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Tuesday, 5 February 2013.

(10.00 am)

(Proceedings delayed)

(10.05 am)

THE CORONER: Thank you, do sit down. Yes, could we invite the jury in, please.

Mr Freeman, while you're waiting do help yourself to a glass of water, or perhaps you've already done so.

A. Thank you, madam.

THE CORONER: And do keep your voice up so we can hear. If you want to move the microphone closer to you. Thank you.

(In the presence of the Jury)

MARTIN FREEMAN (continued)

Questions by MR MAXWELL-SCOTT (continued)

THE CORONER: Good morning, members of the jury. Yes, continuing with the evidence of Mr Freeman, please. Thank you.

MR MAXWELL-SCOTT: Good morning, Mr Freeman.

A. Good morning, sir.

Q. The point we had reached was that we had established that the instruction to make pumps 12 and aerials two was given by you at a time when you were the incident commander.

A. That's correct.

1 Q. The message to control sending the instruction "make  
2 pumps 12, aerials two" was sent, we know, at 17.04.

3 A. Yes, sir.

4 Q. What I wanted to ask you about next was the briefing  
5 that you received from Station Manager Cartwright, which  
6 I think you were given on the west side of the building,  
7 on the green.

8 A. That's correct.

9 Q. What did he tell you?

10 A. Station Manager Cartwright informed me that there was  
11 a fire on a number of floors within the building which  
12 appeared to be spreading, that firefighting operations  
13 were being undertaken from the exterior of the building  
14 in an attempt to control the fire from spreading on the  
15 outside of the building, and that Station Manager Foster  
16 had taken up position on the other side of the building  
17 to initiate a bridgehead. He informed me that the  
18 bridgehead had become untenable on the upper floors of  
19 the building due to the fact that smoke-logging had  
20 occurred and that Station Manager Foster was in the  
21 process of reestablishing the bridgehead and committing  
22 crews for firefighting operations on the upper floors of  
23 the building.

24 Q. Was Watch Manager Howling around at the time of this?

25 A. I believe he was, yes.

1 Q. Do you recall if he contributed to the briefing?

2 A. During -- during my initial handover, Station Manager  
3 Howling was discussing operational priorities with  
4 Station Manager Cartwright, and I listened to some of  
5 that conversation.

6 Q. Does it follow from that that Watch Manager Howling was  
7 available to contribute to the discussion between you  
8 and Mr Cartwright and to answer any questions that you  
9 might have had?

10 A. There were still a number of issues going on around and  
11 people were talking to Watch Manager Howling, trying to  
12 get information across to him, so as you can imagine, it  
13 was very busy and I tried to gain as much information as  
14 possible from Station Manager Cartwright as I could.

15 Q. Just have a look at what you said about this briefing in  
16 your first witness statement, which is at page 313 of  
17 the statements bundle. The third paragraph says you saw  
18 Station Manager Cartwright and asked him for a briefing:

19 "He informed me that firefighters had entered the  
20 building to extinguish a fire on the 9th floor,  
21 a bridgehead had been set up on the 7th floor and  
22 breathing apparatus crews had been committed to the  
23 incident for firefighting search and rescue duties."

24 You were informed the fire had fallen from the 9th  
25 floor and started fires on what appeared to be the 5th

1 and 7th floors. The next paragraph reads:

2 "Smoke had been reported throughout the stairwell  
3 from the fourth floor upwards, and the bridgehead had  
4 moved to the ground floor."

5 Is that what you were told?

6 A. Yes, that's correct.

7 Q. Then it says:

8 "I was also informed that approximately nine  
9 firefighters in breathing apparatus had been committed  
10 to the internal firefighting operations."

11 It wasn't clear to me whether that was a statement  
12 that there were still nine firefighters committed in the  
13 building or that in total, from the moment when the  
14 first crew was committed, a total of nine firefighters  
15 had been committed. Do you see the difference?

16 A. Yes, I do, sir.

17 Q. What is it meant to say?

18 A. It was my understanding that since the incident began  
19 nine firefighters had been committed in breathing  
20 apparatus. Station Manager Cartwright, being on the  
21 west side of the building and not being in control of  
22 breathing apparatus operations, would not be aware of  
23 whether those firefighters were still in the building or  
24 not.

25 Q. So it was not a statement that there were, at that

1 moment in time, nine firefighters still committed in the  
2 building?

3 A. No, it was not.

4 Q. At that time, as part of that briefing, were you told  
5 anything about how many firefighters were still  
6 committed in the building?

7 A. I wasn't.

8 Q. Was there any discussion about whether any people were  
9 trapped within the building?

10 A. It was my understanding that people were trapped inside  
11 the building at that time.

12 Q. How many people did you think were trapped?

13 A. An unknown number.

14 Q. And on which floors?

15 A. My understanding was that there were people on all  
16 floors above the 5th floor who weren't able to exit the  
17 building.

18 Q. As we heard in some of the evidence yesterday, the  
19 concept of people being trapped can cover a range of  
20 scenarios. At one end of the scale it could be people  
21 who are perfectly safe in their flats but if they open  
22 the front door it's a heavily smoke-logged corridor and  
23 they therefore decide to stay in their flats. At the  
24 other end of the scale, you have people who are in very  
25 grave danger from fire and smoke inhalation. What was

1 your understanding, firstly from the briefing, about  
2 whether any of the people whom you thought were trapped  
3 were in grave danger?

4 A. It was my understanding from obviously looking at the  
5 building and seeing the effect of the fire on the  
6 building that there would be large numbers of people who  
7 would be at risk of losing their life in that incident.

8 Q. And that was your own initial visual impression?

9 A. It was.

10 Q. Were you told anything on this topic one way or the  
11 other by Station Manager Cartwright, or was your view  
12 simply formed on the basis of what you could see for  
13 yourself?

14 A. No, that information was a view that I took for myself.

15 Q. If you take up the sequence of events, so the jury  
16 bundle, tab 12, at page 18. (Handed) We have there  
17 a photo taken at 16.51. The next, as it were,  
18 wide-angle photo in the sequence of events is at 17.02,  
19 which is at page 21. That photo is taken about two  
20 minutes before the "make pumps 12, aeriels two" message  
21 was sent over the radio. Is that a useful photo, for  
22 discussion purposes, of what you could see when you were  
23 getting briefed by Station Manager Cartwright?

24 A. I believe at the time of this photograph I'd already  
25 moved to the other side of the building. I do not

1 recall seeing that fire development on that side of the  
2 building.

3 Q. Let's work from the photo at 16.51 in that case, which  
4 will be slightly before your briefing with  
5 Station Manager Cartwright. Did you have any discussion  
6 with him about whether it was believed that anybody was  
7 occupying firstly the flat on the 11th floor, which is  
8 the highest flat at which fire can be seen? Was that  
9 something that you would have discussed when you were  
10 standing looking at the building with him?

11 A. We didn't discuss that at that point, no.

12 Q. Did your discussion extend to looking at specific  
13 windows and saying, "Do we know if there's anybody in  
14 there or not?"

15 A. Not that I recall. My view would have been that the  
16 building had a large number of occupants and they could  
17 have been on any floors in any flats and we needed to  
18 establish that with an internal search of the building.

19 Q. Did you ask him any questions about what he knew about  
20 the layout of the building generally?

21 A. It was clear there was a block of flats and at that time  
22 that was sufficient information for me to form  
23 an initial operation plan. I didn't believe that he had  
24 any prior knowledge of the building and would be able to  
25 give me any information.

1 Q. Did you involve Watch Manager Howling, to see whether he  
2 had built up any knowledge of the layout of the building  
3 that might be useful?

4 A. Not that I recall.

5 Q. If I just take you to a couple of points you made in  
6 your second witness statement about this briefing at  
7 page 322 of the statements bundle. In the first answer  
8 that's carried over from the previous page, where you  
9 were asked a general question -- "Describe your arrival  
10 and approach to Station Manager Cartwright and the scene  
11 at the time" -- at the end of your answer you said:

12 "At this stage I cannot recall if any flat numbers  
13 were mentioned. At this point there was no specific  
14 information as to whether these were flats or  
15 maisonettes."

16 Is that correct?

17 A. That's correct. Obviously I was aware that they were  
18 flats but I wasn't aware that there may be maisonettes  
19 involved.

20 Q. Then about two thirds of the way down the page -- in  
21 fact, let's take it up halfway down the page:

22 "What was the extent of the fire you could see at  
23 this point?"

24 You make the point:

25 "It was difficult to see exactly where the fire



1 spread was due to the smoke and fire spread. It was  
2 also difficult to establish the exact layout of the  
3 building from the outside at that stage."

4 Then you were asked:

5 "Were you aware that the fire had spread from the  
6 9th floor upwards?"

7 And you said:

8 "No, at that stage I had not realised."

9 Is that right?

10 A. That's correct. Obviously, my next sentence is that  
11 I believe that the fire could be spreading to any number  
12 of floors above those floors.

13 Q. And you went on to say, in the passage I've already  
14 referred to, that your view was that if you didn't put  
15 the fire out it would spread to the entire building?

16 A. That's correct.

17 Q. Obviously in our bundles we have still photographs, some  
18 of which are taken at moments perhaps when the smoke has  
19 cleared more than at other times. To what extent was it  
20 possible to get views like that shown in the photo at  
21 page 18 of the sequence of events when you were standing  
22 there, and to what extent was smoke obscuring your view?

23 A. I spent a very short period of time on that side of the  
24 building. Once I had briefed Station Manager Cartwright  
25 as to what I wanted him to do, I moved to the other side

1 of the building to ensure that internal operations were  
2 underway and were being conducted as I wanted them to be  
3 conducted, so I was only for a very short period on that  
4 side of the building.

5 Q. So what did you want Station Manager Cartwright to do?

6 A. I briefed Station Manager Cartwright that I wanted him  
7 to take up the role of ops commander and that I wanted  
8 him to coordinate external firefighting operations. One  
9 of the issues that he had was that he was using a hand  
10 control branch to fight the fire. We discussed how that  
11 could be improved, and I asked him to bring the ground  
12 monitor to bear on the external face of the building.

13 Q. In his role as operations commander, would he have  
14 authority directly over Station Manager Foster?

15 A. He would. However, I had moved to that side of the  
16 building and I was coordinating that area of operations  
17 with Station Manager Foster.

18 Q. Is it the case, then, that you left  
19 Station Manager Cartwright as operations commander to  
20 coordinate efforts on the west side of the building?

21 A. That's correct.

22 Q. And you went personally to brief Station Manager Foster  
23 on the east side of the building?

24 A. That's correct.

25 Q. I think you told us yesterday that you did that by

1 walking round the north end of the building?

2 A. That's correct.

3 Q. Turning, then, to your conversation with

4 Station Manager Foster, where did you find him?

5 A. Station Manager Foster was at the -- at the base of the

6 building on the other side of the building, in

7 approximately the same area as the exit from the

8 staircase.

9 Q. I've just put up photograph 2 from tab 14. Does that

10 help you to remember roughly where he was?

11 A. Yes, that's exactly where he was. He was setting up the

12 bridgehead as is shown there.

13 Q. In other words, under the tree?

14 A. That's correct.

15 Q. What did he tell you?

16 A. He -- he reiterated what had been said about conditions

17 within the stairwell, that the stairwell was filling

18 with smoke and that the smoke was moving down the

19 stairwell, and that very unusual conditions were being

20 experienced within the building, very difficult

21 operational situation, and that he was sending BA crews

22 into the building to carry out operations within the

23 building.

24 Q. Did he tell you that he had personally committed crews

25 into the building or that he was planning to do so?

1 A. No, it was my understanding that at no time was there  
2 a situation where no BA crews were in the building. My  
3 recollection is that the BA board was set up and that  
4 tallies were in that board, showing that wearers were  
5 committed to the building for firefighting.

6 Q. I can understand that there may have been crews still in  
7 the building, but what I want to know is whether he said  
8 that he had himself instructed more crews to go into the  
9 building since he had taken up his position?

10 A. I cannot recall that.

11 Q. In your second statement at page 323, the first  
12 question, about four lines down, was:

13 "What happened when you met Station Manager Foster?"

14 You said:

15 "After I had finished my brief with  
16 Station Manager Cartwright I went to the other side and  
17 I saw Station Manager Foster. Station Manager Foster  
18 was in charge of the bridgehead on the ground floor. He  
19 briefed me that the staircase was untenable and that  
20 there was smoke throughout the staircase to at least as  
21 low as the 4th floor. This affected my plan."

22 Can you explain what you meant there by "this  
23 affected my plan"?

24 A. Normally at an incident like this we would have set up  
25 the bridgehead on the upper floor of the building, and

1           that would have been my normal plan when dealing with  
2           an incident of this type. I wasn't, at that stage,  
3           clear as to exactly the extent of the fire within the  
4           building, so I was going through my operational options  
5           as I obviously approached Station Manager Foster to  
6           identify the best way to fight the fire.

7    Q.   If I take you back to a passage in your first statement,  
8           July 2009, about this briefing at 314. In the second  
9           paragraph you mention your briefing to  
10          Station Manager Cartwright. You then made your way to  
11          what you call the front of the building -- by which you  
12          mean the east side of the building?

13   A.   That's correct.

14   Q.   -- to brief Station Manager Foster. You discussed the  
15          situation with him, confirmed that operations were being  
16          undertaken within the building. The statement says:

17                 "I confirmed where he had committed firefighters to  
18                 within the building."

19                 At the end of that paragraph:

20                 "At the time, Station Manager Foster informed me  
21                 where exactly he had committed various crews but I am  
22                 now unable to recall what exactly he informed me of."

23                 Then in the next paragraph, the second sentence is  
24                 the briefing you gave Station Manager Foster. It says:

25                 "I then briefed Station Manager Foster on my

1 operational priorities, and at this time we received the  
2 information from a firefighter that a number of persons  
3 were trapped within their flats, most significantly  
4 flat 81. I was informed that there were people trapped  
5 in flat 81 specifically and that smoke was entering  
6 their flat. A number of other flat numbers were  
7 mentioned, but I cannot recall at this time."

8 Is it right that at the time when you were giving  
9 that initial briefing to Station Manager Foster you and  
10 he got information about flat 81?

11 A. That's correct. We received a lot of information and  
12 that information considered for a very significant  
13 amount of time. Obviously lots of information was  
14 coming in and that lasted for quite some time.

15 Q. This is a specific piece of information that you're  
16 recalling on 11 July 2009. You're recalling receiving  
17 it from a firefighter. Do you remember this now?

18 A. I cannot recall it specifically but I'm -- I'm sure that  
19 that's what happened, yes.

20 Q. Can you recall whether somebody came over with a note or  
21 whether they came over verbally and mentioned flat 81?

22 A. I believe it was mentioned verbally -- at the beginning  
23 it was mentioned verbally, but obviously we put in place  
24 a system where we could record the numbers that were  
25 being given to us, and those numbers were written down.

1 Q. The impression I'm getting from this statement is that  
2 both you and Station Manager Foster got this information  
3 at the time you were briefing him, so in other words  
4 shortly after you met up with him. Is that a fair  
5 interpretation?

6 A. That's a fair interpretation, yes.

7 Q. The information was that people were trapped. We've  
8 discussed the fact that "trapped" has a variety of  
9 meanings, but also the specific detail that smoke was  
10 entering their flat. Now that moves it along the scale  
11 of "trapped", doesn't it? Smoke is actually coming into  
12 the flat rather than merely being outside in the  
13 corridor. Do you agree?

14 A. It does.

15 Q. On receipt of that information, can you recall having  
16 any discussion with Station Manager Foster about where  
17 flat 81 was in the building?

18 A. I can't recall that. However, we were aware that  
19 flat 81 was on the 11th floor.

20 Q. Do you think you were aware of that at that time?

21 A. I believe so, because shortly afterwards when we  
22 committed crews to the incident we committed them  
23 directly to that floor for search and rescue purposes.

24 Q. In the next paragraph, the first sentence is:  
25 "As well as this, I was able to see people on

1 balconies calling for rescue."

2 So those were balconies on the east side of the  
3 building?

4 A. They were.

5 Q. Can you recall what levels those people were on?

6 A. My recollection was -- was probably 5, 7 and 11.

7 Q. As I'm sure you now know, they would have to have been  
8 on even-numbered floors because they were on balconies.

9 A. Yes, that's right, yeah.

10 Q. The sense you're giving is that they were 6, 8 and 12.

11 A. Yes, that's correct, yeah.

12 Q. You had an opportunity to walk round the building from  
13 the west side to the east side. Your attention was now  
14 being drawn to people on balconies. What were your  
15 thoughts at this time about the nature and purpose of  
16 those balconies?

17 A. That they were balconies that formed part of the flats.  
18 I didn't form a view that they were part of any means of  
19 escape at the time. However, that didn't mean that they  
20 weren't or they were. I didn't have a view on it at  
21 that time.

22 Q. If I take you back to a photograph that I think I showed  
23 you yesterday, which is photograph 44, tab 13 of the  
24 jury bundle. That was taken on the west side, on the  
25 corner of Dalwood Street and Sedgmoor Place. You would



1           have walked past this point on your way around the  
2           building?

3    A.   That's correct.

4    Q.   When walking round the building, and then when standing  
5           on the east side and looking up and seeing people on  
6           balconies, did your thoughts include consideration of  
7           whether these were balconies that one could walk freely  
8           along, or whether they were partitioned to prevent that?

9    A.   Not at that stage, no.

10   Q.   At that stage, do you think you noticed the white doors  
11          at the end of balconies at the centre of the building?

12   A.   I did not.

13   Q.   Photograph 45 is a close-up view from where the previous  
14          photo was taken. You can see now, I assume, the white  
15          door?

16   A.   I can.

17   Q.   Is it your evidence that up until the point we're  
18          talking about, your discussion with  
19          Station Manager Foster and noticing people on balconies,  
20          you haven't noticed those doors?

21   A.   I haven't.

22   Q.   At this time, is it right that you didn't give any  
23          thought one way or the other to whether these balconies  
24          might have a function, and specifically an escape  
25          function?

1 A. I didn't.

2 Q. You've now had an opportunity to assess and evaluate the  
3 situation. Can you tell the court what your objectives  
4 were?

5 A. My objectives were to extinguish the fire and rescue  
6 people that were trapped in the building. The only way  
7 to do that was to secure the staircase for firefighting  
8 operations, to ensure suitable firefighters were  
9 available to enter the building to effect rescue and to  
10 ensure that sufficient water was available to fight the  
11 fire. All of these -- all of these issues had very  
12 complicated requirements due to the fact there was  
13 a fire on a number of floors.

14 Q. What was your plan?

15 A. My plan was to establish firefighting on the floors  
16 affected by fire so that crews could access the upper  
17 floors to try and effect rescues of people trapped  
18 there.

19 Q. After you had had that initial discussion with  
20 Station Manager Foster, did you remain with him or did  
21 you go elsewhere?

22 A. No, that was the main scene of operations and I remained  
23 there, although I did -- I did tour the fire ground with  
24 another officer to get some other jobs dealt with.

25 Q. So as incident commander, you took up your position on

1 the east side of the building?

2 A. That's correct.

3 Q. Who was briefing crews at this time? Was it you or  
4 Station Manager Foster, or someone else?

5 A. I briefed Station Manager Foster with what I required  
6 him to do, and he was involved with briefing crews. He  
7 also had other supervisory officers with him that were  
8 assisting with BA entry control, and they would have  
9 been assisting him with briefing.

10 Q. According to the records that we have, after the  
11 bridgehead moved to the east side, outside the building,  
12 a crew from New Cross was committed at around 17.06 and  
13 the next crew after that to be committed was from  
14 Lambeth at 17.26. Does that fit with your recollection  
15 of there being a gap of 20 minutes or so when no crews  
16 were being committed into the building?

17 A. As I said earlier, I wasn't aware of the situation.  
18 I cannot recall exactly the time that I reached  
19 Station Manager Foster and as I said earlier, I wasn't  
20 aware that firefighting crews had ceased to be committed  
21 to the incident. It was my understanding that crews  
22 were always in the building fighting the fire.

23 Q. What was the scene on the east side of the building?  
24 Were there lots of people waiting to be briefed and  
25 instructed or were there very few firemen but people

1 arriving in groups?

2 A. There was a number of people obviously making ready to  
3 enter the building and carrying out other operational  
4 roles, for instance bringing equipment et cetera to  
5 the -- to that side of the building. It was a very,  
6 very busy scene.

7 Q. If I take you to a couple of things that you said in  
8 your statements about your decision-making, firstly at  
9 page 315 in the first statement. The second line says:

10 "I requested that the London Ambulance Hazardous  
11 Response Team [the HART team] be made ready to be  
12 committed to the 11th floor as they had extended  
13 duration breathing apparatus capability. The purpose of  
14 directing them to the 11th floor was because I received  
15 a message from the command unit that there were numerous  
16 persons trapped on what was believed to be the 11th  
17 floor."

18 Are you able to assist at all with when in time that  
19 event was that you're describing in that passage? The  
20 request. Not the actual committing of them, but the  
21 idea.

22 A. Soon after I'd briefed Station Manager Foster and we  
23 discussed the resource implications required to mount  
24 operations. I was aware obviously that the LAS were in  
25 attendance in some large numbers, and I believe that

1 I spoke to the ambulance liaison officer on scene, who  
2 informed me that HART were available. I then considered  
3 whether or not that would be an operational possibility,  
4 to commit them with BA wearers from the London  
5 Fire Brigade, and that's when I began to form the plan  
6 that we would do that.

7 Obviously, other information was received about  
8 difficulty with crews having to travel a long distance  
9 to reach the scene of operations, very difficult  
10 conditions being undertaken in terms of heat stress,  
11 et cetera, which was causing breathing apparatus teams  
12 to use their air up very, very quickly indeed.

13 Q. So you have in mind the 11th floor at this stage?

14 A. That's correct.

15 Q. And you're conscious that people in standard duration  
16 breathing apparatus are going to use a lot of air simply  
17 getting to the 11th floor and getting back?

18 A. That's correct.

19 Q. So you are thinking: "Well, I could use the HART team  
20 with their extended duration breathing apparatus,  
21 potentially"?

22 A. Yes, obviously we had our own breathing apparatus  
23 wearers there as well with EDDBA. However, the HART team  
24 had -- also obviously were trained paramedics and I was  
25 considering that it may be possible -- if we could

1 rescue people from the 11th floor, they may be able to  
2 be given immediate emergency care at that point rather  
3 than being brought out of the building first.

4 Q. If I take you then to your second statement, page 323.  
5 I've taken you to the early part of your first answer,  
6 where you described being told the staircase was  
7 untenable and how this affected your plan. About three  
8 lines below that, it says:

9 "Taking into account my responsibility of rescuing  
10 the public and also to protect the firefighters, I had  
11 to decide the level of risk that firefighters would be  
12 taking by being committed to those areas. It was clear  
13 to me that there was a high risk of an injury or loss of  
14 life to firefighters by my actions, but I decided it was  
15 right for me to commit the firefighters to the floors  
16 above the fires to attempt to rescue the people trapped  
17 on the upper floors."

18 You went on:

19 "The firefighters could have become trapped,  
20 disorientated, suffered from heat stress or exhaustion  
21 or may have run out of air in their breathing apparatus  
22 due to the layout and size of the building. This meant  
23 that I had to commit crews to fight the fires and  
24 protect their escape and the evacuation of the public  
25 down the staircase."

