. That's the role of the incident commander to do that. The role of the manager in charge of the ALP is to assess the capability of the appliance to do exactly what is requested and to pass that information back, if it's not possible.

Q. The incident commander presumably might not think of using an ALP in the way that an ALP operator, who's familiar with the building because he's been on familiarisation visits and practised there, might be. So how's that to get from the operator to the incident commander?

A. I think as part of the incident commander's training is to understand the role and functions of special appliances, which would include an ALP, and build that into the tactics that he's selecting for a particular incident.

Q. We'll come back to the use of the ALPs at Lakanal House in a minute, but just to finish on the pre-planning heading, pre inspection boxes, you said, would be useful on a building such as Lakanal House. Here, of course,

in this fire, it might actually have saved lives, might it not? Sorry, I should have asked that as a question.

A. It possibly could have helped reduce the loss of life.

Q. So again, can I entice you to see whether you could go a bit further than "useful"? Critical?

A. I wouldn't say critical. It certainly would provide additional information to those attending which would help them make some tactical decisions.

Q. Well, let's put it another way round: if the coroner said to you, "What would you recommend for the future in relation to a block like Lakanal House?" would you say, "Well, I would recommend that a premises inspection box with a plan of the flats should be situated outside the block of flats, accessible to the Fire Brigade, just in case there's another fire"?

A. Yes, I would say that.

Q. Going to the fire itself in 2009, the first point you were asked about this morning was that there was no way in which the Fire Brigade could have prevented the spread of the fire from flat 65 to 79. That presumably is because we know that the Fire Brigade attended at the fire ground a few seconds before 16.24, and the panels of flat 79 were alight, according to the jury's sequence of events, by 16.26. That's page 2 of the jury's sequence of events, and we know from page 3 that the

curtains had caught fire in flat 79 by 16.29.

A. Yes.

Q. So five minutes after the first appliances got to the fire ground, the fire was established within flat 79?

A. Yes.

Q. And that's why you say there simply was not time?

A. Yes.

Q. But by the same token, by those five minutes after the appliances got to the fire ground, it must have been evident to the incident commanders on the ground that the fire had jumped from one compartment into another?

A. They should have noticed that, yes.

Q. Yes. Do you agree, therefore, that it was incumbent on them either to start fighting the fire in 79 as soon as they had the resources to do so, or to ascertain whether or not anybody was in that flat, 79?

A. Yes.

Q. If they didn't know whether somebody was in flat 79 -- we accept that they didn't know that this was flat 79, but if they didn't know whether or not somebody was in there, should they have made attempts, by sending a crew up to that floor, to see whether there was anybody there?

A. I would have expected that that would have been part of their tactics once they'd established a firefighting

crew for where the fire was.

THE CORONER: Sorry, once they what, sorry?

A. What?

THE CORONER: I missed what you said.

A. I would have expected that that would have been a tactic they would've considered once they'd commenced their firefighting in flat 65. So it was a prioritisation of the resources that they had available.

MR HENDY: In your report, you say that the fire spread within flat 79 to the staircase, which we established this morning was at 16.48, could not have been prevented by the Fire Brigade?

A. No.

Q. The jury can do the additions for themselves because we know the crews and the appliances that arrived. Our calculation is that by 16.45 -- that's three minutes earlier -- there were 38 London Fire Brigade personnel on site.

A. (The witness nodded)

Q. Do you agree that that provided sufficient resources, if not to fight the fire within 79, as well as 65, at least to send a snatch squad up to see if there was anybody there?

A. I tried to do similar calculations based on the number of tasks and listening to the evidence from the

firefighters, I found it very difficult to pick the number of tasks that were being carried out or expected to be carried out. I was surprised we didn't see some of the information that had been collected and written on their command board, so trying to second guess that is difficult. Depending on just what those resources had been tasked to do -- and that's why I tend to agree that that is a possibility.

You talk about a snatch rescue. That's not a term that I have come across in my reading for this inquest but we use a similar term in New Zealand called a snap rescue, and I suspect that they both mean the same thing. To carry out a snatch rescue, you're looking at a high level of risk, you're looking at probably not following guidelines, you may not have the correct level of personal protective clothing, the right protection for firefighting -- all those factors weigh up about carrying out a snatch rescue. It's something I think that the instant commanders should have thought about. I wouldn't criticise them if they had thought about it and thought that the risk was too high. That's a decision they would need to make, based on everything they saw and were faced with at that time.

Q. Just put one other factor in there, hypothetically. If it wasn't simply a case of not knowing whether there was

somebody in flat 79 but actual knowledge that there was somebody in flat 79, that that flat was on the 11th floor and that it was directly above the original fire flat, would you then have expected that a snap rescue, to use your term, would have been attempted?

A. Again, I can't judge what the incident commander would have done, but it's certainly something I would have looked at if I was the incident commander.

Q. The fire-spread to the staircase of flat 79 obviously happened before the fire spread to the upstairs in flat 79, to the lounge unit and to the kitchen. Can we therefore assume that up until at least 16.48, it would have been possible to escape along the escape balconies past flat 79?

A. Yes.

Q. So as far as the people in flat 81 were concerned, whatever the conditions might have been within flat 81, escape along the balcony was tenable until sort of 4.50-ish at least?

A. That's correct.

Q. Again, had the incident commander known that there was a group of people within the bathroom of flat 81 on the 11th floor, it would have been relatively easy to establish that the escape balconies on the 11th floor were still passable until, say, 4.50?

A. Yes.
Q. And therefore it would have been possible, had the means of communication been available -- which we'll talk about in a moment -- to have advised the occupants of flat 81 to get out by the escape balconies?
A. Yes.
Q. At 17.19, the estimate is -- and Mr Maxwell-Scott took you to it at page 29 -- that the door of flat 79 collapsed into the corridor of the 11th floor, which means it was then impassable from the inside, yes?
A. It would have been impassable because of the fire, but possibly just before that, impassable because of the smoke as well.
Q. I was just going to put that to you. That must be the case, must it not, that at least a few minutes before, possibly longer, it would have been impassable as a means of exit?
A. Yes.
Q. If one took it back to 5 o'clock-ish, it might have been possible to get out via the 11th floor?
A. Yes.
Q. Of course, nobody knew that, neither the occupants of the flats nor the firefighters, because nobody looked to see?
A. That's right.

Q. Had the ALP, which was on the fire ground, been deployed to the west side of the building as soon as it got there, do you agree that it would have been useful to at least put down a curtain of water on flats 79 and 65?
A. It is something that the incident commander should have thought about. The decision to do so probably would have needed to take into account if anybody was in any of the flats because of the volume of water that would go in. But yes, it's certainly something that should have been considered.
Q. Just on that last point about a consideration of whether there was anyone in those flats, more consideration than was actually given as to whether there was somebody in flat 79 or not?
A. Can you say that again?
Q. Yes, you say you have to think about whether there was somebody in flat 79 before you put down a curtain of water because of the volume of water involved. We have heard evidence about what was believed on the fire ground about the occupancy of flat 79, or rather what was not known about the occupancy, so with the knowledge that they actually had, wouldn't it have been reasonable to deploy the ALP and put down a curtain of water?
A. I think it would have been, yes.
Q. Of course, had the ALP been in that position, it might

have been easier to attack the fires on the 5th and 7th floor, might it not?

A. It might have been, yes.

Q. Have you seen the photographs in the jury bundle of the Greenwich ALP, which was much, much later, which did deploy on the west side, fighting the fires on the west side?

A. Yes, I have seen those.

THE CORONER: Do you want to be taken to it again?

A. It would be useful, if we could do that.

MR HENDY: Right. It's jury bundle, tab 14, for members of the jury, at page 11. This is much, much later in the evening, of course. There we can see the Greenwich ALP with its jet directly --

THE CORONER: Sorry, could you just wait for the members of the jury to get their pages.

