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Thursday, 31 January 2013

(10.00 am)

THE CORONER: Thank you, sit down. Yes, could we have the jury in please, Mr Graham.

Mr Payton, are you in court? Would you like to come back, thank you. Please make sure your microphone is switched on. If you could remember, please, to speak closely to the microphone so that we can hear you.

A. Yes, madam.

THE CORONER: Thank you. You are giving your evidence on oath?

A. Yeah.

(In the presence of the Jury)

CHRISTOPHER PAYTON (continued)

Questions by MR MAXWELL-SCOTT (continued)

THE CORONER: Yes, members of the jury, good morning. We're going to begin by continuing with the evidence of Mr Payton.

Yes, Mr Maxwell-Scott.

MR MAXWELL-SCOTT: Thank you. Good morning, Mr Payton.

A. Morning.

Q. It may assist you and members of the jury if I just remind us the point we had reached when you were last giving evidence. I'd asked you about the briefing that you had received from Watch Manager Howling, and this is

1           what you said to the court, you said:

2           "I remember John gave me a very detailed brief of  
3           what he had and what was in front of him, the decisions  
4           that he'd made prior to our arrival. He was very clear  
5           about the fact that he wanted me to go and oversee  
6           around the bridgehead for him. Obviously, he made it  
7           quite clear as well what our line of communication would  
8           be, what I was to get in touch with him for, so extra  
9           resources, that sort of thing. He also then asked  
10          Firefighter Mullins to provide me with a list of flat  
11          numbers that they had been provided with prior to our  
12          arrival, and obviously the intimation was that these  
13          flats were ones that had been in contact with control."

14          Then a little later on, you said:

15          "I mean, John in his handover had obviously  
16          indicated that he had a list of flat numbers that had  
17          been provided by our control room. It was quite obvious  
18          the purpose of why John was giving me that list. They  
19          were obviously flats that he would expect me to make  
20          sure that BA crews were sent to as and when we had the  
21          resources to do that. So to be quite honest, it -- in  
22          John giving me that list, it was quite obvious what he  
23          would expect me to do."

24          Then the final question that I asked you was this:

25          "Was there any discussion about trying to see if

1           anybody knew where the flat numbers on the list were  
2           within the building?"

3           You said:

4           "That was not a conversation that took part.  
5           I think it would be fair to say it was very busy at that  
6           time, there was a lot going on. The crews that were  
7           already there were obviously very stretched, they was  
8           working very hard. It was evident that John had a lot  
9           going on as well, with different people wanting to speak  
10          to him, different decisions that he had to make. John  
11          had informed me that it was believed that a flat was on  
12          the 9th floor, but the bridgehead was being set up on  
13          the 7th floor."

14          Actually there were one or two more questions and  
15          answers. If I take you to this final one, I asked you:

16          "Was it in any way part of your thought processes at  
17          the time how easy or difficult it would be to find where  
18          those flats were within the building?"

19          You said:

20          "Not at that time, no."

21          Let me ask you now this: how were you planning to  
22          find out where the flats on the list were in the  
23          building?

24          A. My expectation would have been -- the priority that it  
25          seemed to me was that obviously I needed to get to the

1 bridgehead, because the bridgehead was going to be where  
2 all the command decisions were going to be made as far  
3 as rescues and fighting the fire was concerned. For  
4 that to happen we would have had to resource the  
5 bridgehead sufficiently, and obviously I wouldn't have  
6 an idea of what resources were required until obviously  
7 I got up to the bridgehead at that point.

8 It would have been my expectation that along with  
9 breathe -- further breathing apparatus crews, that  
10 I would have been looking to put a command structure in  
11 place to assist me in doing that. And part of that  
12 would have been to obtain additional officers to assist  
13 me starting to provide that information to me as well.  
14 Obviously I left Watch Manager Howling and made my way  
15 to the 7th floor. That was all going through my mind as  
16 I was making my way up there.

17 Q. How were you planning to prioritise which flats to send  
18 crews to first?

19 A. Well my expectation would have been based on past  
20 experience that wherever the fire was, wherever its  
21 location was in relation to the block, all my past  
22 experience would have taught me that I would have  
23 expected vertical fire travel upwards, minimal fire  
24 travel horizontally either side of that property, but  
25 obviously smoke travel beyond that. So my priority

1 would have been to obviously not only oversee that we  
2 had sufficient crews fighting the fire in the flat that  
3 was on fire, but then, by our terms, would have  
4 instigated a search sector, which certainly in the first  
5 instance would have been the floors directly above the  
6 flat that was on fire, so for every floor above the 9th.

7 Q. Does it follow from the beginning of the answer that  
8 you've just given that the highest priority flat would  
9 be the one immediately above the one that was on fire?

10 A. It would depend on the -- the severity of the fire,  
11 obviously. I think, again, in past experience you would  
12 be looking to make contact with the properties directly  
13 either side of the property that was involved, and to  
14 some extent obviously you would then, resource  
15 permitting, be then looking to go to the floor above,  
16 but for us to successfully do that we need quite a lot  
17 of breathing apparatus crews in position to do that, and  
18 what I did -- found when I got to the bridgehead was  
19 that all the crews that would have gone up to the  
20 bridgehead were fully committed in fighting the fire.  
21 For me to expand that search required me to have further  
22 breathing apparatus crews up at the bridgehead with me.

23 THE CORONER: Mr Payton, in your first answer you said that  
24 your priority would be the flats immediately above the  
25 flat on fire, and then in your second answer you said

1 the priority would be the flats either side, so which is  
2 it?

3 A. To answer your question, madam, it will be the flats  
4 above, yes.

5 THE CORONER: That would be your priority, the flats above?

6 A. After fighting the fire in the flat that's alight, yes.

7 THE CORONER: Thank you.

8 MR MAXWELL-SCOTT: At the time that you left  
9 Watch Manager Howling to enter the building, did you  
10 have any idea what the numbers were of the flats  
11 immediately above the flat on fire?

12 A. Not at that time, no.

13 Q. Coming back to this point about prioritising the flats  
14 to send crews to. If, for example, there had been five  
15 flats on the list that Firefighter Mullins had given  
16 you, and you found yourself in a situation where you had  
17 one breathing apparatus crew that you could send, where  
18 would you send it? How would you decide?

19 A. It would be a very hard decision to make, it would be --  
20 I would have to assess travel distance, because  
21 obviously the breathing apparatus crew would be under  
22 air, obviously they have a limited amount of time that  
23 they're under air, depending on the contents of their  
24 cylinder. It would have to be based on the first number  
25 that they came to, in some respects, but it would be

1           hard for me to say at this time.

2   THE CORONER:   How would that be consistent with a priority  
3           being the flat immediately above the fire flat?

4   A.   Yes, madam, that probably would be a consideration,  
5           looking at the floor plan of the flat that was on fire,  
6           then I would probably consider directing a crew to go to  
7           the floor above and investigate there, yes.

8   MR MAXWELL-SCOTT:   You say, "looking at the floor plan", I'm  
9           not quite sure what you mean by looking at the floor  
10          plan, because you didn't have a floor plan, did you?

11   A.   No, but based on past experience I was expecting that if  
12          it was a residential high rise block of flats, you have  
13          a central lobby with a staircase, and if the crews are  
14          saying that the fire involved is along the corridor,  
15          second flat on the left, then I would presume that the  
16          brief to the next crew would be go to the next floor  
17          above, when you come out of the lobby, go down that  
18          corridor and investigate the flat second on the left.

19   Q.   When you talked about a floor plan and the central  
20          lobby, are you talking about a plan in the form of some  
21          kind of sign on the walls, or diagram on the walls, or  
22          are you talking about a plan you have in your own head?

23   A.   The latter, sir.

24   Q.   I want to be clear on this: would the plan be to try and  
25          find the flat numbers on the list, if you had the

1 resources to do so, or would the plan be to go to the  
2 areas in the building most likely to be at risk, namely  
3 the flats immediately above the fire flat, and see if  
4 they happened to be numbers that were on the list?

5 A. Before answering, obviously that was my plan, that never  
6 happened, because I didn't have the resources to hand to  
7 do that --

8 THE CORONER: Mr Payton, please answer the question.

9 A. Yes, madam.

10 MR MAXWELL-SCOTT: Which of those was your plan? Or can you  
11 not say?

12 A. Could you repeat them, please.

13 Q. What I'm asking you is whether the plan would have been  
14 to try and find the flat numbers on the list that you'd  
15 been given by Firefighter Mullins, and to go around the  
16 building, send crews to go around the building looking  
17 for those numbers? Or whether the plan would have been  
18 to get crews to the area where there were flats above  
19 the fire flat, and then, once there, see whether those  
20 flats had numbers that happened to be on the list? You  
21 see the difference?

22 A. Yes, I do, yeah. No, then in answer to your question it  
23 would be the former rather than the latter.

24 Q. After you'd received your briefing from  
25 Watch Manager Howling, what did you do?



1 A. I obviously made contact with the bridgehead via  
2 handheld radio, I spoke to -- I don't know who I spoke  
3 to, but obviously informed them who I was, that I was  
4 going to be coming up to the bridgehead, did they  
5 require anything for me to bring with them at the time,  
6 and I was asked initially just to bring bottled drinking  
7 water up with me.

8 Q. Did you then enter the building?

9 A. Yes, I did.

10 Q. Did you make your way up to the bridgehead?

11 A. Yes, I did.

12 Q. Did you take the stairs or the lift?

13 A. I took the stairs, sir.

14 Q. Can you remember if there's any particular reason why  
15 you took the stairs rather than the lift?

16 A. I think in -- if I recall, I got on the radio to confirm  
17 that I was -- had the drinking water and was going to be  
18 on my way up, and I then received another message over  
19 the radio to say that the lift wasn't working and to  
20 take the stairs.

21 Q. When you went up the stairs, did you go up on your own  
22 or did anyone go with you?

23 A. I went on my own.

24 Q. Doing the best you can, can you remember what conditions  
25 were like on the stairs as you made your way up?

1 A. There was no smoke, it was perfectly clear from the  
2 ground floor up to the bridgehead on the 7th floor.

3 Q. I'm now going to move on and ask you about what happened  
4 at the bridgehead, but I'm going to ask you in this way,  
5 by moving firstly to the end of your time there. Is it  
6 right that there came a time when Station Master  
7 Guy Foster arrived at the bridgehead?

8 A. Yes, that's correct.

9 Q. Can you recall what he said when he arrived?

10 A. He introduced himself and informed me that he was the  
11 sector commander for the area that I was working in. He  
12 also informed me that due to conditions within the  
13 building that they were going to withdraw the bridgehead  
14 from the 7th floor.

15 Q. How soon after you arrived at the bridgehead did he say  
16 that to you?

17 A. Pretty much almost immediately as he got there.

18 Q. How soon after he had said that did the process of  
19 withdrawing the bridgehead begin?

20 A. I would have to estimate the time, but obviously  
21 a conversation took place between Station Manager Foster  
22 and myself, where obviously I indicated to him that  
23 I had crews committed beyond the bridgehead.  
24 Station Manager Foster obviously explained to me the --  
25 the reason that the bridgehead was being taken away from

1 the 7th floor, was because obviously fires had started  
2 beneath us, as our ops procedure is that the bridgehead  
3 was to be two floors below any fire floor, he indicated  
4 for that reason that was why the bridgehead was going to  
5 be taken down further. Obviously I had BA crews that  
6 were committed already, and my concern is that obviously  
7 I don't want those crews coming out and finding that now  
8 the bridgehead has been removed to another part of the  
9 building. Around that point --

10 THE CORONER: Sorry, Mr Payton, can you just stop there,  
11 Mr Maxwell-Scott's taking you through it step by step.

12 A. Okay.

13 THE CORONER: His question actually was: how quickly after  
14 Mr Foster arrived did you move down?

15 A. I would have estimated the bridgehead crew probably  
16 moved down within five minutes of Mr Foster getting  
17 there, possibly less.

18 MR MAXWELL-SCOTT: When you say the bridgehead crew.

19 A. That would --

20 Q. Pause there, do you mean people like the entry control  
21 officer and the person with the board, who are manning  
22 the bridgehead, or do you mean the crews above the  
23 bridgehead?

24 A. Sorry, sir, that would have been the entry control  
25 officers. I believe there was a couple of BA crews that

1 had just got there, but obviously hadn't been committed,  
2 so that would be the personnel that went.

3 Q. The decision to move the bridgehead down, was that  
4 something you had any say in, or is this a situation  
5 where you're getting an instruction from a senior  
6 officer?

7 A. I was getting an instruction from a senior officer.

8 Q. Can you recall which crews were committed above the  
9 bridgehead at the time you got that instruction?

10 A. It's my recollection that they were breathing apparatus  
11 crews from Old Kent Road fire station.

12 Q. Can you recall how many?

13 A. I would have to estimate, I believe it was three crews.

14 THE CORONER: That would be a total of how many people?

15 A. That was three crews of two wearers, so that was six in  
16 total.

17 THE CORONER: Thank you.

18 MR MAXWELL-SCOTT: When the process of beginning to move the  
19 bridgehead down began, did everyone who was at the  
20 bridgehead move down together, or did some remain?

21 A. Some remained.

22 Q. Why was that?

23 A. I didn't want to go until I had the BA crews with me.

24 Q. Is it the case that you remained to wait for the BA  
25 crews that were above the bridgehead to return to the

1           7th floor?

2    A.   Yes sir, yeah.

3    Q.   Were attempts made to communicate by radio with the

4           crews above the bridgehead to tell them what was

5           happening?

6    A.   Yes.

7    Q.   Can you recall whether those attempts were successful

8           and that it was possible to get through by radio?

9    A.   I was informed, after I'd instructed that they were

10           notified, that the entry control officer was having

11           trouble communicating with some of the crews.

12   Q.   I think you would agree that an implication of moving

13           the bridgehead down and withdrawing crews would be that

14           it would delay the process of getting firefighters to

15           flats within the building to attempt to rescue people or

16           put out fires?

17   A.   Yes, I would, it was unprecedented.

18   Q.   You say it was unprecedented, but it would nevertheless

19           be recognised at the time that this was something that

20           was going to delay the firefighting effort?

21   A.   Yes, very much so.

22   Q.   Presumably, if a decision is made that conditions

23           require firefighters to move down, you wouldn't have

24           been expecting residents from the 9th floor above to

25           make their own way down?

1 A. No, our normal expectation is to -- if residents are in  
2 their own property is for them to stay there.

3 Q. The implication of moving the bridgehead down is that  
4 the residents will have to remain in their own  
5 properties until such time as it's possible to get crews  
6 back up into the building?

7 A. Yes sir.

8 Q. Given that that is the case, was any consideration given  
9 to trying to instruct the crews that were above the  
10 bridgehead to bring any residents, or as many residents  
11 as possible, out with them as they withdrew?

12 A. No, there was not.

13 Q. Are you able to recall why not?

14 A. If memory serves correct, sir, the bridgehead being  
15 moved was something that I'd never experienced  
16 operationally, and the reasons that I was informed it  
17 was happening was something that I had no experience of  
18 before. For a fire to develop below us, we'd never  
19 experienced that. If memory serves correct the crews  
20 that were committed were very much near to the point  
21 when they would have been returning to the entry control  
22 board anyway.

23 Obviously for us to have a breakdown in  
24 communications was limiting the amount of information  
25 that we could get to them as well.

1 Q. You've been telling the court about how unprecedented  
2 the situation was, and I think how surprised you were to  
3 be told that it was necessary to move the bridgehead  
4 down, is that right?

5 A. Yes, that's correct.

6 Q. Can I just take you to what you said about this in your  
7 second witness statement at page 222 of the statements  
8 bundle. The third question and answer. This is your  
9 statement from 2010, and the third question was:

10 "When did you become aware of the fire on the 5th  
11 and 7th floors?"

12 Your answer was:

13 "Station Manager Foster came up and said he was the  
14 sector commander and that we needed to move the  
15 bridgehead down. He told me there was a fire below us  
16 which staggered me as I had not known a fire to go below  
17 the bridgehead."

18 A. Yes.

19 Q. Is that correct?

20 A. That's correct, sir.

21 Q. We looked at the photo at 1648 hours before, but if  
22 I just take to you it once more briefly, this is one I'm  
23 going to bring up on screen. You recall we looked at  
24 that photograph when you were giving evidence on Tuesday  
25 afternoon?

1 A. I believe the picture we looked at there wasn't  
2 a developed fire below the fire floor.

3 Q. Take it from me that we did look at the picture, because  
4 you said it was similar to the view of where you were  
5 standing with Watch Manager Howling?

6 A. Yeah, I recall that it was a close-up picture, sir,  
7 I don't recall the picture you showed was the one with  
8 the fire --

9 THE CORONER: Mr Payton, my note shows quite clearly it was  
10 that photograph.

11 A. Okay, I stand corrected.

12 MR MAXWELL-SCOTT: We did look at the close-up first, that's  
13 true, and then we looked at this. If what you said in  
14 the statement we've just looked at was correct, and that  
15 being told that there was a fire below you staggered  
16 you, do you agree that you must have either left  
17 Watch Manager Howling's side by the time this photo was  
18 taken at 16.48, or if you had been standing with him at  
19 that time, that you had not taken in the fact that the  
20 fire had spread to lower floors?

21 A. I would have no doubt that it was before that that fire  
22 had developed.

23 Q. We've talked about what happened after  
24 Station Manager Foster arrived at the bridgehead, and  
25 what I am next going to turn to is what happened in



1 between the time when you reached the bridgehead and  
2 when Station Manager Foster arrived at the bridgehead  
3 later on. To be fair to you, your first recollection  
4 when you did your notes on the evening of 5 July 2009  
5 was that it was difficult for you to say at what precise  
6 time Station Manager Foster arrived. I'll just show you  
7 that. It's the advocates' bundle, page 208. It's the  
8 final five lines:

9 "Station Manager Foster then appeared at the  
10 bridgehead. It is difficult for me to say at what  
11 precise time this was as so much was going on at the  
12 time."

13 A. Yes, that would be correct, sir.

14 Q. What I'm going to do with you now is try and work  
15 through the things that happened between when you  
16 arrived at the bridgehead and when  
17 Station Manager Foster arrived at the bridgehead, you  
18 understand?

19 A. Yes sir.

20 Q. Your notes on this are very helpful. If the witness  
21 could be shown the hard copy, because it's easier to  
22 read, it's in the advocates' bundles-file 1, starting at  
23 page 205. (Handed)

24 You'll recognise these notes?

25 A. Yes sir.

1 Q. Although, as you've told the court, they're not in your  
2 own handwriting?

3 A. No, they're not, no.

4 Q. If you move to page 207, do you see about halfway down  
5 there's a sentence that begins on the left-hand side of  
6 the page, "I made my way to the 7th floor (BH) [short  
7 for 'bridgehead'] and met Firefighter Miller," do you  
8 see that?

9 A. Yes sir.

10 Q. Dealing with it in this way, if you go over the page to  
11 208, at the bottom of the page, five lines from the  
12 bottom, we see the passage I've already taken you to  
13 about Station Manager Foster then appearing at the  
14 bridgehead?

15 A. Yes sir, I've got that.

16 Q. I'm assuming from the way the note's put together that  
17 what is said to have taken place between those two  
18 passages is the events that took place when you were at  
19 the bridgehead, but Station Manager Foster had not yet  
20 arrived?

21 A. That's correct, sir.

22 Q. Having established that, let's go through it. You met  
23 Firefighter Miller and a firefighter whose name you  
24 don't know, but you think was from E37, in other words  
25 from Peckham fire station?

1 A. That's correct.

2 Q. "Firefighter Miller was ECO, entry control officer, and  
3 asked him for a full brief with regards to crew  
4 committed by looking at the BA board. It appeared to be  
5 approximately two-thirds full and I could see also that  
6 Firefighter Miller was very busy. I took the decision  
7 that this was likely to become a complex BA incident,  
8 that I would relieve Firefighter Miller of ECO duties,  
9 due to him being a firefighter on development."

10 This is to do with him being a trainee?

11 A. That's correct.

12 Q. "... and replaced him with the firefighter I mentioned  
13 previously, who I think came from E37 (Peckham fire  
14 station). I ensured between the two of them there was  
15 a full handover and brief."

16 A. That's correct.

17 Q. Then if we go over the page:

18 "I inquired as to which officers were up on the  
19 bridgehead and was informed Crew Manager Dennis from E37  
20 and contacted him by handheld radio as he was assisting  
21 in setting into the dry riser, but I don't think this  
22 was on the 7th, as I don't recall seeing any hose within  
23 the stairwell."

24 Then your notes on 5 July continued:

25 "He (in other words Crew Manager Dennis) informed me

1           that there was a fully developed fire on the 9th floor  
2           and the BA crews were attacking that with  
3           a 45-millimetre jet and that he required a dividing  
4           breaching to split the outlet on the 9th and additional  
5           45-millimetre hose. I then radioed down to  
6           Watch Manager Howling that I required three further BA  
7           crews ..."

8           There's a word I can't read there, "[something]  
9           lengths of 45-millimetre hose"?

10          A. I can't read that word either, but I imagine it's  
11          additional, or words to that effect.

12          Q. Yes:

13                 "Some type of branches and dividing breaching  
14                 brought up to the bridgehead. At around the same time  
15                 I was informed via the handheld radio by the pump  
16                 operators supplying the dry riser that there were  
17                 a [something] delivery hose at ground floor level and  
18                 that there would a momentary loss of pressure. Whilst  
19                 this was being changed, this was communicated to the BA  
20                 crews."

21                 On 5 July 2009, just over 48 hours after the fire,  
22                 this was your recollection of matters that took place  
23                 whilst you were at the bridgehead, but before  
24                 Station Manager Foster arrived?

25          A. That's correct, sir, yes.

1 Q. There was one further paragraph before he arrived:  
2 "At around the same time I was informed --"  
3 No, sorry:  
4 "Firefighter Badger E37 had been assisting Crew  
5 Manager Dennis and he informed me verbally face to face,  
6 having come from upstairs, that conditions were becoming  
7 worse on the 9th floor and at the same time I started to  
8 see heavier smoke-logging drifting downwards towards the  
9 bridgehead."  
10 Then it says:  
11 "Station Manager Foster then appeared."  
12 A. That's correct, sir.  
13 Q. If I could then ask you about some other events that may  
14 have taken place in that time when you were at the  
15 bridgehead, but Station Manager Foster wasn't, to see  
16 whether you recall them. Do you recall firefighters  
17 Crowley, Ismail and Green, one of those from Peckham and  
18 two from Brixton, coming up with a three-piece ladder?  
19 A. No, I don't recall that sir.  
20 Q. Do you recall firefighters Mason and Mechen coming down,  
21 because Mr Mechen's alarm had activated and the tally  
22 key needed to be used so that he could continue working?  
23 A. I don't recall that, no.  
24 Q. Do you recall any residents being escorted down the  
25 stairs?

1 A. No.

2 Q. Do you recall Crew Manager Clarke coming and giving you  
3 a briefing about what he'd been doing?

4 A. I don't remember that specifically, no.

5 THE CORONER: By that do you mean that you remember he did  
6 it, but you don't remember what he said, or you don't  
7 remember whether he did it or not?

8 A. The latter, madam.

9 MR MAXWELL-SCOTT: If I might refer you to a couple of  
10 things that he told this court to see if they help in  
11 refreshing your memory. He said that he evacuated some  
12 residents on the 9th floor, returned to the bridgehead  
13 and found you there, and gave you some numbers of flats  
14 from which people had been evacuated?

15 A. I don't recall that, sir.

16 Q. He told the court that he told you that his original  
17 task from Watch Manager Howling had been to go above the  
18 fire and check the fire spread, but that he reported to  
19 you that he had in fact done something different?

20 A. Yeah, I -- I don't recall that, sir.

21 Q. He told the court that he then had a discussion with you  
22 about what he should do next, given that he had some air  
23 left, and it was agreed that he should try and carry out  
24 his original task of going above the fire floor?

25 A. I have no recollection of that, sir.

1 Q. He said that having done that, he then returned to the  
2 bridgehead again and shut down, and had a further  
3 conversation with you where he got across to you the  
4 fact that the flats in the building were maisonettes, on  
5 two floors, rather than flats on single floors?

6 A. I, again, don't recall that conversation.

7 Q. His recollection was that at the time that he was saying  
8 that to you, you appeared already to know that the flats  
9 were maisonettes?

10 A. Again, I don't recall that being the case, no.

11 Q. Did you know that what had been done in relation to  
12 evacuation at 9th floor level and 11th floor level was  
13 that attempts had been made to evacuate the whole of the  
14 9th floor?

15 A. At that point, sir, I wasn't aware, no.

16 Q. If you could take up the jury bundle at tab 11, page 1.  
17 (Handed)

18 A. Yeah, I have that, sir.

19 Q. Just for everybody's benefit, it's not in fact what's on  
20 the screen. What the witness is looking at is a still.

21 THE CORONER: Yes.

22 MR MAXWELL-SCOTT: The image will go from the screen in  
23 a moment. Looking at the diagram you have, am I right  
24 in thinking that at the time you were at the bridgehead  
25 you knew that the fire flat was on the 9th floor?

1 A. That's correct, sir.

2 Q. What would you have regarded as an area with greater  
3 priority for evacuation, the south corridor on the 9th  
4 floor, so where you can see, for example, the numbers  
5 57, 59, 61 and 63, or the north corridor on the 11th  
6 floor, where you see the numbers 79, 81 and 83?

7 A. I think looking at the -- the layout of the building,  
8 I would have probably considered that the -- the second  
9 set of numbers, purely on the basis that there was  
10 a degree of separation with the central stairwell.

11 Q. Is it your evidence to the court that you were not aware  
12 that what was happening is that there were attempts to  
13 evacuate residents on the south corridor of the 9th  
14 floor before residents on the north corridor of the 11th  
15 floor?

16 A. I don't recall that, no, sir.

17 Q. Do you recall being told about a woman in flat 56 who  
18 was in her flat, but wanted to leave it?

19 A. I don't recall that, sir, no.

20 Q. We've looked at your quite detailed page and a quarter  
21 of notes about what you did at the bridgehead before  
22 Station Manager Foster arrived. May I ask you now this:  
23 whilst you were at the bridgehead, what did you do with  
24 the list of numbers that Firefighter Mullins had given  
25 you?