1           Firstly, is that correct --

2    A.   That's correct.

3    Q.   -- as a setting out of your thought process?

4    A.   That's correct, yes.

5    Q.   Breaking that down, the first point I draw attention to

6           is that as a matter of principle you were willing to

7           commit firefighters to floors above the fire?

8    A.   I was -- I was willing. I felt it was my responsibility

9           to try and rescue as many people in the building as

10           possible.

11   Q.   I probably don't need to ask you to look at it -- we

12           looked at it with Station Manager Cartwright -- but the

13           sectorisation policy does have within it a diagram which

14           illustrates a scenario of a search sector above a fire

15           sector. So that's something that can be done?

16   A.   A search sector can only be established where there is

17           no risk of fire spread to the area where you're

18           searching. If there is risk of fire spread, that sector

19           is the fire sector.

20   Q.   Perhaps I will ask you to have a look at the diagram

21           then. It's at 1625 in the advocates' bundles, file 4.

22           (Handed) That diagram illustrates a situation in a high

23           rise building where you have a search sector above

24           a fire sector.

25   A.   It does. However, in this case, as I said earlier, the

1 fire sector was the whole of the building above the fire  
2 floor, because the search sector would be a safe area  
3 where we wouldn't expect fire to spread to and we would  
4 conduct search operations within that sector without  
5 fear of fire spread. In this instance, the whole of  
6 the -- the building above the 5th floor was the fire  
7 sector because we did not have any information that  
8 suggested the fire was not spreading throughout the  
9 building.

10 Q. So what you were willing to do was to send firefighters  
11 to carry out search and rescue above the fire, but in  
12 an area that you would regard as a fire sector, rather  
13 than a safe search sector?

14 A. That's correct.

15 Q. So in other words something more dangerous than is  
16 envisaged in this diagram?

17 A. Yes, I believe that I was putting firefighters in great  
18 risk of injury and possible death. However, there was  
19 information that people may still be alive in that area  
20 of the building and myself and Station Manager Foster  
21 considered it a reasonable risk to take in those  
22 circumstances.

23 Q. Weighing up this situation about what the reasonable  
24 risk is, and looking at that answer you gave on 323  
25 about the risks to firefighters, what sort of back-up



1           would you consider necessary before sending firefighters  
2           to carry out search and rescue above the fire?

3    A.   We would need to have sufficient crews available for  
4           relief and emergency teams, sufficient firefighting  
5           media to look -- obviously to protect their egress and  
6           sufficient personnel -- and also control to ensure that  
7           everything was in place to protect them if they needed  
8           to get out in a hurry.

9    Q.   Those types of back-up crews, would they go up with the  
10           first crew or would they be waiting at the bridgehead to  
11           go up if necessary?

12   A.   No, emergency teams would be held at the bridgehead  
13           ready for committing and would be committed depending on  
14           the information received about the amount of air or the  
15           conditions that firefighters were experiencing where  
16           they were operating.

17   Q.   Were you aware that a crew of four from New Cross was  
18           committed into the building to go to an upper level in  
19           the building?

20   A.   I believe that was the case at the time, yes, but I have  
21           no real recollection about exactly which crews were  
22           committed to which area at this time.

23   Q.   Is that because you don't remember now, or is it because  
24           that is at a level of detail that you wouldn't have been  
25           involved in as incident commander?

1 A. I think it's a little bit of both. Obviously we would  
2 have discussed where crews were within the building, but  
3 Station Manager Foster may not have told me exactly the  
4 firefighters which were carrying out exactly which roles  
5 in which areas. He would have given me a general brief  
6 about where crews were operating.

7 Q. Do you recall anything about them being instructed, as  
8 they went into the building, that they should also try  
9 and rescue someone from flat 56?

10 A. I don't, no.

11 Q. Do you recall ever hearing a radio message to the effect  
12 that all crews should leave the building except the New  
13 Cross crew?

14 A. No, I don't.

15 Q. Did there come a time when Station Manager Glenn  
16 arrived and was given a task?

17 A. Yeah, that's correct.

18 Q. What was he asked to do?

19 A. We were receiving lots of information about persons  
20 involved in the fire, and I asked Station Manager Glenn  
21 to assist Station Manager Foster in collating the  
22 information about people that were trapped within the  
23 building within individual flats, and also about  
24 information -- to try and gather information about  
25 people who had already left the scene so that we could

1           exclude them from any search operations.

2       Q.   Did Station Manager Glenny have a formal title, formal  
3           position?

4       A.   That -- that title was that he would be sector commander  
5           rescue, and his only role was to gather information and  
6           to ensure that we knew about where people were  
7           positioned within the building.

8       Q.   In your first statement, you said that you thought that  
9           task was given to him about the time when Deputy  
10          Assistant Commissioner Tim Chidgey arrived at the  
11          incident, which was at 17.12. Does that sound about  
12          right?

13      A.   It sounds right, yes.

14      Q.   Did that task, in essence, involve creating a list of  
15          flat numbers?

16      A.   That's correct.

17      Q.   Were you aware at that time that a list like that had  
18          previously been created or did you think this was being  
19          done from scratch for the first time?

20      A.   There was -- there was a list being collated -- which  
21          was being collated formally by Station Manager Glenny,  
22          and I believe that other information was given to him  
23          and that may have come in written form. I don't know  
24          whether that's the same as you referred to though.

25      Q.   Before you arrived on the scene, did you know that there

1 had at one time been a list of flat numbers?

2 A. I wasn't aware of that, no.

3 Q. If I just refer you to a couple of passages about things  
4 you knew in relation to flat numbers and then I'm going  
5 to look at some radio messages with you. Firstly,  
6 page 324 in your second statement. The final question  
7 is:

8 "Do you recall Station Manager Glenny giving you  
9 information?"

10 Your answer was:

11 "He was asked to collate information about specific  
12 flat numbers and to be sure where there were people  
13 trapped. I recall a series of numbers were mentioned in  
14 the high 70s and 80s and I asked him and  
15 Station Manager Foster to coordinate the rescue of those  
16 numbers."

17 Then at page 326, the final question was:

18 "Were you aware that the caller from 79 was in  
19 contact with control?"

20 Your answer was:

21 "I was aware that flat 79 was speaking with control.  
22 This number was passed on to the officers in charge of  
23 the bridgehead."

24 I think it's right that you thought that flats 79  
25 and 81 were on the 11th floor?

1 A. That's correct.

2 Q. You mentioned in your evidence yesterday an occasion  
3 when, as I recall, a note was passed to you and you gave  
4 it on to Station Manager Foster; is that right?

5 A. I believe so.

6 Q. Can you remember whether that was in the initial  
7 briefing to Station Manager Foster or later on?

8 A. I believe it was later on.

9 Q. What was the note?

10 A. I believe it had information about flat numbers on it.

11 Q. Do you know who gave it to you?

12 A. I can't recall who it was, no.

13 Q. Do you know what numbers were on it?

14 A. I believe that -- I believe it was numbers in 80, around  
15 about 80.

16 Q. If I ask you now about some messages which were  
17 circulated by radio or telephone with brigade control to  
18 see whether they are pieces of information that you may  
19 have known about at the time. Firstly in the advocates'  
20 bundle, page 344. (Handed)

21 This is a typed-up note of a telephone call between  
22 Paul Real at brigade control and command unit 4. It's  
23 at 16.44.40. There's reference in it to flats 68 and  
24 79. At the end, Mr Real, five lines from the bottom,  
25 says:

1            "They're going to have to force an entry. But if  
2            you could do that as a matter of urgency, I'd appreciate  
3            it."

4            Are you able to recall whether information like that  
5            was passed to you when you arrived?

6            A. Not when I arrived, no.

7            Q. Later on?

8            A. A short time afterwards.

9            Q. Were you aware that Mr Ed Daly of the London Ambulance  
10           Service was in contact from time to time with a woman in  
11           flat 81?

12           A. I don't recollect that, no.

13           Q. I'll take you then to page 345, over the page. This is  
14           16.59, another telephone call between Paul Real and  
15           command unit 4. In the sixth line, Mr Real asks about  
16           news on getting someone up to 68 and 79. About halfway  
17           down the page, it's said that:

18           "The lady in 79, her ceiling's coming down."

19           Then there's reference to flats 82 and 80:

20           "One of them might have a baby."

21           Do you recall being given information like that at  
22           an early stage?

23           A. Obviously this information -- at that time, I wasn't  
24           actually at the incident, and once we'd set up  
25           operations at the ground floor, we received lots of

1 information about various flats and about persons  
2 trapped within those flats, and that information was  
3 collated onto a list.

4 Q. Then if I take you over the page to 16.55. This is  
5 Mr Real again to command unit 4:

6 "Flat 79 is the urgent one at the moment."

7 Then five lines from the bottom:

8 "We were talking to the woman. She's now stopped  
9 talking to us and we can't hear her breathing at all."

10 And in the final line:

11 "79 seems to be the real big problem."

12 Is that information, in general terms, about 79  
13 being the urgent concern information that you had at  
14 an early stage after you arrived at the scene?

15 A. No, I didn't receive that specific information in those  
16 terms, no.

17 Q. Then if I take you to 17.11. This is page 540. In the  
18 middle of the page, command unit 4 confirms with brigade  
19 control that:

20 "We here are aware of people in the four flats: 68,  
21 79, 82, 80."

22 As I understand it, you were aware of flat 81 by  
23 this time as well?

24 A. Yes, I believe that that may be the first list we  
25 received at the bridgehead at the point we were at.

1 Q. It may not matter how you got the information, but am  
2 I right in thinking, on the basis of your earlier  
3 evidence, that at the time you were giving  
4 Station Manager Foster his initial briefing you became  
5 aware of people trapped in flat 81 and smoke coming into  
6 the flat?

7 A. I became aware of a number of flats, yes, and the one  
8 that I remember mostly is flat 81 at that time.  
9 However, I -- I recollect seeing those flat numbers and  
10 they would have been part of our plan at that time.

11 Q. Are you able to say whether, at that time, you had  
12 flat 79 in your mind as an even greater concern than  
13 flat 81?

14 A. I can't say that. At the time, my view would have been  
15 that all those flats were a priority. Looking at the  
16 building and the amount of smoke that was issuing from  
17 the building at that stage, they would have all been  
18 a priority.

19 Q. There came a point when Deputy Assistant Commissioner  
20 Chidgey arrived at the scene, and shortly after that he  
21 took over as incident commander and made you operations  
22 commander; is that right?

23 A. Yes, sir.

24 Q. If I take you to your notes you typed up shortly after  
25 the incident. Page 172 in the advocates' bundles. The



1 bottom paragraph says:

2 "I briefed DAC Chidgey on progress and was given  
3 a further list of the flats where people were trapped.  
4 This list was given to Station Manager Glenny, who  
5 communicated this to the bridgehead so that further  
6 information was available to crews on the whereabouts of  
7 casualties."

8 Is that right?

9 A. That's correct.

10 Q. This further list, can you assist us with whether it, in  
11 effect, confirmed what you already knew because it had  
12 on it the numbers you already had or whether it had  
13 different or new numbers?

14 A. My recollection is that it was a list that had come from  
15 the command unit and it was a -- a combined list of all  
16 the numbers that had been received so far.

17 Q. Yes, that doesn't quite answer my question, which is  
18 whether you looked at it and recall seeing a number that  
19 you hadn't seen before.

20 A. I don't recall that, no.

21 Q. Can you recall one way or the other whether it looked  
22 like a list of numbers that you already had and knew  
23 about?

24 A. I believe it would have done, yes.

25 Q. And then is it right that at about 17.25

1 Group Manager Andrews arrived and you asked him to take  
2 command of the bridgehead?

3 A. Group Manager -- yes, that may be -- I'm not sure of the  
4 exact time. However, at some point during the incident  
5 I did ask Group Manager Andrews to take command of the  
6 bridgehead.

7 Q. That would mean him taking over from  
8 Station Manager Foster as sector commander fire?

9 A. Yes. I -- I discussed moving the bridgehead into the  
10 building with Group Manager Andrews and that was what  
11 we -- we did at that stage.

12 Q. If I take you to your first statement at 316 in the  
13 statements bundle. In the middle of the page you talk  
14 about what we just discussed: Group Manager Andrews  
15 arriving and what you asked him to do. The final  
16 paragraph says you asked the aerial ladder platform to  
17 be positioned on the east side of the building, on the  
18 north-east corner, and then, three lines down:

19 "The crew of the aerial ladder platform was briefed  
20 to try and control the development of the fire showing  
21 from the corridor window and provide a covering spray to  
22 the east face of the building to protect a man and  
23 a child who were visible on a balcony."

24 Can you just explain what a covering spray is?

25 A. The aerial ladder platform has a monitor on it, and it

1 has a variable method of applying water, so it can apply  
2 a solid jet or it can apply a spray which can be varied  
3 so that it can provide almost like a shower, if you  
4 like.

5 Q. You told us earlier about risks -- actually, it may have  
6 been Station Manager Cartwright, but as I understand it  
7 there are risks associated with using a full-powered  
8 spray yet from an aerial ladder platform if there were  
9 people near the target area?

10 A. That's correct.

11 Q. What you're describing here is something less powerful  
12 and therefore safer?

13 A. Yes. In effect, by putting up a water curtain you could  
14 deflect smoke from reaching people or you could cool the  
15 conditions that they were in and effectively protect  
16 them from fire that may or may not have been attacking  
17 them.

18 Q. I'm putting on screen photograph 8, which has the aerial  
19 ladder platform. If, for example, you had a fire at one  
20 end of the balcony and people gathered as far away from  
21 it as possible at the other end of the same balcony,  
22 does it follow from what you've been saying that you  
23 could use a covering spraying to protect them and reduce  
24 the risk of fire and smoke spreading along the balcony  
25 to them?

1 A. It does.

2 Q. Is that a recognised technique?

3 A. It is.

4 Q. I'm going to ask you now about a passage in your first  
5 statement at 318 about some perceived access  
6 difficulties in the building. That third paragraph  
7 says:

8 "Crews reported to me that flats had security doors  
9 within some of the individuals flats' entrances. These  
10 security measures made it difficult to access the  
11 flats."

12 Just pausing there, in terms of what you meant by  
13 that, did you mean their front doors had security  
14 features or were you talking about doors onto corridors?

15 A. What I was trying to say was that some of the flats did  
16 have security doors fitted to them, but also it was  
17 clear that there were steel doors which led onto the  
18 balcony which were accessed by a drop key --

19 Q. In fact, that's a separate point, later in the  
20 paragraph.

21 A. Okay.

22 Q. Just dealing firstly with flats with security doors  
23 within some of the individual flats' entrances. It's  
24 a short point. Is that --

25 A. Yes, that was reported me and I believed that to be the

1 case.

2 Q. The short point is this: are you talking about a door  
3 from a lobby area to a corridor, leading to a number of  
4 flats, or are you talking about individual front doors?

5 A. I'm talking about individual front doors.

6 Q. Thank you. Then the next sentence was:

7 "It was also reported that some of the balconies  
8 could not be accessed due to security measures. The  
9 keys that crews carry to open the drop key boxes did not  
10 work so the doors could not be opened. It was reported  
11 that some of the internal locks within them were broken,  
12 which prevented access from the staircase onto the  
13 balconies."

14 A. That's correct.

15 Q. You may or may not know this, but to get to the  
16 balconies from the central staircase, you have to go  
17 through two sets of doors: one that leads off the  
18 central staircase into a lobby area, and then from there  
19 onto the balcony itself. Do you know which sets of  
20 doors you're saying there were problems with?

21 A. No, I -- obviously I didn't spend very much time inside  
22 the building at all during the operational stage of the  
23 incident, and at that time I was told simply that there  
24 were doors which accessed those areas and that crews  
25 were finding -- having difficulty gaining access and

1           were having to force those doors open to gain access.

2    Q.   That was the next point I was going to come to, whether  
3           this was an inconvenience which could be overcome with  
4           the use of a sledgehammer and brute force or whether it  
5           was something more problematic than that.

6    A.   It would have presented them with difficulties, because  
7           obviously they needed to find out how to open the door  
8           first of all, in probably zero visibility, due to the  
9           smoke-logging, and then when they found that they  
10          couldn't operate the keys, they then had to find tools  
11          that would be effective in breaking through those doors.

12   Q.   Then you finish off that paragraph about the balconies  
13          by saying this:

14                 "... balconies, which was considered as  
15                 an alternative access for our fire crews and also  
16                 an escape route for the residents."

17                 When did you come to that view of the balconies as  
18                 a potential means of getting crews to people or getting  
19                 residents out of the building?

20   A.   During operations, as crews were being committed I was  
21          able to see crews accessing those balconies and also to  
22          see people walking along them. So I was aware at that  
23          stage that they were accessible throughout their length,  
24          so that was when we were able to make that decision.  
25          Obviously by that time crews had already worked that out

1 for themselves and they were using that as a means of  
2 access to people trapped in the building.

3 Q. Trying to put a timeframe on when you became aware of  
4 that function of the balconies, was it while you were  
5 incident commander?

6 A. I don't believe so.

7 Q. I've come to the end of asking you questions about what  
8 you did as incident commander and operations commander.  
9 What I want to ask you about next is knowledge that you  
10 gained of Lakanal House while incident commander and  
11 operations commander. When answering if you were aware  
12 of any of the features I'm going to ask you about, if  
13 you could indicate whether you became aware as incident  
14 commander or later as operations commander, that would  
15 be very helpful.

16 A. Yes, sir.

17 Q. Firstly, were you aware that Lakanal House had a single  
18 central staircase?

19 A. I was.

20 Q. Were you aware of that immediately, or did you become  
21 aware of it because you sent someone to check?

22 A. Initially, I made the assumption that there was a single  
23 staircase within the building from looking at the  
24 building and its construction. I then had that  
25 confirmed to me and it was further confirmed by

1           Group Manager Andrews when he arrived. I asked him to  
2           double check to make sure there were no other means of  
3           escape from the building.

4    Q.    So you worked on the assumption, correctly, of a single  
5           central staircase, and at some point you got somebody to  
6           check it and they confirmed?

7    A.    That's correct.

8    Q.    Were you aware that there were no central corridors on  
9           even-numbered floors?

10   A.    I became aware of that, yes, probably while I was still  
11          incident commander.

12   Q.    When did you become aware, do you think, that the flats  
13          were maisonettes?

14   A.    My recollection -- my recollection is that I was given  
15          information very shortly after taking over as incident  
16          commander that there were maisonettes within the  
17          building. However, I was unable to confirm whether all  
18          the flats were maisonettes or whether some were flats  
19          and some were maisonettes.

20   Q.    I think it follows from that that you were not for  
21          a long time aware that all the flats were essentially  
22          identical in layout?

23   A.    That's correct.

24   Q.    Because your thoughts for some time were that some were  
25          flats and that some were maisonettes?



1 A. That's correct.

2 Q. Were you aware that on the upper floors of each flat  
3 they extended the full width of the building, with  
4 windows on both the east and the west sides?

5 A. I wasn't aware of that until much later in the incident.

6 Q. When you say "much later in the incident", are we  
7 talking after 7 o'clock?

8 A. That's correct.

9 Q. I'm going to ask you now about building up a mental  
10 picture of where flats were in the building. You  
11 knew -- or believed, as I understand it, from an early  
12 stage -- that flat 81 was on the 11th floor?

13 A. That's correct.

14 Q. I have up on screen now an image of what Lakanal House  
15 looks like from the west side of the building, not  
16 showing flat numbers but giving floor numbers. If I  
17 place over it the flat numbers and ask you whether at  
18 any time you began to build up a mental picture of where  
19 flats were that looked like that?

20 A. No, I didn't.

21 Q. Were you aware at any time that there were signs within  
22 the building giving indications as to where flats were  
23 within it?

24 A. During -- during -- some time within -- within the  
25 incident, I did enter the building and I did see signs

1 with floor levels showing numbers, yes. I can't be sure  
2 when that was.

3 Q. Did you see the one by the lifts at ground floor level?

4 A. I believe so.

5 Q. I'll just show it to you. That's the ground floor lift  
6 lobby, photo 7, with the sign above the lifts. Photo 8  
7 is a close-up of it. You think you saw that at some  
8 stage later in the incident?

9 A. I think so.

10 Q. But in any event, you knew from a relatively early stage  
11 that flats 79 and 81 were on the 11th floor?

12 A. That's correct.

13 Q. What I want to ask you about now is whether, if you had  
14 had more information, a certain course of action would  
15 have been one you would have been willing to take as  
16 incident commander. What I'm putting up on screen is  
17 a configuration of a typical west-facing flat. Both  
18 flats 79 and 81 were laid out like this, so at their  
19 lower level having two bedrooms with windows over the  
20 west side and a bathroom, and then, on the upper level,  
21 having a kitchen on the west side, but importantly for  
22 the purposes of these questions, a lounge on the east  
23 side with a balcony access.

24 Now, I appreciate you did not know that that was the  
25 layout at the time because you did not know that on the

1 upper floor flats extended the width of the building,  
2 but what I wanted to ask you is this: if you'd known  
3 about that layout and you had known that there was  
4 a means to communicate with persons in the bathroom,  
5 would you have advised them to make their way up the  
6 stairs within their flat, into the lounge, out of the  
7 door onto the balcony, and then to the end of the  
8 balcony furthest from the fire?

9 A. Very possibly I would have done that, yes.

10 Q. Because that might have been a safer place for them to  
11 be than the bathroom in flat 81; is that right?

12 A. That's right, yes.

13 Q. The advantages and disadvantages of that course of  
14 action could have been influenced by the use of  
15 a covering spray in the manner that you've described; is  
16 that right?

17 A. That's right.

18 Q. Secondly, on the same theme, we've heard about your  
19 willingness to put your crews at risk in a calculated  
20 way and to send them up to carry out search and rescues  
21 above the fire. If you had known at an early stage  
22 about the escape route from the balcony via the central  
23 staircase to ground floor level, would you have been  
24 willing to commit crews to use that route in reverse and  
25 try and reach people on the balconies on the

1 even-numbered floors on the east side of the building?

2 A. Can you repeat the question, please?

3 Q. I'll try and illustrate it. This image shows the  
4 different potential escape routes from flats which have  
5 their front door and bedrooms on the west side of the  
6 building. So flat 81 would be an example of this.  
7 We've just been discussing the fact that in theory one  
8 could ask people in the bathroom of flat 81 to go up the  
9 stairs within their flat, through the lounge and out of  
10 the door I'm marking here onto the east balcony, and  
11 you've explained that you might well have asked them to  
12 wait in a position of relative safety on the east  
13 balcony and use a covering jet to provide them with  
14 additional protection. My question relates to the fact  
15 that at the other end of the east balcony you can get  
16 through a door and make your way into the central  
17 staircase and to ground floor level, and what I was  
18 trying to get to -- not as clearly as I should have  
19 been -- was that as well as that being a route for  
20 residents to make their way down out of the building,  
21 it's also equally a potential route for firefighters to  
22 use to get up to people in the building.