MR HENDY: Of course, madam, I'm sorry. Tab 14, page 11.

(Pause)

There we have the Greenwich ALP, later on in the evening. It's a jet directed at the 5th floor. Then if one goes on to page 12, not so clear now but you can see the ALP has gone up in height and we can see the jet is now directed onto the 7th floor. There's a clearer picture of that at page 13, with the burnt out remains of flat 65 above, and at page 14 -- this is a still

taken from a video so not very clear -- we can see that jet in action from a position a little bit further away. Again at page 15. It's now at the level, I think, of the 9th/10th floor with the 11th floor burnt out above.

Then there's a picture at ground level at page 18. I should have put that to you before asking the question, but I've asked the question in advance. So if I could go to something else. You spoke about the "Stay put" advice and you said that was appropriate for most residents. The flats that were impacted upon and needed to be considered for evaluation were those above and to the north of flat 65. They were immediately flats 79 and 81, weren't they?

A. That's right.

Q. The fact is that it took nearly an hour from the first appliances arriving to any attempt made to actually get to those flats. Do you agree with me that that was far too long?

A. Yes, I do.

Q. The crew that was sent to evaluate conditions above the 9th floor, which you spoke about earlier, we know were directed by the bridgehead commander to assist on the 9th floor and then split between two of them. Do you agree that the instruction to evaluate the situation above the 9th floor is one that the incident commander

should have conveyed to the bridgehead commander, and that the crew should then have followed those instructions?

A. That's the way that I would expect the chain of command to work, yes.

Q. Do you agree that the search and rescue on the 9th floor, south, was an unfortunate waste of resources?

A. Yes.

Q. Madam, can I just take a moment.

THE CORONER: Of course you can, yes.

MR HENDY: Thank you. (Pause)

Yes, one other matter I wanted to ask you about, Mr Davey, was this situation where we have brigade control knowing that people need rescue -- because they're giving fire survival guidance -- that people need rescue in flats 81 and 79, that they're situated on the 11th floor, that certainly in the case of flat 79, it's above the fire flat, and yet that information does not actually reach the incident commander. Now, the jury has heard lots of evidence about lists that were made and kept in somebody's pocket or not acted upon and so forth. Leave all that aside. How do we ensure for the future that that information gained by brigade control gets to the incident commander who can then act on it instantly?

A. I'm not sure how we could ensure that happens. In a normal fire, the incident commanders follow a fairly structured approach to deciding their tactics and issuing instructions. This fire, we were faced with an abnormal fire and different aspects of that fire impacted on the decision-making of the incident commanders, in my view, and I think that's what compounded their ability to sort through, in a very short space of time -- I mean, we're talking about the numbers of decisions that incident commanders make within minutes and seconds, and it's not, I would think, unexpected that sometimes they just get overwhelmed with information and lose the most important. So training is probably one way -- and experience the other way -- to help them focus on what is important in making those decisions.

Q. One thing that nobody seems to have thought about on the fire ground was this: "I'm told that there are people needing rescue in flats 81 and 79. I don't know where they were. Somebody get onto brigade control and ask them to ask the people on the line where they are so that we can see." That just didn't happen. Is that something that should be rectified by training, to make this suggestion that where there's a line of communication, it should be used?

A. Yes.
Q. Where there's information held by the incident commander or those adjacent to him standing on the ground outside the arena of fire, that information doesn't appear to have been communicated to the bridgehead. It was in one case, in the form of a list that was put into somebody's pocket and not referred to again, but do you agree that it's important, where the incident commander or those next to him have information, that it should be communicated to the bridgehead?
A. Yes.
Q. Mr Cartwright, who we've heard evidence from, did have -- he was not apparently briefed on what we might call the fire guidance survival flats, the FSG flats, but he didn't seek that information either. Do you agree that an incident commander in that position should seek whatever information there is about people that need rescue and where they are?
A. He should be asking those questions, yes.
Q. We know that Mr Rafael Cervi, one of my clients, was in touch with both his wife and the brigade control and spoke to firefighters at the fire ground, not surprisingly with some agitation, about his family being in flat 81. But that information, too, didn't seem to get to the incident commander. It should have done,

obviously, shouldn't it?
A. It should have done, yes.
Q. How do we make sure that doesn't happen in the future?
A. Again, I think it comes down to how people are trained, what resources are there to support them -- as increasing information comes in, it's possible to overload a person. I think being able to sift out the important information and match it up with other information is a clear skill that is needed by incident commanders.
Q. Somebody should have said, "This guy, bring him over here. He knows where this family are. He actually knows this building, he lives there, he knows where they are. This is how to get to them"?
A. Yes.
Q. Somebody should have said that?
A. Somebody should.
Q. I understand what you say about incident commanders being overwhelmed with information, and I'm sure the jury well understands that, particularly the compression of time within which they have to make decisions. Nevertheless, do you agree that there appears to have been a lack of priority given by the incident commanders to locating and rescuing the FSG flats?
A. Yes, I think there was.

Q. We know the Clarke crew, part of the split team, failed to reach the 11th floor because they ran out of air, understandably. The evidence seems to suggest that the fact that they hadn't got to the 11th floor, even though the incident commander had told them to reconnoitre above the 9th floor -- no criticism of them, but the fact that they hadn't been able to do that doesn't seem to have been related back to the incident commander on the ground. Do you think that should have been?
A. It should have been, yes, or certainly to the bridgehead commander.
Q. Does it follow that had it been, another attempt should have been made as soon as practically possible?
A. Yes.
Q. I take it it goes without saying that the officer who had a paper list in his pocket of the flats needing rescue should have taken that paper out and acted upon the information within it?
A. He should have done.
Q. Mr Howling, who was incident commander for nearly half an hour, had a search and rescue plan and had, in his own mind, established, I think, the crews of four appliances and how he would use them for search and rescue and so on. But then his command was overtaken by a subsequent incident commander and his search and

rescue plan was never acted upon. Do you agree that it would have been preferable that that plan should have been carried out?

A. Yes, it should have done.

Q. Mr Howling stayed next to the incident commander, I think, for the next turn of duty, so to speak, but was then sent off on other tasks. Do you agree that with his extended knowledge that he had acquired during his half hour in command, he should have been kept close to the incident commanders?

A. In an ideal command situation, yes, he should have done. Where you are running short of resources, you get the competing priorities. Are they better to be used with another task or to stay and assist?

Q. There appears to be some waste of resources, though, because we know of one crew that got kitted up in BA and spent half an hour before they, under their own initiative, finally made their way to the bridgehead, then on the ground, and were sent to work, and indeed they were being jibed by the crowd for not going into action, which naturally was very distressing for them. I suppose in any incident errors can be made and the incident commander doesn't realise that he has the resources on hand that he has, but nevertheless, clearly, with hindsight, that should never have

happened, should it?

A. With hindsight, no, it shouldn't have done. There should have been a good control over the available resources.

Q. Once you have a command unit there, the command unit should be aware of all resources reporting to the fire ground and making sure that the incident commander knows what's available to him?

A. Yes.

Q. We know Mr Cartwright brought the bridgehead down from the 7th floor to the 3rd floor, and when it got there it was found that it had to go out on the ground, but the consequence of moving the bridgehead down was that for some 30 minutes there was effectively no search and rescue going on at all. Do you agree that that was unfortunate and could have been avoided?

A. It was unfortunate. I don't know whether it could have been avoided because the action of bringing the bridgehead and the resources that were stored on the bridgehead down to ground level so they could be reused was a resource-intensive and a time-based action and -- that needed to be done.

Q. Well, we know when the bridgehead moved down from the 9th to the 3rd floor that a crew were left firefighting on the 9th floor above the level of the lower fires, and

of course their equipment needed to remain in position. So the proposition I put to you is that a search and rescue could have been attempted during that 30 minutes above the level of the 9th floor.

