

1 Wednesday, 20 February 2013

2 (10.00 am)

3 Housekeeping

4 THE CORONER: Thank you. Good morning everybody.

5 MR MAXWELL-SCOTT: Good morning, madam.

6 THE CORONER: Yes, Mr Maxwell-Scott.

7 MR MAXWELL-SCOTT: Just in terms of housekeeping matters

8 before the jury come in, I had invited representations

9 on whether or not Mr Nuhu should be called or read and

10 Mr Walsh has suggested that his second and third

11 statements be read but not the rather longer first

12 statement. In the light of that suggestion, I have

13 revisited the matter and I now, on reflection, agree

14 with him that that would be a sensible way forward.

15 I indicated that by email, but only half an hour or so

16 ago.

17 THE CORONER: I'm sorry?

18 MR MAXWELL-SCOTT: By email, about half an hour or so ago,

19 I circulated his suggestion and said that I now agreed

20 with it, but I suggest perhaps we give everybody another

21 24 hours to say what their view on that is.

22 THE CORONER: Okay, that would be helpful. If you could

23 indicate your views on that, that would be helpful.

24 Thank you. Yes.

25 MR MAXWELL-SCOTT: The witnesses to be called today are

1 firstly Mr Aveling and secondly Mr Smettem. Mr Atkins
2 has just introduced himself to Mr Aveling. Mr Atkins
3 will be calling both of the witnesses.

4 THE CORONER: Yes.

5 MR MAXWELL-SCOTT: We thought that we could use the
6 opportunity for me to read some statements whilst he's
7 doing that. I was going to read the statements of Kay
8 Broom, page 85 in the Rule 37 bundle, and Jason Kirby,
9 page 89 in the same bundle.

10 THE CORONER: Thank you.

11 MR MAXWELL-SCOTT: Later today we will read the statements
12 of Trevor Chapman, page 264 in the bundle of witnesses
13 originally due to be called, and Simon Chapman, page 348
14 in the same bundle.

15 THE CORONER: Thank you. Yes, all right. Thank you very
16 much. Does anyone want to raise any matters before the
17 jurors come in? Thank you very much. Could we invite
18 them in, please. If the sun coming through the windows
19 is troubling anyone we can close the curtains. It's
20 a shame to shut it out.

21 (In the presence of the Jury)

22 THE CORONER: Good morning, members of the jury. We're
23 going to begin this morning with Mr Maxwell-Scott
24 reading a statement, and then we'll go on to evidence
25 from Mr Aveling and Mr Smettem. Yes.

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Witness statement of KAY BROOM read

MR MAXWELL-SCOTT: I'm going to start by reading the witness statement of Kay Broom, a firefighter. The statement is dated 12 August 2009 and reads as follows:

"I am employed by London Fire Service and have been a serving firefighter for six years. I am based at Bethnal Green fire station, which is called F26. I am an operational firefighter attached to Blue Watch. During the interview/statement I will be referring to a pack of photographs and maps provided by the LFB (London Fire Brigade) and exhibited as SB/1.

"On Friday, 3 July 2009, I was working a night shift at Bethnal Green. A night shift is 1800 hours until 0900 hours the next day. I have no previous knowledge of Lakanal House and have never been there, to my recollection, in any professional capacity. My crew for the night shift consisted of crew manager Paul Veasey and firefighters Dave Egan, Jason Kirby and Gareth Jones. Our duties that evening was to staff the fire rescue unit.

"The fire rescue unit has extended duration breathing apparatus. The machine has no water or ladders. The primary role is search and rescue. My responsibility was the communication for extended duration breathing apparatus.

1 "Our crew was mobilised at 18.20 and the machine was
2 mobile at 18.23. We had a call out/shout to a 15 pump,
3 five persons reported. This means that 15 machines were
4 at a fire and persons had been reported as believed
5 trapped in the fire. I was in full protective kit and
6 the EDBA was on board. We made our way to Lakanal House
7 in Camberwell. We arrived at 1840 hours and the machine
8 was situated outside the town hall.

9 "When we arrived we were told by to wait by the
10 machine whilst Crew Manager Paul Veasey went to
11 establish what was to be done. After about ten minutes
12 Paul returned and we put our EDBA on. We then walked
13 a couple of hundred metres until we arrived at the BA
14 muster area. The muster area was behind some garages
15 close to the scene in a cul-de-sac junction with
16 Dalwood Street. We were told to wait, which we did,
17 until we were assigned a responsibility.

18 "At 2020 hours we were told to go to the bridgehead
19 on the 3rd floor of Lakanal House (the scene),
20 Havil Street. The bridgehead is a forward operating
21 position usually located two floors below the fire from
22 where BA crews are committed into the incident.

23 "As I approached the scene I looked up and noticed
24 dark smoke coming out of the floor on one of the higher
25 levels. I also saw a black individual at the very top

1 level shouting down and walking around that level.

2 I couldn't hear what was being said.

3 "As a crew of five we entered the flats and used the
4 internal stairs to climb to the bridgehead on the
5 3rd floor. We were then briefed as to what duties to
6 perform by the entry control officer. We were told to
7 go to the 11th floor, turn right on the landing and go
8 to the fourth flat on the left side of the corridor and
9 fight the fire within the flat. At this stage, we split
10 and I was crewed with firefighters Egan and Kirby. The
11 three of us then walked up the internal stairs to the
12 11th floor. There was no visibility issues on the
13 stairs or on arrival at the 11th floor. There was no
14 fire or smoke, as by the time we arrived the fire was
15 out. There were a few hot spots en route.

16 "On arrival there were a number of watch managers.
17 As a crew we had started up our EDBA on the 3rd floor
18 and we continued to use it. We went right onto the
19 landing/corridor and along to the fourth door. The
20 corridor was extensively damaged by fire and smoke. The
21 walls and ceilings were all black and badly damaged and
22 wires and cables were hanging down.

23 "When we got to the fourth door a number of fire
24 crews came out. Firefighter Kirby went upstairs and I
25 went in the downstairs bedroom. The flat is two storey

1 and upside down. By that I mean the bedrooms and
2 bathroom are on the lower floor and the living room and
3 kitchen the upper floor.

4 "Firefighter Egan went into the bathroom. He came
5 out and told me there was a body in the bathroom.
6 I went to the corridor and got a watch manager. The
7 lower level of the flat didn't appear damaged by the
8 fire and no real smoke damage either. There is a little
9 door that leads from the bedroom under the stairs and
10 out to the corridor to another little door. As a result
11 of this, there is a void under the stairs. It is
12 designed as a cut through escape route. The fire had
13 badly damaged the stairs and looked as though it had
14 come through the little door leading from the corridor
15 and up the stairs, burning the stairs badly and
16 collapsing the stairs at the top.

17 "I took the watch manager into the flat and told him
18 there was a body in the bathroom. He then went into the
19 bathroom and a short while later came out and said that
20 there were two bodies in the bathroom. We were told to
21 take the bodies from the bathroom to clean air and
22 assess for signs of life. Firefighter Egan was already
23 in the bathroom. I then followed Firefighter Kirby
24 toward the bathroom. Kirby went into the bathroom and
25 took hold of the head of a black woman. I then took

1 hold of her feet. We then manoeuvred the body out of
2 the bathroom into a bedroom where the air was cleaner.
3 Firefighter Egan came out of the bathroom behind us,
4 carrying a young mixed race girl, and went into the
5 other bedroom.

6 "Myself and Firefighter Kirby checked vital signs
7 for signs of life. Having both checked, it was clear
8 that there was no signs of life. We were told to cover
9 the body with a curtain that was close by, which we did.
10 I then left the bedroom and went to the doorway of the
11 other bedroom to see if Firefighter Egan needed help.
12 When I looked into the bedroom, I saw Firefighter Egan
13 and a watch manager near a young mixed race girl. It
14 was clear to Firefighter Egan that there appeared to be
15 no signs of life, as this is what he told me. I handed
16 Firefighter Egan a cover from the first bedroom and
17 Firefighter Egan covered her.