23 A. That's correct. It is my understanding that that was  
24 used by firefighters to rescue people on the 11th floor.

25 Q. Does it follow that as soon as you had been aware that

1           there was a potential route to people on the balconies  
2           on the 12th floor -- because they're even-numbered --  
3           which didn't involve going along central corridors  
4           within the building but involved going up the stairs and  
5           getting out onto the 12th floor balcony, you would have  
6           been willing to commit crews to do that, provided there  
7           were sufficient crews in reserve for the back up  
8           functions that you've explained?

9    A.   Yeah, that's possible.  However, obviously, the fire  
10       situation on that side of the building was a lot worse  
11       than the east side.

12   Q.   No, I'm talking about doing it on the east side.

13   A.   Sorry, I thought you said the west balcony.

14   Q.   If I did, it was my mistake.

15   A.   Okay.

16   Q.   So the point is this: as soon as you were aware that it  
17       was possible to send crews up the central staircase  
18       directly to the 12th floor balcony on the east side to  
19       rescue people, then consistent with your approach to  
20       this incident and the calculated risks you were willing  
21       to take, you would have been willing to give that  
22       instruction, provided there were sufficient crews in  
23       reserve, wouldn't you?

24   A.   Yes.

25   Q.   Then my final question is this: looking back over your

1 involvement on the day of the fire, as incident  
2 commander, what single additional thing do you think  
3 would have most helped you to carry out your command  
4 role?

5 A. I think it's clear that early on in the incident a set  
6 of plans, if they had been available, would have  
7 assisted greatly in understanding the layout of the  
8 building. At quite an early stage, the LALO was  
9 requested to attend the incident, the local authority  
10 liaison officer, and those plans were requested and  
11 I don't think they were forthcoming. Clearly, those  
12 plans would have had an effect on our ability to deal  
13 with the incident.

14 Equally, the arrangements within the central  
15 staircase which allowed it to become smoke-logged -- if  
16 those -- if those passive fire protection measures were  
17 more suitable then we would have found it more easy to  
18 fight the fire.

19 Q. Thank you very much. I have no further questions.

20 THE CORONER: Thank you. Mr Hendy.

21 Questions by MR HENDY

22 MR HENDY: Mr Freeman, my name's Hendy. I represent some of  
23 the bereaved families. Can I just ask you about that  
24 last point. I didn't quite understand your answer. You  
25 said if the arrangements in the central staircase had

1 not made it so easy to be smoke-logged, or that was the  
2 gist that I understood from your answer. What  
3 arrangements could have prevented that situation?

4 A. Normally -- normally in a high rise building which we --  
5 which is provided with a firefighting shaft, the shaft,  
6 with the stairwell and the lift within it, would have  
7 been fire-resisting, and that would have included smoke  
8 resistance so that smoke could not travel into that  
9 stairwell. That stairwell became smoke-logged very  
10 quickly into the incident, and I believe it was because  
11 it was not separated from the rest of the building, and  
12 that's why it gave us operational difficulties.

13 Q. Can you just explain that a little bit more. As we  
14 understood it, there's fire-resistant doors on each  
15 level where there's a corridor, so in order to get from  
16 the stairwell you have to pass through a set of doors  
17 and then into a lobby, and then there's a fire-resistant  
18 door into each corridor north and south that you pass  
19 into the lift lobby. Was that your understanding?

20 A. That would have been my understanding of what would have  
21 been required at the building. However, I believe that  
22 that wasn't the case and that smoke was able to travel  
23 throughout the building because those arrangements were  
24 not in place.

25 THE CORONER: Can I just stop you there, Mr Freeman. I'm

1 not sure whether you're talking about something that  
2 comes from your own knowledge?

3 A. My knowledge -- well, yes, madam, in the fact that  
4 obviously I'm aware of the standards required for  
5 building construction because of my role as a fire  
6 safety officer, and I would have expected those  
7 standards to be carried out in that building.

8 THE CORONER: I see.

9 Well, Mr Hendy, I think it's probably more  
10 appropriate for us to be taking up the detail of this  
11 with other witnesses who can talk about it  
12 authoritatively.

13 MR HENDY: Absolutely, but there was just one point from it  
14 which I wanted to ask. We will ask other witnesses  
15 about the composition of the door and whether there was  
16 mesh which let air through and so on and so forth, but  
17 inevitably if you're fighting fires on any particular  
18 floor, you have to get the hose into the corridor, which  
19 means that the door has to be partially open. But as  
20 I understand your view of it, it was not simply that the  
21 doors were open wide enough for firefighters to go in  
22 and out and to allow hoses to lie through the doors that  
23 caused the smoke; it was something else beyond that?

24 A. That's correct.

25 Q. Something about the doors, you think?



1 A. Yes.

2 Q. Mr Freeman, when you arrived, according to your  
3 statement at 312 -- no need to put it up -- I think you  
4 say that you went to the command unit and booked in your  
5 attendance. You had radioed control to say you were at  
6 the site, I think, at 16.57.39. We have that in our  
7 sequence of events. The jury has it tab 12, page 20:  
8 "16.57.39. GM Freeman reports in attend at the  
9 incident."  
10 Does that sound right to you?

11 A. That's correct.

12 Q. Before you made that radio message, you parked your car  
13 and got on your firefighting kit?

14 A. Yes, sir.

15 Q. You then locked the car and walked over to the command  
16 unit?

17 A. That's correct.

18 Q. How far was the car from the command unit?

19 A. Possibly 10/15 feet away.

20 Q. Oh, right. So you're there at about 16.58?

21 A. That's correct.

22 Q. You book into the command unit?

23 A. I did.

24 Q. That means putting your name on a roll board?

25 A. That means putting my roll board in the unit, yes.

1 Q. Putting your roll board in?

2 A. Yeah.

3 Q. Yes. And there was one person only in the command unit  
4 at the time?

5 A. I believe that at the time that I booked and I left my  
6 board in the unit, the other operator had moved to the  
7 incident ground to -- probably to give some information  
8 to the incident commander, so at that time there was  
9 no-one in the unit.

10 Q. It was Mr Best, and you came across him a little bit  
11 later on, I think.

12 A. That's correct.

13 Q. So there was one person in the command unit, and in your  
14 statement you say that no information was available at  
15 the unit at the time because they were still in the  
16 process of setting the unit up. Does it follow that the  
17 computer wasn't operating at that stage?

18 A. It does.

19 Q. The officer in charge of the unit was engaged on the  
20 phone and radio?

21 A. As I've said already, I believe that at that time the  
22 other officer on the unit wasn't actually on the unit.  
23 He was doing something else.

24 Q. But there was somebody there?

25 A. No.

1 Q. Oh, there was nobody there. Forgive me, I've  
2 misunderstood you. So there was nobody there, the  
3 computer wasn't working and there was simply nobody  
4 there to give you information and no visible information  
5 for you to pick up?

6 A. That's correct.

7 Q. So then you go to the incident and you find incident  
8 commander Cartwright within a couple of minutes,  
9 presumably?

10 A. Yes.

11 Q. You ask him for a briefing?

12 A. Yes.

13 Q. With him is Mr Howling, yes?

14 A. That's correct.

15 Q. Mr Glenny?

16 A. I have no recollection of Mr Glenny being there at that  
17 time, but I believe he was there.

18 Q. And Mr Best?

19 A. That's correct.

20 Q. Mr Howling's talking to Mr Cartwright, giving him  
21 information, and then Mr Cartwright gave you a briefing?

22 A. That's correct.

23 Q. Mr Cartwright told the jury that when you arrived, after  
24 him giving you an initial briefing you asked him for  
25 more information, but he, Mr Cartwright, told you that



1           Mr Freeman, we were just talking about the briefing  
2           you received from Mr Cartwright and Mr Howling. Were  
3           you told that the whole of the 9th floor had been  
4           searched?

5   A. I wasn't.

6   Q. Were you told that the 10th floor southern section had  
7           been searched?

8   A. I wasn't.

9   Q. Were you told that there had been no search and rescue  
10          anywhere else in the building?

11   A. No, I wasn't told that.

12   Q. In your second statement, you say that you can't recall  
13          if any flat numbers were mentioned in that briefing.  
14          I don't suppose your recollection's any better today  
15          than it was a few days after?

16   A. No.

17   Q. We looked at some radio reports. Can we just refresh  
18          our memory. Advocates' bundle, page 344, please. These  
19          are, you recall, conversations on the telephone between  
20          Mr Real in control and command unit 4 at 16.44, so  
21          perhaps a quarter of an hour or so before you were  
22          having your briefing. In that conversation, Mr Real  
23          tells the command unit that control are still talking to  
24          two callers, they're in a right old state, there's a lot  
25          of smoke in the flats. The flats are 68 and 79 and

1 Mr Real wants somebody up there really quick. Command  
2 unit 4 promises to do that straight away.

3 Then if you look over the page at 345, five minutes  
4 later, still a few minutes before you arrive, command  
5 unit 4 says in answer to the question "Any news on  
6 getting someone up to 68 and 79?"

7 "Yeah, I've spoken to the incident commander and  
8 he's aware of it. He's ... he's definitely on the case.  
9 They've definitely got crews up there."

10 Then there's the mention of the lady in 79 with her  
11 ceiling coming down. The incident commander then,  
12 Mr Cartwright told us, would have been Mr Howling. No  
13 mention of these things to you in that briefing?

14 A. Not as -- no.

15 Q. Was there any mention of anybody being trapped anywhere?

16 A. Not specifically, no, but obviously there was mention  
17 that people were trapped within the building.

18 Q. There's mention that people were ...?

19 A. Trapped within the building.

20 Q. I know it's a long time ago, but what was said?

21 A. Words to the effect that people are trapped within the  
22 building, crews had been committed at an early stage to  
23 try and effect a rescue, that conditions were worsening  
24 within the building, all of the things that I spoke  
25 about earlier: that the bridgehead had been removed

1           because fire was spreading throughout the stairwell. It  
2           was clear from very early on that people were trapped  
3           within the building. However, the specific numbers  
4           weren't made available to me until a few minutes later.

5   Q.   So you were left with the impression that crews had  
6           already been committed to look for the people who had  
7           been trapped, were you?

8   A.   As -- as you said to me earlier, there was talk about  
9           crews being sent into the building to search, and  
10          I believe that some search had been carried out.  
11          However, I wasn't given a specific briefing about where  
12          those searches had occurred.

13   Q.   Or whether it was complete?

14   A.   Yeah, that's correct.

15   Q.   Were you told that the flat in which the fire had  
16          started, number 65 on the 9th floor, was confirmed to be  
17          empty of occupants?

18   A.   I wasn't.

19   Q.   Were you told anything about the flats immediately  
20          above, 79 and 80, being confirmed to be free of  
21          occupants?

22   A.   No.

23   Q.   The bridgehead had been ordered to come down from the  
24          7th to the 3rd floor. Were you told that the  
25          consequence of that was that apart from the firefighting

1 still going on on the 9th floor in flat 65, there was no  
2 other firefighting going on in the building?

3 A. I wasn't told that, no.

4 Q. And that there was no other search and rescue going on  
5 at that time?

6 A. I wasn't told that, no.

7 Q. Your first instruction on arriving at that fire was to  
8 make pumps 12 and aerials two?

9 A. That's correct.

10 Q. And you told Mr Best from the command unit to go off and  
11 give that order?

12 A. That's correct.

13 Q. It was clear to you that resources had been  
14 underestimated until that point?

15 A. The fire appeared to be spreading -- the officers had  
16 informed me of that -- and so it was my -- it was my  
17 decision to increase resources at the incident.

18 Q. It was clear that resources had been underestimated  
19 until that point?

20 A. I don't know if you can say that. What I can say is  
21 that obviously the fire was continuing to spread and  
22 that we were unable to extinguish the fire at that time,  
23 so we required more resources.

24 Q. Isn't the reality, Mr Freeman, that when you arrived you  
25 found what can only be described as a shambles so far as



1 the firefighting was concerned?

2 A. The initial incident commanders had followed procedure  
3 and had set up basic firefighting operations required  
4 for high rise. They had followed the incident plan that  
5 they had put in place at the beginning of the incident  
6 and they obviously had encountered severe operational  
7 difficulties and so that plan was being re --  
8 reestablished at that time.

9 Q. In your statement, at page 318 in the second paragraph,  
10 you say this -- perhaps we could just put it on the  
11 screen for the jury and yourself. In the second  
12 paragraph, it says:

13 "In my experience as a firefighter, I've never seen  
14 such a fire spread in such an uncontrolled way, from  
15 floor to floor and flat to flat. My operational  
16 training, as well as my fire safety training, gave me  
17 cause to believe that the fire operation within the  
18 building was not as it should have been."

19 That's what you found, isn't it, that it wasn't as  
20 it should have been?

21 A. That was my assumption on arrival.

22 Q. You've told the jury, in answer to Mr Maxwell-Scott,  
23 what your priorities were, and you acted on those  
24 priorities immediately, didn't you?

25 A. I did.

1 Q. Some time subsequently you heard about flats 79 and 81  
2 and that they were on the 11th floor?

3 A. That's correct.

4 Q. You made sure that Station Manager Foster had that  
5 information, yes?

6 A. Yes.

7 Q. What he says in a statement -- he'll give evidence later  
8 but I just put it to you to see whether you agree with  
9 it -- is that having learned that there was a family of  
10 five trapped in flat 81 on the 11th floor, he says:

11 "I immediately sent in a extended duration breathing  
12 apparatus team of five from Clerkenwell to rescue them,  
13 and on the advice of my operational commander,  
14 Mr Freeman [you], sent in the HART team from London  
15 Ambulance Service too."

16 Do you remember that?

17 A. That's correct.

18 Q. That was absolutely the right thing to do, wasn't it?

19 A. I believe so.

20 Q. He goes on to say that he subsequently received a list  
21 of five or six flats where people were believed trapped.  
22 He says he doesn't remember the numbers, but 50s, 60s,  
23 70s. He says:

24 "I advised the watch manager at the bridgehead to  
25 send in teams of two using breathing apparatus to

1 specific flat numbers to perform a snatch rescue, and  
2 also to take hose and branches to use if required.  
3 I believe I gave instructions to the watch manager to  
4 ensure there were teams directed to all flats on the  
5 list."

6 Absolutely the right thing to do, wasn't it?

7 A. Yes, sir.

8 Q. In reality, looking back, Mr Freeman, there's no reason  
9 why those steps couldn't have been taken earlier?

10 A. It's a very difficult decision to take and I had to give  
11 it a lot of thought before I took that decision myself.  
12 To ask a junior officer to take that decision may have  
13 been too much to ask under that -- under the pressure  
14 that he was under at that stage.

15 Q. Sorry, just give me one moment. (Pause)

16 Yes, just a couple more matters if you would,  
17 Mr Freeman. The bridgehead was subsequently moved to  
18 the 3rd floor from the ground floor. Do you remember  
19 that?

20 A. That's correct.

21 Q. In your statement, at page 325, you say:

22 "It did not seem to take long for the bridgehead to  
23 be moved and crews were not withdrawn during the move  
24 and firefighting operations continued."

25 Is that right?

1 A. That's correct. That is correct.

2 Q. When a bridgehead is moved -- I appreciate how unusual  
3 that is, but when a bridgehead is moved, unless there's  
4 some specific reason for it, firefighting can continue  
5 during the move, can't it?

6 A. I would -- the -- the policy would say not, in my view.

7 Q. Say that again?

8 A. The policy would say that that was not the case. The  
9 policy would say that if you're going to move the  
10 bridgehead, you should you should cease operations and  
11 recontinue after you've reestablished the bridgehead.

12 Q. But in this case, you felt the policy required to be  
13 overridden because of the need to firefight?

14 A. That was a decision I took, yes.

15 Q. Yes. Subsequently, you received information from the  
16 command unit on the position of persons trapped in  
17 flats. I'm reading from your statement at page 317.  
18 You say:

19 "This was both by radio and hard copy of message.  
20 This was given to the officers in charge of the  
21 bridgehead control in order to assist in their search."

22 Is that something that would normally happen, or  
23 a line of communication that you set up?

24 A. That was -- that would be something that would normally  
25 happen.

1 Q. I don't suppose you can help us but I'll ask you anyway:  
2 do you know when it was that the command unit became  
3 capable of giving information about persons trapped in  
4 flats and actually gave information?

5 A. I can't answer that, no, I'm sorry.

6 Q. Just let me make one last check. Yes, one small point.  
7 Can we just put up your witness statement at page 322,  
8 please. Mr Maxwell-Scott took you to this. Just below  
9 halfway down, there's a question:

10 "Were you aware that the fire had spread from the  
11 9th floor upwards?"

12 And your answer was:

13 "No, at that stage I had not realised."

14 This is just after the briefing, just after you'd  
15 taken command:

16 "I could see that lots of floors had smoke issuing  
17 and that flames were also coming out. My view at that  
18 stage was the fire could be spreading anywhere within  
19 the building."

20 We know that you came on the scene at about a couple  
21 of minutes before 5 o'clock in the evening. Can we just  
22 look at some photos and see whether your recollection in  
23 fact is correct about not realising that the fire had  
24 spread from the 9th floor upwards. Could we start in  
25 the jury bundle at tab 12 at the photograph on page 7.

1 Do you have the jury bundle there at all, Mr Freeman?  
2 We want tab 12 at page 7. This is the situation at  
3 16.39, so 20 minutes before you arrive, and we can see  
4 the fire burning on the 9th floor.

5 Then if you go on the photo on page 9. We're now  
6 a minute or two later at 16.40, and there, in the bottom  
7 of the photograph, you can see the fire has gutted one  
8 of the bedrooms on the 9th floor and is now attacking  
9 the 10th floor, where the balcony is.

10 If we go from that to photograph 11. We're now at  
11 16.42, so a quarter of an hour or so before you arrive,  
12 and we can see the burned-out shell of the bedroom on  
13 the 9th floor, the blackened balcony on the 10th floor,  
14 and there we can see the flames have solid hold on the  
15 11th floor. That was at 16.42.

16 At photograph 13, at 16.46, we can see the fire is  
17 very substantial on the 11th floor now. At 14, 16.47,  
18 ten minutes before you arrive, we can see that the  
19 bedrooms on the 11th floor have been gutted. One of the  
20 bedrooms, I should say.

21 At photograph 15, we can see from a wider angle shot  
22 the damage done to the 11th floor. At 16 you can see  
23 a similar thing. We're now at 16.49. At 17, we're now  
24 at 16.50, and there's a sudden flare-out from the 11th  
25 floor, and at 16.51 on page 18 we can see the smoking

1 remains of the bedroom on the 11th floor.

2 So just looking at that sequence of photographs,  
3 Mr Freeman, I wonder really whether it's correct that  
4 you hadn't realised that the fire had spread from the  
5 9th floor upwards when you looked on the west side of  
6 the building shortly after you arrived?

7 A. I think in my statement what I was saying is that  
8 I wasn't aware of the extent of the fire spread. I had  
9 realised that the fire had attacked the upper floors,  
10 but I wasn't aware of the extent of that spread.

11 Q. I understand, and this statement, of course, is taken by  
12 somebody else, so I'm not criticising the way it's  
13 expressed. It must have been apparent to you that the  
14 11th floor was on fire?

15 A. That's correct.

16 Q. Right at the end of your witness statement, at page 327,  
17 just above the last question, your last sentence is  
18 this:

19 "Despite efforts by firefighters to rescue all of  
20 the building, some of those removed were overcome and  
21 subsequently died, and this has been very difficult to  
22 deal with and very traumatic both for myself and other  
23 firefighters at the scene."

24 Mr Freeman, that's understood, but I'd like to say  
25 on behalf of my clients that nobody could criticise what





1 A. That's correct.

2 Q. And presumably confirmation that this was a single  
3 staircase and where that staircase was and which doors  
4 led to the staircase?

5 A. Yes, but that information was easy to obtain at the --  
6 on the -- at the incident, obviously.

7 Q. Can you bear with me if I ask you to look at a document  
8 that we have in our jury bundle. It's behind tab 18.  
9 I'd imagine, Mr Freeman, you are familiar with it. It's  
10 the high rise firefighting policy. Tab 19, sorry,  
11 forgive me.

12 I'd imagine, though I don't know, that there may  
13 have been a number of versions of this policy over time.  
14 This is the November 2008 version of the policy, so it  
15 pre-dates the Lakanal incident. Can I ask you to look  
16 at page 1529, which is appendix 5, "Pre-planning". It's  
17 half way down the page. We can see that it describes  
18 that:

19 "During 72D visits, personnel should ensure they are  
20 familiar with the following ..."

21 That gives us then a list of bullet points. They  
22 start with:

23 "Location and accuracy of information available on  
24 site."

25 But you can see that as we go down, it includes

1 floor layouts, fire-resisting compartmentation and  
2 additional security measures, eg security grills  
3 et cetera. It has evacuation arrangements down there,  
4 and further on, means of access and egress from the  
5 building.

6 A. That's correct.

7 Q. If you look after those bullet points, it's telling the  
8 crews who carry out a 72D visit that they should inform  
9 the building owner of defects or safety issues  
10 concerning firefighting facilities and "also report  
11 these to the resource management centre as an alleged  
12 fire risk".

13 THE CORONER: Can I just stop you there, Mr Matthews.

14 I wonder whether Mr Freeman is the right person to be  
15 directing these questions to.

16 MR MATTHEWS: I haven't come to the question, but this is  
17 it: the resource management centre, is that connected  
18 with the fire safety officer function?

19 A. It is. Can I just explain my answer?

20 THE CORONER: Well, Mr Freeman, I think we're going to have  
21 others who are going to be dealing with these issues.

22 I'm not really sure that Mr Freeman's the right person  
23 to be asked about it.

24 MR MATTHEWS: Forgive me. I've asked enough.

25 THE CORONER: Thank you. Mr Compton.

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Questions by MR COMPTON

MR COMPTON: Mr Freeman, two matters, please. Firstly,  
I note in your statement -- and I wonder if we could  
just look at it. Page 326. I think this is your second  
witness statement, page 6 of 7. Do you see, about  
halfway down, the question:

"The early crews were aware that these were  
maisonettes. Would you have expected this information  
to be passed on?"

Do you have that question there?

A. Yes, sir.

Q. Your answer is:

"Yes, but those individuals were involved in the  
incident ..."

And then you mention the bit about the plans:

"Although there was mention of maisonettes, there  
was also mention that some were flats."

Was it your understanding from any of the  
firefighters, directly or through word of mouth, that in  
fact there were single apartments there?

A. That information wasn't coming from firefighters, no.

Q. Where did that information come from?

A. I think obviously members of the public were giving  
information to firefighters about flat numbers and there  
may have been a natural assumption to assume that they

1           were flats not maisonettes.

2    Q.   Yes, because we know that you were, as you've said --  
3           and we've looked at the list -- I think you took over as  
4           incident commander at about 5.19; is that correct?

5    A.   Some time around that time, yeah.

6    Q.   Right.  The other matter I want to ask you is this:  
7           I understand that your evidence is that you weren't  
8           aware that a previous list had been compiled, a list of  
9           people who needed rescuing?

10   A.   Not the original list, no.

11   Q.   Right.  So that you understand the evidence on this, the  
12          jury have heard evidence from Firefighter Mullins, one  
13          of the first on the scene, who was asked to compile  
14          a list by Incident Commander Howling.  All right?  So  
15          that's the background.  We know that this list was  
16          compiled at about 4.30.  Okay?  That's the evidence that  
17          we've heard so far.