A. In hindsight, it could have been. I think if we take the experience and knowledge at the time -- this was the first time, as I understand it, that a bridgehead had been moved down, so the crews were faced something -- with something outside their previous training and experience.

Q. Well, we know that snatch rescues, or snap rescues, to use your phrase, were attempted subsequently, even though there were fires on the 11th, 9th, 7th and 5th floors. Do you agree that they should have been attempted earlier?

A. Again, I think I'd say what I said before. Judging what the incident commander would do is difficult after the event. It is certainly something that he should have considered.

THE CORONER: You're saying during the period whilst the bridgehead is being moved down and taken outside? It's brought down for safety reasons, isn't it?

A. That's right, yes.

THE CORONER: So you're saying that that would have been something that an incident commander would have thought

about doing, even though you now had the fire moving down in the building so you had fires on a number of floors?

A. If not the incident commander, the bridgehead commander could have thought about it. Whether he would have decided based on the circumstances he was faced with at the time I think is a decision that only he would know how to do, but it's certainly something that he should have considered.

MR HENDY: We know that Mr Freeman and Mr Foster did organise snatch rescues after this time. All I put to you is that incident commanders before Mr Freeman could have attempted it too, and should have done.

A. Yes.

Q. The Nuhu family were rescued from the 11th floor. As you recall, they'd made their own way out of flat 81 onto the escape balcony on the east side, where they were seen, and a crew immediately were sent to try and get them off. I wanted to ask you about the Nuhus, but before I do, the fact that an attempt was made to rescue them as soon as they were seen, does that not make the point that had it been appreciated that there was somebody else in flat 81 and somebody in flat 79, the likelihood is that the incident commander would have attempted to rescue them as well?

A. Yes, and I think it shows the impact of visual information versus other methods of providing information.

Q. The Nuhus were rescued from the 12th floor escape balcony and we've heard the evidence that as they were brought down by the team rescuing them, they mentioned there were still other people in flat 81, and those that followed them didn't appreciate that a route -- or the route that the Nuhus had taken was via the 12th floor escape balcony. One can understand that the pressures on the chaps rescuing the Nuhus, the pressure and intensity on the chaps coming up the stairs, but nevertheless, do you agree that the crews coming up should have been told that the route that had just been taken was via the 12th floor escape balcony?

A. Yes, there was a missed opportunity.

Q. One of the problems that the jury have heard about many times from many witnesses is that the air ran out in the standard BA kits. Do you agree that extended duration breathing apparatus crews should have been sought earlier in this fire?

A. It would have been an advantage if they had have been, yes.

Q. EDBA crews, of course, come on search and rescue vehicles. I have the wrong term, haven't I? Fire

rescue units.
A. Fire rescue units.
Q. And their primary job is search and rescue, hence the extended air?
A. Yes.
THE CORONER: What would have been the trigger for an incident commander to have been looking for a vehicle with crews who could wear EDBA? In this instance, what would have been the trigger for that?
A. I think it's part of the assessment for making pumps and understanding that if there's a role for search and rescue, a specialist unit should be part of that make pumps, and it's just making that link between tasks that are likely to be performed or anticipated and the resources and the capability of the resources.
Q. Would not one of the triggers be that brigade control has given fire survival guidance to people in the block of flats and the incident commander has not yet located, still less rescued, them?
A. That's one way of looking at it, I think, yes. The other issue, I think, was that they were probably still believing they were dealing with a fire in one flat, and that spread up and down was only just occurring, and they were caught up in that whole rapid change.
Q. Well, save that we've established, Mr Davey, haven't we,

that within minutes -- a couple of minutes, indeed -- of the first appliances arriving, it was evident that the fire had gone into another floor?

A. Yes.

Q. So wouldn't that then be the trigger?

A. It could have been a trigger, yes.

Q. Should have been the trigger?

A. Should have been the trigger.

Q. So far as the brigade control operator who was speaking to Catherine Hickman was concerned, do you agree that refresher training was critical to reinforce that the operator should explore means of escape before -- or as well as -- committing to a "Stay put" policy?

A. Yes.

Q. Do you agree that training, whether original or refresher, is critical to ensure that brigade control operators extract from the information given to them by the person they're talking to things like "I'm in the flat above the fire flat", "I can go onto an escape balcony which leads to the stairwell", that sort of information?

A. Yes, as well as a review of the policies and procedures that apply to giving that advice.

Q. Madam, I think I only have a few more questions, but I would prefer not to conclude having asked those

questions and then realise that I've missed something over the lunchtime adjournment. Would it be possible, madam, to have an earlier hour for lunch, so I can be sure that I've covered everything?

THE CORONER: I think so.

Members of the jury, is that going to be convenient to you? Does that give rise to any difficulty for anybody? All right. Well in that case, what I suggest is that we have a break now for lunch and we continue at about 1.55, just give you an slightly longer lunch than usual. Thank you very much. Do leave your papers behind if you want to.

Mr Davey, because you're part way through giving your evidence, the strict rule is you must not talk to anyone else about your evidence, so the safest option is to have lunch by yourself. Do be back for about.1.55, please.

THE FOREMAN OF THE JURY: Sorry, madam, you're okay with jurors leaving their papers over lunch?

THE CORONER: Yes, that should be all right. The security guards are around. They should be all right.

THE FOREMAN OF THE JURY: Okay.

(In the absence of the Jury)

THE CORONER: Yes, thank you.

(12.41 pm)

(The short adjournment)

(1.54 pm)

(In the presence of the Jury)

THE CORONER: Yes, Mr Hendy.

MR HENDY: Mr Davey, I just have a few, as it were, random points, most of which I overlooked before. I'll just clear them up now. I think we've probably covered this in general terms, but can I just put it to you specifically.

The use of brigade control to communicate. We know that those in flat 81 who remained after the Nuhus had gone were in contact with brigade control, and brigade control had mobile telephone numbers and so on. Do you think that it would have been useful if brigade control had communicated to those who remained in flat 81 that they should follow the Nuhus who had been rescued from the escape balcony?

A. If they were to have done that, the timing would have been very critical, I think.

Q. They would have had to have done it before that route became more precarious than it was for the Nuhus?

A. And certainly in consultation with the incident commander.

Q. Yes.

THE CORONER: Brigade control would have had very little

information as to what was going on in the fire ground, wouldn't it?

A. That's right.

MR HENDY: That leads on to the more general point that in some way the communication between brigade control and the incident commander on the fire ground or one of his assistants is crucial, isn't it?

A. It is, yes.

Q. And the communications in this fire were, would you agree, pretty poor?

A. Yes, I would.

Q. If we're looking towards the future, this is one area for improvements of training not just for firefighters on the ground and not just for operators in brigade control but for both of them, so that they can understand the sorts of message each are receiving and each need to act upon?

A. Yes, and that was my comment about both -- both parts of the London Fire Brigade working together, was the development of policy, procedures and probably training in this area.

Q. Yes. Because one of the things that stands out here is that the brigade control operator, particularly the operator who was speaking to Catherine Hickman, had a particular belief not merely about the response of the

Fire Brigade but also about the qualities of the building and the length of compartmentalisation. The incident commander, looking at the building, had he been told about it, would have said immediately: "No, that's not true. It's not staying in its compartment."

A. That's right.

Q. So that communication has to improve for the future?

A. Yes, it does.

Q. I think we have probably established it with other witnesses but let me put the proposition to you: a fire survival guidance policy of "Stay put" is a reasonable one on the understanding that the Fire Brigade are on the way and that the fire will stay in the compartment and that the person they're speaking to is not in the compartment where the fire is and there's no smoke coming into that compartment?