18 "We were then told to search the rest of the flats
19 and went upstairs as a crew. We searched the rest of
20 the flat in details and found no other casualties. We
21 then searched all the other flats on that level and
22 ended up back at the flat opposite the initial flat
23 I had entered. Stairs were missing from the flat
24 opposite so I went to the initial flat to recover
25 a ladder to use in the opposite flat.

1 "As I entered the initial flat, I saw two
2 paramedics. One was in the bedroom with the child and
3 the other at the doorway of the bedroom. Neither were
4 wearing BA kit.

5 "I recovered the ladder and continued with my search
6 of the opposite flat. We then went up a level to enter
7 and search the upstairs levels of the flats. At the top
8 of the stairs we turned right and went out onto a fire
9 escape balcony. We entered the first door and went into
10 a living room area. The room was very badly fire and
11 smoke damaged. The fire had been extinguished but there
12 was a small amount of smoke in the room. As soon as
13 I entered together with Firefighter Kirby, we saw
14 a woman lying on the floor with her head towards the
15 door/window area. Firefighter Kirby checked for signs
16 of life but found none. The woman was very badly
17 burned. I told Firefighter Egan, who was on the balcony
18 still, to inform a senior officer. Myself and
19 Firefighter Kirby then continued searching the flat and
20 found no further casualties. Firefighter Egan returned
21 and informed us that they were already aware of this
22 casualty. We continued to search the rest of the flats
23 on this level but they were empty.

24 "As a crew, the three of us then left the flat
25 search and went to the bridgehead on the 3rd floor. We

1 removed our BA masks and debriefed. We then went to the
2 ground floor and met other crews. We went back to the
3 garage area to the EDBA muster area and removed our BA
4 kit. We subsequently went back to our machine. A short
5 while later we left the scene at 2238 hours and returned
6 to our station at Bethnal Green."

7 That's the end of the statement.

8 THE CORONER: Thank you.

9 Witness statement of JASON KIRBY read

10 MR MAXWELL-SCOTT: I will then read the statement of Jason
11 Kirby, another firefighter, dated 22 July 2009. The
12 statement reads as follows:

13 "I am the above named person and this is my
14 statement about a fire at Lakanal House, Sceaux Gardens
15 estate, Camberwell, on Friday, 3 July 2009.

16 "I am currently employed as a firefighter and have
17 been for over 12 years. I am currently on blue watch
18 based at Bethnal Green fire station. On the above date
19 I was the designated driver of the fire rescue unit
20 call sign F266 for the first night duty, the hours of
21 1800 to 0900 the following day. After the role call, as
22 a designated driver I went to my appliance and carried
23 out the normal vehicle checks and the testing of my
24 extra duration breathing apparatus equipment (EDBA). At
25 about 1820 hours, the fire call bells sounded and I went

1 to the watch room teleprinter to establish the address
2 of the shout. The fire call message details the nature
3 of the incident and the address, including the
4 appliances attending. The message was that there was
5 a 15 pump fire.

6 "Myself and the crew of our appliance then began to
7 make our way to Peckham with the blue lights illuminated
8 and the sirens sounding. Whilst en route I could hear
9 various radio traffic informing the various appliances
10 that were attending where to RVP. About 20 minutes
11 later we arrived at the RVP, which was Peckham road.
12 The crew of the appliance began to prepare for
13 operations, awaiting the return of Crew Manager Veasey,
14 who had gone to the control unit to book in. I was then
15 getting my fire equipment on and was told that we needed
16 to get our EDDBA on.

17 "We then went to the BA holding area at the rear of
18 Lakanal House, where the garage area is."

19 THE FOREMAN OF THE JURY: I'm terribly sorry, could I just
20 interrupt? I've managed to kick our monitor out and the
21 power's gone.

22 THE CORONER: I'm sorry, I can't hear you.

23 THE FOREMAN OF THE JURY: Sorry, I've just managed to kick
24 out the power source, so I was just wondering if we
25 could hang on just a moment while I duck under the desk.

1 THE CORONER: Let me know if you need any help with that.

2 THE FOREMAN OF THE JURY: Sorry. (Pause) Okay.

3 THE CORONER: Are you reconnected?

4 THE FOREMAN OF THE JURY: Sorry about that.

5 THE CORONER: Thank you. Yes, do you just want to start at
6 the beginning of that paragraph. Sorry, how long ago
7 did you lose it?

8 THE FOREMAN OF THE JURY: Only about five seconds, sorry.

9 THE CORONER: All right. Well then, just start at the
10 bottom of page 89 with:

11 "We then went to the BA holding area ..."

12 MR MAXWELL-SCOTT: Yes:

13 "We then went to the BA holding area at the rear of
14 Lakanal House where the garage area is. Initially we
15 were instructed to remain in this area. We remained
16 here for what seemed a long time. I could still see
17 smoke coming from the rear of the block.

18 "At about 2020 hours we were informed that a crew of
19 five in BA equipment was required to make their way to
20 the bridgehead on the 3rd floor. We went to the 3rd
21 floor and awaited further instruction. Soon after, we
22 were told that two crews were required, so we split into
23 a crew of three and another of two. I was part of the
24 four-man crew and we were told to make our way to the
25 11th floor to follow the fire hose into the fourth flat

1 on the left-hand side. We were briefed to continue with
2 the firefighting.

3 "We entered the flat and I could see the fire hose
4 going up the stairs. The hallway wasn't blazing in fire
5 at this time but I couldn't tell if the upstairs was
6 still on fire. Fireman Dave Egan was with me and he
7 told me that there were two casualties in the bathroom.
8 At some point I believe it was Firefighter Broom
9 informed a senior officer that there were two people in
10 the bathroom. Although I didn't know the flat number at
11 the time, I now believe this was flat 81.

12 "A senior officer then entered and went into the
13 bathroom. Firefighter Broom and I then entered the
14 bathroom after being instructed by the senior officer.
15 We then pulled the body of an adult female out of the
16 bathroom into a bedroom opposite. The lady wasn't
17 breathing. We rolled her onto her back and tried to
18 tilt her head back and open her mouth to open the
19 airway. Unfortunately her jaw was locked solid and
20 I was unable to do this. At this point there were no
21 signs of life and it was obvious the lady was dead.
22 I believe that the child had been removed by
23 Firefighter Egan into another room. I then laid
24 a blanket over the lady to cover her.

25 "We were then instructed to carry out a search of

1 the remaining rooms to ensure there were no more
2 casualties. Whilst searching other flats, it was
3 necessary to use a section of short extension ladder to
4 assist us in bridging a stairwell in order to carry out
5 the search. I never saw the lady again. She was fully
6 clothed when I removed her from the bathroom to the
7 bedroom.

8 "It was then suggested that we could obtain access
9 to the upper floors via the outside balconies. We went
10 back along the corridor, through a security door and
11 onto a small narrow balcony. We then went back along to
12 search the flats on the other side of the block. I went
13 into another flat. The number I do not know. As
14 I entered the living room, I saw an adult female,
15 apparently dead, lying on her front/side, lying on the
16 left-hand side of her face. This lady was only about
17 three to five feet from the living room door that leads
18 to the balcony. Initially, I thought it was a black
19 lady but I didn't touch her. I then told Firefighter
20 Broom what I had found and a senior officer was called.
21 It was obvious the lady was dead and there was nothing
22 we could do to help her.

23 "The senior officer then entered the flat with
24 a member of the LAS and said they were aware of the
25 lady. I asked if the rest of the flat had been searched

1 and was told it had. The flat was still burning in
2 a small pocket so I picked up a hose and extinguished
3 it. I then left the flat after having a cursory search
4 just to make sure there were no other casualties in the
5 premises. We then searched maybe one more flat as we
6 were preparing to leave the flats, but I cannot be sure.
7 We did as much as we could in the very difficult
8 circumstances before returning to the bridgehead as
9 a crew of three. We then booked out from the entry
10 control.

11 "Prior to leaving, we debriefed the other crews
12 waiting to enter the block and the sector commander of
13 the bridgehead. We then left the block and we returned
14 to the BA holding area, where we took off our BA
15 equipment and had some water to rehydrate. Some time
16 around 2200 hours we left the incident and returned to
17 Bethnal Green fire station.