18                 Firefighter Mullins had got that information  
19                 directly from control.  All right?  There were five  
20                 flats mentioned.  On the list, he says "persons trapped"  
21                 and then we have flats 78, 79, 80, 81 and 57.  All  
22                 right?  So that's the background.

23                 If you had been the incident commander at the time,  
24                 just looking at your experience and training, what would  
25                 you have done with that list?

1 A. If I'd have been aware that I could access those flats,  
2 I would have attempted to rescue those people.

3 Q. When you attended -- and one echos what's been said by  
4 Mr Hendy: this is no criticism of you at all -- would  
5 you expect at the least that information to be passed to  
6 you?

7 A. Yes, and I did receive information about flat numbers  
8 very soon after I arrived at the incident.

9 Q. But I think the evidence that you have given is that you  
10 instruct Mr Glenny to go and make a list of persons who  
11 need rescuing?

12 A. That's correct. I wanted him to make sure that all the  
13 numbers that we had were on that list.

14 Q. Do you know how he then went about that task?

15 A. No, I delegated that task to him.

16 THE CORONER: Surely you must ask Mr Glenny that?

17 MR COMPTON: But I just want to understand what the  
18 direction was. Did you instruct him in particular how  
19 to get that information?

20 A. No, I asked him to collate a list of the numbers and to  
21 pass that information to Station Manager Foster and to  
22 make sure that that was a comprehensive list of all the  
23 numbers that we'd received.

24 Q. It's an obvious point, but if one looks at the timing,  
25 would you agree that this must have been some time after

1 5.19/5.20, when you had been the incident commander?

2 A. Yes.

3 Q. Then if one is correct and Firefighter Mullins is  
4 correct, that must be some three quarters of an hour  
5 after the original list had been compiled?

6 A. Possibly, yes.

7 Q. Right, if he compiled the list at about 4.30. Thank  
8 you?

9 THE CORONER: Thank you, Mr Walsh.

10 Questions by MR WALSH

11 MR WALSH: Two very short topics. First of all, I just need  
12 to clarify something which Mr Compton's just asked you  
13 about. He put to you a number of times -- or twice,  
14 I think -- that you took over as incident commander some  
15 time after 17.19. Mr Maxwell-Scott took you, however,  
16 yesterday to the reality of the position, which was --  
17 let me just get this clear from you -- that you made the  
18 order for Mr Cartwright to make pumps 12, aerials two.  
19 That was your decision?

20 A. That was.

21 Q. And you were then in command?

22 A. I was.

23 Q. And that we know from our documentation was a decision  
24 passed at 17.04?

25 A. That's correct.

1 Q. So you were in command by 17.04?

2 A. Yes.

3 Q. But the message that you had taken over was radioed  
4 later --

5 A. That's correct, yes.

6 Q. -- because it was a non-priority. All right.

7 Just quickly, can I take you to clarify two matters,  
8 one which was asked on behalf of the families. Can I  
9 take you to page 318 of the statement bundle, please.  
10 This is a statement dated 11 July. You'll see the  
11 second paragraph. I'm going to explain this. It's  
12 already been put to you, but I want to see what you mean  
13 by the words "fire operation". You say:

14 "In my experience as a firefighter I've never seen  
15 a fire spread in such an uncontrolled way from floor to  
16 floor and flat to flat. My operation training, as well  
17 as fire safety training, gave me cause to believe that  
18 the fire operation within the building was not as it  
19 should have been."

20 Did you mean by that --

21 MR HENDY: I think perhaps not lead the question.

22 MR WALSH: Very well. Sorry, quite right. Could you  
23 explain, please, what you meant by "fire operation"?

24 A. I meant the passive fire safety arrangements within the  
25 building were not as they should have been. Obviously

1           it was my view that the building construction -- there  
2           were some issues around the way the fire-resistant  
3           construction within the building was not holding back  
4           the fire as it should do.

5   Q.   I see.

6   THE CORONER:   So you're not talking there, you say, about  
7           the way in which the firefighting had been conducted?

8   A.   I'm not talking about firefighting operations, no; I'm  
9           talking about the structure of the building.

10   THE CORONER:   I see.   Thank you.

11   MR WALSH:   Touching, then, upon firefighting operations,  
12           from the point at which you were mobilised -- when it  
13           was, at that stage, it was reported to you, a fire in  
14           a single flat -- upon arrival, did you glean -- you were  
15           hearing reports, we've heard, that you were going along  
16           before you arrived at the scene, but on your arrival at  
17           the scene, did you glean any information at that time  
18           about the speed at which the fire had developed to what  
19           you then could see, and the impact that that would have  
20           had upon firefighting tactics?

21   A.   It was clear to me, obviously from the timescale  
22           involved, that the fire had spread very, very quickly  
23           throughout a large amount of the building, and that it  
24           was going to be very difficult to contain the fire.

25   Q.   All right.   The last topic.   You were asked at the end



1 of Mr Maxwell-Scott's questions about the layout of the  
2 flats, of the maisonettes, on two floors, and you were  
3 asked if you had known that the bathroom was on the  
4 lower floor, that there was a stairway and that the top  
5 floor ran across the whole of the building, from north  
6 to south. You agreed with the suggestion of  
7 Mr Maxwell-Scott that if you'd known about that,  
8 together with the balconies, you could have advised  
9 a person to leave the bathroom, go into the lobby area,  
10 up the stairs, through the lounge area, out of the  
11 doorway, onto the east balcony and then make their way  
12 either to an exit or to a point of safety. You say that  
13 if you knew about that, you agreed that you could say  
14 that?

15 A. Yeah, generally I would, yeah.

16 Q. I'm just going to ask you this: from the position in  
17 which you were, standing outside the building, were you  
18 aware about what the smoke-logging was, what the  
19 condition of smoke within corridors and flats was on the  
20 11th floor at that time?

21 A. I wasn't aware, no, of how extensive it was, no.

22 Q. Would the answer to that question, which  
23 Mr Maxwell-Scott asked, be affected by your knowledge of  
24 what the smoke conditions were in the flat, in the  
25 lobby, in the lounge area and up the stairs?

1 A. Yes. If there was no smoke within the flat and there  
2 was obviously smoke on the outside of the building, then  
3 at that time it may have been a better place to be.

4 Q. But obviously you would need to know about that  
5 before --

6 A. Yes, obviously I'd need that information to make that  
7 judgment.

8 Q. All right. Thank you very much.

9 THE CORONER: If you knew that there was smoke inside the  
10 flat, then the converse would be case?

11 A. That's correct, madam.

12 THE CORONER: Thank you. Members of the jury, do you have  
13 any questions?

14 Questions from the Jury

15 THE FOREMAN OF THE JURY: Thank you, madam coroner, we do  
16 have a couple. We were wondering, as you were moving  
17 around the site as you did, what channels of  
18 communication you had available or actually used to keep  
19 in touch with people such as the command unit and your  
20 colleagues such as Foster and Cartwright. Were you just  
21 using your personal radio, was it also speaking to  
22 people face to face, or were you employing runners as  
23 well?

24 A. During the incident I would have obviously used my radio  
25 to talk to officers and have face-to-face briefings and

1           situation reports, and also I would have sent officers  
2           to ask for information, particularly from the  
3           bridgehead, and then bring that back to me.

4   THE FOREMAN OF THE JURY:  Do you recall who the runners were  
5           in that case?

6   A.  Sorry?

7   THE FOREMAN OF THE JURY:  Do you recall who it was you were  
8           sending to the bridgehead?

9   A.  I recall that I specifically sent  
10          Station Manager Cartwright to the bridgehead to get me  
11          some information at one point.

12   THE FOREMAN OF THE JURY:  Okay, thank you.  Another question  
13          from earlier today: you explained to us that a water  
14          curtain, a covering jet, can be used on a fire to keep  
15          things in check.  We were wondering: is this a safer  
16          thing to do when you know that there may be firefighters  
17          or residents inside, in that you could employ it to keep  
18          things in check when people weren't outside?  Sorry,  
19          I'll just ... (Pause)  Sorry, could you employ it on the  
20          fire that's in progress rather than, for instance, the  
21          people?

22   A.  You could, but you'd have to take great care to ensure  
23          that those people weren't obviously put in jeopardy by  
24          your action in terms of pushing the fire in their  
25          direction or hitting them with the jet.

1 THE FOREMAN OF THE JURY: Okay, thank you. Our last  
2 question: we can see by the photographs -- and I imagine  
3 you observed the same -- that there'd been no sign of  
4 fire spread to the south wing of the block. Would the  
5 smoke-logged central staircase have been a key factor in  
6 preventing you from setting up either a bridgehead or  
7 a rescue point on the south instead of further down?

8 A. Sorry, could you repeat the question? I didn't quite  
9 hear that.

10 THE FOREMAN OF THE JURY: We can see by the photographs and  
11 from evidence we've actually heard that there was no  
12 fire on the south side of the building --

13 THE CORONER: Sorry, can I just stop you there. Do you mean  
14 the south side? We have two sides: the west and east.

15 THE FOREMAN OF THE JURY: Yes, madam, what I mean is that  
16 the flats that were on fire were in the north wing, so  
17 to speak, whereas we don't see any fire in the south  
18 wing.

19 I realise you weren't aware of fires or  
20 smoke-logging and where it might have occurred. Would  
21 it have been at all possible, in your opinion, to  
22 consider using the south side of the building as a point  
23 from which to set up a rescue point, or even  
24 a bridgehead?

25 A. That would have involved setting up a bridgehead in

1 a lobby, which would have been a dead end condition,  
2 which accessed onto the stairwell, so that would have  
3 been no safer than actually being in the stairwell  
4 itself.

5 THE FOREMAN OF THE JURY: Okay. Thank you very much very  
6 much.

7 THE CORONER: Thank you, Mr Freeman. Thank you very much  
8 for coming and thank you very much for the evidence  
9 which you've given to us. You're welcome to stay if you  
10 would like, but you're free to go if you would prefer.  
11 Thank you very much.

12 A. Thank you, madam.

13 THE CORONER: Yes, Mr Atkins, I think you're going to deal  
14 with the next witness. Is that right?

15 MR MAXWELL-SCOTT: That's correct.

16 THE CORONER: Thank you. Yes, the next witness is?

17 MR ATKINS: Station Manager Guy Foster, madam.

18 THE CORONER: Mr Foster, yes. Thank you.

19 GUY FOSTER ( sworn)

20 THE CORONER: Mr Foster, thank you very much. Do sit down  
21 and do help yourself to a glass of water.

22 A. Thank you.

23 THE CORONER: Please could you keep your voice up and speak  
24 as closely to the microphone as you can so that we all  
25 hear what you're saying. If you direct your answers

1 across the room towards the members of the jury then  
2 that might help them to hear you better and for you to  
3 keep closer to the microphone. Thank you. Mr Atkins,  
4 who is standing, is going to ask you questions on my  
5 behalf initially and then there'll be questions from  
6 others.

7 A. Thank you.

8 THE CORONER: Thank you.

9 Questions by MR ATKINS

10 MR ATKINS: Can you please tell the court your full name?

11 A. Yes. Guy Foster.

12 Q. Mr Foster, I'm going to be asking you some questions  
13 about your knowledge of Lakanal House and your  
14 involvement in the efforts to fight the fire there on  
15 3 July 2009. Is it right that you were a station  
16 manager at the time of the fire?

17 A. That's correct.

18 Q. For how long have you been employed by the London  
19 Fire Brigade?

20 A. For about 20 years, 18 years.

21 Q. In what year did you become a station manager?

22 A. 1999.

23 Q. I think it's right that at the time of the fire you were  
24 based at the headquarters in Union Street --

25 A. That's correct.

1 Q. -- as part of the fire safety regulations department in  
2 the fire engineering group?

3 A. That's correct, yes.

4 Q. Could you just explain for us in simple terms what that  
5 group does?

6 A. The fire engineering group is responsible -- and my role  
7 in particular was analysing the technical fire safety  
8 consultation work that was a statutory requirement of  
9 consultation between building controls, for instance,  
10 and the fire authority.

11 Q. How often would you attend operational incidents, then,  
12 when you were fulfilling that role?

13 A. Additional to the -- my day-to-day role, I still had  
14 an operational response -- responsibility. I was also  
15 a press liaison officer and a fire safety -- senior fire  
16 safety officer. I would probably attend half a dozen to  
17 a dozen incidents each month. Those would vary from  
18 various roles as either press liaison, fire safety, or  
19 as an operational commander.

20 THE CORONER: Mr Foster, could I just ask you not to speak  
21 too quickly because the typists are making  
22 a transcription and they need to be able to follow you.  
23 Please could you keep your voice up or move the  
24 microphone closer to you.

25 MR ATKINS: Had you ever been to Lakanal House before

1           3 July 2009?

2    A.  No, I hadn't.

3    Q.  If I ask you about policies and practices, unless

4           I indicate to the contrary, my questions will be about

5           how things were done either before the day of the fire

6           or on the day of the fire.

7    A.  That's understood, yes.

8    Q.  Could I begin, please, by taking you to a number of

9           documents which record accounts of what you have given

10           of what happened on the day.  The first one is at

11           page 169 of the advocates' bundles.  I wonder if

12           Mr Foster could please be handed that in hard copy.

13           (Handed)

14           Mr Foster, you'll see there, at the top, in typed

15           text, the words "PRC notes" and then an incident number.

16           Could I begin, please, by asking you whether these are

17           notes which you produced?

18    A.  Yes, they are.

19    Q.  Is it correct that they were produced before the

20           performance review of command meeting which was held on

21           14 July 2009?

22    A.  Yes, that's correct.

23    Q.  Can you remember when exactly they were produced?

24    A.  No, I'm afraid I can't.

25    Q.  But at any rate, then, within ten days of the fire?



1 A. Yes, correct.

2 Q. If I could ask you, then, please, to turn on to  
3 page 168. Forgive me, it's the page before, in fact, in  
4 the bundle. There's a diagram.

5 A. Yes.

6 Q. Is that a diagram that you drew?

7 A. That is, yes.

8 Q. Can I ask you when you drew it?

9 A. That was drawn at the same time as I made the PRC notes,  
10 the previous ones that you referred to.

11 Q. All right. We'll come back to that diagram in due  
12 course.

13 Could I show you then, please, page 1324 of the  
14 advocates' bundles. It will be handed to you in just  
15 a moment.

16 THE CORONER: Could you say the number again?

17 MR ATKINS: Forgive me, madam, 1324. (Handed)

18 If we look at the top of that page, we can see the  
19 letters "PRC," which is short for "performance review of  
20 command"?

21 A. Yes.

22 Q. And across, on the right-hand side, the date,  
23 14 July 2009?

24 A. Yes, that's correct.

25 Q. Did you attend that meeting yourself --

1 A. I did.

2 Q. -- to provide information?

3 A. That's correct, yes.

4 Q. The notes we're looking at, though, were they taken by  
5 somebody else?

6 A. They were.

7 Q. Can you recall whether, at the time of the meeting, you  
8 were shown these notes?

9 A. Not at the time of the meeting, no.

10 Q. Does it follow, then, that you weren't able to suggest  
11 any corrections, for example?

12 A. That's correct, yes.

13 Q. Could Mr Foster then please be shown page 328 of the  
14 statements bundle. (Handed)

15 Mr Foster, we can see your name there at the top of  
16 the page. We see it's a witness statement completed on  
17 16 July 2009. Do you recognise that as a statement that  
18 you gave?

19 A. Yes, I do, yes.

20 Q. Comparing the dates, then, this was two days after the  
21 PRC?

22 A. It appears to be, yes, yeah.

23 Q. Lastly, could I ask you, please, to turn on in that  
24 bundle to page 335.

25 A. Yes.

1 Q. Do you recognise that as a second statement that you  
2 gave, this time on 27 April 2010?

3 A. Yes, I do.

4 Q. So that was some eight or nine months after first of all  
5 the PRC and secondly the first statement that we looked  
6 at a moment ago?

7 A. That's correct, yes.

8 Q. In that case, I'd like to go on, please, to asking you  
9 about the events of the day. I'm conscious that at  
10 times during the day there will be more than one thing  
11 that was happening at a time. I, of course, can only  
12 ask you one question at a time and I can only ask you  
13 about one thing at a time, so if, as we go through, when  
14 I'm asking you questions, you think that things happened  
15 in a different order to the order that I'm putting to  
16 you, then please say so, and likewise if I'm asking you  
17 about things and you think that they happened  
18 simultaneously, please could you let us know.

19 A. Okay, yes.

20 Q. Beginning, then, with the time at which you were  
21 mobilised, when you were asked to attend the fire.  
22 We've heard already that you were based at the  
23 headquarters in Union Street. Is it correct that you  
24 received a pager message at about 16.38?

25 A. I believe that was about the time, yes.

1 Q. At the time you received the pager message, were you at  
2 the Union Street headquarters?

3 A. I believe I was making my way from the headquarters to  
4 the Sawyer Street car park.

5 Q. I'm sorry, I didn't catch that bit?

6 A. I believe I was going from headquarters to the Sawyer  
7 Street car park, where my car was parked.

8 Q. Is that car park at or very close to the headquarters?

9 A. Yes, very close.

10 Q. Did the pager message inform you that it was a fire on  
11 the 9th floor?

12 A. As far as I recall, yes.

13 Q. Is it right that you were told that you were being  
14 mobilised as the press officer?

15 A. That's right, yes.

16 Q. At the time you received that message, then, what were  
17 you expecting that your role would be?

18 A. Normally when we get paged as a -- what we call support  
19 functions, we would anticipate that on arrival we would  
20 be used for that function. However, on many occasions,  
21 it's important -- depending on what resources are  
22 required, the incident commander can then ask you to do  
23 other roles and then would request a -- in this example,  
24 a further press liaison officer.

25 Q. So to follow that up, you might be told that you were

1 going to be the press officer, and when you arrived you  
2 might be given a different job and in due course the  
3 incident commander asks someone else to come along to  
4 carry out the press officer's job?

5 A. Yes, that's right.

6 Q. Has it ever happened to you before, that you've been  
7 asked to attend as a press officer and then been given  
8 another role?

9 A. Yes, on a few occasions, that's correct.

10 Q. Were you aware of anybody else at headquarters being  
11 asked to attend at the same time that you were?

12 A. No.

13 Q. I think it's right that when you got on your way, you  
14 contacted brigade control to let them know that. I've  
15 just put on the screen page 477 of the advocates'  
16 bundles, which is a written record of a conversation  
17 which you had with one of the team at brigade control.  
18 We see at the top it says:

19 "Paging, paging."

20 Does that mean that conversation was conducted by  
21 written pager messages or was this a conversation that  
22 you had --

23 A. I'm not clear. I've not seen this before, so I'm not  
24 sure what that actually means there.

25 Q. I'm sorry, I should have said: is it right that your

1 call sign was OG51?

2 A. That's correct, yes.

3 Q. So where we see that on the left-hand side, that's what  
4 you were saying or writing, and then "JB" is one of the  
5 operators at brigade control. We can see that it begins  
6 with you saying:

7 "Hello, paging. OG51 [that's you] booking 6PF..."  
8 Is that a six pump fire?

9 A. That's correct, yes.

10 Q. "... at Camberwell, Havil Street, press officer."

11 A. That's right, yes.

12 Q. Brigade control said:

13 "Sorry, okay, what do you want. Have you got the  
14 address?"

15 And you said:

16 "I've got the address. Any messages at all?"

17 A. That's correct.

18 Q. Brigade control said:

19 "Make pumps six. Hold on a second. We've also got  
20 a couple of operators talking to callers stuck in their  
21 flats on the 9th floor."

22 And you said:

23 "Okay, all right. No informatives at this stage,  
24 just the make up?"

25 And later on they said:

1            "No, just the make pumps six."  
2            You then said:  
3            "Right, if you show me status 2, I'll be on my way.  
4            Thank you very much."  
5            Does "status 2" mean mobilised?  
6            A. Yes, that's correct.  
7            Q. In other words, on your way?  
8            A. Yes, that's right.  
9            Q. What was the purpose of asking brigade control at that  
10           stage were there any messages had been received?  
11           A. It's just from the -- when we take a pager message, to  
12           get an idea of what the current situation is. We're  
13           aware that by the time we arrive things may have  
14           changed, but it would also give some relevant  
15           information as to how dynamic the fire might be at that  
16           stage. So an indication of what was involved at that  
17           stage would be helpful.  
18           Q. We don't have a record of the time at which you arrived  
19           at Lakanal House. Do you have any recollection of when  
20           it was?  
21           A. I know I arrived shortly after  
22           Station Manager Cartwright, because as I left Sawyer  
23           Street car park, he was also leaving Sawyer Street car  
24           park. I was unaware that he was going to the same  
25           incident but consequently finding him on the fire ground

1           made me realise that I would have arrived shortly after  
2           Mr Cartwright.

3    Q.   When you arrived at Lakanal House, where did you park?

4    A.   I parked in -- I think it's Havil Street.

5    Q.   What was the first thing that you did after you arrived?

6    A.   On arrival, having parked the vehicle, I put on my PPE,  
7           my fire kit. I can't recall as to whether I radioed  
8           control to book in at that stage, but I put on my fire  
9           kit. I was then making my way to the control unit to  
10           confirm and to hand in my nominal roll board. I believe  
11           at that time I heard a member of the public walking past  
12           that sounded in a distressed state and I just asked if  
13           she was okay -- I recall it was a woman -- and just if  
14           there was any basic information, but she just informed  
15           me, as it says in my statement, that she had some pets  
16           that were in one of the flats at Lakanal House,  
17           I believe, and as I said in my statement, I just  
18           confirmed that we would do what we could and then  
19           continued to make my way to the command unit.

20   Q.   When you reached the command unit, was the incident  
21           commander there?

22   A.   No, he wasn't.

23   Q.   From that position, were you able to see the building?

24   A.   No.

25   Q.   Did there come a point where you were able to see the



1 fires in the building around about the time of your  
2 arrival?

3 A. Not at the time of arrival. Once I'd been to the  
4 command unit and handed in my nominal roll board, I then  
5 made my way -- sorry, I asked the command unit member of  
6 staff if he knew where the incident commander was, and  
7 he said he was somewhere at the front -- what he called  
8 the front -- of Lakanal House, which I now know to be  
9 the west side, and then I progressed my way down --  
10 I think it's Dalwood Street towards Lakanal House. It  
11 was only when I then got beyond Fontenelle House that  
12 I became aware -- or able to see -- the extent of the  
13 fire.

14 Q. What were you able to see?

15 A. Well, I initially -- I had to force my way through  
16 a hedgerow, I believe it was, to go and see Mr Howling  
17 and Mr Cartwright, who were standing on the lawns to the  
18 west of Lakanal, and at that stage I could see that  
19 there were more than one flat involved in the fire.

20 Q. Were you able to see whether the flats that were on fire  
21 were all on the same floor or not?

22 A. No, it was clear that there was a fire at an upper  
23 level, which I took to be the -- the top floor that we'd  
24 been called to, and two other fires were showing at  
25 a lower level, some -- which I now know to be the 5th

1           and the 7th floor.