A. Yes, it is.

Q. But that policy must be revised once the victim, if I can use that expression, reports that smoke or fire is coming into the apartment?

A. Yes, that should cause a reevaluation of the advice.

Q. At that point it's critical to explore the possibilities of escape?

A. Yes.

THE CORONER: Would that reevaluation be something that you

would expect to be part of the dynamic risk assessment process?

A. No, I think the dynamic risk assessment is more relative to the actions on the fire ground by firefighters. I think it's --

THE CORONER: Yes, I'm so sorry, I was just out of space there. We were talking about fire survival guidance calls. My apologies, yes. Forget that, thank you.

MR HENDY: Our coroner does raise an important point: whether the information comes from the incident commander on the ground or one of his team that the fire has escaped from one compartment and is impinging on another, or whether that information comes from the victim, that fire or smoke is coming into the apartment, the brigade control operator at that point must reevaluate "Stay put"?

A. Yes.

Q. We spoke earlier about information gained from people concerned in the incident like Mr Cervi, but also the jury have heard evidence that information came indirectly through the London Ambulance Service, a Mr Ed Daly, whom they've had a statement from. I take it it goes without saying that obviously the incident commander and his team should act upon information from the ambulance service as to people trapped or at risk?

A. That's correct, and that should be incorporated within the command and control system.
Q. Yes, and that would go for any of the emergency services? Police as well?
A. Yes.
Q. If I could just ask you to clarify one point about snatch rescue or snap rescue, just to make sure that we're talking the same language. This is an urgent rescue carried out. You postulated that it might need to be carried out by somebody without protective clothing. In the circumstances of the fire at Lakanal House, of course, all firefighters had protective clothing, but some, of course, didn't have standard BA, and those that did obviously didn't have extended BA -- sorry.
A. Yes, my reference to the appropriate personal protective equipment is more aligned to snap rescues or snatch rescues where there are hazardous substances involved and there is a different type of clothing, although the standard firefighting clothing does provide a limited level of protection, so that's part of the whole assessment.
Q. A snatch or a snap rescue is one that's attempted urgently when the firefighters concerned may or may not have all the equipment necessary that they would like to

have had they had more time to prepare?
A. That's right, and I would also add that they needed -- there would need to be some knowledge of where the victims were, otherwise it becomes a search and rescue, and we're not talking about search and rescue. So there are some qualifying aspects to that.
Q. Yes. So before attempting that, you have to be reasonably sure where, in this case, the particular flat is before you attempt the snatch rescue? Otherwise you're simply just committing firefighters to risk?
A. Yes, and you would need to have some -- at least a general idea of the location within the flat.
Q. Yes. Well, I wonder -- I mean, it all depends on the circumstances, doesn't it?
A. It does, yes.
Q. Of course. If you know that somebody is in flat 79 and if you believe, as the incident commander, that access is possible, or may be possible, and that the risks are not too great for the firefighters with the equipment that they have, it's not unreasonable to at least consider that option?
A. Yes.
Q. And as the jury have heard, Mr Freeman and Mr Foster did consider that option with a crew that didn't have extended breathing apparatus and sent them in?

A. Yes.
Q. That involved, of course, undertaking some risk to those firefighters, didn't it?
A. Yes.
Q. But that, of course, is necessary sometimes?
A. Yes.
Q. One option for those who were in flat 79 and 81 -- just leave aside the potential times of rescue for the moment. Assuming you got to the escape balcony but you couldn't get past flat 79 to get to the stairwell because of flames or maybe just extensive smoke or broken glass or whatever dangers there might be, one option would be to tell them to go to the other end of the escape balcony, where although there's no staircase you might be away from danger. Is that an option that should be considered?
A. That's an option that should be considered, along with -- if there is a way of getting into one of the other flats to add to the protection level. But I'd see that as an awareness of knowing where those people have gone.
Q. Yes, you have to keep your eye on them then, once you've sent them to a place that they can't actually escape from.
A. Yes.

Q. You have to make sure that they're not going to be in danger from spreading fire or smoke?
A. Yes.
Q. We spoke earlier this morning about the trigger for calling on more fire rescue units with extended duration BA kit, and I've put to you a potential trigger.
I think we raised the question of what the trigger might be. Can I put to you another trigger for that, being the moving of the bridgehead downwards, because the effect of moving the bridgehead downwards is that you have to commit your teams to starting their BA at a lower level and therefore using more air before they actually get to wherever they have to be?
A. Yes, that would definitely be a trigger.
Q. We've heard evidence about sprinklers, that there were obviously no sprinklers in this block and that sprinklers are quite expensive to retro-fit to blocks of flats. Do you have views on the benefits of sprinklers, obviously to residents in the case of a fire but also to firefighters themselves?
A. Yes, the benefit of sprinklers would be to reduce the effect of the -- reduce the seriousness of the fire and provide protection for both the occupants and a smaller fire for firefighters.
Q. Of course, there are downsides to sprinklers, that they

come on when there's no fire and damage furniture and so forth?

A. I wouldn't agree with that.

Q. Right.

A. The only reason they would come on if there was no fire was if there was some form of mechanical damage. Sprinklers are designed to operate directly over the source of heat, so you would only get them operating directly over the fire rather than across a wide area within a building.

Q. Thank you.

Then I think the last two points are really rather connected. Looking over the evidence which you've seen about the firefighting at Lakanal House, do you agree that the arrival of General Manager Freeman brought a sort of change of pace to the operation?

A. Yes.

Q. He was prepared to take risks with his firefighters by sending in snatch teams?

A. Yes.

Q. Do you agree that before he came, there was a need for -- I'm using somebody else's phrase, but some more out-of-the-box thinking in the way this fire was handled?

A. I think the early incident commanders were focussed on

complying with what they were trained to do and building up the building blocks of how the fire was going to be attacked, so setting the ground level tactics in place so that as -- if the fire had escalated, the basic building blocks were firm and in place and providing the level of support to escalate fire attack.

Q. It's really, then, what we spoke of earlier; the lack of priority that was given to search and rescue unit that attracts your criticism?

A. In its basic analysis, I think that's right.

Q. Yes. Then the final matter is this: the phrase "persons reported", a phrase used in New Zealand, no doubt?

A. It is.

Q. A short form of communicating to those who need to know that people are either trapped, need rescue or are unaccounted for?

A. Yes. In New Zealand, it's used slightly differently. It's normally initiated by the brigade control, based on the information they receive, and that then signals to the incident commander that there is a level of priority needed to be given to assess and to check out where those people may well be.

Q. And that's really exactly the point I was coming to: what it communicates is some prioritisation needs to be given to finding and rescuing those people?

A. That's right.
Q. I'm very grateful to you. Thank you.
THE CORONER: Thank you. Mr Dowden? Ms Al Tai?

Questions by MS AL TAI

MS AL TAI: Good afternoon, Mr Davey. Can you hear me?
A. Just.
Q. Just. Okay. I think it's my microphone, so I'll try to speak as loudly as I can. I don't have that many questions for you; my learned friend Mr Hendy has covered the majority of them. It's just in respect -- I apologise, I didn't introduce myself. I act on behalf of Mark Bailey.

It's just in respect of a topic we've just been discussing, and that's the urgent rescue, or the snap rescue, as you've referred to it today. My understanding is that your evidence is that as an incident commander you would have considered it as an option; is that correct?
A. I would have considered it. Whether I would have had it performed, I couldn't tell without having the information that was presented to the incident commander at the time.
Q. Thank you, Mr Davey. If you would permit me, I'm going to just run through some timetabling to enable the jury just to get a better understanding and a more full

context in respect of the urgent rescue or snap rescue, as we've referred to it. The evidence we've heard is that the fire started at 16.15, and I'm assuming that's your understanding as well, from what you've heard?