1 A. It was still in my pocket, sir. As I recall, at no  
2 point when I was up at the bridgehead until we came down  
3 did I have a chance to actually start to implement any  
4 form of getting crews to that area, I think at that  
5 point I was still trying to establish what the crews  
6 were already doing, but also get further breathing  
7 apparatus resources to the bridgehead. So no, that note  
8 didn't come out of my pocket at that time.

9 Q. I'm going to show you now what you said on this issue in  
10 your witness statement at March 2010, which is at  
11 page 221 of the statements bundle.

12 A. Could you repeat the number, please?

13 Q. 221.

14 A. Thank you. Yes, I have that.

15 Q. You see where that new paragraph begins, where I have  
16 the cursor. What you said in that statement was this:

17 "As he finished the briefing, he told me he had  
18 a lot of flat numbers coming in. Firefighter  
19 Mark Mullins had made a list of numbers which were given  
20 to me."

21 Then this:

22 "I think there were probably five numbers on it, but  
23 I cannot be certain and cannot remember specific  
24 numbers. I put this in my leggings pocket. I did not  
25 have the time to use the list whilst I was at the

1 bridgehead on the 7th floor, but I used it later on the  
2 ground floor."

3 What I would like to ask you is this: looking back  
4 now on events, is it your evidence to this court that  
5 you did not have time to use the list whilst you were at  
6 the bridgehead?

7 A. That's correct, sir.

8 Q. I'm now going to ask you about events after the decision  
9 was made to move the bridgehead down from the 7th floor.  
10 Did the bridgehead ever manage to reposition itself on  
11 a lower floor in the building, or did it effectively  
12 move all the way down to outside the building at ground  
13 floor level?

14 A. I think there was a mention from Station Manager Foster  
15 that he was looking to reallocate the bridgehead on  
16 a lower floor, but in the time that they departed and we  
17 waited for the last of the BA crews, I then received  
18 a message on my handheld radio indicating that they had  
19 in fact gone out to the courtyard area. So as far as  
20 I'm aware, no, it never was established on any floor  
21 prior to -- after leaving the bridgehead.

22 Q. If it was, by the time you made your way down with the  
23 final crews that had been committed above the  
24 bridgehead, it had gone and you made your way all the  
25 way downstairs and outside the building, is that right?

1 A. That's correct, yeah. I'd been informed that that is  
2 where they had located to.

3 Q. After that, according to your first statement, you then  
4 gave a briefing to Station Manager Foster, would that be  
5 right?

6 A. That's correct, sir.

7 Q. Are you able to recall what was said in that briefing;  
8 what the gist of it was?

9 A. The gist of it would have been what I'd tried to put  
10 into place up at the bridgehead prior to it being  
11 removed. I believe Crew Manager Dennis, who'd obviously  
12 been up there prior to my arrival, obviously in my  
13 opinion had a lot more information on what had happened  
14 prior to my arrival at the 7th floor.

15 THE CORONER: Mr Payton, can you just confine your answers  
16 to what you did and what you know about, please.

17 A. Yes, sorry, madam. So no, I -- I gave him the gist of  
18 what was going on and I believe Crew Manager Dennis  
19 spoke to him.

20 MR MAXWELL-SCOTT: What task were you next given?

21 A. At that point, if memory serves correct, I was then  
22 given the task of organising breathing apparatus crews  
23 with a view to them being recommitted back into the  
24 building.

25 Q. Did you then continue in that role for several hours?

1 A. Yes, in some shape or form, sir, yes.

2 Q. Just picking out a couple of points from your first  
3 witness statement about this period of time after you  
4 came down from the 7th floor bridgehead, if we look at  
5 page 218 in the statements bundle. The second line  
6 there refers to the fact that you also debriefed crews  
7 on their exit from the building, is that right?

8 A. That's correct, sir.

9 Q. You then wrote:

10 "Crews can only be deployed twice, but such was the  
11 scale of this incident to the best of my knowledge all  
12 my BA crews were deployed twice which is the maximum  
13 allowed."

14 I'm not criticising you for saying that at all, but  
15 just for accuracy there were some BA crews that were  
16 deployed only once, including, for example, Mr Bennett  
17 from the Old Kent Road?

18 A. That may well have happened, sir, yeah. In Mr Bennett's  
19 case, he obviously was given another task, but  
20 I couldn't quite exclude that.

21 Q. Then your statement refers to the fact that there came  
22 a time when, via a loudhailer, you spoke to a man and  
23 a woman who told you, presumably by shouting down, that  
24 they were in flat 75 on the 11th floor?

25 A. That's correct, sir.

1 Q. And you briefed a BA team who went in to perform  
2 a rescue?

3 A. Yes sir.

4 Q. Do you have any independent recollection of when that  
5 might have taken place?

6 A. No sir, no.

7 Q. If I just help you on that, I think it's likely that  
8 that rescue was performed by Firefighters Belmont and  
9 Sanchez when they were wearing breathing apparatus for  
10 the second time?

11 A. It may well be the case, sir, but I -- I couldn't give  
12 you a specific time.

13 Q. Just for the benefit of the court, they were wearing  
14 breathing apparatus for the second time between 18.14  
15 and 18.28.

16 A. If the records show that, then that quite easily is  
17 obviously when the time was?

18 Q. It doesn't strike you as obviously wrong?

19 A. No sir, no.

20 Q. Did there then come a time when the bridgehead relocated  
21 inside the building to the 3rd floor?

22 A. Yes sir.

23 Q. Did you move in with it?

24 A. Yes.

25 Q. Moving to a new topic now, I'm going to ask you about

1 knowledge that you might have gained in the course of  
2 the day about certain features of Lakanal House?

3 A. Yes sir.

4 Q. Firstly, did you learn at any point that the flats in  
5 the building were maisonettes, on two floors, with  
6 an internal staircase?

7 A. Yes, I did.

8 Q. Are you able to assist at all with when you learnt that?

9 A. It would be very hard for me to put a -- an actual time  
10 on it. It would have come about from debriefing crews  
11 that had obviously been committed, and I think that was  
12 also backed up by crews were asking for sections of  
13 three-piece ladders, because they were encountering  
14 flats where the internal stairs had burnt away, so it  
15 would be a combination of different bits of information  
16 coming from different crews. That would have been going  
17 on throughout a longer period of time.

18 Q. Just looking at what you said about this in your second  
19 witness statement in March 2010 at page 225. The top  
20 question and answer. The question was:

21 "When did you know they were maisonettes?"

22 Your answer was:

23 "Not for a while. I remember much later when the  
24 bridgehead was back inside that a crew said they had  
25 searched the lower part of the flat, but needed a ladder

1 to search the upper part. That was probably the first  
2 I specifically remember that they were maisonettes."  
3 A. Yes sir, that would be correct.  
4 Q. In other words, at a time when the bridgehead had moved  
5 out of the building and then later on moved back into  
6 the third floor?  
7 A. Yes sir.  
8 Q. Did there ever come a time when you learned that in the  
9 flats at upper floor level the flats extended the full  
10 width of the building and had windows on the east side  
11 and windows on the west side?  
12 A. My recollection is that I -- I don't believe I knew that  
13 until very, very much later into the incident.  
14 Q. Did there come a time when you learned that the  
15 balconies were escape routes that led to the central  
16 staircase?  
17 A. I don't ever recall a time that I discovered that, sir.  
18 Q. I've put up on screen a representation of what the west  
19 side of Lakanal House looks like from ground floor  
20 level. It has marked on it the floor numbers, which of  
21 course you wouldn't have been able to see if you were  
22 standing outside the building, but it doesn't show flat  
23 numbers. If I now superimpose over it the correct flat  
24 numbers, did there ever come a time when you began to  
25 build up a mental picture like that of where individual

1 flats were in the building?

2 A. Yes sir.

3 Q. Can you help us with when that was?

4 A. I believe once we'd established the bridgehead back in  
5 the building on the 3rd floor, we were under the command  
6 of Group Manager Andrews. Group Manager Andrews made  
7 the decision that we needed to formally record a plan of  
8 the building for use not only in briefing the crews, but  
9 debriefing the crews as well. And obviously we would  
10 take hold of the breathing apparatus crew that had been  
11 working on the upper floor and then we would use them as  
12 part of their debrief to assist in drawing up a plan of  
13 the building.

14 So it would have been around about that time that we  
15 got a much fuller picture of the layout and where the  
16 flats were located.

17 Q. Can you remember when you first took the list with flat  
18 numbers on it out of your pocket and had a look at it?

19 A. I -- I recall that I used the list when we were still  
20 outside and briefing crews to go back in. I have  
21 a recollection of making reference to it then.

22 Q. When you did that, at that moment in time, to what  
23 extent did you have a mental picture of where the flats  
24 on the list were in the building?

25 A. At that time I wouldn't have had a full understanding of



1           where the flats were in the building, it would have  
2           been -- my recollection would have been that if we knew  
3           that flat 65 was on the 9th floor, we would then be  
4           looking to allocate the crews as best as we could  
5           figure, unless anyone else had further information at  
6           that time to assist.

7    Q.   I appreciate that you didn't have a full understanding  
8           like the picture we have on screen, but did you have any  
9           understanding when you got that list out of your pocket  
10          where the flat numbers on it were in the building?

11   A.   Probably only to the extent that obviously the higher  
12          numbers would be on the upper floors.

13   Q.   Did there come a time when you saw signs in the building  
14          that might provide indications of where flats were  
15          within it?

16   A.   I don't ever recall seeing a -- it's common practice in  
17          most residential blocks to have a sign that shows where  
18          the flats are in relation to the floor, but I don't ever  
19          recall seeing that.

20   Q.   Can I show you an example of what you may be talking  
21          about. This is the lift lobby area at ground floor  
22          level. If you see above the two lifts there's a sign on  
23          the wall?

24   A.   Yes sir.

25   Q.   If I show you a close-up view of that sign, is that the

1 sort of sign that you are saying is common in some  
2 buildings?

3 A. That would be a sign that I would expect to see in the  
4 blocks, yes.

5 Q. You would have expected there to be a sign like that in  
6 the building?

7 A. Yes sir.

8 Q. But you didn't see one on the day?

9 A. No, sir.

10 Q. Moving away from that topic, let me ask you about three  
11 things that you said in either your notes of 5 July or  
12 your second witness statement.

13 Firstly, in your notes at page 218, do you see the  
14 number 14 on the left-hand side of the page?

15 A. I do on the screen, I can't locate it in this document.

16 Q. Sorry, you'll need to look in the other file of  
17 documents rather than the witness statements file.

18 I apologise for not making that clear.

19 THE CORONER: No, you have the jury bundle there. Could we  
20 have file number 1, please, Mr Clark. Page 218.

21 (Handed)

22 A. Yes, I have that sir.

23 MR MAXWELL-SCOTT: Thank you. You see the number 14?

24 A. Yes sir.

25 Q. Four lines down into the notes in relation to number 14,

1           it says:

2           "We received a report that three fatalities had been  
3           found, which were in flat 81. I remember feeling gutted  
4           as we'd been made aware of this flat number throughout  
5           the incident but had been unable to confirm we had  
6           managed to get a BA crew to the flat. We were  
7           processing so much information at the time I can only  
8           presume this information got lost in everything we were  
9           trying to record."

10           Can you recall when you first became aware of  
11           flat 81?

12   A. I couldn't give a specific time, sir, no.

13   Q. Having looked at that passage again today, does it  
14           continue to reflect your views about flat 81?

15   A. Yes, very much so.

16   Q. If you then turn over the page to 219, do you see the  
17           number 17?

18   A. Yes sir.

19   Q. These are your notes from the evening of 5 July 2009,  
20           and you said this:

21           "In 21 years I have never experienced an incident  
22           like this, not of this scale and magnitude. I cannot  
23           understate dynamic and pressurised the incident was with  
24           information overload. The command team at the  
25           bridgehead were presented with circumstances that aren't

1 covered by any policy or procedure, however we managed  
2 to improvise a system to ensure safety under ever  
3 changing circumstances."

4 Does that passage continue to reflect your views?

5 A. Yes sir, very much.

6 Q. Then if you look in your witness statement, this is  
7 going to be the other bundle at page 226, your second  
8 statement.

9 A. Yes sir, I have that.

10 Q. In the middle of the page, do you see the question:

11 "Can you describe the amount of information which is  
12 being received?"

13 A. Yes, I have that.

14 Q. Then your answer was this:

15 "There was a relentless amount of information coming  
16 from many sources, including the police and the public  
17 regarding the flat numbers, also crews being committed  
18 and crews being recommitted. The activity was  
19 continuous, there were no quieter moments.  
20 Watch Manager Howling, Crew Manager Hider and  
21 Firefighter Bennett were also non stop with the  
22 recording of information such as the time of whistle  
23 et cetera."

24 Does that passage continue to reflect your views?

25 A. Yes, very much so, sir.

1 Q. My final question is this: looking back over your  
2 involvement on the day of the fire, what single  
3 additional thing do you think would have most helped you  
4 to carry out the tasks that you were asked to carry out?

5 A. It's my belief -- I come from a station that covers high  
6 rise residential and high rise commercial premises.  
7 It's my belief that a system that we employ with  
8 commercial premises, which is a premises information  
9 box, it's a secured box that can be secured to the  
10 outside of the building, and within it could be held  
11 laminated floor plans and other relevant information  
12 pertaining to that building. It's secured by a key that  
13 we carry on all front of our frontline fire appliances.  
14 And the building occupier would be responsible for  
15 ensuring that within that premises information box would  
16 be plans, floor plans, details of the building  
17 et cetera.

18 I think on that day if there was something similar  
19 to that in place then we would have had a ready made set  
20 of incident plans for what we were trying to do on that  
21 day, sir.

22 Q. If such a box had been in place, where would you have  
23 expected to find it in the building, what level?

24 A. Normal practice is at the main entrance to the building,  
25 so in a commercial environment it will be at the main

1 entrance to the office block, where probably the fire  
2 alarm panel will be, et cetera. But it would be the  
3 main point of entrance to that building.

4 Q. Based on your experience of the contents of those boxes,  
5 would you have expected them to have included  
6 information that would have told you where flats were  
7 within the building by flat number?

8 A. Yes, because it would be something that we would look to  
9 develop with the occupier, or the owner of the building.  
10 We try to actively encourage two-way communication  
11 between building owners and ourselves. And we would --  
12 or certainly in this scenario, I would expect there to  
13 have been a degree of liaison between the two parties to  
14 ensure that the information that was contained would be  
15 the most useful information for us on any given  
16 occasion.

17 MR MAXWELL-SCOTT: Thank you very much, those are my  
18 questions, but there will be questions from others.

19 THE CORONER: Thank you.

20 Mr Edwards.

21 Questions by MR EDWARDS

22 MR EDWARDS: Thank you, Mr Edwards on behalf of some of the  
23 bereaved families.

24 I'm going to start by asking you just to clarify one  
25 of the answers you gave to Mr Maxwell-Scott's questions

1           this morning. He asked you how you were planning to  
2           find out where the numbers on the piece of paper that  
3           you were given, where those flat numbers were in the  
4           building. You gave a fairly long answer and spoke about  
5           command structures and the like. I'm just wondering if  
6           you can answer that question slightly more simply and  
7           explain factually, how were you going to find out, or  
8           how did you think someone else was going to find out  
9           where the flat numbers were on the piece of paper?

10        A. Well, if I was at the bridgehead, and I was looking for  
11        that information, then that would have probably been  
12        something that I would have looked to have done for me  
13        once I was in the position to get someone to do that.

14        Q. How would they do that, were you going to physically  
15        send someone round the whole building, checking every  
16        floor, or would you send someone to look for a sign  
17        which said which flat numbers are on which floor?

18        A. The latter, sir.

19        Q. Do you remember whether you actually did that?

20        A. I never had the time or the opportunity whilst I was at  
21        the 7th floor, sir, no.

22        Q. Whilst you were at the 7th floor, we've heard evidence  
23        that you were given a piece of paper which you put in  
24        your pocket and you didn't have a chance to look at it  
25        whilst you were at the 7th floor. I think you said you

1 later looked at it only when the bridgehead was moved  
2 outside?

3 A. That's correct.

4 Q. Are you able to estimate how long you had the piece of  
5 paper in your pocket before you looked at it? Are we  
6 talking a matter of minutes, ten minutes, 15 minutes,  
7 half an hour?

8 A. I would have to -- it would have to be a guess, because  
9 time -- I struggle with measuring the time once we was  
10 there, it all went very quickly, so forgive me,  
11 I can't -- you know, it would have to be an estimate.  
12 I would have to be led by the detail of other  
13 information of when we came out of the building, because  
14 I had no recollection of the exact time, so certainly --

15 Q. Perhaps if I interrupt, how long had you been outside  
16 the building for before you looked at the piece of  
17 paper?

18 A. I would estimate five to ten minutes.

19 Q. Obviously, this isn't a criticism of you, but whilst the  
20 paper is in your pocket no-one else can see it. Would  
21 it have been helpful if that information had been  
22 recorded somewhere else at the bridgehead, where  
23 everyone could see it?

24 A. That very well could be the case, we are limited as to  
25 what information we can record at a bridgehead, but



1 I would agree, sir, yes.

2 Q. The jury is likely to hear evidence about whiteboards or  
3 the lack of whiteboards. Would it have been helpful to  
4 have a whiteboard set up at the bridgehead on the 7th  
5 floor that that information could be written on?

6 A. Yes sir.

7 Q. There comes a point where the bridgehead is moved from  
8 the 7th floor, and I think you've said effectively it  
9 never really gets set up on the 3rd floor, it almost  
10 immediately goes outside. As far as you're aware, did  
11 firefighters continue to fight the fire in flat 65  
12 during that period of time when the bridgehead was being  
13 moved?

14 A. It's my recollection that, no, that wasn't the case.

15 Q. Effectively there was a period of time when no-one was  
16 fighting the fire in 65?

17 A. As I understand it, sir, yes.

18 Q. In fact no-one was fighting any fires at all?

19 A. As I understand it, yes.

20 Q. I presume that you can't comment on whether or not that  
21 is normal because you haven't been in a situation before  
22 where the bridgehead is moved like this; is that right?

23 A. That would be a fair assumption, sir, yes.

24 Q. I am just going to talk you through a couple of points  
25 in your evidence to make sure the jury have understood

1           them and that they're clear in your mind. May I ask you  
2           to turn to page 205 in the advocates' bundle. That's  
3           the handwritten document.

4           Mr Clark, we're looking at page 205 in file 1 of the  
5           advocates' bundle please.

6   A. Yes, I have that sir.

7   Q. The jury will probably remember that when you first  
8           started to give your evidence two days ago you explained  
9           to Mr Maxwell-Scott at some length how this document  
10          came about?

11   A. (The witness nodded).

12   Q. You were in the station, it was written, I think,  
13          section by section because the person who was making  
14          a note had to rest their hand. Just out of interest, do  
15          you recall who it was who was actually writing this  
16          document, who was actually taking the note?

17   A. It was a group manager, but his surname -- I mean if  
18          I saw him I would recognise him obviously, but I can't  
19          recall his surname.

20   Q. Do you recall whether it was a group manager who had  
21          been at Lakanal House fighting the fire or not?

22   A. To the best of my knowledge I don't think he had been at  
23          the actual incident, no, sir.

24   Q. Then if you turn to page 209, please. Before I read  
25          this section to you, I'm just going to remind you what

1           you said about reading through this handwritten document  
2           as well. I think the jury can see, firstly, that it was  
3           started at 7.15 in the evening. The end time on the  
4           last page -- you don't need to look at that -- is 12.10,  
5           but I think you also said you'd had the opportunity  
6           after 12.10 to actually read through the whole document  
7           again, and you said it was possibly 12.30 or 12.45 in  
8           the morning that you finished reading it through?

9    A. Yes, that would have been about right, sir.

10   Q. You put some considerable time and effort into creating  
11       this document, it's about three and a half hours.  
12       Presumably you were trying to make sure that what you  
13       were putting in this document, two days after the fire,  
14       was accurate?

15   A. Yes sir.

16   Q. If I can take you back to page 209, please. Just by the  
17       lower holepunch, about two-thirds of the way down the  
18       page, you say:

19                "On reaching the ground floor, I reported to  
20       SM Foster and he asked me to give him a [I can't quite  
21       read that word] brief on firefighting operations  
22       undertaken on the 9th floor. As CM Dennis had more  
23       information I delegated that role to him."

24                Did you say anything to Mr Foster about firefighting  
25       operations on the 9th floor, or did you simply leave

1           that to Mr Dennis?

2    A.   If memory serves correct, I would have obviously -- the  
3           brief that I gave to Station Manager Foster was probably  
4           more about what I'd managed to understand myself prior  
5           to the bridgehead being removed, and because  
6           Crew Manager Dennis had obviously been there much  
7           earlier than I, and had also been assisting crews with  
8           hose on the upper floors, it felt more appropriate that  
9           he was in a better position to describe to  
10          Station Manager Foster what the conditions were like on  
11          the 9th floor.  As I'd obviously not been beyond the 7th  
12          floor.

13   Q.   It sounds like Dennis gave the main briefing, as it  
14          were, and you didn't say terribly much to SM Foster?

15   A.   That's as I recall it, the information that I was giving  
16          to Station Manager Foster would have been to the extent  
17          of, "I literally had time to get up and get an overview  
18          of the bridgehead, before the bridgehead came out."

19   Q.   You haven't recorded in this document that you said  
20          anything to SM Foster about a piece of paper you had  
21          with flat numbers in.  Do you think it's likely that if  
22          you had told Foster about this piece of paper you would  
23          have recorded it here in this document we see?

24   A.   Quite possibly, sir, it's hard to recall now, giving  
25          this statement at the time, but if I've not mentioned

1           it, I'd either not considered it at the time or it had  
2           not entered my mind.

3    Q.   It's probably something you would have considered at the  
4           time, because at the time you were writing this  
5           document, you were aware there had been six fatalities,  
6           and you were also aware that some of those fatalities  
7           were in a flat number that you had had, so if you had  
8           told Foster about that flat number, or about flat  
9           numbers in general, when Mr Dennis gave him his  
10          briefing, you probably would have recorded it here at  
11          page 209, wouldn't you?

12   A.   Yeah, I think that's a fair assessment, sir.

13   Q.   Just under where we read up to, it then says:

14                 "New information was coming in constantly either  
15                 verbally or by runners, or [I think that says] over the  
16                 handheld radio, and around this time information was  
17                 received of persons trapped on the 11th floor."

18                 I appreciate you may not have had a terribly good  
19                 sense of what floor was where, but presumably you were  
20                 aware that the 11th floor was one of the floors  
21                 immediately above the fire at that point?

22   A.   Yes sir.

23   Q.   Do you remember whether you tried to link that  
24           information, people trapped on the 11th floor, did you  
25           try and cross check that against the flat numbers you

1 had in your pocket? Did you think, "I'd better check to  
2 see whether these flat numbers were on the 11th floor"?

3 A. I may well have done, yes sir.

4 Q. You can't specifically remember?

5 A. I can't specifically recall, no.

6 Q. I understand it's difficult three years later.

7 I'm going to move forwards a little bit now to  
8 page 214, please, in the same document. Just to put  
9 this in context for you, you can see by the upper  
10 holepunch, about a third of the way down the page, it  
11 says:

12 "As BA crew reported to the 3rd floor (both EDBA and  
13 SDBA) they were directed down a corridor off the left  
14 ..."

15 Et cetera. Where we are now, correct me if I am  
16 wrong, is the bridgehead has moved from the 7th,  
17 effectively straight to the ground floor, and this is  
18 a little time later, you've moved back up to the 3rd  
19 floor?

20 A. Yes sir.

21 Q. If we carry on reading:

22 "They were directed down a corridor off to the left  
23 of the BA entry control point to await briefing and/or  
24 deployment. GM Andrews instructed that he wanted a plan  
25 of the building drawn on the wall of the third floor

1 lobby."

2 I think you refer to a document:

3 "To allow for a full debriefing of BA crews on  
4 returning from their respective scene of operations."

5 Is that the first point it occurred to someone, as  
6 far as you know, that it would be a good idea to draw  
7 a plan of the building?

8 A. Yes sir.

9 Q. It's probably fair to say, as you've said earlier, it  
10 would have been helpful to have had a plan of the  
11 building really right from the beginning of the  
12 incident, wouldn't it?

13 A. Yes sir.

14 Q. If we then go down a little bit by the lower holepunch,  
15 so this is about two-thirds of the way down the page.  
16 Can you see a line starting, "The main stairwell"?

17 A. Whereabouts on the page roughly, please?

18 Q. Yours is holepunched, it's almost immediately next to  
19 the lower of the two hole punches?

20 A. Yes, I have that.

21 Q. The sentence starting halfway along that line says:

22 "At certain times during the incident, we were  
23 filling up the length of the corridor with waiting BA  
24 crews."

25 Are you saying there were BA crews in the corridor

1           who could be committed, but were essentially waiting  
2           there because no-one had sent them, or no-one knew where  
3           to send them?

4    A.   They were crews so that we didn't have a break in having  
5           available crews to be committed, we obviously wanted to  
6           ensure that we had sufficient crews ready to be  
7           committed at any particular time.  So it wasn't because  
8           they had nothing to do, it was because obviously crews  
9           had been tasked and were aloft, and obviously not only  
10          do we need to have crews available to search the  
11          building, we need to, by our own policy, have a system  
12          of work where we have emergency BA crews, should any of  
13          the crews that are already working become in distress or  
14          have issues as well.

15   Q.   The reason I'm asking about that in particular is you  
16          say that, "At certain times during the incident we were  
17          filling up the length of the corridor with waiting BA  
18          crews," so it sounds not as if you had a standard, for  
19          example, two or four BA crews constantly there waiting  
20          to go in, to be committed, but at some times there were  
21          more BA crews than the standard, is that right?

22   A.   Yeah, that would be a fair assumption.  Obviously  
23          initially we probably didn't have the resources to have  
24          a full corridor of personnel, but as we had the  
25          resources, ie as more fire appliances arrived at the



1 incident, there would be crews briefed with, obviously  
2 putting breathing apparatus on and reporting to the  
3 bridgehead ready to be deployed.

4 Q. Is it fair to say that some of the people waiting in the  
5 corridor might have been tasked to search parts of the  
6 building which hadn't been searched?

7 A. I'm sure that -- well, that would have been part of  
8 their brief, yes sir.

9 Q. Some of the ones waiting could have been tasked to  
10 search the building earlier than they did?

11 A. I think it would be fair to say that we were committing  
12 crews as quickly as we could, and obviously we also have  
13 to bear in mind the entry control board that we have  
14 only has space for a certain amount of wearers, so  
15 obviously to commit further crews we need additional  
16 breathing apparatus boards, entry control boards. Until  
17 such time that we had enough of those at the bridgehead,  
18 we couldn't operate a safe system of work, but it is my  
19 recollection that once we had the crews available and as  
20 soon as we could brief them they were being tasked with  
21 roles to perform.