2    Q.    Could you see at that point whether the fire on the  
3           highest level -- you say the level you'd been called to,  
4           so that would be the 9th -- could you see whether that  
5           fire extended above the 9th floor or not?

6    A.    It wasn't clear to me as to what floors that was at that  
7           stage.

8    Q.    You mentioned a moment ago that you found Watch Manager  
9           Howling and Station Manager Cartwright together on the  
10          lawn. Was Group Manager Freeman there at the time you  
11          arrived?

12   A.    No, he wasn't.

13   Q.    At the point you arrived, which of the two of them was  
14          incident commander?

15   A.    Again, I think at the moment I got there,  
16          Station Manager Cartwright confirmed that he was just  
17          taking over, or had taken over.

18   Q.    That was something which he said to you?

19   A.    Yes, correct.

20   Q.    Did you explain that you had attended in your capacity  
21          as a press officer?

22   A.    I did, yes.

23   Q.    What instructions were you given?

24   A.    I was told by Station Manager Cartwright that he didn't  
25          want to use me as the press liaison officer and that at

1           that stage the priority was to move the bridgehead from  
2           the 7th floor to the 3rd floor, as the fire was now  
3           showing at lower levels.

4    Q.   Were you given a particular designation or a particular  
5           role?

6    A.   Yes, I was, I was given the role of fire sector, so  
7           sector commander fire.

8    Q.   Did you know whether, at that point, there were any  
9           other sector commanders? For example, a sector  
10           commander rescue?

11   A.   No, not at that time. The only indication was that  
12           the -- Mr Payton, as I now know, was the bridgehead  
13           commander, and that's who I was to liaise with.

14   Q.   Could you please just explain to the jury, then, at the  
15           time that you were appointed sector commander fire, what  
16           did you understand fell within your sector?

17   A.   The role of sector commander fire at a high rise  
18           incident would be really to take command of the  
19           bridgehead and deal with the fires and potential search  
20           and rescue within the fire sector.

21   Q.   Would you be reporting directly to the incident  
22           commander at that point?

23   A.   I would, yes.

24   Q.   Directly to Station Manager Cartwright?

25   A.   That's correct, yes.

1 Q. At the point when you were given that instruction to go  
2 in and move the bridgehead, were you provided with any  
3 information about the layout of the building?

4 A. No, I wasn't.

5 Q. Were you told anything about the number of crew who were  
6 at the bridgehead, manning the bridgehead?

7 A. No, not at that stage.

8 Q. Save that you knew, as you mentioned, that Crew Manager  
9 Payton was in charge?

10 A. That's correct. Watch Manager Payton, I believe.

11 Q. Forgive me; Watch Manager Payton. You're quite right.  
12 Do you know how many crews were committed above the  
13 bridgehead at that time?

14 A. Not at that stage, no.

15 Q. Was any information given to you about the location of  
16 the different fires? For example, what flat numbers  
17 they were in?

18 A. No, the only indication was that we could see that the  
19 fire we believed to be on the 5th, the 7th and the 9th.

20 Q. Were you aware whether or not any searches had been  
21 carried out in any parts of the building?

22 A. No, not -- not at that time, no.

23 Q. Were you given any information about the locations of  
24 persons who were believed to be in the building?

25 A. Again, no.

1 Q. Or of intended rescue operations; that is an intention  
2 to go to a particular flat?

3 A. No, not at all.

4 Q. Are you able to say how long the briefing that you were  
5 given at that time lasted?

6 A. Not an exact time, but it was fairly short.

7 Q. Is it right that after the briefing you then went into  
8 the building? Yes?

9 A. Oh, sorry, yes.

10 Q. At the time you went into the building, then, what was  
11 your plan?

12 A. I clarified with Station Manager Cartwright exactly what  
13 he wanted me to do, which was to move the bridgehead  
14 from the -- or to ensure the bridgehead was being moved,  
15 because I understood then that instructions had been  
16 given over the radio, just to make sure it was two  
17 floors below the floor in which the lowest fire was.  
18 I asked or just confirmed if he could clarify or knew  
19 where the entrance was to the lift lobby, which he  
20 pointed me in the direction as to where the dry riser --  
21 the hose going into the dry riser was, and at that stage  
22 that's -- I was then handed the fire sector tabard from  
23 a member of the command unit crew and then I made my way  
24 across the lawn to the lift lobby.

25 Q. Did you go into the lift lobby?

1 A. I did, yes. That's correct.

2 Q. I'd like to just show you, please, two photographs. Do  
3 you recognise that as a photograph of the lift lobby  
4 area?

5 A. I do, yes.

6 Q. We can see the two lift shafts. Do you see on the back  
7 wall above them there's a sign on the wall?

8 A. I do, yes.

9 Q. If I just move onto the next photograph. It's  
10 a close-up of that sign. Do you recall seeing the sign  
11 at the time you went into the lift lobby?

12 A. No, I've no -- no recollection of seeing that sign at  
13 that time.

14 Q. Did you in fact use the lift to go up to the bridgehead?

15 A. No, I didn't. I pressed the button to call the lift.  
16 The lift door opened, but at that time on -- thinking  
17 about where the fire may be within the premises -- and  
18 also one of my earlier thoughts was that this may be as  
19 a result of some potential arson attack -- I felt it was  
20 safer not to use the lift. Additionally, it would be  
21 normal procedure with a firefighting lift to have  
22 a firefighter situated within the lift to operate the  
23 lift, and there was nobody else there.

24 I also recognised that should I get in the lift and  
25 I was on my own, and should the lift get stuck, that

1           could have a serious impact on the operational plan at  
2           that moment in time. So I chose to then go from there  
3           and find the staircase, which I now know is on the other  
4           side of the building.

5   Q. Just to clarify one point you've mentioned, was the  
6           reason that at that time you thought arson was  
7           a possibility that you had seen there were fires in  
8           different places in the building?

9   A. That's correct, and the fact that we'd been called to  
10          a fire on the 9th floor and that it was apparent that  
11          there was fire below, which is an extremely  
12          unprecedented, in my experience, scenario.

13   Q. You mentioned a moment ago that there was a radio  
14          message about the bridgehead moving. Do you recall  
15          whether that message was sent before you went into the  
16          building?

17   A. My recollection was that that message had already been  
18          sent by either Station Manager Cartwright or Watch  
19          Manager Howling, to request the bridgehead to be moved  
20          prior to my instruction to go and confirm that that was  
21          actually being undertaken.

22   Q. Madam, that would be a convenient moment to break?

23   THE CORONER: All right, thank you very much. We'll have  
24          a break there and be back for 1.55, please.

25                Members of the jury, go with Mr Graham, please.





1           If there are any representations on that, I suggest we  
2           deal with those at the end of the day.

3   THE CORONER: All right. Well, that's very helpful.

4   MR MAXWELL-SCOTT: Then overnight I will prepare a proposal  
5           in relation to the witnesses who form the current  
6           backlog.

7   THE CORONER: Yes, okay. That's very helpful. Any  
8           submissions at this stage? All right, thank you very  
9           much. That's very helpful. Yes, Mr Hendy.

10   MR HENDY: Just before you invite the jury, could I just  
11           have two seconds to go to the back of the hall? My  
12           watch has broken and I've lost a component from it.  
13           Just before the jury come through the door.

14   THE CORONER: Yes.

15   MR HENDY: Thank you very much. (Pause)

16   THE CORONER: No success?

17   MR HENDY: No luck, so far, madam.

18   THE CORONER: Mr Clark, I wonder whether perhaps you could  
19           ask one of the facilities people in the building whether  
20           they could be having a look. Thank you.

21                           (In the presence of the Jury)

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

23   MR ATKINS: Mr Foster, you'd just been explaining to the  
24           jury that you decided, in the event, not to use the  
25           lift.

1 A. That's correct.

2 Q. When you went up the stairs, how high up the building  
3 did you go?

4 A. I believed I went and met the -- Mr Payton on the 7th  
5 floor.

6 Q. Could I ask you about that in a little bit more detail,  
7 please, because in your first witness statement, which  
8 was the one you made in 2009, you referred to going up  
9 to the 3rd floor and meeting him there. I've just put  
10 that page on the screen. That's page 330.

11 A. That's correct, yes.

12 Q. Whereas in the statement that you made some time later  
13 in 2010, at page 337 -- we have the question and answer  
14 there at the top of the page:

15 "When you arrived at the 3rd floor bridgehead, what  
16 was your briefing from Watch Manager Payton?"

17 And you say:

18 "I can confirm that I went to the 7th floor, not, as  
19 I previously stated, to the 3rd floor."

20 So can you just help us, what is your recollection?  
21 Did you go to the 3rd floor, or did you go to the 7th?

22 A. I actually find that quite difficult to recall in its  
23 entirety. My first recollection was that it was around  
24 the 3rd but subsequently I was informed that I had  
25 actually gone to around the 7th, where the bridgehead

1 was being set up to be moved because they had received  
2 some information to actually move the bridgehead down.

3 Q. When you arrived, were you, for example, passing people  
4 on the stairs or meeting them on the stairs as they came  
5 down, or did you reach the bridgehead at a position  
6 where it was set up, waiting to be moved?

7 A. When I got to the bridgehead, it was just being  
8 collected together to be moved, at that stage. I don't  
9 recall passing anybody on the stairs.

10 Q. Do you recall on the stairs noticing any signs which  
11 said which flats were on which floor? I'll just put  
12 an example on the screen there. That's a sign which is  
13 at the 1st floor. Then as you go up the building, there  
14 are signs on the staircase like this one, on page 16.  
15 Do you recall noticing signs like that?

16 A. I can't recall seeing those at the time, no.

17 Q. Could you please explain to the jury what is involved in  
18 moving a bridgehead, what physically has to be done?

19 A. It's the first time that -- in my experience as a fire  
20 officer that we've had to do that. In order to move  
21 a bridgehead, because it's the centre of operations for  
22 dealing with a fire in a high rise incident, it's  
23 necessary to move the breathing apparatus control  
24 facilities and remove any officers who are, at that  
25 time, involved in other activities, such as bringing

1 equipment to the floor, carrying out any other  
2 additional tasks in setting up the bridgehead and  
3 carrying out, for instance, briefings to crews. You'd  
4 have an incident commander -- sorry, I beg your pardon,  
5 a bridgehead commander, who would be briefing crews at  
6 that stage, so it would be a question of collecting all  
7 those people together and removing them to the place of  
8 relative safety at the -- in this instance, what had  
9 been determined as the 3rd floor.

10 Q. So do we understand then that the crew who were manning  
11 the bridgehead and you moved down to the 3rd floor?

12 A. That's correct, yes.

13 Q. Was that, in your view, a suitable location to set up  
14 the bridgehead, as you found it?

15 A. No, it wasn't. Once I'd reached the 3rd floor, it was  
16 obvious that there was smoke within the staircase, and  
17 therefore because it's essential to set up breathing  
18 apparatus operations in what we determine clear air --  
19 ie not a smoke filled atmosphere -- it was therefore my  
20 decision at that stage to move the bridgehead to a place  
21 of -- where we could have clear air, which the sensible  
22 location appeared to be outside the building. I would  
23 state -- sorry, sir.

24 Q. Sorry, I just wanted to ask: you say that there was  
25 smoke in the stairwell on the 3rd floor?

1 A. Yes.

2 Q. Was it possible to vent the stairwell to clear the air  
3 there?

4 A. I made -- I visually checked to see what facilities were  
5 available to ventilate the stair in that location. This  
6 would have entailed normally perhaps opening lobby doors  
7 into the lift lobby, but noticing that the lift lobby  
8 was also full of smoke, at that stage, it wouldn't have  
9 been appropriate to do that. That caused me some  
10 confusion as to why there was smoke within the lift  
11 lobby at that level.

12 I believe at that stage also I had a conversation  
13 with a crew manager who informed me that they had made  
14 some attempt previously to my arrival, probably at  
15 a different level, to clear the smoke and ventilate the  
16 space, but it hadn't worked. I then made my way to the  
17 4th floor briefly to see whether that would achieve the  
18 same, and it was apparent that it was -- two reasons  
19 that it was difficult: one is the structure of the  
20 doorways to actually do that, and secondly, there didn't  
21 appear to be a suitable way of -- of doing that, and  
22 I sensed -- sorry.

23 Q. Sorry, just to pause you there, can I just show you  
24 a picture of an even-numbered floor. They all had, at  
25 the time, doors like that, security doors.

1 A. That's correct.

2 Q. Is that the sort of door that you encountered on the 4th  
3 floor?

4 A. Yes.

5 Q. Were you able to open that door, or was there some other  
6 problem?

7 A. No, it wasn't easily openable, and I was conscious of  
8 the time element involved in then perhaps forcing this  
9 door, or forcing any other doors, as the priority had  
10 been to try and set the bridgehead up on the 3rd floor,  
11 but now conscious of the fact that that would need to be  
12 removed further, I was becoming concerned that this was  
13 potentially adding some delay into firefighting rescue  
14 operations and I made the decision not to -- I beg your  
15 pardon.

16 Q. Sorry, I interrupted.

17 A. So I made the decision that rather than spend excessive  
18 time trying to ventilate the space, it would be easier  
19 to go outside the building and set up the bridgehead  
20 outside of the building.

21 Q. By the sounds of it, that was your decision that you  
22 made to move outside the building?

23 A. It was indeed, yes.

24 Q. At the time you made that decision, were you able to  
25 communicate with the crews who were committed above the

1 bridgehead to tell them that the bridgehead had moved  
2 and where it had moved to?

3 A. It's a matter of priority that should the bridgehead or  
4 any scene of operations be required to be removed to  
5 another location to where the breathing apparatus entry  
6 control had been set up, that all crews are informed  
7 that that's the situation in order that when they  
8 retreat that they know where the new location will be.  
9 I believe I had a conversation with -- with all the  
10 officers that were in that location to say that we would  
11 move it to the 3rd floor in the first instance, and then  
12 at that stage, I believe it was a crew manager,  
13 subsequently -- I believe it was Crew Manager Hider --  
14 ran up the stairs to the crews on the upper -- that were  
15 carrying out firefighting operations, because we were  
16 having some communication problems, came back to me and  
17 said: would I want the firefighting crew that was in the  
18 9th floor flat to also withdraw? At that time, I said  
19 to Crew Manager Hider not to do that, to leave those  
20 people in fighting the fire, because the information  
21 that Mr Hider gave me was that they considered that the  
22 fire had nearly been extinguished on that level, and  
23 I was comfortable that provided we had informed them  
24 that the bridgehead had been moved, that they could  
25 continue to do that.

1                   Then at that stage we then --

2   THE CORONER:   Sorry, Mr Foster, I'll just stop you there,  
3                   because Mr Atkins wants to take you through step by  
4                   step.

5   A.   Sorry.

6   MR ATKINS:    Sorry, I just wanted to ask you about the  
7                   communication difficulties you mentioned.   Ordinarily,  
8                   you would hope to be in radio contact with those crews,  
9                   would you?

10  A.   That's correct, yes.

11  Q.   What radio equipment would you use to contact them?

12  A.   The communication with the breathing apparatus crew will  
13                   be done through handheld radios on a separate  
14                   communications channel, usually channel -- I beg your  
15                   pardon -- and therefore my instruction would be to the  
16                   BA entry control officer in order to pass that on.

17  Q.   So it would be a two-stage process: you would ask the  
18                   breathing apparatus entry control officer to pass on  
19                   information, and then they would communicate it on to  
20                   the crews above the bridgehead?

21  A.   That's correct, yes.

22  Q.   Was the difficulty that you experienced that you  
23                   couldn't contact the entry control officer in the first  
24                   instance, or that the officer couldn't contact the  
25                   crews?



1 A. No, it was more that the officer couldn't contact the  
2 crews, I believe.

3 Q. Was that the reason, then, that Crew Manager Hider went  
4 up himself?

5 A. I believe so, yes.

6 Q. Could I ask you, please, about the implications of  
7 moving the bridgehead out of the building. First of  
8 all, is it right that there might be, as a result, a gap  
9 in firefighting once the crews who were already  
10 committed were withdrawn and until further crews were  
11 committed?

12 A. Potentially that's the case. On this occasion there was  
13 no break in -- in that, because Mr Hider had confirmed  
14 with me that they felt that they'd -- were bringing the  
15 fire under control, and I had actually specifically  
16 requested -- or required them to continue firefighting  
17 operations at that time.

18 Q. In other words, at the point that the bridgehead moved  
19 outside the building, firefighting was continuing?

20 A. Yes, that's correct.

21 Q. And in due course no doubt we will hear evidence from  
22 others -- and perhaps from yourself as well -- about  
23 when the next crews were committed into the building.

24 A. That's correct. I would say that is on that upper level  
25 at the 9th floor.

1 Q. It would also be the case, wouldn't it, that once the  
2 bridgehead had moved outside the building, any crews who  
3 were committed would have to travel further from the  
4 point where they activated their BA equipment to the  
5 point of the fighting the fire?

6 A. That's correct, yes.

7 Q. From the ground floor up to whatever floor it was?

8 A. Yes.

9 Q. And that therefore there would be more effort involved  
10 in moving equipment around and climbing up the stairs?

11 A. Yes, that's correct.

12 Q. We've heard evidence that in general one would try to  
13 set up a bridgehead two floors below the lowest fire  
14 floor. Does it follow then that ordinarily you would  
15 not choose to set up a bridgehead outside the building,  
16 except perhaps where the fire was on maybe the 1st or  
17 the 2nd floor?

18 A. That's correct, yes.

19 Q. Could I take you back, please, to your diagram. This is  
20 at page 168 of the advocates' bundles.

21 A. Okay, yes.

22 Q. This is the diagram you told us you prepared before the  
23 PRC, within about ten days of the day of the fire?

24 A. That's correct, yes.

25 Q. Do we understand, then, that it shows the position of

1 the bridgehead where you set it up on the east side of  
2 the building?

3 A. Yes, that's correct.

4 Q. We can see that just in the middle of the page, with "SC  
5 fire" next to it. Is that you, sector commander fire?

6 A. That's correct, yes.

7 Q. And BA entry control next to the bridgehead?

8 A. That's correct, yes.

9 Q. You've marked the stairs as the point of access to the  
10 building?

11 A. That's right, yes.

12 Q. On the left-hand side there's a bubble with "BA  
13 reserve". Can you just explain what that indicates?

14 A. Yes. When I drew this diagram, it was more of  
15 a schematic just to inform the PRC of the approximations  
16 of where I believed the equipment and staff -- the  
17 firefighters to be at the time when I moved the  
18 bridgehead out of the building.

19 Q. Is the BA reserve the area roughly where crews were  
20 waiting to be committed?

21 A. That's very approximately, yes.

22 Q. Then we can see just down to the right of the  
23 bridgehead, slightly obscured, the words "equipment  
24 dump". Could you just explain what that was for?

25 A. That was set up for things like hose lines, branches,

1 lines, first aid equipment, to be placed in one area.  
2 When crews are making entry, there's a short time then  
3 between a BA crew being tasked with something to do  
4 where they could collect necessary equipment based on  
5 the instructions and the plan in the brief that they  
6 were being given.

7 Q. This was equipment, then, that was ready for use, rather  
8 than equipment which was used and spent?

9 A. Correct, yes.

10 THE CORONER: Before we move on from that, we've heard of  
11 an area where BA sets were being recharged or prepared  
12 for use. Where would that have been on your sketch?

13 A. I'm not clear where that would have been, madam.

14 THE CORONER: Right, okay.

15 MR ATKINS: Thinking for a moment about the position of the  
16 bridgehead, I've just put on the screen photograph  
17 number 2 in tab 14. You can see there's a tree there in  
18 the middle of the page. Was that roughly where the  
19 bridgehead was?

20 A. Yes, that's correct, yeah.

21 Q. We've seen already from your diagram that you were  
22 stationed next to the bridgehead.

23 A. That's correct, yes.

24 Q. Were you able to see the upper part of the building from  
25 where you were?

1 A. No, I wasn't, no.

2 Q. When the bridgehead was set up outside the building, was  
3 Watch Manager Payton still the entry control officer?

4 A. Watch Manager Payton, when he came outside the building,  
5 because he would have been originally the bridgehead  
6 commander, I instructed him to take on the role of BA  
7 entry -- or supervising BA entry control procedures, in  
8 order that there was a high level of control on that at  
9 that stage.

10 Q. Was Watch Manager Howling working with you at that time?

11 A. Slightly later, I believe, he was given the role of  
12 stage 2 BA supervision.

13 Q. Could you just explain for us, please, what that is.

14 A. That's primarily because of the amount of breathing  
15 apparatus what we were committing and likely to be have  
16 to commit, it's a procedure where it just gives  
17 an additional level of control over the BA resources  
18 that are likely to be used at an incident of this type.

19 Q. Is that of the nature of keeping track of crews and  
20 who's been committed? Is it that sort of role?

21 A. Not specifically. As I understood, Mr Howling's role at  
22 that stage was just to supervise the numbers of BA that  
23 we had available to use and supervise the basic entry  
24 procedures were being adhered to.

25 Q. If somebody wanted to identify you when you were

1 standing outside the building carrying out that role,  
2 was there something about your uniform that would have  
3 identified you? You mentioned earlier a tabard?

4 A. Yes, that's correct.

5 Q. Would you just describe that for us?

6 A. Yes, I think if you were to put up the previous  
7 photographs, those tabards that some of those officers  
8 are wearing that they have specific designations written  
9 on the rear, and mine would have said "fire sector" or  
10 "sector fire".

11 Q. Are we talking about these jackets?

12 A. Very similar, yes.

13 Q. Something like that?

14 A. Yes.

15 Q. With wording on the back?

16 A. That's correct, yes.

17 Q. What about Watch Manager Payton? Would he have had any  
18 identifying uniform or features?

19 A. He would have had a BA entry control tabard. I don't  
20 know whether he wore that at that time, because we were  
21 anxious to get BA crews back into the building.

22 Q. Do you recall, once you had set up the bridgehead  
23 outside the building, being briefed by  
24 Group Manager Freeman, who was then the incident  
25 commander?

1 A. I don't have a very clear recollection of the briefing.  
2 I do remember Group Manager Freeman coming to me and  
3 asking for an update of what actions I'd taken prior to  
4 his arrival.

5 Q. Can you remember what information you gave him about  
6 those actions?

7 A. I think at that stage I'd committed three BA crews  
8 consisting of three persons in each crew, one to the  
9 5th, one to the 7th and one to the 9th floor, to carry  
10 out the task of beginning firefighting on the 5th and  
11 the 7th, and to support the crew that was already and  
12 had remained on the 9th floor to extinguish the fire  
13 that I believe was still on the 9th floor.

14 Q. To the best of your recollection, were those crews which  
15 you had committed after the bridgehead had come outside  
16 the building or were they crews that had already been  
17 committed before the bridgehead came outside?

18 A. No, I do have a very clear recollection of that task.  
19 They were crews I committed once we had the BA -- sorry,  
20 the bridgehead outside of the building. It was a very  
21 specific point in time.

22 Q. Can you recall whether Group Manager Freeman discussed  
23 with you his operational priorities?

24 A. I can't -- I don't have a clear recollection of that,  
25 other than it was to continue firefighting and -- and

1 concentrate on that activity, but I can't remember  
2 a specific brief.