A. (The witness nodded)

Q. And that in fact Miss Hickman was on the phone to the London Fire Brigade control operator at 16.21, so within six minutes. Then at 16.26, a message was received by the pump ladder E371 -- that's the Peckham pump ladder -- that a caller was trapped in flat 79. So between the fire breaking out and the receipt of that call, that's 11 minutes.

We now understand from the transcripts we've both heard and read that the last indication of Miss Hickman breathing was at 16.49. But we've also heard evidence from Professor Bion, who came earlier -- I'm not sure if you were here during his evidence?

A. Yes, I was.

Q. You were. Well, his evidence, as you remember, was that the last indication of Miss Hickman possibly being rescued was at 16.55.

THE CORONER: Professor Bion's evidence, in fact, was that it's likely that Catherine Hickman would have died somewhere between 1650 and 1700 hours.

MS AL TAI: Thank you, madam.

Just one last factual matter. You've been taken to this earlier today. At 16.48, the internal staircase of flat 79 had caught alight at that point. I apologise, I won't go through too many more factual matters. It's just so we can get a better understanding. So from the time that the Peckham pump ladder had received a call at 16.26 to the time by which the internal staircase had caught fire was 22 minutes?

A. (The witness nodded)

Q. That's a significant period of time, isn't it?

A. I think that needs to be qualified by what needed to be done within that time by the resources available.
I imagine that there were a number of tasks that were given to firefighters that needed to be completed in order to allow further firefighting activities, and I'm talking about charging the riser, establishing the bridgehead, moving equipment up to the bridgehead, and then tasking BA crews with both firefighting and search and rescue, and that time will need to be taken within that 11/12 minutes that you were talking about.

Q. Of course, I understand, Mr Davey, and I believe the 11 to 12 minutes was in reference to the time between when the fire started and the receipt of the call. The time which I refer to is the time between the time at which the call was received at 16.26 and the time at which the

internal staircase was alight at 16.48. That's the 22 minutes to which I refer.

Perhaps if I put it into context. We also know that at 16.38 there were 26 firefighters in attendance, and then we know that within a sort time period, 16.50, there were then 39 firefighters in attendance. So with that as a backdrop, those 22 minutes, given the number of firefighters in attendance, that's still a significant period of time in which to attend to something quite urgent, I would imagine?

A. Yes, it does appear that way. We didn't hear any evidence that I can recall on the number of tasks that that number of firefighters were performing, and without that we're, I suppose, making an assumption that because there were that many firefighters there there would have been some spare ones to do some additional work.

Q. Thank you. Thank you, Mr Davey. That's all my questions.

THE CORONER: Mr Matthews?

MR MATTHEWS: No thank you.

THE CORONER: Mr Compton?

MR COMPTON: No thank you.

THE CORONER: Mr Leonard?

MR LEONARD: No thank you.

THE CORONER: Ms Canby? Ms Petherbridge? Mr Walsh.

Questions by MR WALSH

MR WALSH: Yes, please, madam. Good afternoon, Mr Davey. Mr Davey, I may be a little while with you, because of course, you've been taken to various parts of the evidence over the last few weeks, and inevitably when you've been taken through those parts of the evidence, it's been selective. It's inevitable because we can't go through eight weeks of evidence with you. But what I want to take you to are some general issues which impacted upon the decision making of firefighters and indeed of incident commanders on the day.

Can I ask, just by way of a pre-amble, whether you would agree with this: that firefighters all over the world have to train for a very wide variety of situations, whether it's fires in high rise blocks or in factories or in underground stations and so on, whatever it is? A huge variety of activities?

A. That's correct.

THE CORONER: Mr Walsh, can I just stop you a moment. There's a lot of noise outside. Members of the jury, can you hear what's happening outside? You can't.

MR WALSH: I think it's my microphone.

THE CORONER: Mr Walsh, could you borrow a microphone from someone.

MR WALSH: I think I've had a defective one for eight weeks.

THE CORONER: It seems to work better with two.
MR WALSH: It does, thank you. I just want to take you to general issues of training and of matters that impact upon decision-making. With that kind of wide variety of matters that have to be trained for and considered, the best practice is to develop training and procedures so that firefighters, incident commanders can be trained so that what they're doing when they attend an incident becomes almost second nature. That's the basis of training, isn't it?
A. That's right.
Q. But there will obviously be situations where established policies and procedures don't assist because of the unique nature of the situation, and in those circumstances it obviously has to be left to the individual incident commander or firefighter to make difficult decisions, often very rapidly, in very pressurised circumstances?
A. I would agree with that.
Q. All right. It's those kinds of decisions that I want to ask you about, because Mr Hendy took you to those kinds of decisions this morning and for part of this afternoon. I'm assuming that you stand by the primary conclusions which Mr Maxwell-Scott took you to this morning?

A. Yes.
Q. Just in the context of those individual decisions which have to be made by incident commanders where there may not be a procedure to deal with it, I was looking at your report again over lunch, and you repeatedly warn against -- and on one occasion you use the word "excessive" -- use of hindsight when looking at an incident of this kind and determining what should and what should not have been done. What did you mean by cautioning against the use excessively of hindsight?
A. It's very easy, in the cold, hard light of day following an event, to take it apart step by step over time and look at the decisions that were made, whereas on the day of the event, we're probably talking one or two minutes where a large number of decisions were made. So hindsight is very easy to -- to put it into that context of plenty of time, when in fact there were multiple avenues of information, conflicting areas to be prioritised and a range of information on which the incident commander has to assimilate, informing his tactics.
Q. Yes, and that's why you caution the way that you do. Just as an example of that -- and it was put to you just a few moments ago in relation to control -- that control, for example, in relation to the 11th floor,

might have been told by the incident commander, if control were relying upon compartmentation, that this building is not following the rules of compartmentation, just to tell control that.

Now, that was put to you, and you sort of agreed with that. But just think about that again. We know what the position now is in hindsight, but the incident commander, just as an example, whether it was Mr Cartwright or Mr Freeman or the earlier incident commanders, outside the building, looking up at what was going on and perhaps looking at the 11th floor/12th floor balcony, would not have known what was happening to the boxing in between the stairway and the central corridor and would not have known that that was failing and could not have communicated that fact?

A. That's right.

Q. That's just an example of why care has to be taken.

A. Yes.

Q. Can I take you then, as quickly as I can, to certain elements of the incident. My understanding of what's been put to you is that when Mr Freeman took over then decision-making was appropriately carried out. Mr Freeman took over at just after 5 o'clock, and it was he who issued the order, for example, for EDBA?

A. Yes.

Q. Yes. So I'm going to concentrate on the first half hour, if I may, but just before I do that, would you agree that it was not until the bridgehead had to be moved outside, this being a unique set of circumstances, that the trigger for EDBA use would have been engaged for the first time?
A. Yes, that's correct.
Q. All right. I'm going to ask you very quickly, if you wouldn't mind -- in relation to the early parts of this incident, we know that the call slip at Peckham Fire Station indicated there was a flat fire, flat 65 on the 9th floor. The PDA was engaged and the appropriate pumps were committed. Would you agree that up until the point that, for example, firefighters were at the door of flat 65 with jet ready to fight the fire, at about 16.36, according to the sequence of events, what was done was done in accordance with policy and expeditiously by the fire service?
A. Yes, I would agree with that.
Q. You'll recall the evidence of Mr Willett, who was the first incident commander, on -- if it wasn't the first day, it was one of the first days. He said that when he arrived his expectation was that the fire would be dealt with and extinguished in its compartment. That was his expectation on arrival?