18 "The lady and the child that was discovered in the
19 bathroom I never saw again. I never saw the other lady
20 I found in the living room again. I am now aware that
21 they tragically died in this incident and have seen
22 their pictures in the press and papers."

23 And that's the end of that statement.

24 THE CORONER: Thank you very much. Yes. The plan now is we
25 hear from Mr Aveling?

1 MR MAXWELL-SCOTT: It is, if he's ready, yes.

2 THE CORONER: Yes. Mr Clark, would you mind seeing if
3 Mr Aveling is ready? If not, we'll have a short break.
4 (Pause) Yes, is that Mr Aveling? Good morning. Do
5 come forward. Thank you for coming.

6 ANDREW AVELING (affirmed)

7 THE CORONER: Mr Aveling, thank you very much for coming.
8 Do sit down.

9 A. Hello.

10 THE CORONER: Good morning. Please, if you could keep your
11 voice up that would be very helpful. There are a couple
12 of microphones in front of you but the sound is quite
13 difficult in this room.

14 A. Okay.

15 THE CORONER: Thank you very much. Mr Atkins, who is
16 standing, is going to ask questions on my behalf, and
17 then there may be questions from others. It may seem
18 a little artificial, but if you could direct your
19 answers across the room towards the members of the
20 jury --

21 A. To those? Okay.

22 THE CORONER: -- who are sitting opposite you, that will
23 help them to hear your evidence and also keep you close
24 to the microphone.

25 A. Sure, okay.

1 THE CORONER: Thank you.

2 Questions by MR ATKINS

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

4 A. Yes. Andrew Christopher Aveling.

5 Q. Mr Aveling, is it correct that you were the tenant of
6 flat 79?

7 A. Yes.

8 Q. On the 11th floor of Lakanal House?

9 A. Yes.

10 Q. Is it also right that you first became a tenant in
11 around about 1993/1994?

12 A. Yes.

13 Q. Mr Aveling, if I may, I'm going to ask you questions in
14 three sections this morning. The first section will be
15 to do with fire safety information that may have been
16 provided to you and your knowledge of the layout of
17 Lakanal House, the second section will deal with some
18 particular events that happened during the years that
19 you were a tenant between 1994 and 2009 and the third
20 section will be to do with the events on the day of the
21 fire in July 2009. We'll take it in that way.

22 Can I begin then, please, with the first topic,
23 which is fire safety information and your knowledge of
24 the layout of the building. Just to explain, you are
25 one of about ten residents of Lakanal who are going to

1 be giving evidence to the jury, and we are asking all of
2 them essentially the same questions in order to build up
3 a picture of what those who lived at Lakanal knew about
4 the building and what information had been provided to
5 them. So at this stage I'm not going to be asking you
6 about what happened on the day of the fire; I'm going to
7 be asking you about your knowledge before that date.

8 Does that make sense?

9 A. That makes sense, yeah.

10 Q. To begin with, please, I'll show you two documents, and
11 what we would like to know in each case is whether, to
12 the best of your recollection, you have ever seen them
13 before, whether you recognise them. I'm going to ask
14 Mr Clark first of all to hand you page 1050 of the
15 advocates' bundles, which is in file 3. I'll just put
16 that on the screen for the jury as well. (Handed)

17 This is a four-page leaflet which was prepared by
18 the London Fire Brigade. If you could just take your
19 time to look through it from page 1050 to 1053, and then
20 let us know, once you've done that, whether you think
21 it's a document that you've seen before.

22 A. No, I haven't seen this before.

23 Q. Thank you. Could we then please go just a few pages
24 further on to page 1054. This one is two pages long,
25 and it's the same question, please. Just take your

1 time, have look at it and let us know if you think
2 you've ever seen that document before.

3 A. No, I haven't seen that.

4 Q. In the time that you were a tenant at Lakanal House, had
5 you for any reason ever looked at the
6 London Fire Brigade website for advice about fire
7 safety?

8 A. No.

9 Q. Do you recall ever receiving what's known as a home fire
10 safety visit? That's when some firefighters would come
11 to your flat to give you some advice about fire safety.

12 A. No, that never happened.

13 Q. Could I show you a third document, then, please. This
14 time it's at page 1068 in the same bundle. If you look
15 in the bottom right-hand corner, there's a number 9 in
16 brackets.

17 A. Yeah.

18 Q. A little to the left of that is a number 27 --

19 A. Yes.

20 Q. -- which is the page number from the original document.
21 So what we've done is to take out that page and the two
22 pages after it from a longer document.

23 A. Okay.

24 Q. It's the same question as before, please. If you just
25 look at those three pages and then let us know if you

1 think you've ever seen them before.

2 A. No, I've never seen these before.

3 Q. Thank you. You can put the bundle to one side for
4 a moment. I'll move on now to ask you about your
5 knowledge of some of the features of the building, the
6 layout of the building. We've heard already that at the
7 time of the fire in 2009 you had been a tenant there for
8 about 15 years.

9 A. Yes.

10 Q. Did you know how many flats there were in total?

11 A. Not an exact figure, but -- no. No, I mean -- what, in
12 the whole building?

13 Q. In the whole building, did you have an impression of
14 roughly how many flats there were?

15 A. Well I was number 79 and I was on the -- I had the 11th
16 and 12th floor, so I'd imagine there could have only
17 been up to about ninety-something.

18 Q. Were you aware that all of the flats in the building had
19 essentially the same layout inside?

20 A. Yes.

21 Q. If somebody had asked you how they could get to a flat
22 in the building which you had never been to before -- so
23 for example, if they said to you, "I'd like to go to
24 flat 40; how do I do that?" -- would you have been able
25 to tell them how to get there?

1 A. If they're asking me from the elevator, or -- if --

2 Q. If you met somebody outside the building, could you help

3 them?

4 A. Yes, I would just say -- well, I wouldn't know exactly,

5 but I would just say it would be a low floor number and

6 you'd just have to come out of the elevator and look

7 left or right at the numbers. It would be guesswork,

8 really.

9 Q. If I just show you this photograph. It's number 7 in

10 tab 13. That's a photograph of the lift lobby on the

11 ground floor in the building. Do you remember that?

12 A. Yes.

13 Q. Do you see on the wall just where the cursor is, between

14 the two lifts, there's a sign?

15 A. Yes. Yes, but that's --

16 Q. If we go on the next picture --

17 A. You see, the original sign was written in -- in big --

18 in the actual tiles themselves, and then that was --

19 then they renovated that area and put that sign up. But

20 that sign wasn't there immediately when that -- when

21 they'd done the renovation.

22 Q. Can you remember when that was, roughly, that the sign

23 was added?

24 A. No, I can't remember.

25 Q. Before the sign was put there, you say that the numbers

1 were in the tiles themselves?

2 A. On the tiles.

3 Q. Was that in the same place?

4 A. Yeah, well, it was just on the back wall opposite the
5 elevator. And they did have signs, but it was just --
6 it was -- either they would fall down or they were
7 experimenting.

8 Q. You told us earlier that you would have said to
9 somebody: "Go up to the floor and then look to see which
10 numbers were there." I've just put on the screen this
11 time photograph number 11, which shows one of the doors
12 leading from the lift lobby into one of the corridors.

13 A. Yeah.

14 Q. If we look to the left of the door there's a metal panel
15 with a number of buttons there. Is that what you were
16 referring to, that somebody could look at that list of
17 numbers?

18 A. Yes, that list of numbers, yeah. And also they had
19 the -- when you came out of the elevator on that -- on
20 the chosen floor, it would be -- there would be a sign
21 in front of you.

22 THE CORONER: Mr Aveling, you are speaking away from the
23 microphone.

24 A. Oh, sorry.

25 THE CORONER: It's a little bit difficult to hear you.

1 Perhaps you could just move the microphones a little
2 closer.

3 A. Over here like this?

4 THE CORONER: Yes, that's fine, and if you could try and
5 remember to speak across the room as well, that would
6 help, thank you.

7 MR ATKINS: Sorry, so there would be a sign as you came out
8 of the lifts in front of you which would tell you which
9 flats were on that floor?

10 A. Yes.

11 Q. If we think now about your flat, flat 79 on the 11th
12 floor, I think it's right that you would walk along the
13 corridor first of all, and then there would be a front
14 door that would lead on to two bedrooms on that level
15 and a bathroom?