22 Q. Can I ask you just to explain to the jury about entry  
23 control boards. We've seen one that was brought in on  
24 the very first or second day of the inquests, so they've  
25 seen one. As I recall, and correct me if I am wrong --

1 THE CORONER: Mr Edwards, let me interrupt you, I think  
2 there's one in court this morning, or at least I asked  
3 for one to be brought in.

4 MR WALSH: It's just here.

5 THE CORONER: Yes, could that come forward, please. Do you  
6 want to give it to Mr Payton, I think, Mr Clark, and  
7 we'll go from there. (Handed)

8 MR EDWARDS: This is what we're looking at. Each fire  
9 engine that has breathing apparatus on it carries one of  
10 these boards, am I correct?

11 A. Yes sir, every pump and appliance will have one of these  
12 boards.

13 Q. They each have just one board, I'm guessing?

14 A. Yes sir.

15 Q. When you were at the bridgehead on the 3rd floor, there  
16 was just one board there, is that right?

17 A. No, if memory serves correct we were already using  
18 a number of boards, because we were limited with areas  
19 to record information. As you look at the board, I hope  
20 you can see it clearly --

21 THE CORONER: Wait a moment for the questions, please,  
22 Mr Payton.

23 MR EDWARDS: Your recollection is there was more than one  
24 board at the 3rd floor bridgehead, and I'm just counting  
25 them now, are there 12 slots on that board?

1 A. Yes sir.

2 Q. Yes, so there would have been 24 slots?

3 A. There was probably more than two boards already in use  
4 on the 3rd floor, in fact if memory serves correct there  
5 was many more than that.

6 Q. Yet you still think there were people waiting in the  
7 corridor because there weren't enough slots on one of  
8 those boards to commit them safely?

9 A. That would have been partly, yes.

10 THE CORONER: Mr Payton, do put it down behind you for the  
11 moment, thank you.

12 MR EDWARDS: You say "partly", I'm not sure I follow that,  
13 because if the boards are full and they can't be  
14 committed safely, that means they can't be committed, is  
15 that correct?

16 A. If memory serves correct, in this instance there was  
17 a lot of information being recorded on any particular  
18 board, and I believe that as a board was used they would  
19 use a new one so that they wouldn't lose the information  
20 that was recorded on the previous board.

21 I don't recall that there was ever a delay deploying  
22 breathing apparatus crews because there was no board  
23 available, but as I said earlier, there would need to be  
24 a sufficient number of breathing apparatus wearers, the  
25 same size as the largest crew that we had committed,

1 held in reserve as an emergency crew as well.

2 Q. Do not let me put words into your mouth, is what you're  
3 saying: if there are 12 people committed with  
4 a breathing apparatus, you also need 12 breathing  
5 apparatus crews in reserve?

6 A. No, sir.

7 Q. What are you saying then?

8 A. If on a particular board you have ten wearers for  
9 example, you would look at what the largest crew was,  
10 and the maximum we can have as a crew is four wearers of  
11 breathing apparatus. So whatever your maximum crew was,  
12 you would ensure that you had an emergency crew of the  
13 same size as a back up for those.

14 Q. Thank you. I'm going to move you forwards now to  
15 page 218, please. Mr Maxwell-Scott has already referred  
16 you to this section of your handwritten note, but it's  
17 very important and I'm going to refer you to it again.  
18 Underneath the number 14 on the left-hand side, about  
19 four lines down, but I'll read the whole paragraph for  
20 you:

21 "I have just remembered that there was an occasion  
22 where the four non BA crews (plan B) at the BH were  
23 committed up the stairs to undertake a task at the same  
24 time as we received a report that three fatalities had  
25 been found which were in flat 81. I remember feeling

1 gutted as we had been made aware of this flat number  
2 throughout the incident, but had been unable to confirm  
3 we had managed to get a BA crew to the flat. We were  
4 processing so much information at the time I can only  
5 presume this information got lost in everything we were  
6 trying to record."

7 What you're saying there is the information about  
8 flat 81 got lost?

9 A. It may well have got lost.

10 Q. That's certainly what you thought two days after the  
11 fire. Were you aware at that point that flat 81 was  
12 likely to have been one of the flats above the fire in  
13 flat 65?

14 A. I would imagine by the time we were made aware that the  
15 fatalities were there we had the plan on the wall and  
16 that would have been the case, yes sir.

17 Q. Forgive me, I was saying when you were writing your  
18 statement, presumably you knew the fatalities had been  
19 brought out from the flats immediately above the fire  
20 and immediately adjacent to the flat immediately above  
21 the fire?

22 A. I wasn't aware at that time, no, sir.

23 Q. Did you have any idea where the fatalities had come  
24 from?

25 A. Based on what the crews were radioing back to us that it

1           was flat 81, that's how I had understood that they had  
2           come from there.

3    Q.   I just want to clarify how this statement here that you  
4           have put at page 218 relates to some of the other things  
5           you've said?

6    THE CORONER:   Can I just stop you for a moment, Mr Edwards.  
7           Is this line of questioning going to take a while,  
8           because we need to have a break.   If you only have  
9           a couple more questions --

10   MR EDWARDS:   I only have couple more questions on this  
11           topic, madam.

12   THE CORONER:   All right.

13   MR EDWARDS:   You said here the information about flat 81,  
14           you've presumed that it had got lost in everything you  
15           were trying to record.   To put it bluntly, that's the  
16           reason no-one went to flat 81: the information got lost?

17   A.   I think the other thing to bear in mind, sir, that that  
18           may well have been the case, but there was also a point  
19           where crews started reporting that the numbers to some  
20           of the doors had been burnt off.   So there was a period  
21           of time where obviously crews were reporting back that  
22           they were unable to establish a particular flat number.  
23           And it was suggested, I believe by  
24           Watch Manager Rosendale, who I think was at the  
25           bridgehead at the time, that he would go up with a crew

1 with a road marking crayon that we carry on the pump  
2 appliances, and they would start to establish flat  
3 numbers and mark them up on the doors or walls, to  
4 confirm or start confirming to people which flat numbers  
5 were which. But it did become apparent to the crews  
6 that whilst we were giving them numbers to go to, they  
7 were having difficulty establishing the flat number  
8 because the number had disappeared off of the door.

9 Q. I understand. I want you to turn to the second witness  
10 statement you made, which is in the witness statement  
11 bundle at page 227. Do you have that?

12 A. Yes I do, sir.

13 Q. About halfway down the page, the question is:

14 "When you were handed the list, would it have been  
15 intended that they were actioned?"

16 That's obviously referring to the piece of paper  
17 with the flat numbers on. Your answer is:

18 "It would have been expected if it had remained one  
19 flat. I would have got to the bridgehead, sent a crew  
20 to firefight and additional crews would go to the other  
21 flats to reassure the people within them. That never  
22 took place as we had to withdraw from the building. The  
23 numbers on the list would have been used later when we  
24 were committing and briefing crews."

25 It appears what you're saying at page 227 is that

1 the reason people never essentially went to the flat  
2 numbers that you were given on the list was that you had  
3 to withdraw from the building?

4 A. Yes sir.

5 Q. That's rather different from what you say at page 218,  
6 the handwritten document, where you've said, "The  
7 information about flat 81 got lost in everything we were  
8 trying to record."

9 I think it's probably fair to you to say that you're  
10 more likely to have got that fact right, or got that  
11 evidence right, two days after the fire when you wrote  
12 the handwritten note than you are in March 2010 when you  
13 gave the interview we were just looking at?

14 A. Yeah, I would agree with that, sir.

15 Q. Mr Maxwell-Scott also asked you about this point  
16 a little bit earlier this morning. Your answer was  
17 there was a plan to go above the fire, but you didn't  
18 have the resources to go and check the flats above the  
19 fire. Again, that's not something you said at page 218,  
20 the handwritten note. Do you think it's probably  
21 incorrect to say that you didn't have the resources to  
22 go above the fire?

23 A. I -- I did not have, as I found the bridgehead on the  
24 7th floor, the resources to go above that fire floor,  
25 no.



1 Q. Presumably you can only talk about the resources that  
2 were actually at the bridgehead. How many people did  
3 you need fighting the fire in flat 65?

4 A. Well I would have made that decision based on the  
5 information coming back from the BA crews, obviously  
6 I was two floors below, so it would have been  
7 information coming back from them as to the extent of  
8 the fire, whether they'd managed to extinguish it fully,  
9 whether they needed additional crews. Obviously I'd be  
10 looking to ensure that -- the information that they were  
11 giving me would be partly what I would base on who  
12 I would direct to fight the fire in the flat.

13 And then beyond that I'd be looking to ensure that I  
14 had enough breathing apparatus crews with me on the 7th  
15 floor to then brief and direct them to upper floors.

16 Q. I understand that. How many people do you think would  
17 have physically been needed to fight the fire? Two,  
18 four?

19 A. Again, not having seen how much of the flat was alight,  
20 it would be hard for me to say from where I was, but on  
21 past experience, it could well take up to six people,  
22 depending on the size of any given property.

23 Potentially eight, it would depend on the size of the  
24 property and the extent that it was alight.

25 THE CORONER: Mr Edwards, can you find a convenient point?

1 MR EDWARDS: Yes, I think that is probably a convenient  
2 point, madam.

3 THE CORONER: All right, we'll have a short break, then, if  
4 everybody could be back in court at 11.40, please.

5 Mr Payton, you're giving your evidence, so no  
6 talking at all to anyone during the break, please.

7 A. Yes, madam.

8 (11.32 am)

9 (A short break)

10 (11.42 am)

11 THE CORONER: Thank you, yes, could the jury come in,  
12 please.

13 (In the presence of the Jury)

14 THE CORONER: Yes, thank you, Mr Edwards.

15 MR EDWARDS: Thank you, I was just asking you about  
16 resources and querying your response to Mr Maxwell-Scott  
17 where you said you felt you didn't have enough resources  
18 to commit people above the fire in flat 65. A search of  
19 the floors above the 9th floor, so the 11th floor, that  
20 would presumably have required just two breathing  
21 apparatus wearers?

22 A. Not necessarily, sir, no, it would depend on the size of  
23 it, I would certainly be looking to get as many crews up  
24 there as I could, realistically with the resources  
25 I had. I mean it would be a start, I would agree, but

1 I would be looking for more than just a crew of two.

2 Q. Obviously, it would be helpful to have more than two,  
3 but as you said it was a start, so you could have made  
4 a start with two?

5 A. Yes, sir.

6 Q. I can tell you that you arrive at 4.45, and by that time  
7 there are a total of 35 firefighters at Lakanal House.  
8 Within five minutes of you arriving, at 16.50, there are  
9 a total of 39 firefighters at Lakanal House, and then  
10 within nine minutes of that, at 16.59, there are a total  
11 of 43 firefighters at Lakanal House. By 17.15, there  
12 are a total of 59 firefighters at Lakanal House.

13 Presumably you can't comment on what the vast  
14 majority of those people were doing?

15 A. I would have been in the building for most of that, sir,  
16 but no, I can't.

17 Q. If by 4.59 there are 43 firefighters at Lakanal House,  
18 and you feel you don't have resources to send someone to  
19 the floor above the fire floor, even though as we heard  
20 earlier the flat above the fire is potentially the  
21 priority, the number two priority after actually  
22 fighting the fire, does it sound to you as if those  
23 resources might have been allocated better?

24 A. It would -- I wouldn't be able to comment, sir, because  
25 I don't know what tasks they'd already been given, as

1 far as the crews that were already there prior to my  
2 arrival. I know that I asked Watch Manager Howling for  
3 resources and they were on their way up to me, because  
4 as I indicated earlier, I believe a crew or crews got to  
5 me as we were told that we had to come out of the  
6 building, so I wouldn't be able to say for sure what  
7 each and every firefighter was doing, but I was under  
8 the impression that I was getting the resources that  
9 I wanted, but it was also at the same point that  
10 Station Manager Foster indicated that the bridgehead  
11 would have to come down from the 7th floor.

12 Q. That's something you touched on earlier. Am I right to  
13 say -- again, please correct me if I am wrong, that I  
14 have misunderstood what you have said -- that as you  
15 were told the bridgehead was going to be moved down from  
16 the 7th floor, there were actually two people in BA  
17 waiting to be committed, who were not committed because  
18 the bridgehead was moved down from the 7th floor?

19 A. No, I don't ever recall there being two firefighters in  
20 breathing apparatus ready to be committed.

21 Q. Did you recall there were people coming up, about to put  
22 BA on, who were not committed, because the bridgehead  
23 was moved?

24 A. Yeah -- sorry, beg your pardon, my recollection is that  
25 breathing apparatus crews, by that they had their

1 breathing apparatus on but they didn't have their face  
2 masks on, had approached the bridgehead with obviously  
3 a view to being deployed, but that never happened,  
4 because obviously the bridgehead was removed from the  
5 7th floor.

6 MR EDWARDS: Thank you, I have no further questions.

7 THE CORONER: Thank you.

8 Mr Dowden?

9 Questions by MR DOWDEN

10 MR DOWDEN: My name's Dowden and I ask questions on behalf  
11 of Mr Francisquini. You have mentioned a list which you  
12 didn't have time to use when you were at the bridgehead,  
13 and you then referred to it this morning, saying that  
14 you looked at it when you had come out of the building,  
15 is that correct?

16 A. That's my recollection, sir, yes.

17 Q. I think what you were telling us this morning was that  
18 what you had initially tried to do was to build up  
19 a picture of the layout of the building when you got to  
20 the bridgehead, but of course you didn't have the chance  
21 to do that and you went outside the building?

22 A. Yeah, I'm sorry, I'm going to have to ask you to repeat  
23 the first bit, I couldn't hear you over the coughing,  
24 sorry sir.

25 Q. Right. You were given a list with flat numbers on it,

1           and at that stage, you had no idea as to the layout of  
2           the building?

3    A.   That would be correct, sir, yes.

4    Q.   You were telling us that you had wanted to establish the  
5           layout when you got to the bridgehead, but you didn't  
6           have time to do so?

7    A.   That would be correct, sir.

8    Q.   When you came out of the building, you've told us that  
9           you looked at the list outside?

10   A.   Yes sir.

11   Q.   When you were outside, what efforts did you make to  
12          establish the layout of the building?

13   A.   I never had the opportunity to, sir, because from the  
14          moment we came out of the building, I was still involved  
15          in various tasks, it was just that busy once we came  
16          out.

17   Q.   You made two statements. Can I take you to the second  
18          statement at page 221?

19   A.   Would that be the typed one?

20   Q.   That is the typed one, yes. We're looking at the  
21          statement more or less where the top holepunch is.

22   A.   Yes, I have that, sir.

23   Q.   Just below that, you say:

24                 "I did not have the time to use the list when I was  
25                 at the bridgehead on the 7th floor but I used it later

1 on the ground floor."

2 That's correct?

3 A. Yes, that's my recollection, sir.

4 Q. That's all you mention about using the list in that  
5 statement?

6 A. Yes, that's all I recall.

7 Q. You have gone on to tell us today that you may have used  
8 the list when you were briefing crews going into the  
9 building?

10 A. Yes sir.

11 Q. Which crews are we talking about there?

12 A. I wouldn't be able to identify which of the crews were,  
13 I was probably involved in briefing -- I wouldn't even  
14 want to estimate how many crews, not all the time, there  
15 were other individuals doing that, but I couldn't tell  
16 you which crews that would be, sir.

17 Q. What was the briefing you say that you gave to these  
18 crews?

19 A. I think in one of the statements I mention that it would  
20 have been to the point of:

21 "We require you to go to this floor, locate this  
22 flat, the dry riser's located in this part of the  
23 building, you may need to take additional hose,  
24 branches," et cetera.

25 It would have been a brief to that extent.

1 Q. How are you able to do that if you didn't know which  
2 floor had which flat on it?

3 A. Then I would imagine that it would have been as much to  
4 secure that information, but also by then we were  
5 probably receiving further information from other  
6 parties as well.

7 Q. You see, I'm just trying to tally that with what you  
8 told us earlier this morning about the information in  
9 respect of flat 81 getting lost in the information  
10 overload that day.

11 A. Yeah, I don't understand your question, sir.

12 Q. What you've told us earlier is that you were given  
13 information about flat 81, and my understanding is that  
14 what you're telling us is that nothing was done in  
15 respect of that information?

16 A. I'm not suggesting that nothing wasn't done, it's just  
17 that I have no -- I can't recall for sure at what point  
18 or when actions would have been taken in relation to  
19 that flat.

20 Q. Are you able to show us the list?

21 A. No, sir. I am not in possession of the list, sir, no.

22 Q. Can you tell us where it is?

23 A. No, I believe that's in my statement, the last I recall  
24 was that it's in my pocket, it's a pocket that is large  
25 enough for a pair of fire gloves to be -- my presumption



1 is that after I've left the incident I've pulled my  
2 gloves out and changed my fire gear and the list has  
3 come out at that time.

4 Q. Looking back, when was the last time you saw that list?

5 A. I wouldn't be able to give you a specific time, sir.

6 MR DOWDEN: Thank you.

7 THE CORONER: Ms Al Tai?

8 Questions by MS AL TAI

9 MS AL TAI: Good afternoon, Mr Payton, I act on behalf of  
10 one of the bereaved.

11 Can we presume, based on the information, the  
12 evidence you gave earlier, in respect of the information  
13 being lost about flat 81, that information was also lost  
14 about flat 79?

15 A. I wouldn't be able to comment on specific flat numbers,  
16 madam.

17 Q. This was a flat in which another individual was found,  
18 another fatality. Based on that information, can you  
19 give us any information about whether or not this was  
20 information that would have been lost?

21 A. I wouldn't be able to comment, I don't recall  
22 a specific -- I mean, I'm trying my best to portray what  
23 we was trying to do, and the best recollection I have is  
24 that we was dealing with so many different numbers and  
25 so much information, I -- I can't recall the exact

1 specification, I'm afraid.

2 Q. You can't recall flat number 79 ever being a priority  
3 flat?

4 A. It may well have been, I can't personally recall that at  
5 this time, no.

6 Q. Can I also ask you in respect of your briefing with  
7 Watch Manager Howling. At the time you were briefed by  
8 him, do you remember him speaking to you about having  
9 a conversation with Crew Manager Clarke about  
10 coordinating or rather clarifying what searches had been  
11 undertaken?

12 A. I don't recall a conversation like that happening, no.

13 Q. You don't recall a conversation between yourself and  
14 Watch Manager Howling about coordinating a search with  
15 Crew Manager Clarke?

16 A. Not that part, no.

17 MS AL TAI: Thank you.

18 THE CORONER: Thank you.

19 MR MATTHEWS: No questions.

20 THE CORONER: Yes, Mr Compton.

21 Questions by MR COMPTON

22 MR COMPTON: Mr Payton, my name is Ben Compton, I ask  
23 questions on behalf of Apollo Services. You've been  
24 asked a lot of questions, I appreciate that, but I just  
25 want to cover one or two things, please, if you would

1 bear with me. You are an experienced fire officer,  
2 would that be correct?

3 A. I would like to think that would be a fair assumption,  
4 yes sir.

5 Q. If we look at your rank, you're a Watch Manager. So  
6 that the jury can understand, you would have been of  
7 similar rank, for example, as Mr Howling, who was the  
8 first incident commander?

9 A. Yes sir.

10 Q. So the jury can understand that had, for example, you  
11 attended on your own, just with the appliance and your  
12 firefighters, you would have been the incident  
13 commander?

14 A. If I had been the first Watch Manager in attendance.

15 Q. If you'd been the first one there. It's on that  
16 experience, if I can just ask you one or two questions,  
17 please. You said that the fire was such that it wasn't  
18 covered by any policy, I hope I'm summarising the effect  
19 of what you said to Mr Maxwell-Scott. I just want to  
20 ask you one or two questions about that, and then I'm  
21 going to ask you one or two questions about the note and  
22 that will be it.

23 Can I first ask you to go to tab 15 of the jury  
24 bundle, please. You should have there the operational  
25 newsletter that has been put in. Would that be

1 something that you would read as a firefighter to ensure  
2 you're up to date with information?

3 A. Yes, I would.

4 Q. On this particular page, if you look just to the  
5 right-hand side of the photograph with the fire, about  
6 halfway down, do you see "pre-planning"?

7 A. Yes.

8 Q. Would you agree, and this is perhaps a matter of common  
9 sense and very basic training:

10 "Fire crews should be familiar with all high rise  
11 premises on their ground, be aware of access, water  
12 supplies, security measures and fixed installations for  
13 firefighting and ventilation."

14 Pausing there, as proposition, would you agree with  
15 that?

16 A. Yes, I would.

17 Q. Thank you:

18 "Building layout can be of particular importance, in  
19 some blocks of flats, the front door can lead into the  
20 flat, up to the flat or down to the flat, all from the  
21 same level."

22 It's envisaging the type of situation we may have  
23 here of maisonettes, would you agree with that?

24 A. Yes sir.

25 Q. "Where appropriate, pre-planning information should be

1 recorded in the operational information folder and  
2 shared with adjoining stations."

3 Then it goes on to talk about mobile data terminals.  
4 Pausing there, we know at the time you didn't have  
5 mobile data terminals, but you did have operational  
6 information folders, would that be right?

7 A. That would be correct, sir.

8 Q. Would you also have a critical risk register for certain  
9 buildings?

10 A. Yeah, the -- the critical risk register or CRR as we  
11 referred to it at that time, that wasn't a physical list  
12 that we held, that was information held at our control  
13 room. If we -- if you want me to expand on it, I can,  
14 but ...

15 Q. I don't want to take long on this, because I am not  
16 going to ask you about section 7 inspections and all the  
17 rest, we're going to hear from others. The jury have  
18 already heard a little bit about this. I just want to  
19 if I may, if you don't think I'm giving you the  
20 opportunity, do say so, but I just want to go on in this  
21 document.

22 Can we then go on to page 1137. This is a package,  
23 it's a training package, I think, by the London  
24 Fire Brigade, November 2008, on high rise buildings and  
25 dealing with high rise fires. I don't expect you to

1 recall this verbatim, but you would have had training on  
2 dealing with high rise fires, would you not?

3 A. Yes, I would.

4 Q. Thank you. It talks of the two sessions. Can we then  
5 go to page 1148. The first paragraph deals with  
6 section 2. It's the second section again. Would you  
7 agree with this proposition, that:

8 "The tactics and resources required to mount safe  
9 rescue and firefighting operations should be assessed,  
10 practised and confirmed as appropriate for the building  
11 concerned and made available within the operational  
12 information folders."

13 A. Yes, I would agree with that information.

14 Q. Thank you. I'm not suggesting for a moment that you  
15 have every building within the operational information  
16 folders. I'm going to ask others about that. That's  
17 the basics. Then if I can next take you into the  
18 session 2 at 1151. This is en route, so this is you  
19 from Southwark going along to attend this fire:

20 "A range of information will be available to  
21 incident commanders who are en route to an incident  
22 should be considered."

23 Then it talks about calls with information, I think  
24 we can go over that. En route radio information. Can  
25 you remember hearing over the radio that the building

1           was on fire and there were a number of fires breaking  
2           out on different floors?

3    A.  No, I don't recall hearing any radio traffic en route,  
4           most of my time en route was taken up with talking to my  
5           crew.

6    Q.  Operational information folder, did anyone go to the  
7           operational information folder to see whether there was  
8           any information on Lakanal?

9    A.  Well as it mentioned previously, it suggests that you  
10           would create an entry for your own station's ground and  
11           then provide it to adjoining stations.  My station  
12           doesn't adjoin Peckham's fire ground, we've got another  
13           station in between us, so there wouldn't have  
14           necessarily been a copy of something that was on  
15           Peckham's fire ground, unless it was of such a large  
16           risk that it was a borough based risk that we would be  
17           aware of it.

18   Q.  You do share information, don't you?

19   A.  Yes we do, yes.

20   Q.  I just ask if anyone actually went to the folder to see  
21           anything about Lakanal?

22   A.  No, because my crew would have been aware of the content  
23           of our operational information folder.

24   Q.  You would have known what buildings were there, and so  
25           there would have been no need to have a look into that

1 folder?

2 A. Yeah, I would have been very surprised if we'd have had  
3 information on Peckham's fire ground that we would have  
4 kept on our operational information folder for our  
5 station.

6 Q. What about the critical risk register? You were talking  
7 about this, did anyone go through to control and ask  
8 whether it was on the register?

9 A. To explain, as it was at that time, the CRR code, the  
10 central risk register code, that would fall upon the  
11 initial attending appliances. We were mobilised as part  
12 of a make up attendance, so we were machines that were  
13 making up the six-pump attendance. That would not  
14 normally be the role of an officer en route.

15 Q. All right. Then it talks with regard wind speed and  
16 direction, were you clocking the fact that it was a hot  
17 day and that it was windy?

18 A. We obviously could feel the ambient temperature and we  
19 could see smoke in the distance and were obviously aware  
20 that it was quite a windy day, yes.

21 Q. Then it talks, at the bottom, about the local knowledge  
22 of crew and you. Had any of your crew, did you  
23 ascertain from them, whether they had been to Lakanal  
24 before?

25 A. Not specifically, but no-one actually said either that



1           they did know the block that we were going to.

2   Q.   Would this be right, that by the time you arrived at the  
3       scene, no-one has any idea of the layout of this  
4       building?

5   A.   I think that would be a fair assumption, sir.

6   Q.   Yes. All right, well I'll come back to that. Can I  
7       just ask you to go over to 1152. I only ask you this  
8       because you are and no doubt have been the incident  
9       commander on a number of occasions at fires. Gathering  
10      information:

11           "The incident commander should remain at ground  
12      floor level and start the information gathering process  
13      of the decision making model. It is important the  
14      incident commander establishes as early as possible the  
15      floor or floors involved and inform the bridgehead crew  
16      before [my emphasis] they go aloft."

17           Would you agree that as a proposition and as  
18      appropriate training?

19   A.   Yeah, the key part of that would be "as early as  
20      possible." Sometimes it may be that through actions  
21      that are being undertaken at the time that that may not  
22      helpful happen straight away, but it would be  
23      an expectation to do that, yes.