A. Yes, that was my assessment.
Q. And indeed, you'll remember -- because you were here for that period of evidence -- that there was a fire in 1997 in flat 81, actually, and that fire remained within its compartment and was -- we looked at the documentation. It was under control within half an hour?
A. Yes.
Q. Well, I suppose what one needs to look at then is what happened which then required the decisions dynamically risk-assessed by incident commanders that happened between then and 5 o'clock which had a fundamental impact on what happened thereafter. Actually, I'd better ask that properly, as a question rather than as a statement. Would you agree that it was the events which occurred up until 5 o'clock -- in fact, up until the fires took hold on the 5th and 7th floors, at about 16.48 -- that dictated more or less what happened for the rest of the incident?
A. I would agree with that.
Q. All right. So when Mr Howling took over at about 16.27, according the sequence of events, the bridgehead was being established?
A. Yes.
Q. I'm going to suggest, because we heard evidence to that effect, that each firefighter who was present at the

time was engaged in one or more tasks, whether it was setting into the dry riser, bringing the high rise equipment to the lift to try to get it up to the bridgehead -- that was all being done appropriately?

A. That was.

Q. Obviously we've heard that firefighters were at the draw ready to fight the fire. But I'm going to list now just a few key events and changes in circumstances which occurred after arrival of the pumps originally at 16.23.

First of all, the bedroom panel of flat 79 ignited, and Mr Crowder tells us that if it followed the course of his own assessment, that would have been ignited about a minute from exposure to flame, and within four minutes it had burned through?

A. Yes.

Q. That's factor number 1. Factor number 2 is that Mr Willett, or indeed Mr Howling, when he arrived, will have seen residents self-evacuating, coming down the stairs, and the reason for that was -- and I certainly will not go through all the evidence about this, but there was ample evidence of smoke-logging, even at the very earliest stages, both north and south of the central stairway along the corridors on the upper floors?

A. Yes.

Q. Some residents could not self evacuate -- like, for example, Mrs Obanyano in flat 68 on the 9th floor --
A. Yes.
Q. -- but they described quite severe conditions?
A. Sorry, they ...?
Q. They described quite severe conditions from quite an early stage?
A. In the corridors, I believe it was.
Q. In the corridors and indeed in the stairwell?
A. Yes.
Q. And the smoke-logging in the stairwell, would you agree, on the evidence of the firefighters and indeed those coming down the stairs, was such that the bridgehead began to be compromised before the fires started on the 5th and 7th floors below?
A. Yes, it was.
Q. All right. Then the incident commander, Mr Howling, from the exterior, will have observed, at about 16.48, fires taking hold on those lower floors.

Now, I want you to consider this factor: just after that can be seen from the photographs, but unbeknown to him, according to his evidence -- Watch Manager Payton, who was up at the bridgehead, managing the bridgehead, requested of Mr Howling further BA crews. He wanted, I think, four or five BA crews to come up so that they

could be used on the 9th floor and the floor above. Had those BA crews been able to be dispatched, no doubt they may have been used for that purpose?

A. I would imagine so, yes.

Q. But the bridgehead had to be moved. Just in case there's any doubt about this, with a compromised stairwell -- they tried to move it to the 3rd but that didn't work. But assuming that the evidence is correct that the stairwell was compromised by smoke all the way down its length, there was no option, was there, but to move the bridgehead out of the building, because you cannot start up BA crews in anything but clean air?

A. That's right.

Q. All right. I'm going to ask you now about what might have been done. With all of those things happening, all of that information coming in in that short space of time, which Mr Howling had to deal with, how he might have acted or thought out of the box, to use Mr Hendy's words, and perhaps, for example, have used an aerial ladder platform -- that's the first possible thing that he might have done differently. You would agree, though, first of all, that fires of this kind in high rise buildings, with dry rising mains, are designed -- the buildings are designed to be fought from the inside, primarily?

A. Yes, they are.
Q. The Old Kent Road aerial ladder platform, according to the sequence of events, arrived at 16.29.56. By then, according to the sequence of events, the curtains in flat 79 were alight, that's how quickly it happened. It obviously takes some time to establish an aerial ladder platform but I'm going to ask you what you think of the reasons that were given by Mr Sharpe, particularly, for not wanting to use it.

There was an issue about access -- parked cars and so on -- which I'll come back to in necessary, but the primary reason he gave -- and indeed Mr Cartwright agreed with him specifically -- for not using the aerial ladder platform was that there was burning debris coming down from out of flat 65, certainly, and then from 79. Do you remember him saying that?
A. Yes.
Q. And it was his view that it was inappropriate and dangerous to use the aerial ladder platform, first of all directly underneath. Would you have agreed with that view?
A. Directly underneath, yes.
Q. He was asked by Mr Hendy: "Well, why didn't you put it a little further on, where the Greenwich ALP was used later?" And he made the point that debris was blowing

along the length of the wind and he took the view that it was inappropriate to put the aerial ladder platform up because it was dangerous with burning debris blowing along the length of the building. So that was the view he took. What did you think of that?

A. I don't think that was a correct assessment. It would have been an area of greater risk but I think he could have positioned his appliance further away and still allowed the reach of the hydraulic arms to gain the level of the fire in the flats.

Q. Yes, but of course -- don't forget that when you're putting up the aerial ladder platform, it is necessary to extend the jacks. You need firefighters out on the ground doing that. You then have to engage the platform and that has to come up. His assessment of the risk was that debris was blowing across into that area, and that was why he decided not to. Does it make any sense to you that he might have felt that?

A. I think we've seen the use of a handheld delivery working from the ground into the 7th floor, which -- that or another delivery could have been used to provide some sort of extinguishment on that burning debris.

Q. Yes, a ground-use monitor?

A. Yes.

Q. Let me ask you about how it might actually have been

used in any event, because arriving, as they did, at 16.29 -- and at that stage, of course, the high rise policy is engaged and people are fighting fires from the inside -- it would have taken time to establish the aerial ladder platform. Then, even if it is established, one then has problem about the use of a jet from a platform to fight a fire in circumstances in which there is internal firefighting going on. It's a point that you make in your report actually.

A. Yes.

Q. Let's just take flat 65. The whole of the front of flat 65 went pretty quickly. The panels melted away, everything fell out. It was fully ventilated and things just fell out of it, there being no barrier to prevent them, and there were firefighters inside that flat fighting that fire. There would have been a risk at least, would there not, that putting a curtain of water across the facade of flat 65, fully ventilated in the way that it was, would force flame and gasses back inside the building, impinging upon the firefighters fighting the fire in that fully ventilated area?

A. Yes, and I think the reference needs to be to what the incident commander was wanting to use the ALP for, not what it could have been used for.

Q. No.

A. And I think my comments are based around the incident commander seeking to use it and was given advice that it wasn't or couldn't be used, whatever the purpose was for.
Q. Right. But in actual fact, it would have been very difficult to use it in order to try and fight fires either in flat 79 or 65, because the reality is that it forces flame and gasses back inside the building?
A. If that is what it had been used for, yes.
Q. Right. What else might it have been used for?
A. It could have been used for observation, in terms of detecting fire spread that people couldn't see from corridors or from the ground. It could have been used to cool debris that was falling. There are a number of uses it could have been put to.
Q. But not to actually fight the fires in the flats?
A. That would have been the incident commander's decision based on what he knew, but if there were people in there, it would have been the wrong decision to make.
Q. Right, okay. Thank you very much indeed.
But of course in the event --
THE CORONER: Just so I've understood there, there are different ways of directing water at or into a building from an ALP, yes?
A. Yes.