16 A. Yes.

17 Q. Can I show you a diagram which I don't think you will
18 have seen before, but I'll explain to you what we're
19 looking at. This is a diagram which shows the layout of
20 a typical flat which has the bedrooms facing west
21 towards Havel Street.

22 A. Yes.

23 Q. Your flat, flat 79, was that way round, wasn't it, with
24 the bedrooms facing that way?

25 A. Yes.

1 Q. So we can see that as you come into the front door, just
2 where I put the cursor --

3 A. Yeah.

4 Q. -- there are two bedrooms on that floor?

5 A. Yes.

6 Q. And the bathroom to the right --

7 A. Yes.

8 Q. -- where I've just put the cursor. And then you could
9 come upstairs onto the top floor with the lounge and the
10 kitchen.

11 A. Yes.

12 Q. Do you recall that there were balconies on both sides of
13 the building?

14 A. Yes.

15 Q. Just coming back to the photos for a moment, there's
16 a picture there of a balcony. Is that the sort of
17 balcony that was outside --

18 A. Yes.

19 Q. -- on both sides, and just looking to the back of that
20 photograph, there's a door with a green sign?

21 A. Yes.

22 Q. I can show you a close-up there, photograph 37. Were
23 you aware what the function of those balconies was?

24 A. Yeah, it was a fire escape.

25 Q. In that case, Mr Aveling, I'll come back to that

1 a little later on, if I may.

2 A. Okay.

3 Q. Can I just ask you one other question, which is about
4 smoke alarms. Did you have a smoke alarm fitted?

5 A. After the new renovations, yes. Not -- not in -- when I
6 first moved in but -- so, you know, when they did the
7 Decent Homes thing, that's when the fire alarm was
8 fitted in.

9 Q. So that would have been the works that were carried out
10 in 2006 and 2007?

11 A. Yes, yeah.

12 Q. Could I move on, please, then, to the second topic,
13 which is some of the things which happened between the
14 time when you became a tenant and 2009. I'd like first,
15 please, to ask you about alterations which were carried
16 out to flat 79, works that were carried out.

17 Could I ask you please, first of all, about the
18 front door. So far as you know, had the front door
19 itself ever been changed between the time when you
20 became a tenant and 2009?

21 A. No.

22 Q. Had the letter plate ever been changed? That is the
23 part of the door that has the letterbox in it.

24 A. Yes.

25 Q. Was that something which you did or something which

1 somebody else did?

2 A. Which I did.

3 Q. Could you just explain to us what was changed and when

4 you did it?

5 A. Well the -- the one that was originally on the door was

6 aluminium, very light, and of course the corridors were

7 kept open so -- they didn't have windows, so there was

8 a lot of air, so what you got was a continual knocking

9 on the door through the wind. So I just went and got

10 a brass one, which was a lot sturdier, and fitted that

11 in. That was it.

12 Q. Did that solve the problem you've mentioned about the

13 wind?

14 A. Yes, yes, wind-proof and -- yeah, just a better design.

15 Q. Was there anything on the front door that said which

16 flat it was?

17 A. Yes, there was a number, 79.

18 Q. Where was that on the door?

19 A. Just above the spy hole, I guess you'd call it, at the

20 top, top middle.

21 Q. Can you remember what form it was in? For example, was

22 it painted on the door or was it metal fixtures?

23 A. No, metal fixtures.

24 Q. Was it the number in metal, or was it a plate?

25 A. No, it was both numbers separately, 7 and 9, in gold

1 metal.

2 Q. You said that it was just above the spy hole. Is that
3 at roughly head height?

4 A. Yeah, just a bit bigger actually, because -- it would be
5 about a foot and a half bigger, I should imagine, or
6 a foot at least.

7 Q. I think it's right that in the mid-1990s you carried out
8 some work to your flat which involved making some
9 changes to the steps --

10 A. Yes.

11 Q. -- in the internal staircase and the wall which was
12 between the bottom of the internal stairs and the rest
13 of the ground floor of the flat. I'll ask you about
14 that in a little bit of detail if I may. I'll just put
15 up on the screen to help us another diagram, and you can
16 tell us whether we have understood correctly the work
17 that was done.

18 A. Yes, that's --

19 Q. If I just take us back for a moment to this diagram.
20 That shows the typical layout, as we understand it, of
21 the one of the flats.

22 A. Yeah.

23 Q. Just so we can get our bearings, we have the front door
24 here where the cursor is?

25 A. Yes.

1 Q. And then to go up the steps, one would turn left and
2 come up where my cursor is and that would lead up to the
3 lounge and the kitchen?

4 A. Yeah.

5 Q. So we can see that to begin with there was a wall
6 between the bottom of the steps and this bedroom here
7 where I've put the cursor?

8 A. Yes, that's right.

9 Q. This is probably a helpful stepping stone between the
10 two so we can see where the differences are. Do you see
11 that there are two parts highlighted? One is that
12 dividing wall between the steps and the bedroom.

13 A. Yes.

14 Q. And then there is a red section on the bathroom?

15 A. Yes.

16 Q. Then if I go to the third image, this is intended to
17 show how the flat was after the alterations were carried
18 out.

19 A. Okay.

20 Q. So can I just ask you first of all, please, looking at
21 the bathroom, what change was made in the bathroom? Can
22 you remember?

23 A. Yeah, the -- there was -- in the bedroom wall, there was
24 a section cut out with light -- with clear glass bricks.

25 Q. Sorry, in the wall where the cursor is?

1 A. No, just over here, just by the --

2 Q. Sorry, to the left or to the right?

3 A. Left. Yes, that's it, keep going. There. There was

4 just a column of glass bricks cut there so natural light

5 could flow through the bedroom into -- so you could get

6 that into the bathroom. Otherwise you had to turn the

7 light on every time you wanted to either have a bath or

8 something, and you didn't have to, in that case, because

9 you could -- you know, you'd have sunlight going in

10 there.

11 Q. So we're clear, sorry, what was the change? Was it that

12 those glass bricks were added?

13 A. It was just -- added. The glass bricks were added, and

14 it was just a column --

15 Q. In place of the solid surface?

16 A. Yes, in -- the plasterboard, which that wall was, was

17 plasterboard -- there was a column cut out of the

18 plasterboard and glass bricks -- a column of glass

19 bricks was added there.

20 Q. If I just go back to the diagram with the red

21 highlighting. Do you see there's a red section in

22 between the area by the front door --

23 A. Yes, that was gone as well.

24 Q. What was that? What was the change?

25 A. I think that was a drying area. It was -- so it was

1 a -- you know, where you could put towels and stuff. So
2 that was opened so you had a large hallway and then you
3 could hang your coats there, because you already had
4 a drying area above the -- above the -- the boiler,
5 so -- they'd just given you a lot of drying area,
6 I guess. Probably too much.

7 Q. Those two changes which you've just mentioned to us,
8 were those changes which you made?

9 A. Yes, I made them.

10 Q. Can you remember roughly when you did that?

11 A. Yeah, it was pretty soon after I moved in. So it was
12 still in the 90s, in the late 90s -- sort of mid-90s,
13 sorry, so it would be -- it would be '95, or -- yeah,
14 '94 or '95. I don't remember the exact date.

15 Q. Can we then think about the change to do with the wall
16 between the steps and the bedroom. I've just put back
17 on screen the typical flat diagram so we can remind
18 ourselves what was there.

19 A. Yes.

20 Q. So in this wall, we have the small door that led to the
21 cupboard under the stairs.

22 A. Yes.

23 Q. Then there was another door, I think, in the wall
24 between the flat and the corridor?

25 A. That's correct.

1 Q. So one could get from the bedroom into the corridor by
2 going through first this door and then secondly the door
3 between the flat and the corridor?

4 A. That's right.

5 Q. If we go back to the version which shows how things were
6 after the change, do we see that that door is still in
7 place?

8 A. Yes.

9 Q. But that part of the wall towards the bottom of the
10 steps has been removed?

11 A. Yes.

12 Q. I should ask, is that a change which you made?

13 A. Yes, that's a change that I made.

14 Q. Was there also a change to the steps themselves?

15 A. Yes, I changed -- the steps became treads with -- with
16 no risers in, so it was -- it was just more of a modern
17 design really.