24   Q.   Yes. It's on a slightly different topic, but while I'm  
25      in this document, can we also just look very briefly at

1 1158. It talks of hazards, by all means read that to  
2 yourself, I don't need to ask you questions there.  
3 Physiological effects, I think the jury have heard  
4 already that some of the firefighters suffered  
5 tremendously from the ordeal in the building. Do you  
6 agree with this proposition:

7 "Delays and gathering resources to safely amount  
8 operations can increase the likelihood of fire growth  
9 and fire spread occurring. This can increase the  
10 pressure on firefighters' safety."

11 Would you agree that as a proposition?

12 A. Yes, it could well -- very well be.

13 Q. Wind effect. Tall buildings can have a very dramatic  
14 effect on wind, can't they?

15 A. Yes, they can, sir.

16 Q. Would you agree with this:

17 "External fire spread. Fire spread from open or  
18 broken windows can progress to other apartments due to a  
19 phenomenon called 'the Coanda effect', which basically  
20 described means that gases flowing over a surface will  
21 tend to hug that surface. This increases the potential  
22 spread of the fire vertically, but also potentially  
23 horizontally in strong winds."

24 A. Yeah, that is a phenomenon that I have witnessed.

25 Q. Also, over the page, falling objects, glass, flaming,

1 I think that is, and we have a fairly descriptive  
2 picture there?

3 THE CORONER: Mr Compton, is Mr Payton the right person to  
4 be asking these questions?

5 MR COMPTON: I'm just taking him through -- this is the last  
6 one -- but he is an incident or potential incident  
7 commander.

8 THE CORONER: Yes, his rank is Watch Manager, do bear in  
9 mind that we have other, more senior, people coming.

10 MR COMPTON: I do understand that, this is the only other  
11 matter, but it was because of the question of the policy  
12 that he raised that I asked this:

13 "Falling objects. Debris from the site of a fire  
14 presents a significant hazard ..."

15 Then it talks about that. Again, would you agree  
16 that that is something one has to be alive to?

17 A. Yes, very much so, sir.

18 Q. Thank you very much.

19 Can I then ask you to put that to one side, and can  
20 we just go back to your evidence of the events in  
21 question. As you've told us, when you arrived you were  
22 briefed by Incident Commander Howling?

23 A. Yes sir, that's correct.

24 Q. May we take it that he didn't give you any indication of  
25 the layout of the property, because you didn't know at

1           that stage that they were maisonettes?

2    A.   I would believe that to be the case, sir, yes.

3    Q.   By the time that you go into the bridgehead, you are

4           blind, effectively, as to the physicality, the layout,

5           geography, of the building?

6    A.   Yes, sir.

7    Q.   That must be right?

8    A.   Yes sir.

9    Q.   When you were spoken to by the incident commander, did

10           he make clear to you that part of your role was to

11           coordinate the search?

12   A.   Yes, John -- sorry, Watch Manager Howling was quite

13           clear about that that was what he expected me to do, as

14           well as setting up the bridgehead or taking over the

15           bridgehead.

16   Q.   It's during that briefing that the list is produced of

17           the flats?

18   A.   Yes sir.

19   Q.   Did you understand that he was telling you to prioritise

20           the search of those flats?

21   A.   I don't recall that there was any emphasise on any

22           particular part of that list. My -- my understanding

23           was that Watch Manager Howling's expectation would be

24           for me to take control of the bridgehead, resource it

25           accordingly, and obviously part of that would be getting

1 crews up to the flats that were on the list.

2 Q. You have a list of five flats, and your understanding,  
3 would this be right, is that the list was of people who  
4 were trapped in flats?

5 A. Yeah, people who were in flats that had contract --  
6 contacted control to say that they were unable to get  
7 out.

8 Q. Armed with that list, you go up to the bridgehead and  
9 you don't tell anyone at the bridgehead about the  
10 numbers on the list?

11 A. I never had the opportunity to, sir.

12 Q. You say you never had the opportunity, but when you're  
13 up at that bridgehead, you have time to notice that  
14 Firefighter Miller, who's in charge of the BAECO board,  
15 is a trainee, and you change all that around, don't you?

16 A. Yeah, to my mind the reason Firefighter Miller was  
17 swapped over had nothing to do with his ability, it was  
18 more that --

19 Q. Forgive me, it doesn't matter in a way. I'm just asking  
20 questions about the time you would have had to have  
21 given the information about the numbers on the list,  
22 because you speak to Miller and the other firefighter  
23 about the BAECO board, don't you, correct?

24 A. Yes sir.

25 Q. You are able to assess the situation, and you then

1           consult with the Incident Commander Howling about  
2           further deployment of equipment and so on, correct?

3    A.   Yes sir, yes.  I think it would be fair to say, though,  
4           that this is quite dynamic and there are a number of  
5           things going on at the same time, so there was no lack  
6           of urgency, there was quite an urgent situation insofar  
7           as getting all of these things done, sometimes  
8           simultaneously, if not very quickly after each other.

9    Q.   I'm sure the jury have a picture of a very difficult  
10           situation, but I ask you simply about that list on this  
11           basis: what priority, actually, did you really give to  
12           that list?

13   A.   I think, as I stated before, I would have afforded it  
14           the highest priority once I had crews available to  
15           deploy them to those numbers, but as I indicated  
16           earlier, when I got to the bridgehead, I had no  
17           available BA crews other than the crews that were  
18           fighting the fire at that time, which is why I asked for  
19           Watch Manager Howling to send me up additional BA crews.

20   Q.   The reason -- I want to take you perhaps just to your  
21           second statement at page 226, then I have one question  
22           after that.  You're being asked about this list, and  
23           it's about two-thirds of the way down, do you see the  
24           question:

25                 "With regard to the list which had people requiring

1 rescue, did it get transferred anywhere?"

2 You say:

3 "On our BAECO board, that information on our list  
4 would have been known to us and probably would have been  
5 recorded on there."

6 Just pausing there for a moment, if this had been  
7 a priority for you, with this list and the five flats,  
8 would you not have ensured that those rescuing, and that  
9 it was recorded on the BAECO board, that information was  
10 out there?

11 A. It's my understanding, looking back at the answer, is it  
12 wasn't recorded at any point when I was on the 7th  
13 floor, because as I stated we didn't have time to do  
14 that. As I read my reply here, I don't think that we  
15 even got close to recording that information until we'd  
16 put the bridgehead back onto the 3rd floor.

17 Q. When the bridgehead moves down, and the BAECO board is  
18 there, did you then go and impart that information that  
19 you had five flats with people trapped?

20 A. It's my recollection it got brought up, I can't remember  
21 the specific occasions when that happened.

22 Q. One of the reasons I ask you about this is because of  
23 an answer you give at page 227 of your witness  
24 statement. Can we just look at that. It's the last  
25 three questions, about a quarter of the way up the page

1 from the bottom. Do you see that question:  
2 "What was the priority for deploying crews?"  
3 Do you have that?  
4 A. Yes sir.  
5 Q. Thank you. This is your answer:  
6 "Crews were deployed as quickly as resources and  
7 conditions allowed in a methodical way based on  
8 information received. I was not aware of a method of  
9 prioritising and was not made aware of the increasing  
10 urgency of some people trapped. I do not recall getting  
11 any information on urgency on a specific flat."  
12 A. That would be my recollection, sir, yes.  
13 Q. If that is right, and you were doing this on  
14 a methodical basis, the list would be far less  
15 important, wouldn't it?  
16 A. My understanding of my answer is the methodical part of  
17 it was ensuring that we had sufficient crews with  
18 equipment being deployed.  
19 Q. You weren't going to send anyone out to search  
20 particular flats, and particularly the flat numbers on  
21 that list? You were going to do it on a methodical  
22 basis, weren't you?  
23 A. My recollection was that we started tasking crews with  
24 that function of searching -- obviously all the  
25 information that we had available, it's just that



1 I can't recall at what specific points that was done.

2 Q. Can I then take you just to the next question:

3 "Did you receive any information regarding urgency  
4 towards flat 79 or flat 81?"

5 A. Not me specifically, but I think it would be worth  
6 bearing in mind that Watch Managers -- there was  
7 Watch Manager Howling received the information, Group  
8 Manager Andrews received the information, there was  
9 quite a few people at that point on the bridgehead that  
10 would have been party to this information. I could have  
11 been briefing a crew at one time when certain  
12 information was received.

13 Q. All right, I just want to look at your answer and then  
14 I'll ask you a question:

15 "No, I cannot recall specific flat numbers, that  
16 does not mean that flats 79 and 81 did not form part of  
17 the rescue plan."

18 A. Yes sir.

19 Q. 79 and 81 had been on the original list. When you  
20 originally looked at the list, did you clock that 79 and  
21 81 were on there?

22 A. I can't recall what my recollection of that list was at  
23 any specific time, sir, I'm afraid.

24 Q. When Incident Commander Howling gave you the list that  
25 had been written up by Firefighter Mullins, and told you

1 to go into the building with it, did you not think that  
2 he was prioritising that action, asking you to get on  
3 with it?

4 A. I -- I don't feel that there was an extra expectation on  
5 that, it was just -- my understanding of it was that it  
6 was a list of numbers of residents that had been in  
7 contact with our control staff, and we will obviously  
8 look to get crews up to them as quickly as possible.

9 MR COMPTON: I have no further questions.

10 THE CORONER: Thank you.

11 Yes, Mr Walsh.

12 Questions by MR WALSH

13 MR WALSH: Thank you very much, madam.

14 Mr Payton, this all happened of course on  
15 3 July 2009.

16 THE CORONER: Sorry, could you get your microphone a bit  
17 closer, please.

18 MR WALSH: This all happened on 3 July 2009?

19 A. Yes sir.

20 Q. You arrived at around about -- we'll look at specific  
21 times in a moment, but at around about 4.45. According  
22 to your statement, you went off duty at around about  
23 10 pm, so you were there engaged for over five hours?

24 A. Yes sir, about that time.

25 Q. During that five hours, you're now being asked questions

1 by the way in the cold light of a January morning by  
2 a lot of barristers in 2013 about fairly fine detail,  
3 about judgment calls that you made on that day back in  
4 2009. How busy were you in general terms from the time  
5 of your arrival to the time you went off duty at around  
6 about 10 o'clock?

7 A. I did not stop, sir.

8 Q. Fully engaged throughout the period of time, making  
9 decisions?

10 A. Yes sir, talking -- sorry, I didn't mean to interrupt.

11 Q. I shouldn't have interrupted you.

12 A. No, from the moment that we got there until my crew and  
13 I were relieved, I didn't have chance to do stop and do  
14 anything other than react to the situations that was  
15 being reported to us, whether that be members of the  
16 public, other firefighters, other officers, deploying  
17 crews, briefing, debriefing the crews. There was not at  
18 no point a moment when I, or any of the officers that I  
19 was working with, had a chance to stop and take stock of  
20 anything.

21 Q. Yes. You were asked questions, and we've all been  
22 looking very closely at the notes of the questions which  
23 were asked of you, just a couple of days later, and then  
24 there was a statement which we have a printed copy of  
25 after that. Even when you were being asked questions

1 two or three days after this incident about that space  
2 of five hours and what went on during that time, were  
3 there things that you couldn't remember?

4 A. Yeah, I don't have full recollection of everything that  
5 I did, sir, no.

6 Q. 21 years in the Fire Brigade. Has it all been with the  
7 London Fire Brigade?

8 A. Yeah, I've completed 24 years' service now, but at the  
9 time it was 21.

10 Q. 24 now, 21 at the time. How long at Southwark?

11 A. I've now been at Southwark for nearly six years, prior  
12 to that I was at Old Kent Road fire station for  
13 19 years.

14 Q. So an experienced central south London firefighter and  
15 now crew manager?

16 A. Yes sir.

17 Q. You said in the notes that we've all looked at, and  
18 I won't ask for it to be put up on the screen again, but  
19 I'll just remind everyone of what has been put to you at  
20 least twice. In those notes you were asked about what  
21 you thought about the incident. You said that in the  
22 21 years -- as it was then -- you had never experienced  
23 an incident like this, not on this scale and magnitude,  
24 and:

25 "I cannot understate the dynamic pressure of the

1 incident was with the information overload."

2 In order to gain an understanding of decisions you  
3 and other commanders and other firefighters were making  
4 on that day, it is necessary to understand why it is  
5 that you say you've never experienced anything like it,  
6 so I'm just going to ask you a very straightforward  
7 question first: have you fought high rise fires before?

8 A. Yes sir.

9 Q. In south London?

10 A. Yes sir.

11 Q. If you're attending a call to a fire in a flat in a high  
12 rise domestic block, what do you anticipate, what are  
13 your tactics as you're going to it? What do you  
14 anticipate you're going to do and how you anticipate it  
15 will be --

16 THE CORONER: Mr Walsh, can I just stop you there, I don't  
17 want to cover too much broad, general ground, I wonder  
18 if we could be a little bit more focussed on the  
19 evidence which Mr Payton can actually give about the  
20 day?

21 MR WALSH: Madam, can I say this: in order to gain  
22 an understanding of why what happened on that day was so  
23 unexpected, and therefore how it impacted on the  
24 decision making, it's necessary first to understand what  
25 would normally be the case, but I take that point in

1 mind and I'll ask a different question.

2 What was unusual, then, about the events of that  
3 day? What was unusual about the way in which the fire  
4 developed?

5 A. I've never experienced downward fire travel at a high  
6 rise fire, not to the extent that we were told there  
7 were flats alight below the bridgehead. In my  
8 experience, in all that time prior to that day, I've  
9 attended many high rise fires in residential blocks of  
10 flats and commercial buildings. The expectation, and my  
11 experience, is that you will get fire spread, but I've  
12 never known it to go vertically downwards.

13 Q. Right, we'll look at what the impact of that event then  
14 was upon your decision making process on the day. You  
15 said also in those notes, and also in your statement,  
16 that there was "information overload", to use the quote  
17 that I have just quoted from you, and information which  
18 was relentless.

19 We know about the information concerning the flat  
20 numbers, which went into your pocket, and you've told us  
21 all about that. What other forms of information were  
22 being received? Was there any information about other  
23 flats in other parts of the building which was being  
24 received by other means, can you remember that?

25 A. To my recollection, yes sir, there were members of the

1 public approaching us, there would have been officers  
2 from our command unit obviously approaching. It would  
3 be over the handheld radio, there'd be information  
4 coming, there would be firefighters who'd been tasked as  
5 a runner to bring information as such. It was coming  
6 from every source you could imagine who was able to  
7 provide it. Metropolitan Police officers, ambulance  
8 officers, the information did not stop and came from  
9 many various different sources.

10 Q. All right. The numbers that you had on the piece of  
11 paper in your pocket, very important though they were,  
12 was not the only information that was being received  
13 over that period of time?

14 A. No, there was other avenues that it would have been  
15 taken to.

16 Q. All right. I now want to take you, and I'm going to do  
17 this relatively quickly, I'm only going to take you to  
18 your evidence and your involvement up until the point  
19 that the bridgehead moved.

20 You arrived, we know from the documentation, at  
21 16.45.45, or at least that is the time of logging with  
22 control of the arrival of your pump, okay?

23 A. Yes sir.

24 Q. You were asked questions, a couple of days ago, by  
25 Mr Maxwell-Scott, and indeed by the coroner, about what

1           you were able to see in the building upon your arrival?

2    A.   Yes sir.

3    Q.   Before you were asked those particular questions, you

4           said that you got down from the appliance and your aim

5           was to get to the incident commander, Mr Howling, and

6           receive his instructions?

7    A.   Yes sir.

8    Q.   All right.  I wonder if we could just have a look at

9           photograph 15, page 15 behind divider 12 of the jury

10           bundle, please, because this is the photograph you were

11           shown.  I just wonder whether you have the right page,

12           because the jury bundle's sequence of events may have

13           changed in pagination.  It's that photograph, taken at

14           16.48.

15   A.   Yes, I've got that picture, thank you.

16   Q.   Just turn back one page, if you wouldn't mind, it's 13

17           as far as my pages are concerned.  A photograph taken at

18           16.46.  Do you see that?

19   A.   Page 13, was that?

20   Q.   It's my page, 13, but it is a photograph of 16.46.11?

21   A.   Yes.

22   Q.   You were asked by Mr Maxwell-Scott, two days ago, about

23           that photograph, first of all, that one which we have up

24           on the screen at the moment.  You were asked if that was

25           what you were able to see as you arrived from your



1 appliance. Your reply to that was:

2 "Well that isn't the view that I would have got."

3 In essence:

4 "I wouldn't have got that close a view of it, it  
5 would have been further back."

6 You were then shown the photograph, turning over the  
7 page again, at 16.48, which is the one on page 15. You  
8 were asked whether that would be more reflective of the  
9 view that you had, do you remember that?

10 A. Yes sir.

11 Q. In essence you replied that it was. The question that  
12 I'm going to ask you, and indeed the coroner asked you  
13 on the day, not surprisingly, was that that photograph  
14 we can see there clearly shows, does it not, a fire on  
15 a lower floor to the 9th floor fire, which is above?

16 A. Yes sir.

17 Q. I want you to have, in fairness, an opportunity to  
18 explain your answer to the question which  
19 Mr Maxwell-Scott put to you. Were you saying that,  
20 "That was the view of the building I would have had from  
21 that distance", or were you saying that that was the  
22 view actually that you had showing the fire on the lower  
23 floor?

24 A. My recollection is, and forgive me if I'm straying, but  
25 my recollection of the first time that I saw the actual

1 block and the fire was, we parked the appliance, we  
2 disembarked from the appliance, and as we walked along  
3 Dalwood Street I looked up, and my recollection is that  
4 I only saw one area of fire on the building on the upper  
5 floor level.

6 Q. Yes.

7 A. I don't recall, and can't imagine that  
8 Watch Manager Howling would have asked me to set  
9 a bridgehead up above a fire that was already in  
10 progress, and I'm sure if I'd have seen that I'd have  
11 drawn that to Watch Manager Howling's attention as well.

12 Q. All right. If that is right, it may well be that it  
13 must be, you were committed then into the building by  
14 Watch Manager Howling?

15 A. Yes sir.

16 Q. As we all know to go to the 7th floor, to take control  
17 of the bridgehead. As you went up the stairs, were you  
18 aware at all of any fire or potential for a fire  
19 catching in the flats below the 7th floor?

20 A. No sir. Had I been -- sorry, had I been, I would have  
21 been straight in contact with Watch Manager Howling.

22 Q. Yes. You were committed into the building and then up  
23 the stairs you went, and yet we know that at 16.48, from  
24 that photograph, fire had taken hold of a lower floor,  
25 but you've gone up in the building. Between your

1 arrival at 16.45, and your taking of instructions and  
2 going into the building and going up to the 7th floor, a  
3 fire had taken hold below the bridgehead, so it had  
4 happened very quickly, obviously?

5 A. Yes sir.

6 Q. When you arrived at the bridgehead, however, you request  
7 more resources from Mr Howling by radio?

8 A. Yes sir.

9 Q. You request further BA crews?

10 A. Yes.

11 Q. Was that before you were aware of any potential fire  
12 below the bridgehead floor?

13 A. Yes.

14 Q. Perhaps that was a ham fisted question I was asking  
15 earlier on to try and see what your expectation might  
16 have been. When you got to the bridgehead, which had  
17 been established, why was it when you got there that you  
18 suddenly realised that you needed to ask for further  
19 resources?

20 A. Because I had no extra resources at the bridgehead at  
21 that time.

22 Q. Yes. What were the conditions on the bridgehead which  
23 caused you to say to yourself, "Well I'm going to need  
24 more resources than those which have already been  
25 committed"?

1 A. I believe I spoke to either Crew Manager Dennis or  
2 Firefighter Badger, and they indicated to me that they  
3 felt the conditions were worsening on the 9th floor.  
4 And by that I would take that to mean that the fire was  
5 either becoming more developed, or certainly becoming  
6 beyond the reach of the crews that we had already  
7 committed.

8 Q. Right.

9 A. But I would obviously be looking -- I would be mindful  
10 of what the consumption rate or the turnaround time of  
11 those crews would be, and obviously wouldn't want to  
12 have a break in firefighting operations. So my plan  
13 would be to get as many BA crews up there ready to  
14 deploy as I could do realistically.

15 Q. Right. You made the request for more resources before  
16 you realised that there was any sort of fire below. Did  
17 you experience unusual smoke-logging yourself on the 7th  
18 floor?

19 A. There came a point, it was on or about -- it all  
20 happened quite quickly within the same sort of time, as  
21 Station Manager Foster appeared, then conditions became  
22 worse on the 7th floor. And by that I mean that smoke  
23 was starting to travel down the stairs towards the  
24 bridgehead.

25 Q. Yes. Right. The decision then was to move the

1 bridgehead down. You arrived at 16.45 --

2 THE CORONER: Mr Walsh, Mr Maxwell-Scott has covered the  
3 story, as it were, when he was taking Mr Payton through  
4 this, so I don't need him to be taken through it step by  
5 step again, please.

6 MR WALSH: No, but I just want to establish how long he  
7 remembers that he would have been there at the time.

8 Forgive me, there are just two figures. 16.45, you  
9 arrive. You're inside the building by 16.48, by the  
10 look of things. How long actually were you on that  
11 bridgehead, do you recall, before it was necessary to  
12 bring it down? From your own recollection, and the  
13 focus that you had on your own functions on that day.

14 A. I would be surprised if I was there for much more than  
15 ten minutes. It certainly has never felt to me that it  
16 was a -- a long period of time, it just felt to me that  
17 I had literally managed to establish what was going on,  
18 what I needed, and then it seemed in my recollection  
19 that the conditions started to worsen at the bridgehead  
20 level and that the Station Manager Foster appeared, all  
21 around about the same time.

22 So it's never, ever felt to me like longer than ten  
23 minutes or so.

24 MR WALSH: Yes, all right. Thank you very much indeed.

25 THE CORONER: Thank you, Mr Walsh.

1 Do you have any questions for us?

2 Questions by the Jury

3 THE FOREMAN OF THE JURY: Thank you, madam coroner, we just  
4 have a couple.

5 When Watch Manager Payton came down to ground level,  
6 we were just wondering if you recall debriefing  
7 Watch Manager Howling or Foster, passing on the fact  
8 that you had not, rather than that you had, yet sent BA  
9 crews to the upper floors beyond the 10th floors? So  
10 more saying -- did part of your debrief include, "This  
11 is what I haven't done," as well as, "What I have done",  
12 does that make sense?

13 A. Yeah, I think I understand what you mean. I think part  
14 of the reason why I asked Crew Manager Dennis to debrief  
15 Station Manager Foster was because he had a much clearer  
16 picture of what had been occurring on the 9th floor, as  
17 far as firefighting operations were concerned. And  
18 I almost certainly would have had a conversation with  
19 Watch Manager Howling and Station Manager Foster to the  
20 extent of, "Well, we've not managed to establish  
21 anything more than the fire crews fighting on the 9th  
22 floor."

23 THE FOREMAN OF THE JURY: Okay, thank you.

24 You've also mentioned to us that more than one entry  
25 control board was in use. We were just wondering if you

1           could clarify whether that was because the boards were  
2           filling up and being passed to the side, or is a board  
3           kept for each of the crews, in that the Brixton crew  
4           work off one board rather than information from Brixton  
5           and Peckham and Old Kent Road all going on the one  
6           board?

7    A.    Yeah, I think I understand what you mean.  The board is  
8           just used --

9    THE FOREMAN OF THE JURY:  Across the board.

10   A.   As it is.  I'm probably not in the best position to  
11           answer what the process with the entry control boards  
12           were at that given point when we were using a lot of  
13           them.  Watch Manager Howling or Firefighter Bennett  
14           would probably be in a better position to answer that  
15           question.

16   THE CORONER:  All right, we'll ask them, thank you.

17   A.    Okay.

18   THE FOREMAN OF THE JURY:  Okay, thank you.  Just the last  
19           one.  You've said much earlier that you contacted the  
20           bridgehead before you went up there to see if they  
21           needed any extra resources, and it sounds as though the  
22           only thing that they said at that time was that they  
23           needed drinking water.  Would that might have been  
24           a time that Mr Dennis might have been able to suggest  
25           that you bring up more firefighters with BA, or is it

1 not really their call?

2 A. It could have been an option for him, but it's always  
3 been my belief that he was busy himself at that time  
4 assisting the breathing apparatus crews with manoeuvring  
5 the fire hose, the fire hose is quite heavy when it's  
6 full of water, so that has always been my assumption.

7 THE FOREMAN OF THE JURY: Okay, thank you very much, that's  
8 all.

9 THE CORONER: Thank you very much.

10 Mr Payton, thank you very much for coming and thank  
11 you very much for the help that you've been able to give  
12 us. You're welcome to stay if you would like, but  
13 you're free to go if you would prefer.

14 A. Okay, thank you.

15 THE CORONER: Thank you very much.

16 (The witness withdrew)

17 Housekeeping

18 MR MAXWELL-SCOTT: Madam, before we turn to the next  
19 witness, there's an additional document to go into the  
20 jury bundle.

21 THE CORONER: Thank you, yes.

22 MR MAXWELL-SCOTT: At tab 18. We'll pass some copies to  
23 Mr Clark.

24 THE CORONER: Thank you very much.

25 MR MAXWELL-SCOTT: It's a three-page document, which



1 illustrates both by way of photographs and diagrams the  
2 different parts of the windows and exterior of the  
3 building at odd number floor levels and even number  
4 floor levels. The first page is the bedroom, the second  
5 page is kitchen, and the third page is the lounge.

6 THE CORONER: Sorry, can I just stop you a moment, Mr Graham  
7 is just handing them out.

8 MR MAXWELL-SCOTT: It's to go at tab 18.

9 THE CORONER: If you could just start your explanation again  
10 once the jurors have theirs, please. (Pause)

11 Yes, thank you.

12 MR MAXWELL-SCOTT: If you file it in tab 18. You can see  
13 that the first page is a picture looking at the bedroom  
14 from outside the building. On the left you see  
15 a photograph, and then in the middle column you see that  
16 depicted in the diagram, and to the right an explanation  
17 of what the diagram shows.

18 Then over onto the second page, we're now looking at  
19 a kitchen. There's a photograph in the left-hand  
20 column. The diagram is slightly more complex, because  
21 of the balcony panels, which are labelled "5". The  
22 bottom diagram in the middle column is looking from the  
23 outside where you can see the balcony panels, and the  
24 top diagram in that column is as if you were standing on  
25 the balcony with the balcony panels behind you and

1 looking at what you can see.