THE CORONER: One is using a jet to direct water into the building, and one is using it a put up a curtain spray.
A. Yes.
THE CORONER: Can we take your answer in relation to both of those?
A. I wouldn't have expected it to be used to direct water -- a water jet into the burning building if people were inside, but I might have expected it to be used as a water curtain to cool fallen debris and as an observation platform.
THE CORONER: Thank you.
MR WALSH: Just to be very clear about that, if you're putting a spray of water -- never mind a jet straight into the thing but a spray of water across the front of the void to try and, for example, douse flames in the flat itself, even if it's a spray, that runs the risk of forcing gasses and fire back in over the firefighting?
A. Yes, it does depend on the skill of the operator and where the operator is directed to apply the water, so it's what does the incident commander want it to be used for and for the operator to comply with that request.
Q. All right. Of course, later on in the incident, when the Greenwich ALP was used, at that stage -- it was later on in the fire -- there weren't firefighters inside the units fighting fires and the debris had

stopped falling, so one could see why it was used later on, certainly.

A. Yes.

Q. All right. In any event, of course, it was diverted for use on the east side to try and provide some sort of cover for the Nuhus, who were on the balcony. Do you remember that?

A. That's right, yes.

Q. Do you remember the evidence given by Mr Sharpe about that? See whether you agree with it: he was very concerned that directing the jet at the vent at the end of the building -- the north end of the building -- he was concerned that it might force gasses back inside, so what he tried to do was direct it over the end of the building to prevent smoke coming round and impinging upon the Nuhus on the balcony?

A. Yes.

Q. Do you think that was an appropriate use?

A. That was an appropriate use of it, yes.

Q. All right. Thank you. So that is the position. I'm going to turn to the fires on the 5th and 7th floors, which, the best evidence that we have from the photographs, we can see starting at about 16.48. Would you agree that that introduced probably the most significant difficulty experienced by the incident

commanders on the day?
A. Yes.
Q. It's already been put to you that it's not happened in the collective memory of the London Fire Brigade, or indeed of BRE, who investigate fires of this kind. Did I get it right that you carried out research to see if you could find an incident of this happening and you couldn't?
A. Yes, it was a general search and a general question of my colleagues around the world: had they had any experience? And they came back with: no, they hadn't.
Q. All right. Of course, it introduced this very unique factor, in particular to Mr Howling, who was there watching it going on, and others who saw it happening. It introduced a new priority, wouldn't you say? There were many priorities, priorities of all sorts, which had to be prioritised, but there was then a real need to address the fires on both the 7th and the 5th floors, for fear that what might happen on those floors would go above into the floors above in the same way that flat 65 had gone into 79?
A. Yes, it did.
Q. So would you agree that it was crucial that those fires were addressed as soon as possible?
A. Yes.

Q. It's been put to you that after the bridgehead came out, really nothing was done. There was no search and rescue going on in the building of any kind until firefighters were committed back into the building when the bridgehead was set up outside. I'm going to suggest that that's not quite right. I'm going to ask you to comment on some of the evidence, especially on priorities.

First of all, you'll remember that firefighters Clarke and Bennett were committed to the building, and we know that they carried out search and rescue on the 9th floor, both south and north. The reality is that we know that there were fire survival guidance calls and calls from both north and south of the central stairway, from people who wanted rescuing?

A. Yes.

Q. Mr Hydar was one of those in flat 57, I think it was. He was rescued on the south corridor on the 9th floor by Mr Bennett and Mr Clarke, but also Mrs Obanyano in flat 68. This is a difficult question to ask you but Messrs Bennett and Clarke came out and shut down at about 16.57, just as the bridgehead was coming out. Mrs Obanyano described the smoke that she was experiencing, the fact that she could not have left on other own and was choking. There were many priorities,

but it was a priority to get Mrs Obanyano out as well, was it not, in those circumstances?

A. Yes, it was a priority, that -- all those people who had indicated that they needed assistance were priorities, and I think what we're talking about is the opportunity to have crews go in to their assistance.

Q. All right. Then after the bridgehead was moved, still in the building, we had firefighters Mason and Mechen fighting the fire in flat 65. They shut down their BA, on the evidence we've heard, at 17.17. Firefighters Ismail and Crowley and one other were committed from the 7th floor when the bridgehead was being pulled out -- so this was a risk to them -- to fight fire on the 7th floor to prevent that from spreading, and they shut down at 17.17. And of course we know that four firefighters -- firefighters Hull, Ford and so on -- were committed into the building at about 17.14 to do what effectively was a snatch rescue of the Nuhus when they were seen on the balcony, and they came out after that.

Crews began to be committed back into the building about every three minutes or so from 17.22, so you'll appreciate it isn't right to suggest there was nothing much going on in the building for a full half an hour. Would you agree with that?

A. I would, and I think what we need to keep in mind is the time the order was given to pull the bridgehead out until it effectively was relocated. There were a number of tasks being committed by firefighters within, but they were also simultaneously withdrawing the bridgehead, so there was a range of tasks, depending on which part you want to look at, where firefighters were pulling out or where they're carrying on with their task whilst the bridgehead was removed.

Q. It was obviously a very complex set of circumstances, with crews arriving, needing to be deployed and so on. By the way, I in no way suggest that other key decisions which Mr Hendy has put to you were not also priorities and may even have been greater priorities, but what the incident commanders were trying to do is make decisions as things were changing rapidly. Do you agree with that?

A. Yes.

Q. Just three other quick topics to ask you about. The 11th floor rescue of the Nuhus from the balcony on the 12th floor. Of course, first of all, the conditions on the 11th floor corridor from about 17.15 or so were primarily the result of fire and smoke escaping from flat 79 through the failed boxing in. We've already confirmed that incident commanders outside could not

have known about that. Nonetheless, when the crews went up and eventually got up to the 12th floor balcony and took the Nuhus out, it is suggested that there was a missed opportunity to inform the crews that were coming up the stairs, as the crew took the Nuhus down the stairs, that there were people in flat 81. Of course, that is an interpretation and perhaps a legitimate interpretation to put to you, and you agreed with it, but I want to put that in context.

Firefighter Hull and his associate, bringing Mrs Nuhu down the stairs, were in the situation where she was distressed and partially collapsed as she came down the stairs. He was taking her down. He informed, you'll recall, the crew going up that there were people up on the top floor but he would not have known that they were in flat 81 -- because that wasn't expressed to him, as I understand it -- in the bathroom. Do you agree with that? If you can't remember, then don't answer.

A. I don't remember the detail, no.

Q. But even if they had been told: "Go in via the balcony", as opposed to the corridor itself, they'd have found themselves on the balcony without other firefighters, and on the balcony, of course, we have entrance doors into various flats but there's no indication of the

numbers on the balcony. Obviously there is in the corridor, if they hadn't been burned off or there was too much smoke. So that is a difficulty they would faced had they been able to do that?

A. Yes, unless they were able to observe conditions within one of the flats that might have indicated.

Q. All right. There are so many different interpretations I could put to you. I'm going to stop putting all the different interpretations. But you accept that there were many difficulties and many split decisions which had to be made on that day?

A. Yes.

Q. One of them, of course, was control. Now, there is no doubt that the point came with Catherine Hickman when the exploration of potential routes of escape was appropriate, and I won't ask you to speculate about what might or might not have been said, other than to ask you to speculate a little bit about the potential for -- which is always a dilemma for control officers.

A control officer is remote from the situation; you would agree?

A. Yes.

Q. The control officer only has the benefit of what the caller is telling the control officer, and unless an incident commander or a firefighter is in the

compartment with that person, the control officer is really reliant upon the caller?

A. Yes.

Q. It's one thing to give advice about a fire that's one floor up, or whatever it may be, but in the situation where one is nine floors up, do you agree that it is very difficult for a control officer, even presented with the scenario which is threatening within a flat, to advise a person to go through, for example, a front door into a burning corridor, or an escape balcony door into a central stairway when they don't know what the conditions are?

A. Yes, and I think this is an example of hindsight and hypothetical situations and the level of knowledge and training that the control operators had about the giving of that advice.

Q. Yes, because whatever the training is, a control officer would have to be pretty bold to say to a caller: "I want you to go through that door, which will close behind you. I want you to go down nine floors through a central corridor" -- which she and others would know is essentially smoke-logged, with fires on floors below. That would be a difficult decision to make?