18 Q. What was the purpose of making those changes?

19 A. Well, when you open the door, you would just -- it was
20 just very dark, hence in the original building there was
21 two -- two pendant lamps, another one on the top of the
22 landing, and -- so, yeah, you had to come in -- even if
23 it was in the daytime, you would have to come in and
24 turn the lights on, so because I was the only tenant --
25 I had the entire flat myself -- I didn't need separate

1 rooms, so I opened that out to get light, and that
2 became a sitting room, with my bedroom here on the left
3 kept closed.

4 Q. What I'd like to do now, please, is to ask you about any
5 discussions you had with the council about those changes
6 that we've just looked at.

7 A. Okay.

8 Q. Could I start by asking whether, before you did the
9 work, you contacted the council to say, "I'm thinking
10 about doing this work. Do you agree?"

11 A. No, I just did the work.

12 Q. I'm just going to show you one or two documents that we
13 have which perhaps are related to the work that you've
14 been describing. This first document is page 565, this
15 time in the chronological bundles. It's file number 2,
16 and Mr Clark, I think, is about to hand you a copy on
17 paper. (Handed) We can see that that is a letter from
18 Southwark Council headed paper. In the top right-hand
19 corner --

20 A. Yes.

21 Q. -- the words "housing department". The letter is dated
22 23 May 1994, and it's addressed to Mr A Aveling --
23 that's you?

24 A. Yes.

25 Q. -- in flat 79. We can see that the writer of that

1 letter, who is a Ms L Going, from the neighbourhood
2 housing office, has written to you and said:

3 "I am writing following my visit to you on Thursday
4 last week. I have had further complaints regarding the
5 noise from your flat. While I am aware of the works you
6 are carrying out, I must stipulate that you do not work
7 after 5 pm as the continual noise is annoying tenants
8 below your property."

9 Then they says:

10 "I will, as advised, arrange a date for the building
11 inspector to call once you advise me that the stairs
12 have been restored."

13 A. Yes.

14 Q. Do you recall receiving that letter?

15 A. No -- well, now I do, but I would never -- it's just
16 something that would have escaped my memory until I've
17 seen it and now I recall it.

18 Q. So far as you can remember, were the council aware in
19 around about May 1994 that you were doing the work?

20 A. Oh yes, they were aware, yes.

21 Q. If we look at the next page, page 566 in the same
22 bundle, this time we have a memo on Southwark Council
23 paper. It may well be that this is a document which you
24 have never seen and which wouldn't have been sent to
25 you, but I'd just like to ask whether what is said in it

1 ties in with your recollection. We can see it's headed
2 "Memo, copy to file", and it says:

3 "Re 79 Lakanal. After cockroach treatment on
4 22 April 1994, force entry. Robert Reid and P Cox
5 advised that the property was in need of inspection.
6 The non-load-bearing walls to the bottom half of the
7 staircase had been removed."

8 Just pausing there, is it correct so far as you knew
9 that the wall between the stairs and the bedroom was not
10 a load-bearing wall?

11 A. I knew that it wasn't, yes.

12 Q. You knew that it wasn't?

13 A. Of course, because otherwise I wouldn't have been able
14 to take it down.

15 Q. And then, carrying on:

16 "I spoke to Mr Aveling, the tenant, on the phone and
17 he advised that the stairs were rotten and he would be
18 rebuilding them with his uncle (a builder)."

19 A. Yes, they were, yeah.

20 Q. The steps were rotten?

21 A. Yes, well, the -- so was the landing, from the previous
22 tenant, because they didn't have time when they gave me
23 the flat to fix up the flat. It was just a quick let,
24 you know, and so it was always needing fixing. But they
25 thought at the time it was quite a clean flat, and this

1 was one of the benefits of getting given the flat, but
2 it had, you know -- of course there was conditions, and
3 that was that. But I had to take it because that was
4 all I had on offer.

5 Q. Then, just in that bottom paragraph of the note, we can
6 see that the writer has said:

7 "Visited property on 19 May 1994 -- walls rebuilt.
8 Building inspector to call once works completed to check
9 bld [which is presumably 'build'] standard."

10 A. Yes.

11 Q. Do you remember what's referred to there, somebody from
12 Southwark Council telephoning you to speak about the
13 work and subsequently somebody coming to look at what
14 had been done to check the standard of it?

15 A. Yes.

16 Q. Were you, at that stage, asked to reinstate what had
17 been there before?

18 A. No, I was -- I told them what I was doing, and they just
19 said, "Well, it has to -- if you do move out, it has to
20 be like for like", so I'd have to put it back, whereas
21 otherwise it just has to be made at a good standard and
22 that they would check that standard, and when they did
23 come to check it, they signed it as a good standard of
24 work, and so that was that. But they wouldn't -- they
25 didn't want the stairs putting back but they -- if I was

1 to move out, they wanted the plasterboard partition
2 back, which is understandable, I guess.

3 Q. You mentioned two things there. You said "when they
4 checked it", first of all.

5 A. Yes.

6 Q. So did somebody in fact come to look at it?

7 A. Yes, somebody came to look and sign the work off.

8 Q. Can you remember who it was who came to look, either
9 their name or perhaps their job?

10 A. No, that was their job, was inspections. I had no -- he
11 was a young lad but I would never know his name.

12 Q. The second thing was that you mentioned that something
13 was signed.

14 A. Yes.

15 Q. Was something written down and given to you about work?

16 A. Yes, it had to be signed. Something was given to me.
17 He had to have a signature for his superiors, I presume,
18 after him checking the work, and that -- and that's
19 what -- you know, when he came to visit he saw it and
20 that was it. That's when we signed.

21 Q. Is that document that you mentioned something that you
22 still have?

23 A. No, 'cos everything went in the fire. I mean, I did
24 have quite a comprehensive backlog of stuff but that was
25 all in the house at the time.

1 Q. I'd like to show you, please, another document which
2 came quite a lot later in time, and again may well be
3 a document that you have not seen before. It's at
4 page 2689 of the chronological bundle. It's in file
5 number 7.

6 THE CORONER: Before you read through that -- Mr Aveling,
7 we're losing your voice.

8 A. Sorry. Maybe -- should I try this one? Is that better?

9 THE CORONER: You can physically move the microphone.
10 Perhaps, Mr Clark, you can help just to move the
11 microphone. That little one isn't working, so don't
12 worry about that one. Thank you.

13 MR ATKINS: Page 2689, please. (Handed) Looking at this
14 page, then, it's headed "Alan Hodgkinson & Associates,
15 consulting civil and structural engineers" and the date,
16 this time a little below that, on the right-hand side,
17 is 17 October 2006.

18 A. Yes.

19 Q. I think it's right that the Decent Homes works that you
20 mentioned earlier started in around about March 2006?

21 A. That's right.

22 Q. So this was a letter which was written apparently after
23 those works had started?

24 A. Yes.

25 Q. Before we look at what's said, do you recall ever having

1 seen this letter before?

2 A. No, because -- well, was it sent on 17 October?

3 Q. Well, it isn't a letter which is addressed to you, I

4 should have pointed out.

5 A. No, okay.

6 Q. It's written to Ms Sidney, who, as the jury will hear in

7 due course, is somebody who worked for Southwark

8 Building Design Services.

9 A. Yes, okay.

10 Q. So on the face of it, this wouldn't have been a letter

11 which you had seen.

12 A. No, so -- okay.

13 Q. If we look at what is said in it. It's headed

14 "79 Lakanal" and then the writer has said:

15 "As requested, I made a further visit to site

16 yesterday to inspect this unit, to determine whether the

17 internal alterations carried out by the tenant were of

18 structural significance. The alterations comprised the

19 alteration and removal of calls around the entrance

20 lobby. The walls were of lightweight construction and

21 were built off the floor finish and are clearly

22 non-load-bearing. It is understood that the changes

23 were made approximately ten years ago. I am pleased to

24 confirm that the alterations have no structural

25 significance either to this unit or the block as

1 a whole. You may wish to consider whether fire safety
2 is affected, but from our discussions this seems
3 unlikely."