2 On the third page, similar to the second page, but  
3 now for the lounge rather than the kitchen. The top  
4 diagram in the middle column shows what is, in the  
5 photograph, hidden by balcony panels.

6 THE CORONER: Thank you very much, that's very helpful.

7 Yes.

8 MR MAXWELL-SCOTT: Mr Atkins will be calling the remaining  
9 witnesses today.

10 THE CORONER: Yes, thank you very much.

11 Yes, Mr Atkins, we next have?

12 MR ATKINS: Firefighter Gray, madam.

13 THE CORONER: Thank you, would you like to come forward?

14 ANDREW MARK GRAY (affirmed)

15 THE CORONER: Mr Gray, thank you. Do sit down. Do help  
16 yourself to a glass of water. You see the microphone in  
17 front of you. Please when you're giving your answers,  
18 if you could stick closely to the microphone so we can  
19 hear what you're saying. If you direct your answers  
20 across the room to the jurors, then they'll be able to  
21 hear what you're saying and it will help you to keep  
22 closer to the microphone.

23 A. Thank you.

24 THE CORONER: Mr Atkins, who's standing, is going to ask you  
25 questions initially on my behalf, and then there'll be

1 questions from others.

2 A. Thank you.

3 THE CORONER: Thank you.

4 Questions by MR ATKINS

5 MR ATKINS: Could you please tell the court your full name?

6 A. Andrew Mark Gray.

7 Q. Mr Gray, I'm going to ask you some questions about what  
8 you knew of Lakanal House before the day of the fire,  
9 and also your involvement and the efforts to fight the  
10 fire there on 3 July 2009. Can I start, please, by  
11 asking you how long you've worked as a firefighter?

12 A. 23 years.

13 Q. Of those 23 years, how long have you been employed by  
14 the London Fire Brigade?

15 A. 23 years.

16 Q. Can we take it from your uniform that you still work for  
17 the London Fire Brigade?

18 A. I do.

19 Q. Mr Gray, unless I say otherwise, the questions that  
20 I ask you will be concerned with how things were done  
21 before the day of the fire or on the day of the fire,  
22 rather than what's happened since. Is it right that you  
23 were a firefighter at the time?

24 A. Yeah.

25 Q. You were stationed at Southwark?

1 A. Yes.

2 Q. Had you ever been to Lakanal House before 3 July 2009?

3 A. Never.

4 Q. In that case, rather than asking you about the layout of  
5 the building at this stage, I'll move on to the events  
6 of the day and what your role was, but as we go through  
7 your evidence, I may from time to time ask you about  
8 what you discovered about the layout of the building.

9 A. Okay.

10 Q. Is it correct, then, that you were called out from  
11 Southwark fire station?

12 A. That is correct.

13 Q. The time of the call out was about 16.39?

14 A. That's correct.

15 Q. You travelled to Lakanal House on the Southwark pump  
16 ladder?

17 A. That's correct.

18 Q. With the call sign E331?

19 A. That's correct.

20 Q. Could you please tell the court who else was on that  
21 fire engine with you?

22 A. Watch Manager Payton was in charge, Fireman Chapman was  
23 driving, myself, Firefighter Smith, Crew Manager Thomas.

24 Q. You arrived with your colleagues at Lakanal House at  
25 16.45?

1 A. That's correct.

2 Q. Can you remember where you parked the fire engine when  
3 you arrived?

4 A. I think it was in, is it Havil Street, the junction of  
5 Dalwood Close?

6 Q. If I just put a map on the screen, or an aerial  
7 photograph perhaps is more helpful because it has the  
8 street names. Do you see where the cursor is at the  
9 moment?

10 A. I do.

11 Q. That's Lakanal there, that block, and to the left we  
12 have Sedgmoor Place and then Dalwood Street running from  
13 east to west across the top?

14 A. Yeah.

15 Q. Does that help you to remember where you parked?

16 A. Yeah, I think it was that junction, Dalwood Street and  
17 Sedgmoor Place.

18 Q. Just where the cursor is there?

19 A. Round about there, yeah.

20 Q. Could you please tell the jury what you were able to see  
21 when you looked at the building when you arrived?

22 A. We -- as we drove -- approached the incident, we could  
23 see smoke coming from the top flats, looking over. As  
24 we pulled up and got off the machine and walked towards,  
25 we could see a fire in a flat on about the 9th/10th

1 floor, and as we approached it.

2 Q. Which side did you approach the building from, when you  
3 were driving to Lakanal House, where had you come from?

4 A. What, the road?

5 Q. Yes, please.

6 A. Havil Street, we'd come up Havil Street.

7 Q. That's this road over to the left of the picture as we  
8 look at it?

9 A. Yeah.

10 Q. Up Havil Street, and then right onto Dalwood Street?

11 A. That's correct, yes.

12 Q. You were approaching looking at the west side of the  
13 building?

14 A. That is correct, yes.

15 Q. I'm sorry, you say you could see a fire and some smoke  
16 on the block?

17 A. We could, yes.

18 Q. Once you had parked the fire engine and got off, what  
19 was the first thing that you were asked to do?

20 A. We put our BA sets on and walked towards the -- the  
21 block of flats, towards Lakanal, waiting to be briefed  
22 in -- in what we was doing. I remember looking up and  
23 seeing a fully developed fire in the flats.

24 Q. Just pausing there, when you looked up and you say you  
25 saw a fully developed fire, was there fire in just one

1 part of the building or was there more than one fire?

2 A. No, there was just the one at the time.

3 Q. Who gave the instruction to put on the breathing  
4 apparatus?

5 A. Watch Manager Payton.

6 Q. At that point, when you were standing outside the  
7 building and you could see the fire on one part of the  
8 building, were you with Watch Manager Payton then?

9 A. I believe so, yes.

10 Q. What was the next instruction that you were given after  
11 you had put on your breathing apparatus?

12 A. Our next instruction was to gather as -- as much hose as  
13 we could, because we was gonna be taken up to the -- to  
14 the 7th floor, which was the bridgehead.

15 THE CORONER: Mr Gray, we're losing your voice a little bit,  
16 so can you remember to look this way when you are  
17 answering, please.

18 A. Sorry. Yeah, I believe it was to get as much equipment,  
19 hose and branches as we could possibly carry to take up  
20 with us, but we were told to stand back and wait for  
21 a proper briefing as to what we was doing, but to  
22 prepare ourselves.

23 MR ATKINS: The first thing then was to collect the  
24 equipment? Then it was expected that you would have  
25 a briefing and then you would go into the building?

1 A. Yeah.

2 Q. Was anybody helping you to collect the equipment?

3 A. Yeah, my other crew members were there, we all gathered  
4 as much as we could to go in.

5 Q. Did all of you stay together when you were doing that?

6 A. I think Watch Manager Payton went off to the Incident  
7 Commander, which was Watch Manager Howling, and we  
8 stayed collectively as a crew to be briefed on our task.

9 Q. Did you notice, in that time that you were outside the  
10 building collecting the equipment and waiting to go in,  
11 whether anything about the fire had changed?

12 A. Yes, I can remember standing outside and looking up, and  
13 probably to the left, a few floors down, I seen another  
14 fire developing. I remember saying, and I can't  
15 remember who, that there was other pockets of fire  
16 developing in other flats that we could see, which was  
17 very strange, from where it had -- initially we'd seen  
18 it.

19 Q. I've just put on the screen a photograph that was taken  
20 at 16.48, so that's around about three minutes after you  
21 had arrived and parked.

22 A. Right.

23 Q. Do we see there that the fire is not just on one floor  
24 but has spread to other floors?

25 A. Yes.



1 Q. Is that what you were describing a moment ago?

2 A. Yes, the one at the very top, as far as I can remember,  
3 that was the one we initially saw as we turned up, but  
4 then the ones below developed as we stood outside.

5 Q. Can you remember whom you were with when you first  
6 noticed that the fire had spread in that way?

7 A. I believe it was Firefighter Chapman and  
8 Firefighter Smith, and Crew Manager Thomas. We was all  
9 together.

10 Q. That's four of you from your crew that had arrived  
11 together?

12 A. Yes.

13 Q. Can you remember where Watch Manager Payton was at that  
14 point?

15 A. I think he was being briefed by Watch Manager Howling at  
16 the time.

17 Q. Do you know where that was taking place?

18 A. No, I can't say.

19 Q. Was it outside the building?

20 A. It was outside -- definitely outside the building.

21 Q. Once you had gathered the equipment together, did you go  
22 into the building immediately?

23 A. No, we stood back, I believe it was Lambeth's crew,  
24 there was some railings around the gardens area that  
25 they were cutting down for ease of access for other

1           oncoming crews. So there was a lot going on at that  
2           time, we gathered as much as we could and just waited to  
3           get in, and just waited for our briefing.

4    Q. Did you receive a briefing in due course, did anybody  
5           give you an instruction?

6    A. Not as far as I can remember, I think we took it upon  
7           ourselves that we had to get in and we just -- we went  
8           straight in, and we -- I think over the radio we heard  
9           that the bridgehead was being set up on the 7th floor.  
10           So the four of us got in a lift and made our way to the  
11           7th floor.

12   Q. Do you recall that on, I think, 6 July 2009, so about  
13           three days after the fire, you gave in effect a sort of  
14           statement in answer to some questions that were put to  
15           you about what had happened? Do you remember that  
16           exercise?

17   A. I do.

18   Q. If I could just ask you, please, to have a look at  
19           page 182, in file 1 of the advocates' bundles. (Handed)  
20           Can I ask you just to look at that document, please.  
21           Do you recognise that as a copy of the statement that  
22           was produced on 6 July?

23   A. It is, yes.

24   Q. Would you say that your memory of events three days  
25           after the fire was clearer than it is today, some three

1           and a half years after?

2    A.  Most certainly.

3    Q.  Could I ask you then to please turn over to page 183,

4           because in this statement you explain what happened

5           immediately before you and the rest of your crew entered

6           the building.  It's a little bit difficult because there

7           are no paragraph numbers, but do you see on the

8           left-hand side, if you follow the left-hand margin down,

9           there's a sign that starts with "(E33)"

10   A.  I do.

11   Q.  Could you tell us, please, whether you remember this

12           happening, there was a point when you were ready to go

13           to the bridgehead to join Watch Manager Payton, but

14           Watch Manager Howling said, "Hang fire, Station Manager

15           Cartwright has arrived and will be taking over", and

16           within minutes of that Group Manager Freeman arrived?

17   A.  Yes, I remember that.

18   Q.  Is that correct, that there was a delay because a more

19           senior officer had arrived?

20   A.  Yes, and it's the handing over process.

21   Q.  As far as you were concerned, why was it necessary to

22           wait for that process to occur?

23   A.  We -- when they hand over to a senior officer, they have

24           to explain, or give them a briefing of what's going on,

25           but as a crew of four, we could see that the fire was

1           developing quite well, so while they was talking we  
2           could see what was going on, we just -- we just went in  
3           and got to -- to the scene as quick as we could.

4    Q.   You had stood back because there was about to be this  
5           change of Incident Commander, and at the time you  
6           decided to go into the building in fact nobody had given  
7           you a briefing?

8    A.   No, I think we was going to go in and then  
9           Station Manager Cartwright appeared, and it was a case  
10          of, "Just hang fire a minute, and see if there's  
11          anything else."  And while they was talking, I think we  
12          just said, "Look we're gonna go in and get the hose up  
13          there".  Because it was becoming apparent that there was  
14          quite a lot going on, and we needed to get up with hose,  
15          up to the bridgehead.

16   Q.   Did you know at that time that the bridgehead was on the  
17          7th floor?

18   A.   Yeah, we -- because that's -- when we got into the lift,  
19          that's when we went to the 7th floor.

20   Q.   Could you see from outside the building, before you went  
21          in, where the other fires were in the building, what  
22          level they were at?

23   A.   They was -- they was to the left, probably, on the 3rd  
24          floor, I think, but there was just so much going on at  
25          that time that our main priority was to get in and deal

1 with the fire. And at that time the bridgehead was  
2 gonna be on the 7th floor, so we knew by going to the  
3 7th floor, that was our safe area to go to.

4 THE CORONER: Sorry, you mentioned the 3rd floor?

5 A. Yeah, we see a fire was developing --

6 THE CORONER: You were in the lift?

7 A. Sorry?

8 THE CORONER: You were in the lift, weren't you?

9 A. Before we went into the lift, it was to the left --  
10 where the main fire was, the main fire, this other one  
11 was to the left of that, on or about on -- roughly about  
12 the 3rd floor.

13 THE CORONER: Right.

14 MR ATKINS: The last part of your previous answer was you  
15 wanted to go to the 7th floor, you knew that's where the  
16 bridgehead was and it would be a safe place to be, but  
17 at the same time you had seen that there was already  
18 a fire developing on, you thought, the 3rd floor. Were  
19 those two things inconsistent?

20 A. Looking back, they probably was. But at the time the  
21 fire on the 3rd floor was not fully developed, the fire  
22 on the 9th floor was well underway, and as we'd already  
23 heard the bridgehead was on the 7th floor, and there was  
24 people up there, we went to the 7th floor.

25 MR ATKINS: Madam, would that be a convenient place to

1 break?

2 THE CORONER: Yes, indeed, thank you very much.

3 Members of the jury, we'll continue at 2 o'clock.

4 Thank you very much. Do go with Mr Graham, thank you.

5 (In the absence of the Jury)

6 THE CORONER: Mr Gray, because you're part way through  
7 giving your evidence, you must not talk to anyone at all  
8 about your evidence and about the case, so the safer  
9 option is for you to have lunch by yourself. Please  
10 could you be back here for 2 o'clock?

11 A. Okay.

12 THE CORONER: Thank you very much.

13 (1.01 pm)

14 (The short adjournment)

15 (1.59 pm)

16 THE CORONER: Thank you, do sit down. Before we ask the  
17 jury to come in, I just wanted to raise a couple of  
18 points. This is directed to all of the advocates.  
19 I don't want to keep interrupting, because it's  
20 irritating for everybody and it's disruptive, but I'm  
21 concerned about timing. Obviously, we need to be  
22 dealing with this as fairly as we can, but we also need  
23 to deal with it proportionately, we have a great deal of  
24 evidence to cover.

25 Could I ask you all please to be thinking carefully

1 about the questions that you really want to put to  
2 witnesses. It would help if you could keep your  
3 questioning really very crisp. A number of the  
4 witnesses have been asked to go over evidence which  
5 they've given two or three times, and I'm not sure  
6 whether that's hugely helpful or necessary.

7 Please could I ask for a little bit of self  
8 discipline and self regulation, because the alternative  
9 will be that I simply impose a time limit for each  
10 advocate for questions, and then you'll have to work out  
11 what questions you want to put and when the time's up  
12 the time's up. Can we leave it like that for the  
13 moment? Thank you.

14 Can we have the jury in, please.

15 MR ATKINS: Mr Gray, while the jury are coming in, can you  
16 please just press the button on the microphone so it  
17 turns on. Thank you.

18 (In the presence of the Jury)

19 THE CORONER: Thank you. Yes, Mr Atkins.

20 MR ATKINS: Mr Gray, you were just explaining to us how you  
21 came to enter the building and go up to the bridgehead.  
22 You mentioned that you had received the message saying  
23 that the bridgehead might be about to move, is that  
24 right?

25 A. No, at the time, just before lunch, we said we knew it

1 was on the 7th floor. When we travelled up in the lift  
2 I believe over the radio we heard it was coming down to  
3 the 5th, but I think by mistake one of the lads in our  
4 crew had actually pressed the 5th instead of the 7th, so  
5 we was there before it was arranged.

6 Q. When you went into the lift you hadn't yet heard that  
7 the bridgehead was moving?

8 A. No.

9 Q. You were intending to go to the 7th?

10 A. Yes.

11 Q. But because somebody pressed the wrong button in fact  
12 you went to the 5th?

13 A. Correct.

14 Q. On your way you heard the bridgehead either was moving  
15 or was about to move?

16 A. Correct.

17 Q. Can I just show you this photograph, which is page 7 of  
18 tab 13 of the jury bundle. Do you recognise that as the  
19 lift lobby area on the ground floor?

20 A. It probably is, yes.

21 Q. I just want to ask you about one detail if I may. Do  
22 you see where the cursor is, just between the two lifts  
23 on the wall, above the lift entrances, there's a sign?

24 A. Yes.

25 Q. If I just go onto the next page, that's a close-up of



1           that sign. I just want to ask you: did you notice that  
2           sign on your way into the building and into the lift?

3    A. No, I didn't.

4    Q. Had you received any briefing explaining to you what the  
5           layout of the building was, for example which flats were  
6           to be found on which floors?

7    A. Not at all.

8    Q. Do you know who sent the message that you received,  
9           telling you that the bridgehead was moving?

10   A. Not a clue, it was -- we just heard it over the radio,  
11           it could have been anyone, just radio traffic, that it  
12           was coming down to the 5th floor.

13   Q. Can you recall what channel your radio equipment was set  
14           to?

15   A. I think at the time it was 1.

16   Q. Would that channel enable you to hear any communication  
17           that was being sent, or only communications on that  
18           channel?

19   A. Just -- whoever's on channel 1, that's the -- the main  
20           radio channel.

21   Q. Did you arrive, then, at the 5th floor?

22   A. Yes.

23   Q. When you reached the 5th floor, did you meet anybody  
24           there?

25   A. There was a senior officer, who I believe was

1 Station Manager Foster, and that's -- that's all I can  
2 remember.

3 Q. Did you discover that the bridgehead was indeed being  
4 moved?

5 A. Yeah, they said they was in -- we got there before  
6 they'd actually come down from the 7th, so as we got  
7 there, there was talk of them just bringing it down to  
8 the 5th floor, and I believe Station Manager Foster was  
9 undoing the doors for venting.

10 Q. Are you able to say whether everybody who had been at  
11 the bridgehead came down together?

12 A. I remember a conversation, Watch Manager Payton stayed  
13 on the 7th floor, because there was crews working on the  
14 9th floor, and obviously when they came out of the  
15 building, the BA control would have moved, so someone  
16 had to be there for when they -- they came out the  
17 building -- or out of the flat.

18 Q. Did you yourself ever make it up in the building as high  
19 as the 7th floor, at that point?

20 A. Not at that point, no.

21 Q. Did you and the rest of your crew then go down the  
22 stairs from the 5th floor to the bottom of the building?

23 A. Yeah, we went down the stairs, not the lift.

24 Q. Where was the breathing apparatus entry control point  
25 then set up?

1 A. I believe it was set up outside the building, because  
2 the smoke was travelling down, it was getting quite  
3 smokey in the stairwell, so obviously the safest place  
4 was outside.

5 Q. Could you please give us an impression of how much smoke  
6 there was in the stairwell around about the 5th floor  
7 where you were?

8 A. There was more and more smoke coming in the building,  
9 I mean it was enough to make -- sting your eyes, and  
10 that's not a safe -- safe area for us, because when we  
11 have to start up, you have to be in a safe area. And  
12 that wasn't a safe area.

13 Q. Did there come a time when you and one of your  
14 colleagues were asked to go into the building using your  
15 breathing apparatus to carry out a rescue?

16 A. Yes.

17 Q. How did that come about, please?

18 A. I think we were stood outside by BA control waiting to  
19 be detailed what we was doing, and a member of the  
20 public had passed a key onto one of the officers, and  
21 I believe that she'd gone to pick her other son up from  
22 school.

23 THE CORONER: Mr Gray, could you just keep close to the  
24 microphone. Keep remembering to look across to the  
25 jurors, then that will help.

1 A. A member of the public had come back, picking her son or  
2 child from school, and handed the key to an officer and  
3 said that her other son, who was asthmatic was, in  
4 a flat that I believe was on the 7th floor, and she --  
5 she obviously wanted us to get him out, so we were  
6 detailed to get to the 7th floor and rescue him.

7 Q. The key in question, was that the key to her flat?

8 A. Yes, she took it with her, she'd left her son there  
9 whilst she went to school and she gave us the key to go  
10 and get him.

11 Q. As well as telling you that the flat was on the 7th  
12 floor, did she tell you what the number of the flat was?

13 A. Yes, she did, but it was either 49 or 50, I can't  
14 remember which one it was.

15 Q. Did you then go into the building to go to that flat to  
16 find the son?

17 A. Yeah, we started up on the -- at BA control, and then we  
18 run up to the 7th floor using the staircase, located the  
19 flat, banged on the door.

20 Q. If we could take it one step at a time, please. At the  
21 point that you go into the building to go to the 7th  
22 floor, the entry control point is on the ground floor?

23 A. It is, yes.

24 Q. Is that where you started up your breathing apparatus  
25 equipment?

1 A. It is, yes.

2 Q. Who was the entry control officer at that point?

3 A. I can't remember.

4 Q. Could I please show you a document, it's page 1038 of  
5 the advocates' bundles. (Handed) I don't know if you've  
6 ever seen this document before?

7 A. Never.

8 Q. Have you seen a document in a similar format?

9 A. Never.

10 Q. In that case I'll just explain to you briefly what it  
11 is. The bodyguard system, which is attached to the BA  
12 equipment, records information. This is a document that  
13 summarises the information that was recorded by the  
14 bodyguard system. Could I ask you first of all to look  
15 over to the right-hand side, do you see the column  
16 "wearer name"?

17 A. Yes.

18 Q. On the first line there we have "Gray/Thomas". That's  
19 your surname and, I think, the surname of your  
20 colleague, Crew Manager Thomas?

21 A. Yes.

22 Q. Also on the bottom line, "Gray/Thomas"?

23 A. Yes.

24 Q. What we can see from that is that there were two  
25 different BA sets, and it isn't known for sure which of

1           you wore which of the sets. Is it correct that the two  
2           of you went into the building, that is you and crew  
3           manager Thomas?

4    A. Correct.

5    Q. If we just look at the column in the middle of the page,  
6           "BA wear details from", can you see that in the middle  
7           of the page?

8    A. Yes.

9    Q. Can you see that there's a time in normal text, and then  
10           a time in bold, 17.22?

11   A. Right.

12   Q. I'll explain why that is, the clock on the download  
13           computer wasn't right, so it's been necessary to adjust  
14           the time by 18 minutes, so that's why we've got 17.40,  
15           but then the adjusted time in bold, 17.22. If I just  
16           ask you just to look down at the bottom row, that's the  
17           other entry for Gray/Thomas, you can see the time is  
18           also 17.22?

19   A. Right.

20   Q. In other words whichever of the two sets of breathing  
21           apparatus you look at, the time is about the same. Does  
22           that seem to you to be about the time at which you  
23           started up your breathing equipment?

24   A. Yes, I'd assume that's the first wear that we had,  
25           around about that time.

1 Q. We'll hear in due course, I think, that you went back  
2 into the building a second time using the equipment?

3 A. Yes.

4 Q. On the first occasion, it would seem from this that you  
5 started up at 17.22 and that you and Crew Manager Thomas  
6 started up at about the same time?

7 A. Correct.

8 Q. I'm sorry, I pulled you back. You were saying that you  
9 went up to the 7th floor, by the stairs?

10 A. For the rescue?

11 Q. For the rescue.

12 A. Yes, we went up the stairs.

13 Q. How did you find the flat that you were looking for?

14 A. Although it was smokey, you could see the numbers on the  
15 doors and if my memory serves me correct, I think the  
16 lady basically told us where the flat was when we went  
17 up the stairs to the 7th floor, and I think it was left  
18 and it was the second or third flat along, I think.

19 Q. Can you remember what the flat number was?

20 A. I think it was 49.

21 Q. When you found the door that you were looking for, what  
22 did you do?

23 A. We banged on the door, looked through the letterbox, and  
24 we saw the young lad standing on the other side of the  
25 door, and he was in a bit of a state of panic.

1 Q. Was there any conversation at that point?

2 A. Yes, we told him we'd come to get him and we were going  
3 to take him down to a safe area. We tried the key in  
4 the door, but there was something wrong with the lock so  
5 we couldn't get in. So we told him to stand back and  
6 I kicked the door in and got him out.

7 Q. You were able to open the door to help him leave the  
8 flat?

9 A. Yes.

10 Q. Did you speak to anybody else at that time?

11 A. Yes, the flat directly behind us, a lady come to the  
12 door, she was a pregnant lady with two young sons,  
13 I believe twins. She was in a state of panic and she  
14 wanted to come out and we told her to get back in the  
15 flat, cover the doors, and then we'd come back and get  
16 her.

17 Q. The situation was you had been asked to go into the  
18 building to bring out the boy in the first flat?

19 A. Correct.

20 Q. You had then met this lady, who was in the flat  
21 opposite?

22 A. That's correct.

23 Q. You asked her to stay where she was. Could you just  
24 explain to us please why you gave her that advice?

25 A. Because we noticed that she was pregnant, she had two



1 young sons, we had this other lad who was in a state of  
2 panic. Although it was smokey, we directed her to sit  
3 in the flat and cover the doorway up or anywhere that  
4 smoke could get in. And we assured her that we would be  
5 back to get her.

6 Q. Did she take your advice, did she go back into the flat?

7 A. She did, she did.

8 Q. What about the boy from the first flat?

9 A. He came out with us and I think we guided him to  
10 possibly the 6th floor, and then he just run, and just  
11 run off, and we run after him and he just disappeared  
12 when we come downstairs, run to his mother, I believe.

13 Q. He went down the stairs?

14 A. All down the stairs.

15 Q. He was safe?

16 A. He was safe, yes.

17 Q. Did you then go back to the entry control point?

18 A. Yes, we went back, handed our tallies in, 'cos our task  
19 had been done.

20 Q. If we just go back to the same page we had a moment ago,  
21 and look this time at the column at the end headed "to."  
22 again we're looking for the number in bold, the adjusted  
23 time. Do we see there 17.30, and the time is the same  
24 if you look at the bottom row as well.

25 A. Yeah.

1 Q. That would suggest, then, that you had been inside the  
2 building for about eight minutes, give or take, does  
3 that sound about right?

4 A. Yeah, correct.

5 Q. Was there any sort of debrief at that point, did you  
6 speak to the entry control officer on your way out?

7 A. We told -- we told the entry control officer what we'd  
8 achieved, and that we made communication with another  
9 lady, this other occupant, and we told them what flat  
10 she was in, and then we'd get back to her.

11 Q. Were you able then to pass on the information first of  
12 all that she was on a particular floor?

13 A. Yeah, we told --

14 Q. And also in a particular flat?

15 A. I believe we would have said that it's the flat opposite  
16 where we've just been.

17 Q. You then had occasion to go back into the building for  
18 a second time, and we've seen already on the document we  
19 have on the screen that there are times for a second  
20 wear. How did that come about?