3 Q. Are you able to remember how long your conversation with  
4 Group Manager Freeman lasted?

5 A. At that time, probably two or three minutes. It's fair  
6 to say that we were receiving an awful lot of  
7 information on actions that needed to be taken in  
8 respect of firefighting at that stage.

9 Q. On that subject, do you recall while you were speaking  
10 to Group Manager Freeman a firefighter approaching and  
11 passing on information that there were persons trapped,  
12 most significantly in flat 81, and that smoke was  
13 entering that flat? Do you remember that?

14 A. I don't specifically remember that moment in time. I do  
15 remember very vividly receiving information at some  
16 point -- and I cannot recall if it was when Mr Freeman  
17 was there -- that there were people trapped in flat 81,  
18 five persons believed in the bathroom of flat 81.

19 Q. Were you aware that a group from New Cross with standard  
20 duration breathing apparatus had gone into the building  
21 at around about 5.06 or 5.07 in order to go up to the  
22 11th or 12th floor?

23 A. No, I have no recollection of that.

24 Q. Do you think that that is a crew which you committed, or  
25 might they have gone into the building by some other



1 route?

2 A. They -- they may have gone in by some other route. I do  
3 recall a crew -- my recollection is that it was a little  
4 bit later on in time -- that was passing along a pathway  
5 in front of the bridgehead from my right-hand side,  
6 already in breathing apparatus and what we called don --  
7 they had don and start up, so they were under air at  
8 that stage, walking along the path, and I was slightly  
9 concerned at that stage that they'd been committed from  
10 another point, but I just asked for some clarification  
11 from them at that stage and I believe at that point  
12 I was informed that there was another search -- or there  
13 was a search sector, or a rescue sector now underway.

14 Q. Pausing there, then, the crew that you mentioned seeing  
15 walking along under air, are you able to say whether or  
16 not that was the New Cross crew?

17 A. I'm afraid I'm not, no.

18 Q. All right, perhaps we'll leave that there. Do you know  
19 who briefed the New Cross crew, if you didn't?

20 A. No, I don't, I'm afraid.

21 Q. Are you aware of that instruction being given to them  
22 that they ought also to go to flat 56 to help somebody  
23 there?

24 A. No, not -- not -- because as I say, I don't know whether  
25 the crew that I saw walking along that path was from New

1 Cross or not.

2 Q. Did you, at any stage, either send or hear a radio  
3 message giving the order that all crews should withdraw  
4 with the exception of New Cross?

5 A. No, I have no recollection -- excuse me, I have no  
6 recollection of hearing that message or that message  
7 being transmitted.

8 Q. When the bridgehead first moved outside and you were  
9 considering how crews should best be committed, did you  
10 make efforts at that stage to establish the layout of  
11 the building?

12 A. The scene at the time was very busy. It wasn't easy to  
13 ascertain the layout of the building. My -- my concern  
14 was that we needed to get breathing apparatus crews in  
15 there with firefighting equipment to start to bring the  
16 fires under control on the 5th and 7th floor, and once  
17 we -- my view was once we had achieved that, more time  
18 would have been available to look into more detail.  
19 However, because of the dynamic nature of this incident,  
20 there were other interjects at the time which made that  
21 very difficult to achieve.

22 Q. Did you have a clear idea in your own mind of what crews  
23 had already done in the building?

24 A. I had spoken to Watch Manager Payton and clarified that  
25 they had been dealing with the fire in flat 65, which

1           was the original flat that they were called to, and  
2           firefighting operations had continued in that area, and  
3           there was the limit of the briefing I had from  
4           Watch Manager Payton.

5   Q.   Did you know, for example, which parts of the building  
6           had already been searched?

7   A.   I didn't, no.

8   Q.   Did you make any inquiries of Watch Manager Payton or of  
9           any of the other firefighters about that?

10  A.   Not at that stage.  As I said, the priority was  
11           initially to move the bridgehead, to get crews into  
12           a safe air condition, and then to commit crews to carry  
13           out the firefighting, and that took a certain amount of  
14           time in order to achieve.  I was also very conscious of  
15           the fact that having committed nine breathing apparatus  
16           wearers, we needed three in a -- a minimum of three in  
17           reserve, because each crew was a crew of three, and  
18           I was asking at that stage for further BA resources, and  
19           that was my priority at that stage, in order that we had  
20           sufficient resources to then build on the plan at that  
21           stage.

22  Q.   Thinking about building up a plan, could I ask you  
23           please about sources of information that might have been  
24           available to you about people who were inside the  
25           building or trapped inside the building.  Were you

1 receiving information from any of the crews who had been  
2 committed and who were coming out of the building?

3 A. I hadn't received any information at that time about  
4 what had been achieved. I'd asked Watch Manager Payton  
5 to look after BA entry control. The normal procedure  
6 would be that could be achievable, it would be fairly  
7 straightforward to do. However, under this dynamic and  
8 escalating incident, it was becoming increasingly  
9 difficult to ascertain where crews had been at that  
10 stage.

11 Q. Did Watch Manager Payton ever pass on to you a list that  
12 he had been given earlier in the incident?

13 A. No, he didn't, no.

14 Q. Did you receive any information about flats where there  
15 might be people still in the building from the command  
16 unit?

17 A. I can't remember whether it was from the command unit,  
18 but I think I say -- stated in my statement that at some  
19 point there were two issues. One was the information  
20 about flat 81 which we referred to already, and then  
21 later a list of, I believe, five or six flats was given  
22 directly to me, and it's been difficult to identify who  
23 did that. It had a list of flat numbers on there.

24 THE CORONER: Just stop there, because we'll probably get to  
25 that. Just let Mr Atkins take you through.

1 A. All right.

2 MR ATKINS: By the sounds of it then, there were two  
3 occasions when you were provided with information about  
4 flats: first of all, the one that you mentioned earlier  
5 where you became aware of flat 81, and then subsequently  
6 a list that was produced of more than one flat number,  
7 but you're not able to tell us exactly who that came  
8 from.

9 A. No, no, I'm not.

10 Q. When you first became aware of flat 81, if that was the  
11 earlier of those two occasions, what was your response  
12 at that time? What was the first thing you did in  
13 reaction to that?

14 A. I believe at that stage Group Manager Freeman was with  
15 me at the time. I wanted to commit breathing apparatus  
16 crews to go immediately to that flat. A decision was  
17 made to use the EDBA, extended duration breathing  
18 apparatus crews --

19 Q. Sorry, to pause you there, you wanted to send a team in  
20 and you wanted it to be the extended duration breathing  
21 apparatus team. Why was that?

22 A. Because of the distance between the bridgehead and the  
23 11th floor and the amount of air that they'd be required  
24 to use in entering the building and just making their  
25 way to the 11th floor. Therefore extended duration

1 breathing apparatus would give them that opportunity to  
2 carry out that task for longer than a standard duration  
3 breathing apparatus. I would say that was in  
4 conjunction with Group Manager Freeman, to use the EDDBA  
5 crews as well, because it has to be an incident command  
6 decision at that stage.

7 Q. The EDDBA crew that was committed, were they committed at  
8 the same time as the ambulance service's HART team?

9 A. I believe that that was the case, because I had  
10 a conversation with Mr Freeman about that issue.

11 Q. So we understand, the ambulance service's HART team also  
12 use extended duration breathing apparatus?

13 A. I believe that's the case, yes.

14 Q. Are you able to give us an impression of how long it  
15 might have been between you becoming aware of flat 81  
16 and the crew entering the building to go up to the 11th  
17 floor?

18 A. It wasn't a very long period of time. It took a period  
19 of time to brief the crew with specific tasks --  
20 probably two to three minutes to brief them -- and then  
21 they were required to obviously put their sets on fully  
22 and then there was -- we were waiting for the HART team  
23 just to get themselves prepared as well. So probably  
24 four, five, six minutes maximum to actually get them to  
25 start making their way to the building.

1 Q. At the time you were briefing that crew to go into the  
2 building to the 11th floor --

3 A. That's correct, yes.

4 Q. -- did you know whether or not there was a fire on the  
5 11th floor?

6 A. It wasn't clear to me at that stage that there was also  
7 a fire on that floor, no.

8 Q. Could I ask you, please, for example, to turn to the  
9 jury bundle, tab 12, and go to page 26. (Handed)

10 A. 26.

11 Q. This is a photograph taken of the north end of the  
12 building. You can see there a quantity of smoke coming  
13 out of the upper part of the building.

14 Likewise, over the page, page 27, that's a slightly  
15 clearer photograph, again of the north end of the  
16 building, with smoke coming out of the vent at the end  
17 of the corridor --

18 A. That's correct.

19 Q. -- on the 11th floor.

20 A. Yes.

21 Q. As we understand it, the first of the extended duration  
22 breathing apparatus crews to be committed was a crew  
23 from Lewisham who were committed just after 5.30. Are  
24 you able to say, looking at these two photographs that  
25 come a few minutes before that, why it is you weren't

1           aware that there might have been a fire on the 11th  
2           floor?

3    A.   Yes, I think if you -- if you look where that fire is  
4           coming out of the north end and then relate that to  
5           where the bridgehead was on the east side of the  
6           building, towards the centre of Lakanal House, at  
7           a position which was -- the view was slightly obstructed  
8           by the tree, then I wouldn't have necessarily -- I would  
9           have had a visual on the state of the fire at that  
10          stage. I would reiterate or point out that it would be  
11          normal on a bridgehead in a high rise scenario not  
12          necessarily to be fully aware of any external fire  
13          spread because the bridgehead would be inside the  
14          building, and therefore you wouldn't necessarily know  
15          the conditions at that stage.

16   Q.   So if the bridgehead were inside the building, as would  
17          normally be in the case, in fact you would have,  
18          standing at the bridgehead, an even less good vantage  
19          point than you did from your position under the tree  
20          outside the building?

21   A.   Potentially that's correct, yes.

22   Q.   In that case, then, were there any arrangements to pass  
23          information to you about what could be seen from the  
24          outside of the building, what the conditions were likely  
25          to be in --



1 A. Normal procedure, as I understand it, is that you would  
2 have a spotter, somebody who would be on the external  
3 part of the premises to pass information to the  
4 bridgehead, but with the amount of radio traffic that  
5 was underway at this stage, sometimes it's actually very  
6 difficult to get that information to the bridgehead.

7 Q. Did you have anybody performing that sort of spotter  
8 role for you?

9 A. I don't specifically remember anybody being designated  
10 that.

11 Q. When did you first become aware that there was a fire on  
12 the 11th floor?

13 A. I think when we committed the EDBA crews and we got  
14 information back at one point -- because we were  
15 constantly radioing them saying it's flat 81 on the 11th  
16 floor, and at some point we got a radio message back  
17 saying, "We can't identify flat 81 because the numbers  
18 to the flat doors have been burnt off." I think at that  
19 point my concern was that the fire was actually up on  
20 the 11th floor.

21 Q. We gather from that that the crew that you sent up had  
22 attempted to reach flat 81 on the 11th floor by going  
23 down the main central corridor to where the front doors  
24 were, because as you say, they reported that the front  
25 door numbers had been burned off. Were you aware at

1           that time that the New Cross crew who had been committed  
2           earlier had managed to gain access to the 12th floor  
3           balconies?

4    A.   No.

5    Q.   Were you aware that it was possible to gain access to  
6           the flats that had their front doors on the 11th floor  
7           from the balconies on the 12th?

8    A.   No, I wasn't, no.

9    Q.   Do you think you ever became aware of that fact during  
10           the incident?

11   A.   Not till much later in the incident.

12   Q.   You told us as well about a list of flat numbers,  
13           I think, that you were given at a time after the time  
14           when you learned about flat 81.

15   A.   Yes, that's correct.

16   Q.   What did you do with that list?

17   A.   My recollection of that was that because of the urgency  
18           of the message that we received, that these people were  
19           trapped and required rescuing, was to say to  
20           Watch Manager Payton: "Allocate teams of two BA wearers  
21           to each of these flats." I would brief two of those  
22           crews, he would brief three, and we would require them  
23           to carry out what we would term as a snatch rescue,  
24           which is actually just going into the premises and going  
25           specifically to those flats with the intention of

1 carrying out a rescue immediately. I did also ask them  
2 to take with them, I believe, at that stage, some  
3 firefighting equipment should they deem it necessary to  
4 use, but the priority was to get to those flats.

5 Q. The jury have already heard evidence about a crew of  
6 two, Firefighter Gray and Crew Manager Thomas, who were  
7 committed to the building at 17.22 and went up to flat  
8 49 on the 7th floor to rescue somebody who'd been  
9 identified as being in a particular flat.

10 A. Right.

11 Q. Is that the sort of rescue that you mean by a snatch  
12 rescue?

13 A. Yes, yes.

14 Q. When crews were briefed using the list to go to  
15 a particular flat number to carry out that sort of  
16 a risk, how were the crews expected to find out where  
17 the flat in question was?

18 A. That was -- that was difficult, because we were only  
19 given the floor -- I'm sorry, I beg your pardon, we were  
20 only given flat numbers and not floor numbers, and  
21 I can't recall given any specific direction as to that.  
22 I just said we need -- "You need to be able to find  
23 where those are."

24 Q. I think it's right that at one point while you were  
25 outside the building you were approached by

1 a firefighter who was asking for advice about an aerial  
2 ladder platform and what use it could be put to?

3 A. That's correct.

4 Q. Can you remember whether you gave any advice?

5 A. The aerial ladder platform operator came up to me whilst  
6 I was trying to carry out my duties at the bridgehead  
7 and asked if I felt it was appropriate to pitch the  
8 aerial ladder platform to try to tackle the fires which  
9 was now showing on the east side of the premises,  
10 I think about the 5th floor level. I advised him that  
11 I wasn't the incident commander, because that's  
12 an incident commander decision on that, and that he  
13 should seek advice from the incident commander.  
14 However, in my opinion -- and I believe I said this to  
15 him -- I felt if he could achieve something by  
16 extinguishing the fire or suppressing the fire, he  
17 should try to do so, but he did need to go through the  
18 incident commander for that.

19 Q. So you were able to give him a possibility of a sensible  
20 way forward, but you reminded him that any decision  
21 would have to go through somebody who was part of the  
22 incident command structure?

23 A. That's correct.

24 Q. Is it possible that in fact you directed him not to the  
25 incident commander but to Group Manager Freeman, who at

1           that point was the operations commander?

2    A.   I know I directed him to -- I said the words "incident  
3           commander".  Yeah, I don't think at that stage I was  
4           aware that Mr Freeman was ops commander, but I did ask  
5           him to speak to the incident commander.  I think  
6           Mr Freeman this morning gave some evidence about the  
7           dangers and risks of actually using that under those  
8           circumstances, which is why it has to go through the  
9           incident commander.

10   Q.   Did there come a point later on in the day when the  
11          bridgehead was reestablished on the 3rd floor of the  
12          building?

13   A.   That's correct, yes.

14   Q.   I believe that one of the officers who was involved in  
15          that was Group Manager Andrews?

16   A.   That's right, yes.

17   Q.   What was his part in that?

18   A.   Group Manager Andrews initially approached me, and  
19          I believe at that stage he was sector commander safety.  
20          He asked me some brief details about the building, any  
21          hazards and risks at that stage.  He made a comment  
22          about whether he felt -- whether there was just one  
23          staircase in the building.  I informed him that it was  
24          my opinion -- or my view that there appeared to be only  
25          one staircase.  He then continued his duties but then he

1           returned back later and asked a question as to why the  
2           bridgehead was outside.

3    Q.   Did you explain to him why it was that the bridgehead  
4           had come out in the first place?

5    A.   I did indeed.

6    Q.   Did he then investigate whether the conditions inside  
7           the building were still as they had been?

8    A.   That's correct.  He said to me he would go back into the  
9           building and he would have a look, because having  
10           explained to him that the staircase had been compromised  
11           and was smoked-logged down to the 3rd/4th floor level,  
12           he said he would go back into the building and see  
13           whether it was suitable to put the bridgehead back into  
14           the building, which he did do.

15   Q.   He formed the view that it was; is that right?

16   A.   That's correct.  He came back telling me that he felt it  
17           was suitable.

18   Q.   Once the bridgehead was moved back into the building to  
19           the 3rd floor, did you then become sector commander  
20           lobby outside the building?

21   A.   That's correct.  I did, yes.

22   Q.   And then you, from that point onwards, remained in  
23           contact with the bridgehead on the 3rd floor?

24   A.   Correct.

25   Q.   Could I ask you, please, about something that you say in

1 your first statement, where you explain that in your  
2 view, to use your word, the fire was unique. You give  
3 three reasons for that. We can see them on this page,  
4 page 334.

5 A. Yes.

6 Q. You refer to three reasons: first of all the fire  
7 spread, secondly the smoke-logging, and thirdly the  
8 number of people who were trapped and needed rescuing.  
9 Could you just explain to us very briefly, in simple  
10 terms, what it was that was unusual in each of those  
11 three respects about this fire.

12 A. Yes, I can. The -- it's very unusual to experience fire  
13 spread downwards under any circumstances. I think  
14 I stated earlier on that that was my first impression  
15 when I arrived, that I believed that this might be  
16 a deliberate act because of the nature and the fact that  
17 it's so unusual to see this happening, and I certainly  
18 hadn't experienced that before in this kind of premises.

19 Q. What about the question of smoke-logging? What was  
20 unusual about that?

21 A. Normally we would -- we would anticipate that where we  
22 set the bridgehead up in the staircase you may get some  
23 smoke coming from the floor of origin, coming into the  
24 staircase because of the breach using the hose lines.  
25 However, it was evident that smoke wasn't just coming

1 from -- from above, ie from, at that stage, the 9th.  
2 There was smoke coming in at other levels, and I think  
3 I indicated earlier on that looking into the lobby where  
4 the lift was, because the building is ventilated in the  
5 lobby by open grills, that smoke seemed to be  
6 recirculating and coming into the lift lobby, which  
7 would normally also be an area where we could set up the  
8 bridgehead, in that area.

9 So it was unusual in that sense, that we seemed to  
10 be getting more extensive smoke-logging in a staircase  
11 over what was really the whole height of the building.

12 Q. Lastly, you mentioned the number of people who were  
13 trapped and needed rescuing. Was that unusually high in  
14 your experience?

15 A. In my experience, absolutely. It was high. Normally we  
16 would expect within this type of premises that the fire  
17 compartment is a 60-minute fire compartment, and that  
18 the fire could be extinguished within that fire  
19 compartment without undue risk to members of the public  
20 in adjoining flats. We do get occasions when that  
21 occurs. You have to appreciate that when we start  
22 firefighting and the fire hose has to go up from the  
23 bridgehead -- or from the landing valves to carry out  
24 the firefighting and we breach the front door of a flat,  
25 then smoke and heat will go out into the corridor, which



1 is why it's usually important, if people haven't already  
2 taken themselves off the floor where the fire is, that  
3 they stay within their flat, because it's likely that  
4 the corridor, whilst we're firefighting, will be full of  
5 heat and smoke whilst we carry out the firefighting.  
6 But that is usual. The unusual bit --

7 Q. Sorry, pausing there. Ordinarily, putting it more  
8 shortly, you're saying that people would stay in their  
9 flats because of this idea of compartments --

10 A. Correct.

11 Q. -- that would contain the fire?

12 A. Correct, yes.

13 Q. Whereas in this flat there was a need, was there, for  
14 people to leave the building?

15 A. There seemed to be some unusual, unexpected fire spread  
16 within the premises. As I said, it was on the 7th and  
17 the 5th, which was unusual, which gave more cause for  
18 concern because we needed to extinguish the fires before  
19 we could effectively rescue some of those persons.

20 Q. Could I ask you, then, please, about the knowledge that  
21 you gained of certain features of the layout of  
22 Lakanal House whilst you were carrying out your role as  
23 sector commander fire and afterwards. First of all, the  
24 single central staircase. When were you first sure that  
25 there was just one staircase in the building?

1 A. Fairly early on. From -- looking from the outside of  
2 the building, to me it was fairly obvious where the  
3 staircase was, because of the -- the visual impact of  
4 the building, the fact that you could see the grills and  
5 you could see the staircase windows. I was fairly  
6 certain very early on that it was a single staircase  
7 building, which is not unusual for residential.

8 Q. Were you aware that there were central corridors with  
9 front doors only on the odd-numbered floors?

10 A. No, not at that time.

11 Q. Did you become aware of that during the day?

12 A. Much later on in the day, I think, when I had the  
13 opportunity to go in the building.

14 Q. Can you remember whether that was before or after the  
15 bridgehead went back into the building?

16 A. That was after the bridgehead went back into the  
17 building.

18 Q. Were you aware that the flats in the building were  
19 maisonettes?

20 A. Not for quite -- quite some time.

21 Q. Again, can you remember when it was that you found out  
22 they were maisonettes?

23 A. I don't have a clear recollection of specific times.  
24 I believe -- because when Mr Payton informed me that the  
25 fire was out on the 9th, there was some talk on the

1 10th, and I started to get some impression that that was  
2 the case, that they might be maisonettes, but it wasn't  
3 clear to me that every flat was a maisonette.

4 Q. Similarly, were you aware that all the flats had  
5 essentially the same layout inside?

6 A. Sorry, could you repeat that?

7 Q. Did you realise that all of the flats had the same  
8 internal layout?

9 A. No, I didn't.

10 Q. Or that on the upper floor of each flat, the flat  
11 touched both sides of the building?

12 A. No, I wasn't aware.

13 Q. Were you aware that the balconies that were visible on  
14 both sides of the building were fire escape routes?

15 A. Not -- not all the time that I was bridgehead commander,  
16 no.

17 Q. Did you build up a sense of where in the building  
18 particular flats were? I'll show you what I mean. The  
19 diagram that I've just puts on the screen is a view of  
20 the west side of the building. So we can see on the  
21 right-hand side an indication of which floor is which,  
22 but not where any particular flat is. I can overlay on  
23 top of that the numbers of the particular flats so you  
24 can see where each one is. During the day, did you  
25 build up a mental picture along those lines of where the

1 different flats were?

2 A. No, not at all.

3 Q. Mr Foster, my final question is this: what single  
4 additional thing do you think could have helped you  
5 most, on the day of the fire, to carry out your duties?

6 A. I think those last two pictures that you've -- you've  
7 put up there, the schematic of the building and  
8 certainly the -- this second building -- second picture  
9 that's shown there would have helped immensely, just in  
10 determining exactly where flats were and some idea of  
11 the layout of the flats would have been useful. So some  
12 form of plans for the premises would have made the  
13 command at the bridgehead somewhat easier.

14 Q. Mr Foster, thank you. Those are the questions I have  
15 for you. There may be some questions from others.

16 A. Thank you.

17 THE CORONER: Mr Hendy.

18 Questions by MR HENDY

19 MR HENDY: Mr Foster, my name's Hendy. I represent some of  
20 the bereaved families. Just a few questions. You  
21 explained that you didn't realise that the fire had  
22 spread to the 11th floor. I wonder if you could just  
23 look at your first statement at page 329. In the third  
24 paragraph you -- this is just when you've arrived at the  
25 fire scene:

1            "I walked towards Lakanal House down Dalwood Street.  
2            At first, my view was blocked by Fontenelle House and  
3            I could only see smoke at a higher level. As I drew  
4            level with the edge of Fontenelle House, I could see the  
5            west side of Lakanal House over the top of a hedge that  
6            ran parallel with Dalwood Street. I could see three  
7            separate fires in Lakanal House. There was a larger  
8            fire in a flat on the 9th floor that was spreading to  
9            the 10th and 11th floor."