A. It would be a difficult decision.

Q. It might have been the right decision, and in the

circumstances of this particular case people will draw their own conclusions, but it would have been a very difficult decision to make?

A. It would have been.

Q. Just a brief question about the snatch rescue to the 11th floor later on. We've heard about the snatch rescue with Firefighter Hull going to get the Nuhus on the balcony. I don't think it is being suggested, but just in case it is, I'll ask you whether it would be appropriate, even in EDBA, to dispatch a crew to do a snap rescue up four floors onto the 11th, into a corridor which may well be alight, without jets, without water, to carry out a rescue by just searching generally the flats. That wouldn't be an appropriate course of action at all?

A. No, I think I mentioned before: if you have to search, on my understanding of what the term means, you're not actually performing a snatch rescue or a snap rescue; you're carrying out search and rescue.

Q. All right. Well, just before I ask you about the final matters, which really have to do with the future -- and there's only two areas I want to ask you about -- actually, I'm going to move straight to asking you about those. You mention that it might be appropriate for aerial ladder platform operators to do 72D visits of

high rise premises where possible?

A. If it's associated with the 72D, that's one way, but it could be associated just with familiarisation of their response area.

Q. You will accept that -- actually, there will be evidence in due course, but I think there are 11 aerial ladder platforms available in the whole of London, and obviously for the operators of those 11 to do 72D visits in all high rise, on top of the commercial premises and the industrial premises that they have to visit as well, would be a very tall order?

A. It would be, and I think I referred to the logistic difficulties of that.

Q. Indeed. It would have to be managed by prioritising it in some way or another.

Premises information boxes, you said, would be potentially of benefit. That is a box, a secure box, on the external face of the premises. Many firefighters thought that would be a good idea as well, but that would have to be the responsibility of the occupier of the building, obviously, to place relevant information within it?

A. I couldn't comment on that, because I think that's a local knowledge matter. I just referred to the benefit of having something like that.

Q. Fair enough. It would certainly be right that the information that was in it would have to be up to date?
A. Yes.
Q. Because it would probably be worse to have out-of-date information than no information at all, potentially?
A. Potentially.
Q. Yes, and specific and agreed as to the form of it so that it would mean something to the Fire Brigade when they arrive?
A. Yes.
Q. Yes. Would you just wait there for a minute.

Madam, can I just ... yes, thank you very much indeed.

THE CORONER: Thank you. Members of the jury, do you have any questions for Mr Davey?

Questions from the Jury

THE FOREMAN OF THE JURY: Thank you. Just three, I think.

Mr Davey, we've heard a large amount of evidence detailing how many different incident commanders there were on the day as the incident escalated and how sometimes it was a quick handover, sometimes there was an incident commander in charge for longer. Do you feel that the system used at the time for incident commanders to be in charge -- sorry, I'm phrasing this badly. Do you feel that there could be a more effective system for

maintaining a consistent line of control across incident commanders at the incident? Is there a more practical way of doing that?

A. I think an incident command system such as this relies on people with more experience and knowledge taking over as the incident escalates and there's more resources, and I don't think there's any way of overcoming that, other than assessing the need for pumps -- as we saw, there was a "make pumps four, "makes pumps six", "make pumps eight" and so on. If the earlier incident commanders had assessed a greater need of pumps, we may have skipped one of the incident commanders because there would have been one of a higher rank there as the resources arrived.

THE CORONER: Does that answer your question?

THE FOREMAN OF THE JURY: Thank you, that does.

In your expert opinion, Mr Davey, would you agree more with the suggestion that there were not enough resources/personnel available on the day, or would you be more inclined to agree that there were plenty of resources and it's just that they weren't deployed effectively enough?

A. I think, given what was expected as -- in terms of a flat fire and the predetermined attendance, those initial resources were adequate. What happened with the

rapid development of the fire downwards suddenly changed expectations and that changed the adequacy of the resources that were on site.

In terms of were there enough there, generally I think there were, but the incident commanders and the sector commanders were still catching up with the fire development and the range of tasks that were needed to be carried out.

THE FOREMAN OF THE JURY: Thank you.

Just one last question. This is a question that was being asked of a number of the firefighting personnel much earlier, but I was interested in what your answer might be: with the research that you've undertaken and the evidence that you've heard, what one additional resource do you feel would have made the greatest difference on the day of the fire?

A. From what I was asked to do, I don't think I could identify one specific. I think there are a range of things. Asking me is quite different to asking the firefighters who were actively involved.

THE FOREMAN OF THE JURY: Thank you.

THE CORONER: Thank you very much.

Mr Davey, thank you very much for your evidence and thank you very much for all the help that you've been able to give us. You're welcome to stay if you would

like, but you're free to go if you would prefer. Thank you very much for your help.

A. Thank you.

THE CORONER: Would it be sensible if we just had a short break at this stage? Members of the jury, would you like to have a five/ten minute break? You're welcome to leave your papers if you would like.

(In the absence of the Jury)

THE CORONER: Yes.

Housekeeping

MR MAXWELL-SCOTT: I think we can probably safely let the jury go for the day.

THE CORONER: Yes, I think we probably can. I just wanted to have a quick look at -- well, there's not going to be anything else today but just have a quick look at tomorrow before we actually send them out of the building.

MR MAXWELL-SCOTT: Certainly.

THE CORONER: Mr Hendy, are you in a position to pursue your application, or do you want a few minutes to think about it, or how do you want to do it?

MR HENDY: You're kind to ask, madam. We've listened carefully to Mr Davey's evidence and in the light of it we don't wish to pursue our application.

THE CORONER: All right. Well, that's helpful. Thank you

very much. Thank you for your help with that.

All right then, just very briefly, Mr Maxwell-Scott, looking at tomorrow then.

MR MAXWELL-SCOTT: Yes, Mr Nick Coupe will be giving evidence.

THE CORONER: Mr Coupe tomorrow. Then Wednesday.

MR MAXWELL-SCOTT: Wednesday at the moment is free, but there's the possibility of Mr Brian Martin, and we are hoping to receive something from treasury solicitors on behalf of him and DCLG today. It hasn't arrived yet.

THE CORONER: Okay. All right, so is everyone comfortable with us asking the jury to go now and come back tomorrow morning? All right, thank you very much. Would you mind telling them, Mr Clark. Thank you.

Yes. Does anyone want to raise anything then before we continue tomorrow morning? Ms Al Tai?

MS AL TAI: Madam, it was just a question I had put to Mr Davey earlier in his evidence. It's just a small matter and it doesn't affect the substance of my question to him, but I believe I was specifying the time in which it would have been possible for Miss Hickman to have been rescued, and I stated that Professor Bion's evidence was that she could have been rescued at 16.55. I've had an opportunity to look through the transcript and I believe we were correct, both of us, in our

interpretation of his evidence, but I believe at page 24 of his transcript, Professor Bion mentioned that 16.55 would have been the last possible occasion but that in fact she would have died some time between 16.50 and 17.00.

It doesn't alter the substance of my question to Mr Davey, but I'm just concerned that the impression the jurors might have is that she wouldn't have been able to have been rescued after 16.50. I know it's a matter of minutes, madam, but I just thought I would draw it to your attention.

THE CORONER: All right, are you asking me to do anything?

MS AL TAI: If you might be minded just to draw it to the jury's attention tomorrow morning that in fact both premises are correct, I would be grateful.

THE CORONER: All right, I'll find a time to do that and apologies if I jumped in unfairly on your question.

MS AL TAI: Not at all, madam. Thank you very much.

THE CORONER: All right then, 10 o'clock tomorrow morning. Thank you very much.

(3.03 pm)

(The Court adjourned until 10 o'clock the following day)

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