21 A. When we -- when we come out the first time we told BA  
22 what we'd actually done, and then we were told to change  
23 our cylinder on our sets and then get back as soon as we  
24 could. As we came back, we made ourselves known that we  
25 was ready to go back in, we overheard, I don't know who

1           it was, someone telling them that there was this  
2           pregnant lady with two young lads at this flat, and  
3           straight away we said, we know exactly where that is, so  
4           rather than him go and find it, we just -- we knew where  
5           it was, and we just went straight back and got her.

6    Q.    If we could please look again at this page, please, we  
7           have a second set of times, a time of 17.50 for the time  
8           at which you started to breathe air through the  
9           equipment, and the time of 17.57 for when you stopped.  
10          Could you just explain what you did, you went into the  
11          building and you went back to where you had been before,  
12          essentially?

13   A.    Correct.

14   Q.    Did you find the lady in the flat where you had left her  
15          before?

16   A.    Yeah, exactly where she was, and she took our advice by  
17          sealing up the doors.

18   Q.    At this point were you there again with  
19          Crew Manager Thomas?

20   A.    Yes, me and Mr Thomas.

21   Q.    Did the two of you help her and her two sons out of the  
22          building?

23   A.    We did.

24   Q.    I think it's right that when the five of you got out  
25          into the fresh air outside the building, the London

1           Ambulance Service were on hand to offer treatment?

2    A.   They was.

3    Q.   I think it's right that you remained at Lakanal House

4           after that, in case there were other jobs that you were

5           needed for.  Crew Manager Thomas was given a job of

6           selecting crews to be sent in, to be deployed into the

7           building?

8    A.   That's correct.

9    Q.   At one point you saw one of the London Ambulance Service

10           HART team, that is a team that's trained to use

11           breathing apparatus, coming out of the building giving

12           mouth to mouth resuscitation to an infant?

13   A.   I did.

14   Q.   You stepped in to help at that time by helping the

15           paramedic to get out of the breathing apparatus?

16   A.   That's correct.

17   Q.   Is it also the case that later on in the day you offered

18           to go into the building for a third time --

19   A.   That is correct.

20   Q.   -- if that was necessary, but you were told that there

21           was no need for to you wear the equipment for a third

22           time?

23   A.   No.

24   Q.   Were you then given the job of being a communications

25           runner between the ground floor, or the exterior of the

1 building, and the third floor, which is where the  
2 bridgehead had then been set up?

3 A. That is correct, yes.

4 Q. Later on in the day then you were stood down and  
5 returned to the station?

6 A. That's correct.

7 Q. You've explained to us that you went into the building  
8 on two occasions. On the first occasion you were told  
9 the floor, and perhaps the flat number, and you went  
10 straight there. On the second occasion you went back to  
11 the place you had been the first time. Did you yourself  
12 in the course of the day ever build up a picture of  
13 where in the building different flat numbers were?

14 A. I only went to the 7th floor, for them two flats; they  
15 was opposite each other. Apart from that I spent most  
16 of the time on the stairwell as a communications runner,  
17 so I never actually got into any of the flats, apart  
18 from the pregnant lady, when we was reassuring the two  
19 young lads.

20 Q. Did you ever have occasion to go into a flat and to walk  
21 around it or to see how many floors it had, for example?

22 A. No.

23 Q. If I just show you this image, which is on the screen  
24 now, this is a view of the west side of the building as  
25 it might look to somebody who was simply looking at it,

1 not knowing which flat was which. This drawing which  
2 I'm about to put on the screen is the same thing, but  
3 with an overlay which shows which flat is which. For  
4 example we can see where flats 49 and 50 are, they're  
5 just on the south corridor on the 7th floor. Where the  
6 cursor is.

7 A. Right.

8 Q. Did you build up a picture like this during this day, or  
9 did you not really have that information?

10 A. I didn't really have that information.

11 Q. Mr Gray, I have one more question for you, which is  
12 this: what single additional thing do you think would  
13 have helped you most on the day of the fire?

14 A. More resources. More resources and more information on  
15 our machines. Now we've got an MDT system, if we could  
16 have more information uploaded onto that it would be  
17 more helpful.

18 Q. Can I just take those two things in turn then? What  
19 resources do you have in mind?

20 A. More manpower.

21 Q. Then the second point you mentioned more information, is  
22 there a particular sort of information that you have in  
23 mind?

24 A. Layouts of flats would be ideal. Every block of flats  
25 is different, basically, and it would give us more of

1 an understanding of what we were turning up to.

2 MR ATKINS: Mr Gray, those are all the questions I have,  
3 thank you very much. If you would wait there please,  
4 there may be questions from others.

5 Questions by MR EDWARDS

6 MR EDWARDS: Mr Edwards, on behalf of some of the families.

7 I'm just going to pick up on something Mr Atkins  
8 asked you a moment ago about resources. You said it  
9 would be helpful to have more manpower. It will  
10 probably sound a very obvious point, but that doesn't  
11 necessarily mean more people physically around  
12 Lakanal House, but it probably means more people  
13 physically doing something useful, fighting the fire or  
14 conducting search and rescue, is that right?

15 A. Correct.

16 Q. Can Mr Gray be given the advocates' bundle at page 183,  
17 please. If this can go up on the screen for the jury as  
18 well. (Handed)

19 We start at 182, just so we know what we're looking  
20 at. This is the incident record of an interview made  
21 a couple of days after the fire, we've already looked at  
22 it. Over at page 183, please, just by the first  
23 holepunch, that's about a third of the way down the  
24 page, there's the sentence that starts "(E33)" on the  
25 left-hand side of the page. Do you have that?

1 A. Yeah, I've got that.

2 Q. You've referred to SM Cartwright saying, "Hang fire" and  
3 then you go on to write:

4 "It was pandemonium, we were loaded with gear  
5 waiting to go, but no decision or direction had been  
6 given by SM Cartwright."

7 Just explain what you mean when you say "it was  
8 pandemonium" and "no decision or direction had been  
9 given"?

10 A. I think at the time there was just so much going on with  
11 people. We had a crew cutting down railings for access  
12 for crews to get in, we was loaded with -- with  
13 equipment, and as a crew we just wanted to get in to  
14 help as much as we could these people, but there was  
15 a handing over process, so whilst waiting just to tell  
16 them what was going on, we just wanted to get in to help  
17 people.

18 Q. I think you go on to say that in fact you're waiting  
19 around to be briefed, to be committed somewhere outside,  
20 and eventually it sounds as if you and your crew  
21 personally take the decision that you're going to go to  
22 the bridgehead without being formally briefed to go  
23 there?

24 A. I think with experience we knew we'd be going to the  
25 bridgehead, because that's where it's been set up,



1 that's where the fire was, so we knew with the equipment  
2 we had that's where we were going, so we just made  
3 an executive decision and went for it.

4 Q. I appreciate it's very hard to estimate times some years  
5 later, but how long do you think you were standing  
6 around outside waiting to be briefed, waiting to be sent  
7 in, before you decided "right, we're just going to go in  
8 by ourselves"?

9 A. Are you talking about the point with  
10 Watch Manager Howling?

11 Q. Yes, sorry, at that point.

12 A. Under a -- a minute max, if that. It's just that we had  
13 all our equipment and just wanted to get in there and do  
14 what we could do.

15 Q. Can Mr Gray be given advocates' bundle 3, please, at  
16 page 1038. (Handed) Again, this might help the jury to  
17 have it on screen. This was the table that Mr Atkins  
18 was referring you to a few moments ago, and you can see  
19 the very first entry, "Gray/Thomas", so it's either you  
20 or Mr Thomas, and the last box, I'm looking under  
21 "wearer name" at the moment, is also "Gray/Thomas". The  
22 two of you seem to use your breathing apparatus for  
23 almost exactly the same amount of time.

24 I'm right to say that both times you go in, you and  
25 Mr Thomas, both times you start up at pretty much the

1 same time and stop at pretty much the same time?

2 A. Yeah, we was a crew of two.

3 Q. Looking at the first line of that table, you can see the  
4 total time in red, so the total time you used breathing  
5 apparatus was 7 minutes and 20. Then we can go across  
6 to the right, just so we know what we're looking at,  
7 "start action" it says 178, and that's the pressure, so  
8 that's the amount of air in the cylinder at the start.  
9 "Finish", 116.13, so that's the amount at the finish,  
10 and "used", 61.87, so that's the amount of air used.

11 We can follow that down for your second BA wear, you  
12 can see you started at 214, finished at 133, you used  
13 80. We don't need to go through them, but the other  
14 entry for either you or Mr Thomas is almost identical  
15 beneath that at the bottom.

16 Just while we're on this page, if we look at the  
17 entry immediately under the first one, where the name  
18 "Smith?" at the right-hand side?

19 A. Yes.

20 Q. I appreciate you weren't with "Smith?", we're not even  
21 sure it is Mr Smith, but you can see someone has used  
22 breathing apparatus. We can follow that through, so  
23 it's for a total of 15 minutes, but it's also standard  
24 duration, so it's also the single tank rather than the  
25 double tank.

1           You can see the start is 182, but finish is 56.5,  
2           and used is 126.25. I appreciate you don't know what  
3           Mr Smith was doing, but you can see this person,  
4           Mr Smith, has used almost twice as much air as you did  
5           on your first BA wear, and has finished with probably  
6           a much lower reserve than you finished on your first BA  
7           wear.

8           Is it usual for a BA wearer to use, as you did in  
9           your first wear, such a relatively small proportion of  
10          the available air in their cylinder?

11        A. I think I was just given a specific task, whereas  
12        I think Mr Smith was obviously working, he had obviously  
13        gone in with other crew. We was just detailed  
14        a specific task, that's we went up, got them out and  
15        come back out, that was it, that was our briefing. So  
16        that's probably why we was only in there for the  
17        seven/eight/nine minutes, whatever.

18        Q. This isn't a criticism of you at all, but if while you  
19        were in there you'd been detailed a second task on your  
20        first BA wear, you may well have had enough air to do  
21        that?

22        A. Yeah, we'd have had enough air, yes, definitely.

23        Q. Thank you.

24                Finally, if I could just bring you back to the  
25        document we were looking at a moment ago, which was at

1 page 183 of the other bundle. This is your interview.  
2 I'm going to ask you to look at the next page, 184.  
3 Just by the lower holepunch, for those of us that don't  
4 have hole punches, about a quarter of the way from the  
5 bottom of the page, if you look on the left-hand side  
6 there's a line that starts, "Silence the HART set".

7 A. Yes.

8 Q. Have you found that? It then says:

9 "I then sent him off to find their tallies."

10 You then write:

11 "I thought to myself, I have been here for some two  
12 and a half hours and they're now bringing out  
13 casualties."

14 Can you just explain what you meant when you wrote  
15 that or said that?

16 A. The time just -- it just flew, I couldn't believe we'd  
17 been there that amount of time. I've never been to  
18 anything like it before, there was people running here,  
19 there and everywhere, doing the best they could.  
20 I can't speak for other people, from what you've heard,  
21 people couldn't get to these flats, so ...

22 Q. Forgive me, perhaps my question wasn't particularly  
23 clear. It seems to me, reading that, that what you're  
24 saying is it was surprising to you that you'd been  
25 there -- or the Fire Brigade had been there for two and

1 a half hours, and only after two and a half hours

2 were casualties being brought out?

3 A. That's correct.

4 Q. In other words, they should have been got to sooner?

5 A. If we could have got to them.

6 MR EDWARDS: Thank you.

7 THE CORONER: Ms Al Tai?

8 MS AL TAI: No thank you, madam.

9 THE CORONER: Mr Compton?

10 MR COMPTON: No thank you.

11 THE CORONER: Mr Walsh?

12 Questions by MISS NAQSHBANDI

13 MS NAQSHBANDI: Thank you, madam.

14 Mr Gray, can I just ask you to go to page 183,

15 again, please, and your answer to question 13. I'd like

16 a little help with the chronology. You start by saying

17 you're rigged in BA?

18 A. Correct.

19 Q. Yes, Mr Howling details Mr Payton to set up

20 a bridgehead?

21 A. Correct.

22 Q. He had the briefing for that. We know that Mr Payton

23 went into the building before you, because a little

24 further down you say:

25 "As a crew of four, we were now ready to go to the

1 bridgehead and join Watch Manager Payton."

2 Is that correct?

3 A. Correct, yes.

4 Q. Thank you. Before you say that in your notes, you

5 describe seeing -- before joining Mr Payton, you

6 describe seeing two fires on two different floors to the

7 fire floor, do you see that?

8 A. Yes.

9 Q. If you look at your notes, you describe them as:

10 "Possibly 3rd or 4th floor, further outbreak, 5th

11 floor, 5th and 6th floor."

12 Two more fires, two different floors, below the

13 original 9th floor?

14 A. I believe so, yes.

15 MS NAQSHBANDI: Thank you.

16 THE CORONER: Where were you when you could see those?

17 A. We were standing outside, looking up.

18 THE CORONER: I see, standing outside. Thank you.

19 Members of the jury, do you have any questions for

20 Mr Gray?

21 THE FOREMAN OF THE JURY: No.

22 THE CORONER: Thank you very much.

23 Mr Gray, can you just help me. You talked earlier

24 on about hearing over the radio that the bridgehead was

25 moving, and I think you said that it was set to

1 channel 1. Can you just clarify which radio you're  
2 talking about, was that one within your BA, in your  
3 headset, or was this a personal radio?

4 A. No, my personal handheld radio.

5 THE CORONER: You can pick that up from your personal  
6 handheld radio?

7 A. Yes, you can, yeah.

8 THE CORONER: Mr Gray, thank you very much for coming and  
9 thank you very much for the help that you've given  
10 today. You're welcome to stay if you would like, but  
11 you're free to go if you would prefer.

12 A. Thank you.

13 (The witness withdrew)

14 THE CORONER: Yes, Mr Atkins.

15 MR ATKINS: Madam, the next witness is Mr Hydar. His  
16 witness statement for the benefit of the advocates is  
17 page 170.

18 THE CORONER: Mr Hydar, would you like to come forward.

19 MUSTAPHA HYDAR (sworn)

20 THE CORONER: Thank you, Mr Hydar. Do sit down, and do have  
21 a glass of water. You'll see that the microphone in  
22 front of you is switched on.

23 A. Yeah.

24 THE CORONER: Your voice is quite soft, and we do need to  
25 hear what you are saying. Please, if you could make

1           sure that you sit quite close to the microphone.

2     A.   Yeah.

3     THE CORONER:  Thank you very much.  If when you're giving  
4           your answers, if you look across the room directly ahead  
5           of you to the jurors, they'll be able to hear what you  
6           are saying more easily, and you'll be closer to the  
7           microphone.

8     A.   Okay.

9     THE CORONER:  Mr Atkins, who is standing, is going to ask  
10          you some questions initially on my behalf and then there  
11          may be some questions from others.

12    A.   Okay.

13    THE CORONER:  Thank you.

14   Questions by MR ATKINS

15    MR ATKINS:  Could you please tell the court your full name?

16    A.   Mustapha Hydar.

17    Q.   Mr Hydar, I'm going to be asking you some questions  
18          really in two halves, first of all about your knowledge  
19          of the layout of the building.  Secondly, about what  
20          happened on the day of the fire on 3 July 2009.

21                 If we could start with the first of those topics,  
22                 that is your knowledge of the layout of the building.  
23                 I'll just explain, you are one of about ten residents of  
24                 Lakanal House who will be giving evidence to these  
25                 inquests.  We're going to ask each you essentially the



1 same set of questions, first of all about fire safety  
2 advice and secondly about the layout of the building.  
3 Essentially to try and build up a picture of what the  
4 people who lived in Lakanal House knew and what your  
5 understanding was.

6 At this stage in questions I'm not asking you about  
7 what happened on the day of the fire, I'm just asking  
8 you about what you knew about Lakanal House before the  
9 day of the fire.

10 A. What do you mean by that?

11 Q. I'll explain perhaps as we go. Could I begin by showing  
12 you two documents, and I'll put it on the screen. The  
13 first one is at page 1050. It's in file 3 of the  
14 advocates' bundles. Could Mr Hydar please be shown that  
15 in hard copy as well. (Handed) This is a four-page  
16 leaflet prepared by the London Fire Brigade. Could  
17 I please ask you to take your time to look through those  
18 four pages, so from 1050 to 1053. Just have a look at  
19 those, and then when you've had a chance to look at it  
20 tell us simply whether you think you've seen that  
21 document before or not. (Pause)

22 A. No.

23 Q. Thank you. Could I ask you, please, then, to look at  
24 a second document. It's just after that, it starts at  
25 page 1504 and this time it's two pages long. It's the

1 same question, please, just have a look at those two  
2 pages and then tell us whether you think you recognise  
3 that document.

4 A. On this, 1054, I know about smoke alarms, but the rest  
5 of it, I've got no idea.

6 Q. I'm sorry, I didn't quite catch that, you said the 1054?

7 A. Yeah.

8 Q. Yes?

9 A. Smoke alarms I know about, in the building, but the rest  
10 of it, I've got no idea.

11 Q. Did you have a smoke alarm in your flat?

12 A. Yes, I did, yeah.

13 Q. As to this particular document, perhaps, then, it sounds  
14 as though maybe you haven't seen it before?

15 A. You mean, sorry?

16 Q. These two pages, this particular document?

17 A. I haven't seen them before, no.

18 Q. You haven't seen them before. Could I ask you then if  
19 you have ever, for whatever reason, looked at the London  
20 Fire Brigade's website for advice about fire safety?

21 A. No.

22 Q. Do you recall whether you have ever received what's  
23 called a home fire safety visit? That is where some  
24 firefighters would come to your flat to talk to you and  
25 give you advice about fire safety?

1 A. No, not to my knowledge, no.

2 Q. Could I please ask you just to look at one more  
3 document, then. It's at page 1068, so a little bit  
4 further on in the same bundle. If you would look,  
5 please, down in the bottom right-hand corner, do you see  
6 the number 9 in brackets, right in the bottom corner?

7 A. Yeah.

8 Q. Then if you look just slightly up and to the left of  
9 that, you see the number 27, very close to the number 9?

10 A. Yeah.

11 Q. To explain, this is page 27 of a longer document, and  
12 what we've done is to take out from the longer document  
13 just three pages, so 1068 and the two pages that come  
14 after it. Could I then ask you, please, just to look at  
15 those pages, 1068 to 1070 and again tell us whether you  
16 think you've seen those pages before. (Pause) Do you  
17 think you've seen them before?

18 A. I've not seen this before.

19 Q. All right, well we can move on from that bundle, so you  
20 can put that down for the moment. Could I move on,  
21 please, to asking you about some of the features of the  
22 building and what you knew about the layout of the  
23 building. Is it right that you lived at flat number 57?

24 A. Yes.

25 Q. Which was on the 9th floor?

1 A. Yes.

2 Q. At the end of one of the corridors?

3 A. Yes.

4 Q. I think it was the south corridor?

5 A. Yeah.

6 Q. Did you know actually how many flats there were in total  
7 in the building?

8 A. I can't really remember. On my floor, you mean?

9 Q. No, in the whole of the building, did you have any idea  
10 how many flats there were?

11 A. I did, but I can't remember, I can't remember anymore.

12 Q. Did you know whether all of the flats had the same  
13 layout inside?

14 A. Yes.

15 Q. If somebody had come to you and asked for directions to  
16 a flat which you had never been to in the building, so  
17 imagine that somebody came to you and said, "I want to  
18 go to flat 32", would you have been able to tell them  
19 how to get there or how to find it?

20 A. Yeah, I guess so, yeah.

21 Q. How would you have done that?

22 A. 'Cos as you get into the building from downstairs, you  
23 can see that -- what's it called, that you just  
24 displayed a minute ago. Yeah.

25 Q. This sign?

1 THE CORONER: Mr Hydar, can you make sure you speak closer  
2 to the microphone, please, so we can hear.

3 A. Yes.

4 Yeah, from that.

5 MR ATKINS: This is the sign which is between the lift  
6 shafts in the lobby on the ground floor.

7 A. Yes.

8 Q. One could look at that and see which floor flat 32 was  
9 on, and that's how you would help somebody to find it?

10 A. Yes.

11 Q. Moving on to the layout of your own flat, do you  
12 remember then that you would walk along the corridor on  
13 the 7th floor to get to the front door?

14 A. I wasn't on the 7th floor.

15 Q. Forgive me, on the 9th floor. Let me just put up the  
16 diagram that shows which flat is where in the building.  
17 You were in flat 57?

18 A. Yes.

19 Q. Do you see then on the right-hand side of those numbers?

20 A. Yes.

21 Q. Flat 57 at the end of the corridor on the 9th floor?

22 A. Yes.

23 Q. Apologies if I said on the 7th, on the 9th. You would  
24 come up to the 9th floor and then walk along the central  
25 corridor to your front door?

1 A. Yes.

2 Q. Do you recall that when you went into the front door, on  
3 that level there would be two bedrooms in front of you?  
4 I don't think you'll ever have seen this diagram before.

5 A. No.

6 Q. If I could just explain it, it's designed to show the  
7 layout of a typical flat where the bedrooms face onto  
8 the west side of the building, towards the block called  
9 Fontenelle?

10 A. I've never seen them diagrams before.

11 Q. No, I appreciate you haven't seen the diagram before,  
12 but if you bear with me, do you see we have the central  
13 corridor where the cursor is?

14 A. Yes.

15 Q. You can see that the diagram is showing the flat over  
16 two levels?

17 A. Yes.

18 Q. Is that how your flat was?

19 A. Yes.

20 Q. We have two bedrooms here, where the cursor is, on the  
21 lower floor?

22 A. Yeah.

23 Q. Which would be in front of you as you come through the  
24 front door of the flat?

25 A. Yes.

1 Q. Then on the upper floor there's a kitchen and a lounge?

2 A. Yes.

3 Q. Where the kitchen is above where the bedrooms are?

4 A. Yeah.

5 Q. Does that help you to remember the layout of your flat?

6 A. Oh, yes.

7 Q. Do you remember that there were balconies on both sides  
8 of the upper floor?

9 A. Yes.

10 Q. Were you aware that it was possible to walk along those  
11 balconies?

12 A. Yes.

13 Q. Beyond the limits of just the one flat, you could walk  
14 from side to side?

15 A. Yes, yes.

16 Q. I'm just going to show you a photograph or two of the  
17 balconies, and ask a couple of questions about that.  
18 Does that picture remind you of what the balconies  
19 looked like?

20 A. Yeah.

21 Q. We can see in the background there a door with a bar and  
22 a sign on it, and then on the next picture, number 37,  
23 a close-up of that door. Did you know where the doors  
24 like that went?

25 A. That leads to the stairs.

1 Q. Is that to the main staircase, the central staircase?

2 A. Yeah.

3 Q. Did you know what the purpose of those doors was?

4 A. I think they're fire exits -- fire exits.

5 Q. Had you yourself ever been through one of those doors,

6 or was that just something that you had learned in other

7 ways?

8 A. No.

9 Q. I'm sorry, that was my fault, you hadn't been through

10 one of the doors?

11 A. No, I hadn't.

12 Q. If I may, I'd like now to ask you about what happened on

13 3 July 2009, on the day of the fire. Is it right that

14 you were at home in your flat?

15 A. Yes, I was.

16 Q. At about 4 o'clock or just after in the afternoon?

17 A. Yes.

18 Q. I think that your partner and your children were not

19 with you at the time?

20 A. No.

21 Q. They weren't at home. You were watching the tennis on

22 television?

23 A. Yes, I was.

24 Q. There came a point at which you could smell that

25 something was burning?



1 A. Yes.

2 Q. Can you help, please, did you have a sense of what it  
3 was that was burning?

4 A. Smells like plastic.

5 Q. When you smelt the plastic burning smell, what did you  
6 do?

7 A. I had to check my -- well, sorry, I had to check my TV  
8 and just walk around the house to see if there's  
9 anything -- I mean that was 'cos it was so strong, I can  
10 smell it right inside our flat.

11 Q. Did you have your windows open at the time?

12 A. I would say -- I can't really remember.

13 Q. Did you find that there was anything inside your flat  
14 that was burning?

15 A. No.

16 Q. Did you then go out onto the balcony on the kitchen side  
17 of your flat?

18 A. Yes, I did.

19 Q. Can you remember what you saw when you were stood on the  
20 balcony?

21 A. Thick black smoke.

22 Q. Thick black smoke. Where was that coming from, could  
23 you see?

24 A. The 9th floor.

25 Q. That's the floor --

1 A. It was on the other wing of where we was.

2 Q. On the other side of the central staircase?

3 A. Yes, yeah.

4 Q. The 9th floor, then, that is the level that your front  
5 door is on?

6 A. Yeah.

7 Q. You were just one floor up, because you were on the  
8 upper floor on the balcony?

9 A. Ninth floor is just one floor, it's just one floor.

10 Q. When you had seen the smoke, what was the next thing  
11 that you did?

12 A. At first I didn't take it seriously, I thought it was  
13 just a minor -- or someone left something burning, so  
14 I had to go back and sit down, and it got stronger and  
15 stronger, and I went back out there, saw it's getting  
16 worse, and I decided to make a call to the Fire Brigade,  
17 I think at that point in time there were all the people  
18 who was residents trying to call them.

19 Q. You had seen that it was getting worse --

20 A. Yes.

21 Q. -- and that prompted you to call the Fire Brigade?

22 A. Yes.

23 Q. You may not be aware of this, but all of the calls that  
24 are made to the Fire Brigade are recorded, and it's  
25 possible to then get the recording and to type out what

1 was said during the call, and that's what has been done  
2 in this case.

3 What I will do is show you a transcript of the  
4 conversation that you had during that call, so that we  
5 can see what you said. The jury have the time of your  
6 call at tab 12 of the jury bundle. You made this call  
7 at 16.21.50. You can see in this transcript that you're  
8 described as the "caller", and the person at the other  
9 end of the phone is described as the "operator". If  
10 I may I'll just read through the call so that we can  
11 hear what you said. The operator said:

12 "Hello, Fire Brigade."

13 You said:

14 "Hi, good afternoon, um, there's a fire, there's  
15 smoke coming out of my block."

16 The operator said to yo:

17 "All right, what is the name of your block."

18 You said:

19 "It's called Lakanal House."