4 A. Yes.

5 Q. "However, this is not within my expertise. I trust this
6 will be helpful."

7 What I wanted to ask you was this: it appears from
8 that letter that somebody, probably an engineer from
9 Alan Hodgkinson & Associates, visited your flat in
10 around about October 2006. Do you remember somebody
11 like that coming to inspect the property at that time?

12 A. Yes. There were a lot of people coming in to inspect
13 the property, but I'd assumed it wasn't just mine,
14 because they were having to do the changes, and so --
15 because of the New Homes Act. So there was -- they were
16 coming to check -- you know, it was a big works, and so
17 that -- so there was -- you know, there was a lot around
18 that time, and -- but I would have no idea that they
19 would have been inspecting about this -- about my flat
20 in particular. They were just -- I just thought that
21 they were doing what they had to do in preparation for
22 the New Homes Act.

23 Q. At that point, then, in 2006, when people were visiting
24 your flat as part of the Decent Homes works, again were
25 you asked to reinstate what had been there before?

1 A. No.

2 Q. So is it the case that once you had made the changes in,
3 it seems, 1994, the flat stayed in that state until
4 2009?

5 A. Yes, absolutely. I mean, that was done. There was
6 never any concern about it.

7 Q. Could I move on to a new topic, then, please. The jury
8 have heard that there was a fire in flat 81 in 1997.

9 A. Yes.

10 Q. That is the flat which is next door to yours, on the
11 same side of the corridor?

12 A. Yes.

13 Q. Is it correct that when that fire happened you were
14 inside flat 79?

15 A. Yes, I was.

16 Q. And that to begin with, you were able to remain in your
17 flat but eventually it got to the stage where there was
18 so much smoke you decided that you should leave?

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

20 Q. Can you remember on that occasion how you left your
21 flat, which route you took?

22 A. Yes, I went upstairs, across the sitting room, which --
23 or the lounge, as you've written it on the diagram, and
24 out on the east side balcony, and out through the fire
25 exit, which you saw on the balcony -- this one, that's

1 it -- and then down the stairwell.

2 Q. On that occasion, is it correct that the fire in flat 81

3 didn't spread either into your flat or into any of the

4 other flats in the building?

5 A. That's correct; it didn't spread.

6 Q. In that case, could I please move on to events connected

7 with the fire on 3 July 2009.

8 A. Okay.

9 Q. The jury know that at the time of the fire

10 Catherine Hickman was living in flat 79.

11 A. Yes.

12 Q. And the jury have heard evidence from Mr Bailey as well.

13 A. Yes.

14 Q. Could I just ask for roughly how long you had known the

15 two of them by 2009?

16 A. Three years.

17 Q. Is it right that you yourself work in the music business

18 and therefore are quite often away from the property?

19 A. Yes.

20 Q. And for that reason you had suggested to them that they

21 might move in to your flat?

22 A. Well, it wasn't -- it was just Mark. He needed -- it

23 was -- I needed a friend to look after my place while

24 I was in New York and he'd offered, and that was it.

25 You know, just to let -- if anyone was in, because --

1 you know, whether it's floods or what-have-you. So yes,
2 he was doing that, and then Catherine moved in about
3 a year later than that.

4 Q. I understand.

5 A. Or probably a bit less.

6 Q. On 3 July itself, on the day of the fire, is it correct
7 that you were in east London, near London Fields?

8 A. Yes.

9 Q. And that you first heard that there was a fire going on
10 when a friend of yours telephoned you --

11 A. Yes.

12 Q. -- to let you know. Are you able to remember roughly
13 what time you were phoned and you first became aware
14 that the fire was happening?

15 A. It was in the afternoon. I don't know the minutes,
16 or --

17 Q. Who was it who telephoned you?

18 A. It was a friend in my -- we were in the same band
19 together. He worked below in the pub that was next door
20 to the building, and he phoned me up and said, "Your
21 flat's on fire." Well, he said actually: "Your
22 building's on fire."

23 Q. Did he say anything about how long it had been on fire,
24 whether it was something that had just started or
25 something which had been going on for a time?

1 A. No, no.

2 Q. Once you had received that message, of course, you were
3 concerned about where Catherine was?

4 A. Yes.

5 Q. And you did everything that you could to get in touch
6 with her?

7 A. Yes.

8 Q. Because you were unable to reach here, you went yourself
9 to Lakanal?

10 A. Yes.

11 Q. I think you drove there, is that right, on a scooter?

12 A. Yes.

13 Q. From London Fields to Lakanal?

14 A. Yes.

15 Q. And on the way you saw a fire engine?

16 A. Yes.

17 Q. And you followed the fire engine, which, as it turned
18 out, was heading to Lakanal House?

19 A. Yes. I mean, it was just -- I was in the wake of the
20 fire engine, and then -- I had no idea that it was going
21 to Lakanal, and then, of course, when I realised it was,
22 that's when I thought, "This is serious."

23 Q. Why was it that you thought at that stage that it must
24 be serious?

25 A. Well, because, you know, you just expect local fire

1 engines to be dealing with a fire. If something's
2 coming from -- I think I picked it up at Whitechapel,
3 then you realise that a lot more stations are on call
4 and it's got to be serious.

5 Q. When you arrived there, is it correct that you spoke to
6 various members of the emergency services, from the
7 police, the Fire Brigade, the ambulance service --

8 A. Yes.

9 Q. -- in order to try to find out what was going on and
10 where Catherine was?

11 A. Well, just to let them know that there may be somebody
12 in there on -- you know, given the flat number, that
13 we -- I couldn't get in touch with that person and until
14 we could assess where she was -- because I knew Mark was
15 in New York, so until we can assess where Catherine was,
16 because she was meant to be going to Brighton, that, you
17 know, it needed to be looked into, and also I, you
18 know -- I mean, it was quite early on still in the fire,
19 but it was clear that that particular point was in
20 trouble, that particular section, and so it was even
21 more important that something was established to let
22 them know that it's worth trying to get up there and
23 having a look at that floor.

24 Q. When you arrived at the building, can you remember how
25 many fire engines there were, whether it was, for

1 example, one or two or whether there was a lot more than
2 that?

3 A. Well, there was a lot of commotion. I mean, I didn't
4 count. It was busy. I don't know if it was just --
5 I mean, it was all cordoned off. There was police,
6 there was ambulance, you know. I can't remember how
7 many engines there were. I wasn't counting.

8 Q. Is it correct that at one point one of the firemen asked
9 you whether the flat which was completely burnt out was
10 your flat?

11 A. Yes.

12 Q. And you said to him that it was?

13 A. Yes, and then he led me into the perimeter, and then he
14 got -- he started calling up somebody, which sounded
15 quite urgent.

16 Q. Did there come a point later on when you saw first of
17 all a lady and a baby being brought out of the building?

18 A. Yes, I saw that.

19 Q. And also when you saw your neighbour Rafael, who
20 appeared to be --

21 A. When he was distraught, yes.

22 Q. -- distressed. At that stage, I think it's right that
23 you didn't know where Catherine was?

24 A. Yes.

25 Q. Nobody had established that yet. You did what you could

1 to help by going with the police first of all to
2 St Thomas' Hospital and then to Lewisham hospital?

3 A. Yes. Well, that was -- yes -- you know, all credit to
4 them, they were, you know, keeping you as optimistic as
5 possible. They were giving -- there was two options on
6 hospitals and no-one could get through to Lewisham, so
7 I was driven to St Thomas' to -- to see if that wasn't
8 the case. She wasn't there obviously.

9 Q. So in summary, you did everything that you could by
10 going to Lakanal, by speaking on the emergency services,
11 to find out where Catherine was and to help --

12 A. Yes, I was there all day and all night, until -- until
13 the middle of the night when we met up with Catherine's
14 family and was at Peckham police station doing
15 statements, so ...

16 Q. But eventually you learned the very sad news that
17 Catherine had passed away?

18 A. Well, yeah, we'd learnt that there was a body found in
19 the apartment. They weren't saying who it was but
20 obviously it was presumed that -- and then, very, very
21 late, I don't know, there was some description or
22 something, because at first it was just assumed that
23 there was a body and it could have been a neighbour
24 running in and getting caught out, so -- and that's when
25 we realised that that was that.