10           Then you describe the fires on the 7th and the 5th  
11           floors.

12           So you were aware that there that the fire had  
13           reached the 11th floor when you first arrived, yes?

14           A. I think I corrected that in my second statement.

15           I think the -- the picture that I had in my mind at the  
16           time of the -- standing with Mr Howling and  
17           Mr Cartwright, it was very difficult to count the  
18           numbers of floors, and I think post-incident it was  
19           easier to see where those fires had been.

20           Q. Let's just see. You arrived, I think, shortly after  
21           Mr Cartwright, and Mr Cartwright, I think, told us that  
22           he arrived at 16.43. So you would have arrived at about  
23           4.45, something like that?

24           A. I -- I believe it was slightly later than that, but only  
25           approximately five -- five or ten minutes.

1 Q. Let's say shortly before 5 o'clock then.

2 A. Yes.

3 Q. If we could just look at some photographs, then, to see  
4 what the photographer saw at approximately these times.  
5 Could we start with the jury bundle at tab 12, page 7.

6 A. Yes.

7 Q. This is just before 4.40, so a little bit before you  
8 arrived. We have the block there other than the ground  
9 floor. You can count the floors up alternately. The  
10 balconies are the even numbers, the ones without are the  
11 odd numbers. So 1, 3, 5, 7 -- sorry. If you look, the  
12 top floor is the 13th, then you have the 11th with  
13 currently some flame on it, and then, below that, you  
14 have the 9th, which you can just see has been damaged by  
15 fire. Just keep that in mind, and then go, please, to  
16 page 15.

17 A. Sorry, page 15?

18 Q. 15, yes. Now we can see the top of the ground floor  
19 level, on which, of course, there are no flats or  
20 maisonettes, and we can see that the fire's now just  
21 caught the 5th floor, and we can see now the 9th floor  
22 burnt out and then, above it, the 11th floor, which has  
23 flames visible, yes?

24 A. Yes.

25 Q. So this is just before 4.50?

1 A. Right.

2 Q. Then if we can go to just two more photographs. At 16,  
3 we can see water being sprayed on the 5th floor fire,  
4 which is showing flame. You can see smoke coming from  
5 the 7th floor, the burnt out 9th floor and flames on the  
6 11th floor. At page 18 -- I've left aside the  
7 close-ups. At 18, which is now 4.51, there can be no  
8 doubt that the 11th floor is well and truly burnt out;  
9 is that right?

10 A. Yes, looking at this photograph now, yes, correct.

11 Q. Yes, you can see the fires on the 5th, 7th, 9th and 11th  
12 floors?

13 A. Yes.

14 Q. So with that to assist you, and assuming those times are  
15 right, it would have been clear to you on your arrival,  
16 looking at the west side of the building, that the fire  
17 had reached the 11th floor?

18 A. I don't -- I don't think, as I've stated earlier on, it  
19 was clear to me at that moment in time. One of the  
20 reasons for that was the briefing that I was being given  
21 by Station Manager Cartwright was about the urgent  
22 removal of the bridgehead to a lower level. So I didn't  
23 have the time to count the floors, as we -- looking at  
24 the photograph at the moment, you have the opportunity  
25 to count the floors, and unfortunately at the time the

1 priority was to move the bridgehead so we could continue  
2 firefighting, so I don't think it was clear to me at  
3 that stage that that was the 11th floor.

4 Q. Right. So your tasks were of such urgency that, quite  
5 understandably, you didn't have the time to take in the  
6 full extent of the fire scene?

7 A. I think that's fair to say, yes, correct.

8 Q. If we look at page 331 in your witness statement. This  
9 is after the bridgehead has been withdrawn to the ground  
10 level is. At the top of 331, you say you set up the  
11 bridgehead on the east side of the building, and then in  
12 the second paragraph, you say:

13 "Outside from the bridgehead, I sent in three crews  
14 of three in BA to the 5th, 7th and 9th floors of the  
15 building with hoses and branches to assist fighting the  
16 fire in these locations."

17 The question I wanted to ask you, but which is now  
18 clear, is: why not send a crew to the 11th floor? And  
19 the answer is: because you didn't appreciate at that  
20 time that there was fire on the 11th floor?

21 A. That's correct, absolutely, yes.

22 Q. Just a couple more points. Could you go to page 333.  
23 This is now in your second witness statement.

24 A. Yes.

25 Q. On page 337, you deal in the top part of the page with



1 your going to the 7th floor bridgehead -- this is before  
2 you took it down to ground level -- and you met  
3 Watch Manager Payton there, and he told you they were  
4 making good progress attacking the 9th floor fire. Then  
5 the second question you were asked is:

6 "What was your understanding of the fire spread to  
7 the floor above?"

8 Answer:

9 "I thought it was the floor above. I didn't know at  
10 that point they were maisonettes. He confirmed at that  
11 time that all people from the flat of origin were  
12 accounted for."

13 Did he say anything about people in flats above the  
14 9th floor?

15 A. No, he didn't.

16 Q. Did he say anything to you about having a list of flats  
17 in which people said they were trapped, which had been  
18 reported by control?

19 A. No, there was no information passed to me for that.

20 Q. Over the page at 338, at the top of the page, the first  
21 question that's put to you on that page is:

22 "When you met Watch Manager Payton, were you made  
23 aware of any flat numbers or a list of flats as  
24 a priority?"

25 Your answer was:

1            "No, the only flat that was mentioned was the flat  
2            which we had been called to, flat 65."

3            Is the jury to understand from that that Mr Payton  
4            himself referred only to flat 65 or that that was in  
5            everybody's minds anyway and he didn't need to mention  
6            it?

7            A. I believe Mr Payton did just state that it was flat 65  
8            involved.

9            Q. If you look at page 340, please, the third question that  
10           you were asked on that page is:

11           "Between the bridgehead being set up on the ground  
12           floor and the information regarding flat 81, what was  
13           your understanding of the extent of the fire at this  
14           point and what was your plan?"

15           You say your understanding was you had fires on the  
16           7th and 5th floors and that was based on the information  
17           from Brixton's crew manager. The fire on the 9th floor  
18           was under control:

19           "It was my plan to send crews to fight the fires on  
20           the 5th and 7th floors and to support the firefighting  
21           in the 9th floor."

22           Then you say:

23           "There was no information of people requiring rescue  
24           so the focus was on firefighting."

25           So at this stage, at the ground floor, until you

1 heard about flat 81, you had no idea that there was

2 anybody requiring rescue in that block?

3 A. That's correct, yes.

4 Q. When you did find out about flat 81, you and General

5 Manager Freeman got some five extended duration

6 breathing apparatus wearers ready and a HART crew and

7 sent them into action in something between four and six

8 minutes?

9 A. That's correct.

10 Q. Is that right?

11 A. Yes.

12 THE CORONER: Was it five BA wearers or five crews?

13 A. Sorry, could you repeat that?

14 THE CORONER: Was it five BA wearers or five crews?

15 A. Five BA wearers.

16 MR HENDY: A crew of five?

17 A. A crew of five, yes.

18 Q. Thank you very much.

19 A. Thank you.

20 Questions by MR DOWDEN

21 MR DOWDEN: My name's Dowden. I represent Mr Francisquini.

22 You told us that when you arrived you were aware of the

23 unusual spread of fire in the building. Given that, did

24 you think to ask people who'd been there before you as

25 to whether they had any thoughts as to how the fire was

1 spreading?

2 A. Not at that stage, no. The priority was just to try and  
3 get the crews recommitted to firefight on the 5th and  
4 the 7th and that was my priority and concern.

5 Q. You also said that you were given flat numbers but not  
6 floors for flats. Did you think to ask whether anybody  
7 had any information as to which floors these flats were  
8 on?

9 A. Unfortunately, when the piece of paper was passed to me  
10 with the flat numbers on, whoever it was that passed  
11 that to me I couldn't relocate, so we didn't get the  
12 opportunity to ask, and I felt that rather than delaying  
13 the crews being committed, I wanted to make sure that we  
14 got the crews in there and they would be able to find  
15 those specific flats, and if we should find out in due  
16 course that they were specific floors, we would have  
17 been able to inform them via the BA entry control radio  
18 system.

19 Q. But you were able to ask, were you not, other officers  
20 around you whether they themselves had any knowledge of  
21 the building and its layout, and that's some information  
22 which you could relay to the crews going in?

23 A. It was a possibility but it was a very, very dynamic  
24 situation at that moment in time. We'd just committed  
25 the crew to flat 81, and then we had a list of five

1 flats and as a matter of priority I wanted to make sure  
2 that we actioned that and got people in to deal with  
3 those specific tasks.

4 Q. Thank you.

5 THE CORONER: Ms Al Tai?

6 MS AL TAI: No thank you.

7 THE CORONER: Mr Walsh?

8 MR WALSH: No thank you, madam.

9 THE CORONER: Members of the jury, any questions?

10 Questions by the Jury

11 THE FOREMAN OF THE JURY: Thank you, madam coroner, we just  
12 have the one.

13 Our question is: when you were tasked to move the  
14 bridgehead from the 7th floor downwards to the BA crew,  
15 we're aware that Crew Manager Hider was physically sent  
16 to the 9th floor to notify the crews of the move. We  
17 were just wondering if you had confirmation that that  
18 had actually taken place, that he had actually managed  
19 to communicate that to the crews?

20 A. Yes, yes, because when Mr Hider came back to me, he  
21 specifically said he had spoken to the crews, they had  
22 informed him that they felt that the fire was already  
23 out and did I want them also removed at that stage, and  
24 that's when I said to them: no, leave them in the flat,  
25 put the fire out, but we would send another crew up when

1           we had resited the bridgehead.

2   THE FOREMAN OF THE JURY: Thank you.

3                               Questions by the Coroner

4   THE CORONER: Thank you very much.

5           Mr Foster, you've explained to us that your  
6           immediate thought, or an early thought, was that this  
7           might have been a deliberately started fire, and one can  
8           quite understand why that went through your mind, but  
9           just so that we put this point to rest, there's nothing  
10          which has suggested to you at any later stage that there  
11          was any deliberate act involved?

12   A. No, that's correct.

13   THE CORONER: No, thank you. That's my understanding.

14          So, members of the jury, that's something that you  
15          can put out of your minds. We're not looking at any  
16          deliberate act to start the fire. Thank you very much.

17          Yes, thank you very much, Mr Foster. Thank you for  
18          coming and thank you for the help that you've given us.  
19          You're welcome to stay if you want, but you're free to  
20          go if you would prefer.

21   A. Thank you, madam.

22   THE CORONER: Thank you.

23                               (The witness withdrew)

24   THE CORONER: Yes, thank you, Mr Atkins.

25   MR ATKINS: Madam, I don't know whether you would like the

1 court to take a five minute break this afternoon. If  
2 so, this would be the time.

3 THE CORONER: Yes, I think that's probably a sensible idea.

4 So just a very quick break, members of the jury, if  
5 that would be useful to you. You're welcome to leave  
6 your papers if you would like, thank you.

7 (3.05 pm)

8 (A short break)

9 (3.11 pm)

10 THE CORONER: Yes, thank you. Could we ask the jury to come  
11 back in, please? The next witness is ...?

12 MR ATKINS: Firefighter Jason Baker, madam.

13 THE CORONER: Yes, thank you. Are you in court? Yes, would  
14 you like to come forward.

15 (In the presence of the Jury)

16 JASON BAKER (sworn)

17 THE CORONER: Thank you. Do sit down. Do help yourself to  
18 a glass of water if you would like.

19 A. Thank you.

20 THE CORONER: Please could you speak close to the microphone  
21 and keep your voice up so we can hear you.

22 A. Yeah, will do.

23 THE CORONER: Thank you very much. Mr Atkins, who's  
24 standing, is going to ask questions on my behalf  
25 initially and then there will be some questions from

1 others.

2 A. Okay.

3 Questions by MR ATKINS

4 MR ATKINS: Can you please tell the court your full name.

5 A. Jason Baker.

6 Q. Mr Baker, I'm going to be asking you some questions  
7 about your knowledge of Lakanal House and your  
8 involvement in fighting the fire there on 3 July 2009.

9 Can I start by asking you how long you've worked as  
10 a firefighter?

11 A. I've worked for 20 years.

12 Q. How long have you been with the London Fire Brigade?

13 A. 20 years.

14 Q. I take it from your uniform that you still work for the  
15 London Fire Brigade?

16 A. Yes, I do.

17 Q. Is it right that at the time of the fire you were a  
18 firefighter?

19 A. I was.

20 Q. Mr Baker, unless I say otherwise, my questions today  
21 will be about how things were done before or on the day  
22 of the fire, rather than how things have been done  
23 since.

24 A. Okay.

25 Q. Is it right that you were stationed at Lambeth?



1 A. I was.

2 Q. Had you ever been to Lakanal House before the day of the  
3 fire?

4 A. No.

5 Q. In that case, as we go through your evidence from time  
6 to time, I may ask you about features of the building  
7 and knowledge that you gained about the layout of  
8 Lakanal House on the day of the fire.

9 A. Okay.

10 Q. Is it right that at the time you received the call to go  
11 to Lakanal House, in fact you and your crew were headed  
12 to the Old Kent Road fire station as cover?

13 A. Yes, we were.

14 Q. I think the time of the call out that you received was  
15 16.38, and that you responded to that and began the trip  
16 to Lakanal House at 16.42?

17 A. Yes.

18 Q. Is it right that you were on the Lambeth pump with the  
19 call sign H222?

20 A. I was.

21 Q. In fact were you driving it?

22 A. I was, yeah.

23 Q. Could you tell us, please, who else was on the pump with  
24 you?

25 A. Crew manager Pendleton in charge and Firefighter Keefe

1           and Firefighter England.

2    Q.   Is it right that your crew reported in attendance at

3           Lakanal at 16.50?

4    A.   Yes.

5    Q.   To begin with, what I'd like to do, please, is to ask

6           you about the various tasks that you and your colleagues

7           undertook before the time that you entered the building.

8           Once you arrived at Lakanal, is it right that your crew

9           manager, Mr Pendleton, went to the command unit in order

10          to sign in and receive instructions?

11   A.   Yes, he did.

12   Q.   And that you put your fire equipment on?

13   A.   Yes.

14   Q.   And you and your colleagues went to a grassed area at

15          the end of Fontenelle House?

16   A.   That's correct.

17   Q.   So that would be on the west side of Lakanal? I'll show

18          you a map to remind you of the layout. Do you see where

19          the white arrow is in the middle?

20   A.   Yeah.

21   Q.   That building is Lakanal, and then there's a grassed

22          area to the west of it and Fontenelle is this L shaped

23          building here.

24   A.   That's correct, yeah.

25   Q.   So is it right that you were waiting on this grassed

1 area on the west side of Lakanal?

2 A. Yes, yeah.

3 Q. Can you remember what you could see in terms of fire and  
4 smoke on the building at that point?

5 A. As we parked the fire engine and I got off, I could see  
6 a gap in Fontenelle House, and I could see Lakanal House  
7 and I could see that several floors were alight.

8 Q. Were you able to see which floors in particular were  
9 alight?

10 A. No, no, just -- I could just see several flats on fire.

11 Q. On different levels?

12 A. Yes.

13 Q. I think the first thing that your crew did was to use  
14 some cutting equipment to cut a hole in a fence in order  
15 to make a pathway for crews to access the building?

16 A. Yes, we did.

17 Q. Is it also right that at one point you were asked to go  
18 and collect some equipment, some high rise equipment,  
19 and take it towards the building?

20 A. Yes.

21 Q. Are you able to help us with how long it was between  
22 doing those two things?

23 A. I would say we were standing on the grassed area  
24 probably five to ten minutes before we cut the hole in  
25 the railings, and then it's probably another ten minutes

1           when we were asked to collect the high rise gear.

2    Q.   Once you had collected the high rise equipment, were you

3           then given any instructions at that point?

4    A.   No.

5    Q.   Did you make a decision yourselves about what you would

6           do next?

7    A.   We did, yeah.

8    Q.   What did you and the rest of your crew decide to do at

9           that point?

10   A.   We decided to make our way round to the opposite side of

11          Lakanal House, to the entry control point.

12   Q.   The entry control point at this stage being on the

13          ground floor?

14   A.   Yes, it was, yeah.

15   Q.   Outside the building?

16   A.   Yes.

17   Q.   On the east side of the building?

18   A.   Yes.

19   Q.   Did you find, at that point, that there was an aerial

20          ladder platform and that there was a car in the way of

21          where it needed to go?

22   A.   There was, yes.

23   Q.   Were you involved in sorting that problem out?

24   A.   We was asked by a senior officer to help move the car

25          out of the way to enable the aerial platform to get into

1 the space behind Lakanal House.

2 Q. I've just put a photograph on the screen there of  
3 a silver car on its side. Does that help you to  
4 remember: is that the car which you and your crew moved  
5 out of the way?

6 A. Yes, it is.

7 Q. How did you do that?

8 A. We tried to bounce the car out -- onto the kerb, but we  
9 didn't succeed in doing that, so we turned it onto its  
10 side and span it round, as you can see from the picture.

11 Q. Once you had completed that job, did you then go back to  
12 the entry control point?

13 A. We hadn't actually gone to the entry control point at  
14 that point anyway. We was intercepted on the way to  
15 there, to move the car, and then yes, we made our way to  
16 the entry control point after this.

17 Q. If you hadn't yet been to the entry control point, would  
18 those who were running the bridgehead have been aware  
19 that you and your crew were available to be deployed if  
20 that was necessary?

21 A. Not to my knowledge. We had put on our breathing  
22 apparatus equipment and then cut the hole in the  
23 railings, moved the vehicle, got the high rise gear and  
24 then made our way round. So not to my knowledge, no.

25 Q. What is the usual system, then? Does somebody from the

1 crew have to find either the incident commander or  
2 a command unit to report that you are in attendance, or  
3 would that be passed from brigade control, or how would  
4 it work?

5 A. The crew manager would report to the command unit to let  
6 them know that we were in attendance, hand in the roll  
7 board, and then he would get instructions and then pass  
8 those instructions on to the crew.

9 Q. So far as you were aware, had your crew manager been to  
10 the command unit to hand in the roll board?

11 A. Yes, he had.

12 Q. To your knowledge, had he been given instructions about  
13 going to entry control or not?

14 A. Not to my knowledge.

15 Q. Do you recall receiving then a request from entry  
16 control asking for crews?

17 A. No.

18 Q. Mr Baker, you made a statement on 27 July, so a little  
19 over three weeks after the day of the fire in 2009.

20 Could I ask you, please, to be shown a copy of that.

21 It's at page 353. I've just put it on the screen, but

22 Mr Clark will hand you a paper copy in a second.

23 (Handed)

24 Could I ask you first of all whether you think the  
25 recollection of events at the time you made that

1 statement, about three weeks after the fire, is clearer  
2 than it is today?

3 A. Yes.

4 Q. Could I ask you then to turn, please, to page 355, so  
5 the third page of your statement. In the third  
6 paragraph down, you said that:

7 "Entry control asked for three new crews after we  
8 had stood there a couple of minutes. We were then told  
9 to go over to Watch Manager Payton who was stood close  
10 to us. He asked for crews who would go to the 5th, 7th  
11 and 9th floors of Lakanal House. We volunteered to go  
12 on the 9th floor and we were then given a briefing to go  
13 to the 9th floor to search and rescue and, following  
14 that, to continue firefighting."

15 A. Yes.

16 Q. Is that your recollection of events?

17 A. It is, yeah.

18 Q. So there was a request for a number of BA crews and your  
19 crew was one of the crews that volunteered for that  
20 task?

21 A. Yes. We was actually stood at entry control at that  
22 point and was asked by an officer to -- to go to entry  
23 control.

24 Q. If we can just follow it through on the same page to the  
25 next paragraph:

1            "We got rigged (which means we put our masks on) and  
2 we started our breathing apparatus equipment up."

3            So at the time you started up, were you outside the  
4 building?

5 A. Yes, we was, yeah.

6 Q. I'd like to show you a document, please, which you may  
7 not have seen before. It's at page 1033 of the  
8 advocates' bundles. I've just put it on the screen for  
9 you. Have you seen this document before?

10 A. No.

11 Q. Or a similar document?

12 A. Similar.

13 Q. If I just explain to you what this is. On the breathing  
14 apparatus equipment, you have the bodyguard system, as  
15 you know, with the distress signal unit, and that system  
16 records certain information, including, for example, the  
17 time at which the wearer started to breathe in through  
18 the equipment and the time when they finished, and after  
19 an incident that information can be downloaded onto  
20 a computer and put into a spreadsheet like this one.

21            Can I ask you, first of all, to look over to the  
22 right-hand side. Do you see a column headed "wearer  
23 name"?

24 A. Yes.

25 Q. And we can see the names of all of your crew there.



1 Mr Pendleton on the top line, your name about halfway  
2 down, and Mr Keefe and Mr England towards the bottom of  
3 the page.

4 A. Yes.

5 Q. And we can see in the far left hand column the word  
6 "Lambeth". That's where you were based?

7 A. Yes.

8 Q. If we could just look, please, at your line, half way up  
9 the page. If you follow that line across to the left,  
10 to the column headed "from", that's the time at which  
11 you started to breathe through the breathing apparatus  
12 equipment.

13 A. Yes.

14 Q. We can see that the time was at about 17.26, and at that  
15 stage you would have been outside the building on your  
16 way into the building?

17 A. Yes.

18 Q. When you went up to the 9th floor, did you walk up the  
19 stairs?

20 A. We did.

21 Q. Could you please describe to us the conditions in the  
22 stairwell. Was there a lot of smoke?

23 A. Not to begin with. The lower floors were relatively  
24 clear, but obviously the higher up we went the thicker  
25 the smoke became, from the 5th floor upwards.

1 Q. Did you encounter other people on the stairs as you were  
2 going up?

3 A. Not at that time.

4 Q. Again, if we could please just look back at page 355 of  
5 your statement. You mention that:

6 "Whilst we were walking up, there were other fire  
7 crews and members of the public coming down the stairs."

8 Can you remember whether that's right?

9 A. Obviously my memory then was obviously better than it is  
10 now of the incident, so yes, I would say that is  
11 correct.

12 Q. When you reached the 9th floor, did you leave the  
13 stairwell and go into the lobby?

14 A. We did.

15 Q. Could you tell us what the conditions in the lobby were  
16 like?

17 A. In the lobby, as far as I can remember, the smoke was  
18 quite thick at the time.

19 Q. I think it's right that as you come out of the lobby,  
20 there are two doors that go into corridors at each end  
21 of the building?

22 A. Yes.

23 Q. Were you able to gain access to both sides?

24 A. We were.

25 Q. Did you have any difficulty with the doors that go from

1 the lobby into the corridor?

2 A. No.

3 Q. Can you remember which corridor you went into first?

4 A. We initially walked to the right hand corridor and,  
5 I don't know why, but we then turned left and searched  
6 the left hand corridor first.