20 You were asked how to spell it. A little bit  
21 further down the page you said to the operator:

22 "It's really, really serious."

23 You were asked again how to spell it, and you said  
24 that it was Lakanal House behind the Town Hall. You  
25 were asked what road it was in, and you said:

1           "Havil Street."

2           You gave the postcode, and the operator said to you:

3           "Okay, the Fire Brigade are on their way."

4           Is that the call you remember having with the

5           Fire Brigade at that point?

6    A.   Yes, yes.

7    Q.   We know from the recording that was made that that

8           conversation took a minute and two seconds, so it was

9           quite a short call. After you had made that call to the

10          Fire Brigade, you've explained to us that in your view

11          things had become more serious. What was the next thing

12          that you did, can you remember?

13   A.   I was trying to get out.

14   Q.   You wanted to leave your flat?

15   A.   Yes.

16   Q.   Did you see anybody else at that time?

17   A.   I went downstairs and opened my front door, and I can

18          see the smoke was really building up, so thick that

19          it's -- I don't know, it would be really impossible to

20          see, walking through it. And I had to go back upstairs

21          and went through the other balcony, and I saw a lady

22          standing there that lives next door to us, and she had

23          a young child.

24   Q.   Pausing there, do you remember that about four days

25          after the fire you were asked to give a statement about

1 what had happened?

2 A. Yes.

3 Q. Do you think that your recollection of what happened  
4 would have been would have been better then, four days  
5 after the fire, than it is now, more than three years  
6 after the fire? Do you think things were fresher in  
7 your mind there?

8 A. Yes, I would say so.

9 Q. Could Mr Hydar please be shown a copy of his statement,  
10 it's at page 170. (Handed) Mr Hydar, if we just look  
11 at that first page, do you see your name at the top of  
12 the page on the left-hand side?

13 A. Yeah, yes.

14 Q. Then if we look at the very first paragraph under the  
15 second line that goes across the page, you say:

16 "This is my account of when I was rescued from my  
17 flat at 57 Lakanal."

18 Do you recognise this as the statement that you made  
19 about what happened on the day?

20 A. Yes.

21 Q. Could I ask you then, please, to turn over to page 171.

22 I just want to ask you about the order in which things  
23 happened. Looking at page 171, if you please follow  
24 down the left-hand side, just looking at the first word  
25 on each line, do you see there's a line that starts with

1 the words, "and grabbed"? Are you with me, it's about  
2 ten lines down.

3 A. Yeah.

4 Q. That's the point in your statement where you say you  
5 grabbed your mobile phone and you dialled 999?

6 A. Yes.

7 Q. That's the call that we've just been looking at the  
8 transcript of?

9 A. Yes.

10 Q. If you could then please look two lines down further  
11 than that, you say that you finished the call and you  
12 went out onto the balcony from your sitting room, so in  
13 other words from the opposite end of your flat to the  
14 side that you'd gone out the first time?

15 A. Yeah.

16 Q. You say that you saw your neighbour Natalie at that  
17 point standing on the balcony?

18 A. Yes, she was.

19 Q. The reason I ask you is that in your statement you say  
20 that you went out of the balcony on the lounge side of  
21 the flat and met your neighbour Natalie before you went  
22 down to your front door to try to leave the flat through  
23 the front door.

24 The question I have for you is can you remember  
25 which way round those things were? Did you meet your

1 neighbour first, or do you think you tried to leave the  
2 flat first?

3 A. I think I tried to leave first, I did try to leave  
4 first.

5 Q. When you opened the door to try to leave, you said that  
6 there was smoke in the corridor?

7 A. Yeah.

8 Q. Could you please give the jury an impression of how much  
9 smoke there was?

10 A. It -- it was really thick. Really thick.

11 Q. We know that your flat and your front door was right at  
12 one end of the corridor?

13 A. Yeah.

14 Q. Were you able to see down the length of that corridor to  
15 the central staircase?

16 A. Yeah, at that point in time, yeah, I was able to see,  
17 and that's when I saw smoke building up in there and it  
18 was travelling down to our end very fast.

19 Q. Did you try to leave your flat at that point, to go down  
20 the corridor?

21 A. When I got down there and saw the smoke, I had to go  
22 back upstairs, I didn't try to go outside, I don't  
23 think.

24 Q. Do you think it was at that point that you went back  
25 inside that you went out onto the balcony and met your

1 neighbour?

2 A. Yes.

3 Q. Could I just suggest a description to you of your  
4 neighbour. If I said that she was a black lady, she's  
5 about 25 years old and about 5 foot 2 tall, would that  
6 be a description of her?

7 A. Yes.

8 Q. Did she have with her her 6-year old daughter and also  
9 a young baby?

10 A. Yes, she did.

11 Q. Did you say anything to her when you met her?

12 A. Yes.

13 Q. Can you remember what you said to her?

14 A. Not really, I can't remember what I said to her, but  
15 I remember, as I can see here, she was saying to me that  
16 her flat is filling up with smoke, and I said, "Yeah,  
17 I can see it as well, because I've just been downstairs"  
18 and I -- I saw it, that's why, and -- yeah.

19 Q. Did you try to reassure her at all?

20 A. Oh yeah, I told her to get her stuff and come round to  
21 our flat, which she did.

22 Q. Do you remember then, once she had come into your flat,  
23 you made a second call to the Fire Brigade?

24 A. Yes, I did.

25 Q. Again, as we did with the first call, that is a call



1           which was recorded, and again we have the transcript,  
2           which I'll just put up on the screen.  It's at page 378.  
3           It's a slightly longer call, this time, so I won't read  
4           out every part of it, but do you see again you're  
5           described as the "caller" and the person at the other  
6           end of the phone is the "operator".  It's an early part  
7           of the call, halfway down the page, you say:  
8                 "They're trying to put out a fire on my block,  
9           Lakanal."  
10            You say:  
11                 "My neighbour here, she got a young baby, we can't  
12           get out because of the corridor."  
13            At the time you said that, was she with you in your  
14           flat?  
15   A.  Yes.  
16   Q.  The operator said:  
17                 "Yes, that's right, we're dealing with it, is that  
18           in Dalwood Street, what number are you at?"  
19            You said 57?  
20   A.  Yeah.  
21   Q.  Which was the number of your flat, and the operator  
22           said:  
23                 "Have you blocked up all the doors and windows up."  
24            To which you replied, over the page:  
25                 "Doors, but the smoke is coming through the front

1 door."

2 The operator said:

3 "You need to put something ..."

4 You said:

5 "All the doors and windows."

6 And the operator said:

7 "Right, if you put some towels down or something

8 like that to the doors to stop the smoke coming in."

9 You said:

10 "Towel, yes."

11 We see there the operator was saying to you that you

12 ought to do something to block up any gaps around the

13 door to stop more smoke from coming into the flat?

14 A. Yeah.

15 Q. Moving on a little bit in the call, at the bottom of

16 that page, the last entry, do we see there that you say:

17 "We blocked the door but we're getting some of it

18 through the window and all, it's really thick."

19 A. Yes.

20 Q. Over the page a little further on in that call, at the

21 end of the paragraph where the cursor is, the operator

22 said:

23 "You need to stay inside, okay, and block the

24 doors."

25 A. Yeah, exactly.

1 Q. You said:

2 "So what, do we need to put a soaked towel."

3 The operator said:

4 "Yeah, put the towel at the bottom of the door and

5 that will help to stop the smoke coming inside the

6 house, inside the flat."

7 Further down that page we can see that you reminded

8 the operator that there was a young baby in the flat,

9 and there was a bit of confusion perhaps about whether

10 you were with your neighbour and her children, but as

11 you've explained to us you were in fact together at that

12 point?

13 A. Yes, we was.

14 Q. The call ended in this way, the operator said:

15 "I'm telling them on the radio now to check your

16 address."

17 You said:

18 "57, yeah."

19 A. Yes.

20 Q. The operator said:

21 "I'm telling them on the radio so they should be

22 with you in a minute, so I'll put the phone down, now,

23 you concentrate on doing that and keeping the smoke out

24 all right."

25 You said:

1            "I'm going to leave the doors and windows open."  
2            That was the end of your second call?

3    A.    Yes.

4    Q.    Again, is that a conversation that you remember having  
5            on the telephone?

6    A.    Yeah, I think so, yeah, yeah.

7    Q.    This time the call lasted for about four minutes?

8    A.    Yes, and the thing about the soaked towel, it's not  
9            about putting it under the door, I meant putting it over  
10           the baby's face, because the smoke was building up  
11           inside the flat as well, and I think it's -- I would say  
12           it wasn't really safe, because the baby was young. In  
13           that kind of smoke, would -- I mean, would affect her,  
14           so, it's when I suggested a soaked towel over her nose,  
15           whilst we're trying to get out. And then she said she  
16           will send someone upstairs to try and get us out of the  
17           building.

18   Q.    The operator had said to you that she had passed on the  
19           details of your flat so that somebody could come and get  
20           you?

21   A.    Yes.

22   Q.    You, of course, were concerned because your neighbour  
23           Natalie had a young baby and you were worried about the  
24           smoke?

25   A.    Yes.

1 Q. Can you remember, did somebody from the Fire Brigade  
2 come and get you?

3 A. Yes, they did.

4 Q. Did you hear a knock on your front door?

5 A. Yes.

6 Q. Who had come to get you?

7 A. The Fire Brigade, two of them, there was two  
8 Fire Brigade officers there, knocking at the front door.

9 Q. I'm sorry, could you just make sure you speak into the  
10 microphone, because it's very important we hear what you  
11 say?

12 A. There were two of them downstairs, knocking at the front  
13 door.

14 Q. What did they say to you when you opened the door and  
15 found them there?

16 A. That they've come to get us out.

17 Q. Were you able to leave your flat with them?

18 A. Yes. But at that point in time the smoke had built up  
19 all around, so it was -- I mean it was a bit of  
20 an hassle, but we managed to get downstairs.

21 Q. Can you remember, did you do anything to -- to help you  
22 with the smoke on the way down?

23 A. I had a cloth over my mouth, and the baby, and Natalie  
24 as well. And if I can recall, I was carrying the baby,  
25 I think.

1 Q. You were carrying one of your neighbour's children?  
2 A. Yes.  
3 Q. Did she carry the other? Perhaps one of the firemen  
4 carried one of them?  
5 A. I think, yeah, one of them.  
6 Q. Did the fireman lead you out of the building then?  
7 A. Yes, they did.  
8 Q. I think it's right that once you came out of the  
9 building into the air outside there were some paramedics  
10 from the ambulance service who were ready to offer  
11 assistance?  
12 A. Yes, there were.  
13 MR ATKINS: Mr Hydar, thank you, those are all the questions  
14 I have. Could you please wait there, because there may  
15 be questions from others.  
16 THE CORONER: Thank you.  
17 Mr Edwards? No, thank you. Ms Al Tai?  
18 MS AL TAI: No thank you, madam.  
19 THE CORONER: Mr Compton?  
20 MR COMPTON: No questions, thank you.  
21 THE CORONER: Yes, Ms Naqshbandi?  
22 MS NAQSHBANDI: Thank you. Good afternoon, Mr Hydar, just  
23 two points, please. Can I ask you to look at page 171  
24 of your statement, please. If you look at about the  
25 middle of the page, the sentence begins, "I went back in

1 and out onto the other balcony," do you see that? Just  
2 between the two hole punches? Can you see that?

3 A. Yes, yes, I can see that.

4 Q. You say you went back in and out onto the other balcony:

5 "This was very soon after I had finished the call to  
6 the Fire Brigade."

7 Yes?

8 A. Yeah, went back in onto the other balcony, yeah.

9 Q. Yes, and the call we know to the Fire Brigade, your  
10 first call -- the one that lasted a minute and two  
11 seconds -- ended at 16.22, so 4.22 in the afternoon, and  
12 52 seconds. What you describe is you could see the fire  
13 was really burning and you saw thick black smoke,  
14 burning red flames, things were burning and dropping  
15 down to the next floor, is that right?

16 A. Yes, yes.

17 Q. Thank you.

18 The second point, if you could just turn over the  
19 page, please, to page 172, it's about a third of the way  
20 down, near the first holepunch, do you see the sentence  
21 that begins:

22 "The firemen led us along the hall to the stairs."

23 A. Yes.

24 Q. There you describe the conditions as you're making your  
25 escape as:

1 "I could barely see as smoke was burning my eyes.  
2 I was covering my nose but the smoke was still making me  
3 cough."  
4 A. Yes.  
5 Q. Is that right?  
6 A. Yes.  
7 MS NAQSHBANDI: Thank you.  
8 THE CORONER: Members of the jury, do you have a question  
9 for Mr Hydar?  
10 THE FOREMAN OF THE JURY: No.  
11 THE CORONER: Thank you.  
12 Mr Hydar, you described how you suggested that your  
13 neighbour and her two children should come into your  
14 flat. When she did, did they come along one of the  
15 balconies, or --  
16 A. Yes.  
17 THE CORONER: Not through the front door, but along one of  
18 the balconies?  
19 A. Along one of the balconies, yeah.  
20 THE CORONER: I see. Thank you very much for coming and  
21 thank you very much for the help you've been able to  
22 give us, thank you.  
23 A. All right.  
24 (The witness withdrew)  
25 THE CORONER: Yes, Mr Atkins.



1 MR ATKINS: Madam, the next witness is

2 Watch Manager Rosendale.

3 THE CORONER: Thank you.

4 Mr Rosendale, would you like to come forward,  
5 please.

6 MATTHEW ROSENDALE (sworn)

7 THE CORONER: Thank you, Mr Rosendale. Do sit down. Do  
8 help yourself to a glass of water. Your voice is loud  
9 and clear, so that's very helpful, but if you could keep  
10 close to the microphone that would be very helpful to  
11 us, thank you.

12 Mr Atkins, who is standing, is going to ask  
13 questions initially on my behalf and then there may well  
14 be questions from others, okay?

15 A. Thank you, madam.

16 THE CORONER: Thank you.

17 Questions by MR ATKINS

18 MR ATKINS: Can you please tell the court your full name.

19 A. Matthew Leslie Rosendale.

20 Q. Mr Rosendale, I am going to ask you some questions about  
21 your knowledge of Lakanal House and also your  
22 involvement in the firefighting efforts there on  
23 3 July 2009. Could you please tell the court how long  
24 you've been working as firefighter?

25 A. I'm in my 26th year.

1 Q. Has all of that been with the London Fire Brigade?

2 A. Yes sir.

3 Q. Do you still work for the London Fire Brigade?

4 A. Yes sir.

5 Q. Is it right that at the time of the fire you were

6 a Watch Manager?

7 A. Watch Manager, sir.

8 Q. That you were stationed at Brixton?

9 A. Yes sir.

10 Q. Had you ever been to Lakanal House before the day of the

11 fire?

12 A. Not to my recollection, but possibly, sir.

13 Q. In that case, as we go through, I may ask you from time

14 to time about the layout of the building, and what you

15 had learned about the layout as you were carrying out

16 your work on 3 July.

17 A. Sir.

18 Q. Is it right that you were called out from Brixton fire

19 station?

20 A. Yes sir.

21 Q. The time of the call out was about 5.07?

22 A. I believe so, sir, yes.

23 Q. You travelled to Lakanal House, I think, on the pump

24 ladder, which has the call sign H241?

25 A. That is correct, sir.

1 Q. Could you please tell us who else was on that appliance  
2 with you?

3 A. I believe Firefighter Eveson was driving, and on the  
4 back, Firefighter Rosser and Firefighter Birks.

5 Q. Is it right that your crew arrived at Lakanal House at  
6 about 5.11?

7 A. I do not know, sir.

8 Q. Mr Rosendale, you can take it from me that the records  
9 we have suggest that H241 did arrive at Lakanal at  
10 17.11?

11 A. That sounds reasonable, sir.

12 Q. That sounds to you --

13 A. That sounds quite reasonable, sir.

14 Q. -- that it could well have been?

15 Can you remember where you parked when you arrived  
16 at Lakanal?

17 A. Yes sir, we parked, I believe, in Havil Street behind  
18 the command unit. Some distance from the fire.

19 Q. At the time you arrived, what could you see, looking at  
20 the building?

21 A. Having referred to my statement previously, I recalled  
22 seeing smoke en route to the fire. I can't remember  
23 that now, though.

24 Q. Are you able to remember whether at the time you arrived  
25 there was smoke coming out of just one part of the

1 building, or whether perhaps the fire was in more than  
2 one part of the building?

3 A. I can't remember, sir. In fact from where we were  
4 parked I don't even know the building was visible from  
5 where we were parked, sir.

6 Q. Once you had arrived and got out of the fire engine,  
7 what was the first thing you were asked to do?

8 A. I got off of the fire engine and told my crew to wait  
9 with the vehicle whilst I went to the command unit to be  
10 detailed what they required us to do, sir.

11 Q. Were you given instructions then about what your crew  
12 should do?

13 A. I believe -- could I refer to my statement, sir, please?

14 Q. Is this the statement which you completed on 13 July?

15 A. I believe so, sir.

16 Q. For completeness, do you recall also that you sent  
17 a memo to another part of the Fire Brigade on 4 July,  
18 that is the day after the fire?

19 A. That's correct, sir, yes.

20 Q. Do you believe that your memory of events at the time  
21 that you completed those two documents, the memo and the  
22 statement, was better than it is now?

23 A. It certainly was sir, yes.

24 Q. In that case, could Mr Rosendale please be shown the  
25 statement at page 259. (Handed) Mr Rosendale, do you

1 see there your name in the top left-hand corner of the  
2 page?

3 A. That's correct, sir.

4 Q. Do you recognise this as the statement which you made on  
5 13 July?

6 A. It is sir, yes. I've forgotten your question, sir.

7 Q. Could I ask you to turn over to page 260. I was asking  
8 you about the instructions which you were given  
9 immediately after you had arrived, and you said that you  
10 went off in order to be briefed. I asked you whether  
11 you were given any instructions. If we look in that  
12 first paragraph, you say:

13 "I told the crew to remain with the vehicle as I was  
14 aware that it could be blocking the route for more  
15 important vehicles. I told the others, Birks and  
16 Rosser, to don their breathing apparatus, and I did the  
17 same."

18 Then you continue by saying:

19 "We were instructed to go to check the 5th floor and  
20 to conduct a search and rescue."

21 Was that the first instruction that you were given  
22 about what you and your crew would be doing?

23 A. That's exactly right, sir.

24 Q. Can you recall who gave you that instruction?

25 A. No, I can't, sir.

1 Q. Are you able to remember whether it was the person who  
2 at that time was the Incident Commander, or might it  
3 have been somebody else?

4 A. It was not the Incident Commander. If I -- if I try and  
5 guess as best as I can recall --

6 Q. I won't ask you to guess, if you can't remember, please  
7 just say so?

8 A. No, no I can't, no. It's possible I spoke to the  
9 command unit, and the Incident Commander may have been  
10 within the command unit, but I can't say for certain.

11 Q. We've seen that you were being asked to go to the 5th  
12 floor of the building to conduct a search and rescue.  
13 Do you recall whether at that time you were being asked  
14 about any particular flats on the 5th floor, or was it  
15 just the 5th floor generally?

16 A. Yes, there was no mention of any specific flats, just  
17 the 5th floor.

18 Q. At the time you arrived, where was the breathing  
19 apparatus entry control point? First of all perhaps,  
20 was it inside the building or was it outside?

21 A. I cannot remember, sir.

22 Q. Do you remember going into a particular place before you  
23 went into the building, or do you think you went simply  
24 straight in as soon as you were asked to?

25 A. I cannot recall, sir.

1 Q. Are you able to remember who the BA entry control  
2 officer was?

3 A. I cannot remember, sir.

4 Q. Do we understand, then, that there must have been  
5 a point when you went through the entry control point  
6 and handed in your tally keys?

7 A. We definitely would have done that sir, yes.

8 Q. If we could think, please, about the time at which you  
9 started up your equipment. I'd like to show you  
10 a document which I'll put on screen, it's page 1031 of  
11 the advocates' bundles. Can you see that there on the  
12 screen in front of you?

13 A. Yes sir.

14 Q. You may have been in court when I gave the explanation  
15 a little bit earlier, have you seen this document  
16 before?

17 A. Never, sir.

18 Q. The bodyguard system, which is attached to the breathing  
19 apparatus equipment, records certain information which  
20 can be downloaded after an incident. This is  
21 a spreadsheet which sets out the data which was  
22 downloaded from the bodyguard equipment.

23 A. Yes sir.

24 Q. What we have, you can see on the left-hand side a column  
25 headed "BA set" and then a series of set numbers. For

1 example 591, and then the next one done 889, those are  
2 the numbers of different sets of breathing apparatus  
3 equipment.

4 A. Yes sir.

5 Q. Do you see on the right-hand side, we have a column for  
6 "wearer name"?

7 A. Sir.

8 Q. In fact you are the first of the rows underneath that?

9 A. Yes sir.

10 Q. In other words, that top row includes the data which was  
11 downloaded from the breathing apparatus equipment which  
12 you wore on the day of the fire.

13 A. Yes sir.

14 Q. We can see, also, if we just look in the "wearer name"  
15 column a little bit further down, one of the other  
16 firefighters you mentioned already, Mr Rosser?

17 A. Yes sir.

18 Q. I think he was another member of your crew?

19 A. That's correct.

20 Q. Could we look, please, at your row, the top row. If we  
21 follow over to the left, there is a column headed "ADSU  
22 active"?

23 A. Yes sir.

24 Q. Do you recognise "DSU" as an abbreviation for the  
25 "distress signal unit", which is built into the



1 breathing apparatus?

2 A. I do, sir, yes.

3 Q. So that is the time that is recorded when the tally key  
4 is removed and the distress signal unit is activated,  
5 that's what column is recording?

6 A. Yes sir.

7 Q. We see there that your time recorded is 17.30?

8 A. Yes sir.

9 Q. Which would be around about 19 minutes after you had  
10 first arrived at Lakanal House?

11 A. Sounds correct sir, yes.

12 Q. When you were committed into the building, were you  
13 committed with any other firefighters?

14 A. Can I refer to my statement, please, sir?

15 Q. Yes, by all means. About two-thirds of the way down the  
16 first paragraph on page 260, you had explained that you  
17 had told Mr Birks and Mr Rosser to put on their  
18 breathing apparatus. Then you say:

19 "We were instructed to go and check the 5th floor."  
20 Was it the case that it was the three of you who  
21 went in together, do you think?

22 A. Yes, we would have formed a three-man crew, with me in  
23 charge of it, sir.

24 Q. Going back very quickly then to this table that we were  
25 looking at a moment ago, you will have seen that your

1 entries are highlighted in yellow. I'll just explain  
2 why that is. It's because on some of the bodyguard sets  
3 the battery for the set was replaced in between the time  
4 of the fire and the time that the data was downloaded.  
5 We understand that what that means is that it isn't  
6 possible to be completely accurate about times before  
7 the battery was changed, because it interrupts the  
8 process of counting back from the time when the data was  
9 downloaded?

10 A. Okay, sir.

11 Q. If we could look, please, then, at the third row down  
12 for Mr Rosser, we can see can't we that his times are  
13 not marked in that way, because the battery of his set  
14 wasn't changed between the fire and the time the data  
15 was downloaded?

16 A. Yes.

17 Q. Were you committed into the building at the same time as  
18 Mr Rosser, do you think?

19 A. I should imagine the three of us would have gone through  
20 entry control in succession, and then we entered and  
21 went up to the 5th floor together, with me leading the  
22 other two.

23 Q. On the basis of that, then, one would expect that your  
24 start up time and his start up time would be very close  
25 together?

1 A. Minutes apart, sir, yes.

2 Q. As it is, looking at those times, we can see that --

3 perhaps it's more helpful to look at the column headed

4 "from"?

5 A. Yes.

6 Q. Do you see your "from" time is 17.31?

7 A. Yes.

8 Q. That would be the time that you started to breathe air

9 through the equipment?

10 A. Yes.

11 Q. Then if we look down, Mr Rosser's time is 17.29?

12 A. Yes, sounds totally correct, sir, yes.

13 Q. By the looks of it, the two of you started up at around

14 about 5.30?

15 A. Yes, and Mr Birks would have as well.

16 Q. And Mr Birks the same?

17 A. Yes.

18 Q. Could you help us please with how you got up to the 5th

19 floor?

20 A. As I recall, we took equipment with us and went up the

21 stairwell to the 5th floor.

22 Q. What were the conditions like in the stairwell at that

23 time?

24 A. No obvious smoke.

25 Q. Could I ask you about one thing that you mention in your

1 statement there on page 260, right at the beginning of  
2 the second paragraph on that page. You say:

3 "Normally we carry a lot of gear aloft, but on this  
4 job there was an equipment shortage because of the scale  
5 of the incident."

6 Can you just explain that to us, what were you short  
7 of?

8 A. Yes, there was no available breaking in equipment or  
9 a thermal imaging camera, so we took hose and hand  
10 control branch.

11 Q. If that equipment had been available, the breaking in  
12 equipment and the thermal imaging camera, would you have  
13 taken that with you?

14 A. Yes sir.

15 Q. When you got to the 5th floor, were you able to get out  
16 of the stairwell and to get into corridors where the  
17 flats were?

18 A. We located the dry riser, set the hose into the  
19 dry riser and -- as I recall both wings had security  
20 doors, which we wouldn't have the codes to, but we carry  
21 an express lift key with us so we can override the  
22 security to get in. We went to the first corridor of  
23 choice, I don't know which one that was, and I used the  
24 express lift key to open the door, and it would not  
25 open.

1 Q. You were expecting that this key would allow you simply  
2 to open the door without difficulty, but that didn't  
3 work?

4 A. That's correct, sir, yes.

5 Q. Did you manage to get into that door?

6 A. It took about two minutes of fiddling, persevering,  
7 trial and error, and in the end -- it shouldn't be the  
8 way, but in the end we managed to open the door using  
9 the lift express key.

10 Q. What about the other door, did you have any difficulty  
11 with the second security door?

12 A. As I recall, the second security door, which we  
13 encountered some time later, would not open with the  
14 express lift key despite every effort, but fortunately  
15 we had a small hand axe with us and smashed the plastic  
16 vision panel out the way, I reached by hand through and  
17 unlocked the door by placing my arm through, like so  
18 (Indicating).

19 Q. Are you able to see why it was that your key wasn't  
20 working?

21 A. No, I made the assumption that there was a fault with  
22 the mechanism. The key was operative, my key was  
23 certainly functioning properly.