1 Q. Mr Aveling, thank you. Those are all the questions
2 I have. If you would be good enough to wait there,
3 there may be questions from others.

4 A. Okay.

5 THE CORONER: Thank you. Ms Al Tai.

6 Questions by MS AL TAI

7 MS AL TAI: Good morning, Mr Aveling.

8 A. Hello.

9 Q. I act on behalf of Mark Bailey.

10 A. Okay.

11 Q. I don't have very many questions for you because
12 Mr Atkins has covered a vast majority of my questions.
13 It's just really in respect of one issue, and it's the
14 previous fire back in 1997 during which you escaped the
15 premises.

16 A. Okay.

17 Q. There might be a jury bundle next to you. If not, I'll
18 ask Mr Clark to assist, please. I'm going to ask you to
19 look at some photographs.

20 A. Okay. (Handed)

21 Q. It's the photograph actually up on the screen, I do
22 apologise. It's tab 13, page 37. Mr Aveling,
23 I understand that you escaped from the east side; is
24 that correct?

25 A. Yes.

1 Q. I'm not certain if that is the correct angle but --

2 A. No, that's -- that's -- that's the west side entrance.

3 Q. Thank you, Mr Aveling. That's what I understand it to

4 be as well. I'm using this particular photograph

5 because it gives an indication of the proximity of

6 a door of a flat in close proximity to the stairwell.

7 Is that you what you understand it to be as well?

8 A. Sorry?

9 Q. Let me rephrase my question. I apologise. This picture

10 in particular shows a flat next to the stairwell, the

11 central stairwell?

12 A. Yes.

13 Q. And that door emerges onto a balcony?

14 A. This door, yes.

15 Q. The door on the left-hand side emerges to --

16 A. Yes, that would be the kitchen and you'd come out there

17 and that's the balcony on the west side balcony.

18 Q. And as we've understood your evidence -- and we've heard

19 from various individuals -- the door in the centre of

20 the picture with the green sign, that's the fire escape

21 door?

22 A. That is the fire escape door, yes.

23 Q. Really I just want to get an understanding from you of

24 the proximity of your balcony door to the escape door.

25 A. It's the closest on -- in all of the flats on that side.

1 Q. It's quite close, you would agree with me?

2 A. Yes, it's very close, and it's the closest.

3 Q. I know it probably seems like an obvious question, but
4 how long would it take you to get from your balcony door
5 to the fire escape door?

6 A. Just two steps.

7 Q. Two steps. Thank you very much, Mr Aveling.

8 THE CORONER: Thank you. Members of the jury?

9 Questions by the Jury

10 THE FOREMAN OF THE JURY: Thank you, Madam Coroner, we just
11 have two. I was just wondering: in regard to the
12 alterations that were made in the flat, with the wall
13 being taken out, was it -- the door was left. I was
14 wondering if that was for aesthetic reasons or whether
15 the frame was in some way part of the structure you
16 couldn't remove?

17 A. No -- yeah, the door was left. It's just -- I just
18 assumed I had to leave the doors. I mean, yeah, it
19 would have been probably nicer if it was all down but it
20 was just -- I kept all the woodwork. It was -- I just
21 wanted to add light to the place and it was just me that
22 was living there, didn't -- aesthetically, it wasn't
23 a problem.

24 THE FOREMAN OF THE JURY: Thank you. We've heard how you
25 spoke to members of the emergency services, stating that

1 you were from flat 79 and you thought somebody might be
2 in there. When you were discussing this with the
3 emergency services people, do you recall if you
4 mentioned which floor flat 79 was on, or just the flat
5 number?

6 A. No, I told them it was the 11th floor.

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

9 Questions by the Coroner

10 THE CORONER: Thank you, Mr Aveling. When you were escaping
11 from your flat from the 1997 fire --

12 A. Yes.

13 THE CORONER: -- I think you told us that you escaped from
14 the eastern side.

15 A. Yes.

16 THE CORONER: Was there anything which made you choose the
17 east side rather than the west side?

18 A. Yes, 'cos the fire was on the west side, as it was on
19 the -- 2009. Why that is, I don't know, but the fire
20 was -- there was -- that's why there's two escapes, for
21 that reason, I presume, that if -- because if there's
22 bellowing smoke coming up, you have to pick the other
23 side. So there was no escape on the west side on, it
24 turns out, either of the occasions.

25 THE CORONER: Thank you very much. Mr Aveling, thank you

1 very much for coming and thank you very much for the
2 help that you've been able to give to us.

3 A. Thank you.

4 THE CORONER: You're welcome to stay if you would like, but
5 you're free to go if you would prefer.

6 A. All right, okay, thanks very much. Goodbye.

7 THE CORONER: Thank you very much.

8 (The witness withdrew)

9 MR ATKINS: Madam, we now have --

10 THE CORONER: Well, I was going to say, Mr Atkins, would
11 that be is sensible point for a short break?

12 MR ATKINS: Madam, if it's convenient for the court, then
13 yes.

14 THE CORONER: All right, shall we do that? Thank you very
15 much. Shall we have a break until 11.30?

16 Members of the jury, you're welcome to leave your
17 papers there if you would like. Be back for 11.30,
18 please.

19 (11.16 am)

20 (A short break)

21 (11.33 am)

22 MR ATKINS: Madam, before the jury come in, could I just
23 mention that there are two pages to be added to the jury
24 bundle which will go in tab number 27. They are the
25 one-page summaries of the functions and responsibilities

1 of the London Fire Brigade and the London Borough of
2 Southwark. Madam, these are documents which were
3 circulated a little while ago. More recently,
4 Mr Maxwell-Scott circulated an email to the properly
5 interested persons asking whether they should be
6 included or whether there was any objection, and
7 Ms Al Tai responded saying that it would be helpful for
8 them to be included.

9 THE CORONER: Thank you. Good. Yes, and the other one?
10 Okay. Thank you very much.

11 MR ATKINS: Madam, we do have copies for the advocates.
12 They'll be handed out shortly.

13 THE CORONER: Thank you.

14 (In the presence of the Jury)

15 THE CORONER: Yes, Mr Atkins, thank you.

16 MR ATKINS: Madam, yes, before the next witness there are
17 two pages to be added to the jury bundle.

18 THE CORONER: Thank you.

19 MR ATKINS: They go into tab 27. I think we have copies
20 ready to be handed out to the members of the jury. Just
21 to explain what the pages are, they are one-page
22 summaries of the roles and responsibilities first of all
23 of the London Fire Brigade and secondly of the
24 London Borough of Southwark, which may assist the jury
25 really as an aide memoire.

1 THE CORONER: Thank you.

2 MR ATKINS: Madam, the next witness is to be Mr David
3 Smettem.

4 THE CORONER: Thank you. Would you like to come forward,
5 Mr Smettem. Thank you.

6 DAVID SMETTEM (sworn)

7 THE CORONER: Mr Smettem, thank you for coming. Do take
8 your coat off if you want to, to be more comfortable.
9 Just hang it over the back rail there. That will be
10 fine. Thank you very much. Do help yourself to a glass
11 of water if you like. I think you might have been
12 sitting at the back earlier so you might have
13 experienced the difficulties in hearing in this room, so
14 keep your voice up and if you could speak closely to the
15 microphones.

16 A. Is it both? I think one of them is a little bit --

17 THE CORONER: I hope that they are both picking up and that
18 this will assist, but it's not assisting hugely, so if
19 you could make sure you do speak up as much as possible.

20 A. Being a Geordie, I think I can manage English. I think
21 I've sort of mastered it a bit.

22 THE CORONER: Well, I'm only just hearing you.

23 A. Okay.

24 THE CORONER: If you could direct your answers across the
25 room towards the members of the jury, then that will

1 help them to hear what you are saying and also keep you
2 close to the microphones.

3 A. Will do. Thanks very much.

4 THE CORONER: Mr Atkins, who is standing, is going to ask
5 questions initially on my behalf and then there may be
6 questions from others.