7 Q. Did you find in that corridor that any of the flats were  
8 on fire?

9 A. No.

10 Q. Did you go into any of the flats on that corridor?

11 A. No, we didn't. We banged on doors, kicked on doors, and  
12 shouted, "Fire Brigade", got no answer, so presumed  
13 there was nobody in those -- in those flats.

14 Q. Did you know when you went into the building that crews  
15 had previously carried out searches on the 9th floor?

16 A. No, did not know.

17 Q. When you came to the second corridor, then, did you find  
18 that one of the flats in that corridor was alright?

19 A. Yes, it was.

20 Q. Which flat was that?

21 A. I believe it was the first flat on the left-hand side,  
22 a bedroom.

23 Q. Did you do the same thing? Did you go down the length  
24 of the corridor, knocking on the doors to see if there  
25 was anybody there?

1 A. Yes, myself and my crew did.

2 Q. Was there any answer?

3 A. No.

4 Q. Did you attempt to fight the fire in the flat on the 9th  
5 floor?

6 A. After we'd searched the flats and banged on all the  
7 doors, we went back and fought the fire in the -- in  
8 that first flat, yes.

9 Q. So far as you were concerned, were you able to put the  
10 fire out?

11 A. As best we could, yeah.

12 Q. Did you then encounter another crew who were coming down  
13 from a floor above you?

14 A. We returned back to the stairwell because we'd carried  
15 out our specific task on that floor that we'd been told  
16 to by entry control and we was met by a crew coming down  
17 from the 11th floor.

18 Q. Did they have anyone with them?

19 A. They did. They had -- I think they had a female and  
20 a child, or I think two children.

21 Q. Can you remember how old the children were? Did you  
22 see?

23 A. No, the smoke was quite bad at the time. I couldn't  
24 really make out. I was talking to the -- I think he was  
25 the crew manager in charge of the crew at that time, so

1 I didn't actually look at any members of the public.

2 Q. Are you able to describe them at all?

3 A. No.

4 Q. If we just look back to your statement, please, very  
5 quickly, towards the top of page 356. It's the third  
6 paragraph down. You say that:

7 "This other crew had between them a woman and two  
8 children."

9 And you thought that they were black people. Is  
10 that right? Do you remember that?

11 A. Yeah, yeah, as far as memory serves, I would say so,  
12 yes.

13 Q. Can you remember whether there was also a man with them,  
14 another member of the same family?

15 A. I can't remember, no.

16 Q. You told us that one of the crew you encountered was  
17 a crew manager. Did you recognise him? Did you know  
18 who he was?

19 A. I didn't, no.

20 Q. How were you able to tell that he was a crew manager?

21 A. Well, as far as I can remember, he had rank markings on  
22 his helmet.

23 Q. Was there any conversation with this other crew?

24 A. Yes. He informed me they had come down from the 11th  
25 floor and there were people trapped on the 11th floor

1           and to get up there as soon as we could.

2    Q.   Did he mention a particular flat number?

3    A.   Flat number 81.

4    Q.   Can you remember whether he said to you, on the one

5           hand, that there were people in flat 81 and that flat is

6           on the 11th floor, or did he say they had come from the

7           11th floor?

8    A.   As far as I remember, he said they came from the 11th

9           floor and that was where flat 81 was.

10   Q.   Did he ask you and your colleagues to do anything?

11   A.   He basically asked us to go upstairs or get up there as

12           quick as we could.

13   Q.   At that point, before taking any other action, were you

14           able to relay that information back down to the

15           bridgehead?

16   A.   I had the radio on my breathing apparatus. I did relay

17           the information through that we was proceeding --

18           Lambeth pump's crew were proceeding to the 11th floor,

19           but there was so much radio traffic that I don't --

20           didn't get an answer back.

21   Q.   Does that mean that you're not able to say whether or

22           not your message was received?

23   A.   Yes, basically, as far as I knew I relayed the message

24           but I didn't hear an answer back. But there was a lot

25           of radio traffic going on.

1 Q. Did you then go up to the 11th floor?

2 A. We did.

3 Q. When you left the stairwell on the 11th floor and went  
4 into the lobby, were you able to see into the corridors?

5 A. As we came out of the lobby we turned immediately right  
6 and was met basically with the whole corridor alight.

7 Q. Was that the corridor at the north end of the building,  
8 so on the same side as the flat where you had been  
9 fighting the fire?

10 A. Yes.

11 Q. Could you please give us an impression of how much of  
12 the corridor was burning, so far as you can see?

13 A. Because we'd gone up there without any firefighting  
14 equipment -- there was no hose up there -- we literally  
15 had a few seconds to look. It looked like the entire  
16 corridor was on fire.

17 Q. Had you left your hose on the 9th floor?

18 A. Yes.

19 Q. Did you attempt to fight the fire?

20 A. We went back down to the 9th floor, and each of us stood  
21 on the landing and we passed the charged hose -- which  
22 means the hose was full of water -- up to the 11th floor  
23 and attempted to fight the fire, yes.

24 Q. Was that effective? Were you able to move down the  
25 corridor?

1 A. It was effective, and as soon as we attempted to move  
2 down the corridor, the fire basically went over the top  
3 of our heads and back down behind us again, so we had to  
4 keep moving back.

5 Q. It may be obvious, but why did the fact that the fire  
6 was going over your head and behind you mean that you  
7 had to move back down towards the central staircase?

8 A. Because obviously we have to put out everything behind  
9 us. We don't want to walk into -- or be coming down  
10 into a corridor that's alight with flames behind us as  
11 well. That's our means of escape, so we have to keep  
12 that protected.

13 Q. If we just look, please, at the bottom of page 356 in  
14 your statement. There's a part where you describe the  
15 fire and you say in the last sentence on that page:

16 "The fire was extremely fierce and intense because  
17 it was in an enclosed area."

18 Then over the page you say:

19 "The fire was so fierce we couldn't get far into the  
20 corridor. Everything was really burnt and I couldn't  
21 make anything out."

22 Is that how it was?

23 A. That's correct, yeah.

24 Q. Then in the next paragraph you say:

25 "The fire kept beating us back. We were not there



1           for long when our warning whistle went off on our  
2           breathing apparatus."

3    A.   That's right.

4    Q.   That's the warning that you're running low on air and  
5           that means it's time to withdraw?

6    A.   That's right.

7    Q.   In fact, I think, looking two lines further down, you  
8           stayed beyond the point when your whistle had sounded?

9    A.   Yes, we did, yeah.

10   Q.   In principle, ought you to withdraw when the whistle  
11          sounds?

12   A.   Yeah, we should -- we should actually do that, yes, but  
13          because we thought there was casualties up there, we  
14          thought we had enough -- maybe a little bit more time up  
15          there to try and get them out.

16   Q.   At the time when you had to leave, did you hand on to  
17          another crew?

18   A.   Yes, there was an EDBA crew.  As I turned, they was  
19          directly behind us and we handed over the hose to them.

20   Q.   I think they had with them some of the London Ambulance  
21          Service's HART team?

22   A.   They did, yeah, two -- two of them.

23   Q.   You told us that you thought that there might be  
24          casualties on that corridor.  Were you aware at that  
25          time that it might have been possible to reach those

1 flats on the 11th floor from the balconies on the 12th  
2 floor?

3 A. Not at that time, no.

4 Q. Once you withdrew from the 11th floor, I take it you  
5 made your way down to ground level?

6 A. We did.

7 Q. Back to the entry control point?

8 A. Yes.

9 Q. Was there some sort of debrief with the officers there?

10 A. Yes, that's standard procedure. You debrief at the  
11 entry control point to let them know exactly what you've  
12 done and where you've been. Yes, there was a debrief.

13 Q. If we just go back to the table we were looking at  
14 earlier, please. You remember we were looking at the  
15 "from" time, which was 17.26, the time that you started  
16 up your equipment, and we can see in the next column  
17 over, "to", the time that you stopped breathing air  
18 through the equipment, 17.45.

19 A. Yes.

20 Q. Did you shut your equipment down when you reached the  
21 entry control point outside the building?

22 A. If I remember rightly, yes, I did, yes.

23 Q. Can you recall what information you passed on as part of  
24 the debrief?

25 A. That we had carried out, as detailed, the search and

1 rescue on the 9th floor and to extinguish any fire, and  
2 then to say that we made our way to the 11th floor,  
3 taking the hose with us, and attempted to fight the fire  
4 on the 11th floor.

5 Q. When you passed on the information that you had fought  
6 a fire on the 11th floor, was it your impression that  
7 the officers you were speaking to already knew that  
8 there was a fire on the 11th floor, or was that new  
9 information for them?

10 A. I -- I don't know.

11 Q. Are you able to remember who it was you were speaking to  
12 at the entry control point?

13 A. I believe it was Watch Manager Payton.

14 Q. After you came out of the building, I believe that you  
15 saw that two paramedics came out some time after you and  
16 that they had brought with them some small children?

17 A. Yes.

18 Q. And you helped them by holding up a tarpaulin to give  
19 them some privacy, some space to work?

20 A. Yes.

21 Q. After that, you remained at Lakanal House in case you  
22 were needed for any other work but eventually you heard  
23 that only fresh and extended duration breathing  
24 apparatus crews were going to be used?

25 A. That's correct.

1 Q. And so in the event there was no need for you to go back  
2 into the building; is that right?

3 A. That's right, yeah.

4 Q. We appreciate that you only went into the building once  
5 and that you were told to go to particular floors, but  
6 could I ask: did you ever build up in your own mind  
7 a sense of where different flats were in the building?  
8 If I just show you a diagram to explain what I mean. If  
9 you stand outside the building looking at the west side,  
10 you have a view similar to that one, so you can count,  
11 of course, what floor you're on but you don't know which  
12 flat is which, looking at the side of the building,  
13 whereas in this diagram the flat numbers have been  
14 superimposed onto the top.

15 A. Yes.

16 Q. In your time on the day of the fire, did you build up  
17 that sort of image of where different flats were?

18 A. No, no.

19 Q. Mr Baker, my final question is: what single thing do you  
20 think would have helped you most, on the day of the  
21 fire, to carry out your duties?

22 A. Because obviously that's not our ground, so we wouldn't  
23 actually visit a block like that, but plans of the  
24 layout that we could have looked at before we actually  
25 went into the building that wouldn't have been available

1 to us personally but maybe could have been at entry  
2 control at some point for us to look at before we went  
3 into the building.

4 Q. Mr Baker, thank you very much. Those are all the  
5 questions that I have, but there may be questions from  
6 others.

7 THE CORONER: Thank you. Mr Hendy.

8 Questions by MR HENDY

9 MR HENDY: Mr Baker, my name's Hendy. I represent some of  
10 the bereaved families. Just a couple of questions,  
11 please.

12 A. Yeah.

13 Q. First of all, when you got there -- I wonder if we could  
14 just put up your witness statement, page 353. At that  
15 point of the page there you say:

16 "We arrived on the scene at 16.50 and I could see  
17 through a gap that Lakanal House was on fire. After we  
18 parked the engine, Crew Manager Pendleton went to the  
19 command unit which was parked in Havil Street on the  
20 opposite side of the road. Myself, Mark and Sean  
21 remained with the engine."

22 You began to put your fire equipment on:

23 "Crew Manager Pendleton then ..."

24 And we go over the page, 354:

25 "... came back and said we had to make our way to

1 a grassed area at the end of Fontenelle House  
2 overlooking the front of Lakanal House."

3 Then you say:

4 "We made our way to the grassed area, which was  
5 fenced off by using Dalwood Street."

6 Then a senior officer asked you to cut a pathway,  
7 and you then cut a hole in the fence to get there. Then  
8 you went back to standing on the grassed area, and in  
9 the third paragraph, you say, taking it from the second  
10 line:

11 "We were stood there with a crew from Southwark.  
12 There were also two or three senior officers stood there  
13 but I couldn't tell you who they were. We were stood  
14 there watching the fire develop for approximately five  
15 or ten minutes. There were members of the public  
16 standing outside the cordon. They were shouting words  
17 to the effect of: 'What are you doing standing there?  
18 Why don't you help these people?'"

19 Which was no doubt rather distressing for you and  
20 your colleagues?

21 A. Yes, it was, yeah.

22 Q. Because you were absolutely prepared to do everything  
23 you could. You were simply awaiting orders according to  
24 the instructions to stand in that particular place?

25 A. Yes, we were.

1 Q. You say then:

2 "We were waiting there for about ten minutes and we  
3 were told to get some high rise gear."

4 Then you got that gear, and then, at the bottom of  
5 the page, you say:

6 "As we seemed to be standing around, we decided on  
7 our own initiative to make our way round to the back of  
8 Lakanal House."

9 Does it follow from that that your impression was  
10 that the command unit had really told you to go and wait  
11 in the wrong place, or if it was the right place, that  
12 the orders had been superseded in some way without  
13 telling your team?

14 A. It seemed to be strange that we'd been asked to go and  
15 stand at that point. We was rigged in breathing  
16 apparatus at the time and we couldn't understand why we  
17 was being told to wait there rather than round at the  
18 entry control point, which is on the other side of the  
19 building.

20 Q. Because really, apart from cutting a hole in the fence  
21 and getting your gear together, you'd wasted the best  
22 part of half an hour?

23 A. Yes, we did.

24 Q. Anyway, on your own initiative, your crew went round to  
25 the east side of Lakanal House and there you found entry

1 control and entry control -- and I'm looking at  
2 page 355, the third paragraph down:

3 "... asked for three new crews after we'd stood  
4 there for a couple of minutes. We were then told to go  
5 over to Watch Manager Payton, who was stood close to us.  
6 He asked for crews who would go to the 5th, 7th and 9th  
7 floors."

8 And you volunteered to go to the 9th floor. You  
9 were then given a briefing to go to the 9th floor to  
10 search and rescue and, following that, to continue  
11 firefighting. Was it Watch Manager Payton that gave you  
12 that briefing?

13 A. Yes, it was.

14 Q. Mr Atkins asked you whether you knew that a crew had  
15 searched the 9th floor earlier, and you said you didn't  
16 know that. I just wanted to examine this a little bit  
17 further. You switched on your BA kit at 17.26. In  
18 fact, that was about half an hour before  
19 Crew Manager Clarke and Bennett had searched the 9th  
20 floor, but when Mr Payton briefed you to search on the  
21 9th floor, did he indicate that there was some special  
22 reason why the 9th floor in particular should be  
23 searched?

24 A. No, not that I remember. It was -- it was just  
25 volunteers to go to the 5th, 7th and 9th floor, no, just



1 to search --

2 Q. There was nothing in what he'd said to indicate that it  
3 had already been searched but he was troubled that it  
4 hadn't been searched properly or there may have been  
5 people that had gone there in the meantime, or something  
6 of that kind?

7 A. I don't remember. No, didn't seem to be.

8 Q. Crew Manager Clarke told the jury some days ago now that  
9 after he had searched the 9th floor with  
10 Firefighter Bennett, they came out and he updated Chris  
11 Payton at the bridgehead before returning to the grass  
12 at the front, but there was nothing in your discussion  
13 with Mr Payton that made you think that the 9th floor  
14 had been searched half an hour earlier?

15 A. No.

16 Q. Thank you very much.

17 Questions by MR DOWDEN

18 MR DOWDEN: Yes, good afternoon. My name's Dowden. I ask  
19 questions on behalf of Mr Francisquini. I want to deal  
20 just with the part of your evidence where you say that  
21 you met a crew manager as you were going up the stairs,  
22 and just ask you to go back to what you recall he said  
23 during that conversation. I just want to explore how  
24 sure you are that he said he'd come from the 11th floor.

25 A. Well, he did say the 11th floor, and obviously we was on

1 the 9th, he'd come down. We'd seen him actually walk --  
2 physically walk down the stairs, so there was no reason  
3 to presume that he hadn't come from the 11th floor.

4 Q. Or that he had descended from a higher floor?

5 A. A higher floor. And because we knew by then the layout  
6 of the building, the alternate floors from the  
7 staircase, we knew the 10th floor would be -- basically  
8 had the fire exit door on there which we couldn't get  
9 into, and so the next floor would be the 11th.

10 Q. Okay, and how long did it take you to get from the 9th  
11 floor to the 11th floor?

12 A. It was a matter of seconds. We ran up the stairs.

13 Q. Given what you had been told by that crew manager coming  
14 out with members of the public from the 11th floor --  
15 the scenario you were met with when you got to the 11th  
16 floor was a corridor that was fully on fire, a well  
17 established fire; would that be correct?

18 A. That's correct, yes.

19 Q. And given that, and given the short period of time  
20 between you meeting that crew manager on the stairs, did  
21 you radio and ask for clarification as to where he'd  
22 come from and how they'd got access to the flats on that  
23 floor?

24 A. No, we didn't. The only thing I radioed through was to  
25 say that Hotel 222 Lambeth's BA crew was proceeding to

1 the 11th floor to search for casualties.

2 Q. Thank you.

3 THE CORONER: Ms Al Tai.

4 Questions by MS AL TAI

5 MS AL TAI: Good afternoon, Mr Baker.

6 A. Afternoon.

7 Q. I act on behalf of one of the bereaved. When you were  
8 proceeding up to the 11th floor, you were informed that  
9 there were individuals in flat 81. Were you informed  
10 that there were any other flats that required  
11 assistance?

12 A. No, the only flat that -- that was mentioned was  
13 flat 81.

14 Q. Thank you.

15 THE CORONER: Thank you.

16 MR COMPTON: No questions, thank you.

17 THE CORONER: Mr Walsh?

18 MR WALSH: No thank you, madam.

19 THE CORONER: Thank you very much. Members of the jury?

20 Questions by the Jury

21 THE FOREMAN OF THE JURY: Thank you, madam coroner, we have  
22 two.

23 I was just wondering: you've mentioned that you  
24 radioed down to your colleagues that you'd moved to the  
25 11th floor. We've heard that you were able to get that

1 message through but you weren't able to get confirmation  
2 that it had gone through. I was just wondering: was  
3 that using your personal radio or your comms?

4 A. It was using -- it was using -- I had the comms on that  
5 day.

6 THE FOREMAN OF THE JURY: Thank you. Our second question --  
7 I just need to confer with my fellow juror. I think  
8 this may have been answered. (Pause) Okay, about the  
9 task on the 9th floor, were you asked to look into  
10 a particular flat on the 9th floor, not the 11th?

11 A. No, we wasn't asked to go to a particular flat, just to  
12 search on the 9th floor in general and just to continue  
13 firefighting.

14 THE FOREMAN OF THE JURY: Okay. Thank you very much.

15 THE CORONER: Thank you very much.

16 Mr Baker -- I'm so sorry.

17 Further questions by MR ATKINS

18 MR ATKINS: Forgive me. Mr Hendy asked me quickly to deal  
19 with one point and I'll do so.

20 Mr Baker, is it right that on the day of the fire  
21 you stayed until quite late in the day, that you were  
22 there until perhaps 8 or 9 in the evening and then you  
23 were relieved and you went back to the station?

24 A. Yes.

25 Q. Is it right that you then attended Lakanal again the

1 following day?

2 A. I did.

3 Q. And that as part of your duties that day you assisted by  
4 carrying out of the building some of the casualties who  
5 were still inside?

6 A. I did.

7 Q. And that you were involved and you helped in carrying  
8 out the bodies of Helen Udoaka and also  
9 Catherine Hickman?

10 A. Yes.

11 Q. And lastly Thais Francisquini?

12 A. Yes.

13 Q. Thank you.

14 THE CORONER: Thank you. Mr Baker, thank you very much for  
15 coming and thank you very much for the help that you've  
16 given to us. Thank you.

17 A. Thank you.

18 THE CORONER: You're free to go.

19 (The witness withdrew)

20 THE CORONER: Yes, I think it's probably a little bit late  
21 to be starting Mr Niblett, so shall we finish now and  
22 then continue at 10 o'clock tomorrow morning? Thank you  
23 very much.

24 Members of the jury, we'll continue at 10 o'clock  
25 tomorrow morning, please, and please don't forget the

1 warnings I have given you not to discuss the matter with  
2 anybody at all and not to carry out any research. Thank  
3 you very much.

4 (In the absence of the Jury)

5 MR ATKINS: Madam, in terms of the timetable tomorrow, the  
6 proposal is to call Crew Manager Niblett, Crew Manager  
7 Rose, PC Cox, Firefighter Hull, to read Firefighter  
8 Stevens, then to call Firefighter Thorpe.

9 THE CORONER: Right, thank you very much. So far as the  
10 other advocates other than Mr Atkins are concerned, does  
11 that sound manageable? I'm just getting a feel for how  
12 long we need with a number of witnesses. Does anyone  
13 perceive there to be any difficulty in getting through  
14 those witnesses and statements tomorrow? Good.

15 Yes, Mr Compton?

16 MR COMPTON: I just wondered if Mr Atkins could repeat the  
17 list, actually. I'm sorry to do that.

18 MR ATKINS: I'm sorry, I did it rather quickly. Crew  
19 Manager Niblett, Crew Manager Rose, PC Richard Cox,  
20 Firefighter Hull and then the proposal is to read  
21 Firefighter Stevens and then to call Firefighter Thorpe.

22 THE CORONER: Thank you very much. Good, thank you. Yes.

23 MR MAXWELL-SCOTT: I can indicate my proposal in respect of  
24 the backlog of witnesses. These are all the witnesses  
25 who, at some point or another, were listed to have given

1 oral evidence by now. I've sent this by email as well,  
2 so people don't need to take a note, but this is the  
3 situation: there are nine such witnesses at the moment  
4 and I'm going to propose that the following six be read,  
5 and they are Morgan, Tungatt, Hyllam, Douglas, Simon  
6 Chapman and Geddes, and that leaves three others in  
7 respect of whom I don't yet have a firm proposal. They  
8 are Trevor Chapman, Shamoli Shamme and Towler.

9 THE CORONER: Towler?

10 MR MAXWELL-SCOTT: Simon Towler.

11 THE CORONER: All right. Thank you very much. So if  
12 everybody could give some thought to that overnight,  
13 that would be very helpful. Thank you. Anything else?  
14 Good. Thank you all very much.

15 (3.56 pm)

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

17  
18 MARTIN FREEMAN (continued) .....1  
19 Questions by MR MAXWELL-SCOTT (continued) .....1  
20 Questions by MR HENDY .....46  
21 Questions by MR MATTHEWS .....64  
22 Questions by MR COMPTON .....67  
23 Questions by MR WALSH .....70  
24 Questions from the Jury .....74  
25 GUY FOSTER ( sworn) .....77  
Questions by MR ATKINS .....78

1		
2	Questions by MR HENDY .....	132
3	Questions by MR DOWDEN .....	139
4	Questions by the Jury .....	141
5	Questions by the Coroner .....	142
6	JASON BAKER (sworn) .....	143
7	Questions by MR ATKINS .....	144
8	Questions by MR HENDY .....	165
9	Questions by MR DOWDEN .....	169
10	Questions by MS AL TAI .....	171
11	Questions by the Jury .....	171
12	Further questions by MR ATKINS .....	172
13		
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**DAY 16 OF TRANSCRIPTION OF THE**  
**Lakana1 House Fire**  
**Inquest (CORRECTED) 05/02/2013.**

NB: page 14 line 12 "information considered for a very significant"...

The transcribers have listened to the tape and their transcription is a verbatim recording of what the speaker said.