24 Q. Do we gather from what you said, though, that the fact  
25 that the key wasn't working delayed you for at most

1 a couple of minutes?

2 A. At the first door it delayed us for two minutes, which  
3 is a very long time in that sort of circumstance. On  
4 the second occasion, I don't recall how long it delayed  
5 us, but we had to resort to brute force to break a hole  
6 and reach through. Probably, again, two minutes. If  
7 the vision panel had been Georgian wired glass, it would  
8 have taken us longer.

9 Q. Are you able to remember which corridor you went into  
10 first? Could I ask you to look at the top of page 261  
11 to see if that helps you to remember. You say that you  
12 had charged the hose with water to make sure that it was  
13 pressurised, and you tested the hose. Then you talk  
14 about going along the corridor knocking on doors. Can  
15 you recall whether in the first corridor you went into  
16 there was any sign of a fire?

17 A. Yes, to get a perspective of where we went, I believe  
18 the first corridor we checked, there was no sign of  
19 fire. The second corridor was the one where we  
20 encountered a fire.

21 Q. So far, the jury have heard about a number of different  
22 flats that were on fire, all of which were on the same  
23 end of the building, on the north end. Do we understand  
24 that the first corridor you went into was the south  
25 corridor, where there wasn't a sign of fire, and then in

1 all likelihood the second corridor you went into, where  
2 did you come across a fire, was would have been the  
3 north corridor?

4 A. I'm not comfortable talking of north, south, east and  
5 west, I don't have a bearing about that. I can  
6 certainly say the first corridor had no fire, the second  
7 corridor had a maisonette on fire.

8 Q. Did you know when you went into this building, when you  
9 were sent with this brief to carry out a search and  
10 rescue, that you were going to come across a fire on the  
11 5th floor?

12 A. I thought it likely, but before I entered the building,  
13 and I looked up and I was unsure of what the mechanism  
14 of fire spread was, therefore I didn't know where the  
15 fire was, how it had got from the numerous locations it  
16 was at. And I was concerned the fire might have been  
17 spread in a concealed area which we weren't aware of, so  
18 I was expecting fire anywhere, and quite concerned that  
19 I should identify where it was coming from quickly.

20 Q. I've just put a photograph on the screen which was taken  
21 at 16.48. You may not have seen this photograph before,  
22 but I've chosen it because it's a photograph taken  
23 before you and the rest of your crew had arrived at  
24 Lakanal. You can see in the photograph that the fire is  
25 on a number of different floors, so that was something

1           which would have been visible to somebody standing  
2           outside the building at 16.48. Can you remember whether  
3           before you went into the building you had realised that  
4           there was a fire on the floor that you were being asked  
5           to go into?

6    A. I can't, sir, I felt it very likely there would be  
7           a fire on the floor, but I can't recall whether I was  
8           certain that the floor I was going to had a fire, but  
9           I was told to go up and conduct search and rescue and  
10          firefighting, so it was likely.

11   Q. In general terms, if you had discovered that there was  
12          fire in one corridor, but not in the other, would it be  
13          your normal practice to carry out the search and rescue  
14          operation in the fire corridor first?

15   A. Oh, I see, sir. When we got to the 5th floor, we looked  
16          through the vision panels of both corridors, and there  
17          was a very light smoke at ceiling level, and that was  
18          it. There was no obvious sign of smoke indicating where  
19          a fire was, and instinctively I led my crew to do one  
20          corridor first of all, as there was nothing to suggest  
21          a fire was more likely in either corridor.

22                 I had an awful feeling that the fire was hidden  
23          below the ceiling above me, and I really wanted to find  
24          the fire quickly, so I knew where it was and how it was  
25          spreading.



1 Q. In that first corridor then, when you hadn't found  
2 a fire, we've seen already in your statement that you  
3 talk about knocking loudly on every door. Did you go  
4 into any of the flats?

5 A. As I recall, I held the charged hose and a branch. The  
6 other two firefighters with me, we went to the extreme  
7 end of the corridor, worked back towards the dry riser,  
8 making a hell of a noise kicking and banging every door  
9 and only one door someone came to that door. And that  
10 was, I believe, a female with two children, one in  
11 a pram, and we led her to safety.

12 Q. Aside from that encounter, did you, for example, force  
13 entry into any of the flats to see what was inside at  
14 that point, or did you just bang on the doors and leave  
15 it there?

16 A. I think at the time, with the pressing nature of the  
17 fire and the amount of air we had, I don't recall  
18 forcing entry at that stage, no. We knocked on doors  
19 and people who -- the one person who came to the door,  
20 we evacuated. The smoke was extremely light, or barely  
21 apparent.

22 Q. What about in the second corridor, then, when you went  
23 into the other corridor, what did you find?

24 A. Again, light smoke, but I at some point was aware of  
25 heat at ceiling level. Bearing in mind I've got gloves

1 and fire gear and a flash hood on, it's not extremely  
2 apparent when you're in heat, but I could feel heat at  
3 head height. And again I was very concerned as to where  
4 the fire was, because it wasn't obvious where it was,  
5 and we progressed knocking on doors all the way down  
6 that corridor, at which point we finished and I was  
7 extremely concerned where this fire was.

8 There was only two of us in my crew at that time, me  
9 and Mr Birks, and looking at the floor, there was  
10 a small amount of black debris on the floor outside of  
11 a flat, I looked through the letter box and it would  
12 seem as if there had been quite a fire the other side of  
13 the door, and that's how I found where the fire at that  
14 level was, the front door being secured shut at the  
15 time.

16 Q. Are you able to tell us where that flat was in the  
17 building? How far along the corridor it was?

18 A. I don't think so, no.

19 Q. Were you able to see inside the flat? Did you go into  
20 the flat?

21 A. I got down on my knees, looked through the letterbox,  
22 saw there was a lot of smoke, there was smouldering  
23 going on, and me and Firefighter Birks got ready with  
24 the branch and forced the door in. We didn't have any  
25 breaking-in gear, so we kicked the door in, between the

1 two of us.

2 Q. Once you had forced the door open, could you see what  
3 the conditions were like in the flat?

4 A. Yes, it was quite smokey, reasonably warm. There was  
5 a big hole at the end of the flat where the window had  
6 fallen out, which is extremely dangerous. It looked as  
7 if a fire crew had doused the fire, but it still needed  
8 a bit of attention, I felt. So me and Firefighter Birks  
9 entered the maisonette.

10 Q. Something in the flat was still alight at the time you  
11 had got there?

12 A. I can't recall flame, but there was smoke -- a lot of  
13 smoke being given off, and it warranted the attention of  
14 a fire crew with a hose.

15 Q. Just very quickly, please, looking back to your  
16 statement at page 261, there's a sentence which I've  
17 just highlighted on the screen which begins, "We located  
18 a maisonette" and you say at that time it was alight.  
19 Do you think there was some flame when you reached the  
20 flat?

21 A. I was in a serious frame of mind that I was going in to  
22 firefight, yes.

23 Q. Could I ask you about something you mentioned just a few  
24 lines further on. You say that shortly after -- perhaps  
25 as you discovered this flat, you were low on air, so it

1 was coming up to the time when you would have to  
2 withdraw, but you say that after about a minute the  
3 branch became defective -- the branch is the piece of  
4 equipment you attach to a hose, is that right, in order  
5 to spray water?

6 A. That's correct, yes.

7 Q. You say the branch became defective and would not  
8 operate?

9 A. That's right, sir.

10 Q. At that time that happened, then, does that mean you  
11 couldn't use it to spray water onto the fire?

12 A. Yes, I was holding it, I turned it on, used it to douse  
13 the fire, turned it on again, and nothing came out. And  
14 that is the only time that has ever happened to me.  
15 I felt the house, and it was rock hard, which tells me  
16 there's not a failure in the water supply. I handed the  
17 branch to Mr Birks, and he tested it and found the same  
18 response. The reason I did that is it's the easiest way  
19 to let my other crew member know we now don't have  
20 waters, which is quite a dangerous situation to be in.

21 Q. In light of what had happened, is it correct that you  
22 went up the stairs inside the flat in order to see if  
23 there was anybody there, which you did by getting onto  
24 your knees to try to see underneath the smoke?

25 A. Yes. I was quite uncomfortable at the time, because we

1           didn't have water, there was only two of us in the crew,  
2           I was running out of air, but I wanted to make an effort  
3           to get up to the upper level of the stairs to do a quick  
4           search to see if there was anyone up there. It wasn't  
5           a proper search, it was a quick search, bearing in mind  
6           how compromised I was by running out of air and with the  
7           window missing and the wind, if the wind had come  
8           through without any water I wasn't -- I wasn't happy  
9           about it, so it was a quick attempt. I got up there and  
10          I would say 20/30 seconds maximum, in zero visibility,  
11          I swept the upper level for any obvious bodies.

12                 I would not classify that as "searched".

13   Q.   As you say, the best search that was possible in the  
14          circumstances that you were in?

15   A.   It's the best I could do at the time, yes.

16   Q.   Shortly after that, is it right that you had to withdraw  
17          because you were low on air, and you went back to the  
18          breathing apparatus entry point?

19   A.   That sounds correct sir, yes.

20   Q.   Did you pass on the information that you were having  
21          problems with the branch to the officer there?

22   A.   I did, yes, sir, yes. I told them the branch was  
23          defective and needed replacing.

24   Q.   I think it's right that then you went back to the  
25          holding area where crews were waiting to be committed

1           into the building, you took on some water, you had a  
2           break, and after a while you told the officer there that  
3           you were ready to go back into the building if you were  
4           needed?

5    A.   Yes, I probably told the officer on at least two  
6           occasions that we were ready, just to impart the fact we  
7           were enthusiastic to get on with the job, really.

8    Q.   I'm sorry, I should have just taken us back to this page  
9           very briefly to look at the time at which you came out  
10          of the building, having been to the 5th floor. We saw,  
11          if you remember, that your time that you started  
12          breathing air was 17.31, just where the cursor is, and  
13          that it appears that you came out of the building at  
14          about 17.49, so you would have been inside for about 18  
15          minutes or so?

16   A.   That sounds reasonable, yes.

17   Q.   You had offered to go back into the building. I think  
18          it's right that you were sent up to the 3rd floor, which  
19          is where the bridgehead then was, and you were asked  
20          once again to use your breathing apparatus to go up to  
21          conduct further operations, this time on the 9th floor?

22   A.   That's correct, sir.

23   Q.   Looking at the times, again bearing in mind the  
24          complication with the battery, it would seem that the  
25          second time you started to breathe air through your

1 equipment it was about 7.03, so it was later on in the  
2 day?

3 A. Yes sir.

4 Q. This time you led a crew of three other firefighters,  
5 Mr Birks, Mr Rosser, and this time, Mr Wellman as well,  
6 up to the 9th floor, with the aim of fighting the fire  
7 there and carrying out search and rescue?

8 A. Yes sir.

9 Q. Did you find, when you reached there initially, that  
10 there weren't any hoses connected to the dry riser on  
11 the 9th floor?

12 A. That's correct, sir.

13 Q. Was that a surprise to you?

14 A. I had been told that a branch was set into the riser on  
15 the 9th floor. When we got up there, it wasn't.  
16 I double checked to make sure we were actually at the  
17 9th, which we were, and I'm not at all surprised,  
18 because due to the urgent nature of the incident  
19 I assumed another crew had taken that equipment because  
20 they needed it.

21 Q. Did you find during your time on the 9th floor that the  
22 flat opposite number 66, in other words flat 65, was in  
23 fact still alright?

24 A. Yes, it wasn't aflame, but it was full of smoke and  
25 smouldering.

1 Q. Is it the case that you were able to tell that it was  
2 opposite flat 66, because the number 66 was still on the  
3 door of the flat opposite?

4 A. I'm pretty certain that's how I got a bearing on that  
5 flat, yes.

6 Q. Could I ask you, during the course of your time at  
7 Lakanal that day, and the work that you did, were you  
8 able to build up a picture of where different flats were  
9 in the building? I'll show you what I mean. This  
10 diagram that I've just put on the screen shows the west  
11 side of Lakanal House, as it would appear to somebody  
12 who didn't know which flat was which. Whereas if you  
13 did know, you might be able to draw the sort of diagram  
14 that I've just put on the screen there. In the  
15 course of the day, could you have drawn something  
16 approaching this diagram?

17 A. No, on entering the first flat, I identified that it was  
18 maisonettes. As to the layout of flats within the  
19 building, I was task focussed. My role at this incident  
20 was searching and rescue of the two floors I was  
21 committed to. There was no priority given to any  
22 particular flats, so I focussed on those floors. And  
23 whilst doing the physical job, forming any plans or  
24 anything of that nature, I didn't have the time or the  
25 opportunity to do that, no.



1 Q. You mentioned a moment ago that it was when you went  
2 into the maisonette, the first time you were committed  
3 into the building, that you realised they were  
4 maisonettes. Was that the first time you had discovered  
5 that?

6 A. I think so, or at the very least I confirmed it for  
7 myself. I may have -- I may have been led to believe  
8 they were maisonettes prior to that, but it was on  
9 seeing that first stairwell that I had the visual image  
10 and the confirmation, I knew we were dealing with  
11 maisonettes.

12 Q. Mr Rosendale, I have one last question for you, which is  
13 what single additional thing do you think would have  
14 helped you most on the day?

15 A. For me, very easy answer, it's resources, and that's  
16 a two-pronged answer. At Brixton we have a minimum crew  
17 of four on a pumping appliance, a minimum crew of five  
18 would have given us a lot more scope to do the job, and  
19 also pumping appliances don't carry an equal inventory.  
20 And if all pumping appliances carried an identical  
21 inventory, things like thermal imaging cameras and  
22 breaking-in gear would have been in more abundant  
23 supply, which would have given us the tools to do the  
24 job on the day.

25 MR ATKINS: Mr Rosendale, thank you, those are all the

1 questions I have. Madam, I just have one eye on the  
2 clock, it's 3.45, and I don't know how many questions my  
3 learned friends have.

4 MR EDWARDS: I will be very quick.

5 THE CORONER: All right.

6 Does anyone anticipate having lengthy questions for  
7 Mr Rosendale?

8 MR WALSH: I'm probably the most likely, on behalf of the  
9 Fire Brigade, I'll be no longer than five minutes.

10 THE CORONER: All right.

11 Members of the jury, are you happy that we just have  
12 questions of Mr Rosendale and then finish? We shan't go  
13 on after 4 o'clock, is that convenient for everybody?  
14 That's very helpful, thank you very much.

15 Mr Edwards?

16 Questions by MR EDWARDS

17 MR EDWARDS: Thank you. Can I ask you to look back at  
18 page 260 of your witness statement, please. You set out  
19 in there, the very first line, that at 1630 hours the  
20 bells rang to instruct the pump vehicle to stand by,  
21 that's your vehicle, but only at 17.07, did the bell  
22 ring to actually tell to you attend Lakanal House?

23 A. Yes sir, no, you're not correct there. The "pump  
24 vehicle" was a vehicle from Brixton. My vehicle was the  
25 "pump ladder".

1 Q. I do apologise. Let me rephrase that. 16.30, there's  
2 a bell ringing saying to stand by, does that also apply  
3 to you?

4 A. No, that will be Brixton's pump being ordered to proceed  
5 to Peckham to provide fire cover.

6 Q. Right, I follow. You were asked about thermal imaging  
7 cameras, in fact you raised thermal imaging cameras. It  
8 may be Mr Walsh is going to ask you about this as well,  
9 but just to clarify, these are thermal imaging cameras  
10 so you can see where a fire is, rather than the type of  
11 thermal imaging cameras the police use to see people, or  
12 is it both?

13 A. We use it for both. Heat sources, sir.

14 Q. You were telling us about your first wearing of BA when  
15 you went up to the 5th floor?

16 A. Yes sir.

17 Q. We looked at page 1031 in the advocates' bundle. If we  
18 could just put that up on the screen. We can see your  
19 first wear is on -- you can see your name in the column  
20 under "wearer name", Rosendale?

21 A. Yes sir.

22 Q. Your first wear, you start with 182.5, and you finish  
23 with just 2.25, so you've used 180.25. You were  
24 operating this -- this isn't a criticism -- breathing  
25 apparatus right at its limits, really, by finishing at

1           2.25, weren't you?

2    A.   It was a very uncomfortable position to be in, sir, yes.

3    Q.   Essentially, you took a calculated risk to try and save

4           lives?

5    A.   That's correct, sir.

6    Q.   In respect of the drop key, the key that wouldn't open

7           the security doors, just explain how you know it was the

8           doors that weren't working rather than the key that was

9           somehow defective?

10   A.   That drop key, I use to this day.  It's never let me

11           down.

12   Q.   I think that answers it.  Finally, just a suggestion,

13           and don't let me put an answer into your head that's not

14           right, you fought fires in two maisonettes, you went

15           into two maisonettes where there had been fires on the

16           day of the Lakanal House fire.  The first was on the 5th

17           floor, the second was on the 9th floor.  The 9th floor

18           you said was smouldering, and we've heard evidence that

19           clearly someone else had fought the fire on the 9th

20           floor.  That's the second maisonette you went into?

21   A.   Yes sir.

22   Q.   The first maisonette you went into, you noticed -- or

23           you found it by looking through a letter box, as you've

24           said, that's how you could see the fire was in it, but

25           you also said, when Mr Atkins asked you, that you

1 thought somebody might have been fighting a fire in that  
2 first maisonette you went into as well?

3 A. Yes sir.

4 Q. Is that right, or is it possible you are confusing the  
5 two maisonettes, and you were actually the first  
6 firefighter to reach that maisonette on the 5th floor?

7 A. I'm pretty confident that that first maisonette had had  
8 water applied to it, from either outside the building or  
9 from inside the building. The fire was hot and  
10 steaming, but it had been knocked down by water from  
11 somewhere in my opinion.

12 Q. That probably answers my question. It sounds from that  
13 as if it's more likely to be outside the building, and  
14 no-one has come inside the building because the security  
15 doors are still locked. You arrived on the 5th floor,  
16 it doesn't look as if you could see any signs of  
17 firefighting internally. Is that right?

18 A. That seems quite likely, sir, yes.

19 MR EDWARDS: Thank you.

20 THE CORONER: Yes, Mr Walsh.

21 Questions by MR WALSH

22 MR WALSH: Thank you, two topics, two minutes, each, please,  
23 so you know the level of answer I require. In relation  
24 to the fire on the 9th floor when you went in, flat 65,  
25 you saw that at least it was smokey at that stage. Do

1           you remember flame or not? I just want you to go back  
2           and try and remember that now.

3    A. No, but I can remember, as we sprayed water inside the  
4           flat, a crackling sound, which told me sufficient  
5           burning somewhere.

6    Q. Thank you very much.

7           Mr Rosendale, it's not uncommon, is it, for a fire,  
8           especially one of reasonable intensity, to require some  
9           period of time to be doused down repeatedly, so that one  
10          can be sure it's completely out?

11   A. That's quite right, sir. Quite often a single fire in  
12          a flat will have fire crews attending to it for four or  
13          five hours.

14   Q. Thank you. The second topic, it's very short, three  
15          topics. It concerns familiarisation visits, you're the  
16          first Watch Manager of that seniority I can ask these  
17          questions of. You're familiar with the requirement to  
18          do 72D visits?

19   A. Yes sir.

20   Q. I only want to know about communication. When a 72D  
21          visit is done, we have heard it's normally supervised by  
22          a Watch Manager. Is that right?

23   A. Yes sir.

24   Q. If any items are discovered on a familiarisation visit  
25          which require noting of some sort, what is the process

1 by which it is noted or reported?

2 A. The local station keeps its records. It's only if  
3 something untoward or unexpected is found that we would  
4 inform other stations, such as oxygen cylinders stored  
5 within a flat, security issues, something like that.

6 Q. Right, thank you. If on a familiarisation visit, for  
7 example, at a high rise, for the sake of argument, there  
8 is a defective dry riser, what would be the position of  
9 recording or reporting that?

10 A. Well, if I found a defective dry riser on a visit,  
11 I would try and locate the responsible person at the  
12 premises and gather some information from them, such as  
13 the caretaker. I'd try and find the tenants'  
14 association or the residents' association or the estate  
15 office and gather some information from them. I'd also  
16 talk to some of the residents to try and find out what  
17 they knew about it. They may tell me it's just been  
18 broken today, or it's been like it for a lengthy period  
19 of time.

20 Q. All right, when you get back to the station?

21 A. Yes.

22 Q. What system, if any, is there for communicating matters  
23 of that kind to other shifts and firefighters in other  
24 crews?

25 A. Well, what I would do is I would contact predetermined

1 attendance section at control and arrange for additional  
2 attendance to the premises due to a dry riser being  
3 defective. I would inform surrounding stations, either  
4 by email or telephoning them. We have a station handing  
5 over book, and that would be put in there for all four  
6 watches to be made aware of.

7 Q. Would you always think it appropriate to tell other  
8 firefighters and other members of crews for all matters,  
9 or is it a matter of your discretion?

10 A. If we're talking about defective dry risers, that is  
11 extremely serious and we'd take immediate action with  
12 that, definitely.

13 Q. In relation to other matters, it's a matter for your  
14 discretion?

15 A. That's right, normally a block of flats is a block or  
16 flats, or maisonettes, there's certain things you can  
17 assume about any one, you wouldn't have to share  
18 information that was obvious. It would only be  
19 unexpected things, in my opinion.

20 MR WALSH: All right, thank you very much indeed.

21 THE CORONER: Information which you thought it would be  
22 right to share, how would you share it, first of all  
23 with your watch and secondly with other watches, just at  
24 your station?

25 A. Very good, madam, if I can take an example. Say someone



1 has oxygen cylinders in their flats due to a medical  
2 problem. The station handing over book straight away to  
3 inform all watches, on to predetermined attendance  
4 section, because the mobile data terminal would have to  
5 be updated straight away and an icon indicating oxygen  
6 within that premises.

7 THE CORONER: Can I just stop you there, because that's the  
8 position now. We are always looking at how matters were  
9 in July 2009.

10 A. Yes. Also, something like that we would normally email  
11 all the local stations to let them know. It's sharing  
12 of information, because an oxygen cylinder or something  
13 like that is an extreme hazard to us, so we have a very  
14 important desire to know about it.

15 THE CORONER: To get the message across to your colleagues  
16 in your station, you've mentioned a handing over book.  
17 Is there any other way in which that information is  
18 shared?

19 A. Yes sir, quite often if it's an access issue to  
20 an estate, we'll put up a temporary map in the station  
21 watch room, so all crews responding will see that as  
22 an update of information as well, and stand by crews as  
23 well.

24 THE CORONER: I see. Thank you very much.

25 Members of the jury, do you have any questions?

1 Questions by the Jury

2 THE FOREMAN OF THE JURY: Thank you, madam coroner, I have  
3 three. I'll be quick. Four, sorry. I just noticed  
4 when Watch Manager Rosendale came into the block, he's  
5 actually quite a large man, quite tall, so I was just  
6 wondering, you mentioned that you felt heat at head  
7 height, so I was just wondering when you're all kitted  
8 up and that sort of thing, how close, more or less, are  
9 you close to the false ceiling, somewhere like that, do  
10 you recall?

11 A. I would guess 18 inches from the ceiling.

12 THE FOREMAN OF THE JURY: Okay, thank you.

13 Again, being one of the first watch managers we've  
14 been able to speak to about 72D visits, you said that  
15 there's quite some follow up of those. I was just  
16 wondering as well as you do have emails and that sort of  
17 thing to communicate with your watch manager colleagues  
18 across the borough or similar, do you actually have  
19 meetings in person on a regular basis?

20 A. Yes, any issue like that I would discuss with my Station  
21 Commander as well. And speaking for my borough,  
22 Lambeth, once a week we have borough meetings where the  
23 station commanders of all four stations come to Brixton,  
24 and that's the sort of time where they update each  
25 other. But also station commanders attend meetings

1           within the borough with other agencies, such as the  
2           police, the council, and it's a really effective means  
3           for resolving issues like that, because everyone meets  
4           up and can talk about them.

5   THE FOREMAN OF THE JURY:   That was happening in 2009 as  
6           well?

7   THE CORONER:   Can I just stop you there, that's presumably  
8           evidence which station commanders will be able to give,  
9           rather than you, Mr Rosendale?

10   A.   Quite right, madam.

11   THE CORONER:   We'll save that for later.

12   THE FOREMAN OF THE JURY:   Okay, sorry.  When you were on the  
13           7th floor, you said that the windows had gone.  Were you  
14           saying that just the windows had gone or was the whole  
15           wall gone at that stage?

16   A.   I don't recall going to the 7th floor, madam.

17   THE CORONER:   I think we've been looking at the 5th and the  
18           9th floors, and I think that the evidence was given in  
19           relation to the 5th, is that right, Mr Rosendale.

20   THE FOREMAN OF THE JURY:   Sorry, my mistake.

21   A.   Oh yes, the 5th floor, the windows and the frame,  
22           I don't think the wall, the windows, but that flank was  
23           predominantly glazing, so it was a large area.

24   THE FOREMAN OF THE JURY:   Thank you, I just need to clarify  
25           this with my fellow juror.  (Pause)  Okay, our last

1 question: if the 72D visits are not carried out  
2 regularly, is there any sort of way that faults might be  
3 reported to the Fire Brigade, or concerned persons?  
4 Would somebody come to you at any stage?

5 A. Yes, if we attend an incident, or ever become aware  
6 ourselves, not necessarily a 72D visit, we'll deal with  
7 it. If a resident or a tenant lets us know of anything  
8 like that, we raise it as well. Normally with the  
9 borough fire safety team as well, get them involved.

10 THE FOREMAN OF THE JURY: Okay, thank you very much.

11 THE CORONER: Thank you very much.

12 Thank you, I think that's all the evidence for  
13 today. Members of the jury, thank you very much, I look  
14 forward to seeing you tomorrow for a 10 o'clock start,  
15 thank you very much.

16 Mr Rosendale, thank you very much for coming and  
17 thank you very much for your help.

18 A. Thank you, madam.

19 (The witness withdrew)

20 THE CORONER: Yes, and tomorrow, Mr Atkins, if you could  
21 just remind us, please.

22 MR ATKINS: Madam, yes, the jury will hear from Watch  
23 Manager John Howling, he's the second incident  
24 commander, and he's the only witness due to attend  
25 tomorrow.

1	THE CORONER: Thank you very much.	
2	(4.01 pm)	
3	(The Court adjourned until 10 o'clock the following day)	
4		
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