7 A. Okay, thanks.

8 THE CORONER: Thank you very much.

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

11 A. My full name is David Edward Smettem.

12 Q. Mr Smettem, is it right you have now retired?

13 A. That's right.

14 Q. But formerly you worked as a technical officer for the
15 London Borough of Southwark?

16 A. That's right.

17 Q. Could you briefly just summarise for the members of the
18 jury your qualifications?

19 A. I have a City & Guilds qualification in building
20 construction and also science-related subjects.

21 Q. Is it correct that you first joined the London Borough
22 of Southwark in 1982?

23 A. That's right, on 1 October 1982.

24 Q. And that you then worked for Southwark for 28 years?

25 A. 28 years and three months.

1 Q. 28 years and three months?

2 A. Sorry, 28 years, three months.

3 Q. Thank you. Mr Smettem, you may be aware, I don't know,
4 that you are the first witness that the jury will be
5 hearing from who worked for the London Borough of
6 Southwark, and it's obvious that you had a great deal of
7 experience of working for Southwark in that 28-year
8 period. As we go through your evidence, it may be that
9 you will be able to help us to understand who would be
10 doing what and how the different people in their
11 different roles would work together in relation to
12 housing in Southwark. So if you are able to help us
13 with that, then all to the good.

14 A. Yes, fine.

15 Q. And if we find that I'm asking you questions that you
16 don't know the answers on to or things that you can't
17 remember, just let us know.

18 A. Fine.

19 Q. I mentioned earlier that at the point when you retired,
20 your job description was technical officer.

21 A. That's right.

22 Q. Has your job title always been the same?

23 A. The -- when I started in October 1982, I actually
24 started as a technical assistant but due to
25 reorganisations, the job may have changed its name,

1 mainly to a building inspector and then finally to
2 a technical assistant -- or technical officer -- but in
3 effect, the job didn't really change a great deal, just
4 in certain areas of responsibility that may actually
5 reduce or add to it.

6 THE CORONER: Thank you.

7 MR ATKINS: Could you just briefly give us a flavour of your
8 day-to-day responsibilities, the sort of work you would
9 have been doing?

10 A. Yes. When I -- I worked by what was called technical
11 referral. That meant that day-to-day items that was
12 reported as complaints, alleged disrepair, to the
13 council, would normally be dealt via the call centre.
14 So if it was something relatively simple like, say,
15 somebody had a plumbing leak or something, the call
16 centre would raise an order directly to the council's
17 contractors and there would be no involvement in my sort
18 of input at that time. I would only get involved if,
19 for example, that plumbing leak caused a terrific amount
20 of water damage to the flat or it was outside the
21 expertise of the housing officer concerned.

22 Q. So in other words, there would be some jobs which were
23 straightforward?

24 A. Yes.

25 Q. Which wouldn't require your involvement?

1 A. Yes.

2 Q. But you would be contacted if there was something either
3 a little more complicated or a little larger in scale --

4 A. That's right. That's right, exactly.

5 Q. -- that called for your involvement?

6 A. Yeah.

7 Q. Could I ask you, please, about the way in which the team
8 that you worked for and that team's responsibilities
9 changed between when you started working in 1982 for
10 Southwark and the point when you retired. Just taking
11 each phase in turn, is it correct that when you started
12 working for Southwark in 1982, Southwark was split into
13 six districts?

14 A. That's right.

15 Q. And that you worked in the Camberwell district?

16 A. That's right. There were six very large districts.
17 When I started, it's best to say that Southwark Council
18 had between 64 and 65,000 properties, anything from
19 a bungalow to a 20-storey tower block, and my particular
20 area of Camberwell district had something like 10,800
21 properties to cover, which obviously, with the benefit
22 of hindsight, was a lot for one person as a technical
23 person.

24 Q. The Camberwell district, was that subdivided into about
25 26 estate offices?

1 A. That's right. They were -- when I started, I reported
2 to a -- the main office at 92 Purnell Way(?). It was in
3 a purpose -- purpose-built office on the peripheral of
4 the North Peckham estate in Commercial Road, and
5 although there was 24 estates offices, there was also
6 two suboffices, one office at Hordle Promenade West(?)
7 on the North Peckham estate and there was another
8 suboffice at the Gloucester Grove(?) -- if you like, the
9 forerunners to the later neighbourhood offices but on a
10 smaller scale.

11 Q. Just pausing there, so we have a number of estate
12 offices and also these two suboffices all within the
13 Camberwell district?

14 A. That's right.

15 Q. And is it the case at that time that the estate office
16 you worked with included responsibility for
17 Lakanal House?

18 A. That's right.

19 Q. I think then there was a restructuring in 1991 --

20 A. That's right.

21 Q. -- in which Southwark was decentralised into 21
22 neighbourhood offices. Are those the neighbourhood
23 offices you mentioned just a moment ago?

24 A. That's right, the neighbourhood -- because -- can I just
25 point out that because the six large districts were

1 quite -- I mean, they were very large, it -- Southwark
2 had some --

3 THE CORONER: Sorry, Mr Smettem, can I just stop you there.
4 I think it would be very interesting but what we're
5 trying to focus on are elements of the background to
6 this which are really relevant to the matters that we
7 need to deal with in the inquests, so it would be
8 helpful if you could just deal with Mr Atkins' direct
9 questions. If you feel you need to amplify, then that's
10 fine, but just take your lead from Mr Atkins at the
11 moment if you would.

12 A. Okay.

13 MR ATKINS: Yes, Mr Smettem, I'm simply keen to establish
14 what the changes were in outline and which were the
15 points in time when Lakanal fell within your part of the
16 system, if you like. So we began in 1982 with the six
17 districts, with you in the Camberwell district.

18 A. That's right.

19 Q. And Lakanal within your responsibility?

20 A. That's right.

21 Q. The restructure in 1991, which led to the 21
22 neighbourhood offices -- I think at that point, is it
23 right that you were a building inspector at the Harris
24 Street neighbourhood office?

25 A. That's right.

1 Q. And at that point, Lakanal House fell into something
2 called the Rosemary Gardens neighbourhood office?

3 A. That's right, Rosemary Gardens.

4 Q. And therefore was not within your personal scope of
5 responsibility?

6 A. That's right.

7 Q. That was then followed in 1997 by a restructuring of
8 those neighbourhood offices which once again brought
9 Lakanal House back within your sphere?

10 A. Exactly.

11 Q. And then lastly, in 2005, there was a merger of the
12 Harris Street neighbourhood office with two others, West
13 Camberwell and Denmark Hill, thereby creating the
14 Camberwell area?

15 A. That's right.

16 Q. And from that point onwards, 2005 onwards, you were one
17 of three technical officers?

18 A. That's right.

19 Q. And again, Lakanal was within your responsibility --

20 A. That's right.

21 Q. -- at that point. So just taking a step back, you
22 potentially could have had involvement with Lakanal from
23 1982 up until about 1991?

24 A. That's right.

25 Q. And then again from 1997 until the point when you

1 retired?

2 A. That's right.

3 Q. After the restructure in 2005, which was the merger to
4 firm the Camberwell area, is it correct that you were
5 reporting to somebody with the job title "repairs team
6 manager"?

7 A. That's right.

8 Q. You have explained to us already that you would become
9 involved when there was a complaint, perhaps from
10 a resident, or some problem had arisen which couldn't
11 simply be dealt with by the telephone help desk logging
12 the problem and sending a contractor to deal with it.
13 Would there ever have been occasions when you would
14 involve a third party -- for example an independent
15 surveyor or somebody from the Fire Brigade, perhaps --
16 to help you with your work?

17 A. Yes.

18 Q. How would that come about?

19 A. Because the repairs and maintenance that we -- that we
20 actually worked with, this was a contract -- based on
21 a contract that obviously was put out to tender, we were
22 given a limit of up to £10,000 --

23 Q. Sorry, pausing there, the contract you that you
24 mentioned --

25 A. Yeah.

1 Q. Was that a contract that you and your team were working
2 under?

3 A. That's right.

4 Q. So you had a contract with some other part of Southwark,
5 did you, to carry out repair type work?

6 A. Well, we had a -- what's called a schedule of --
7 a contract which included a schedule of rates of work
8 for different types of job at different values. If it
9 went outside the limit of £10,000, we would have to
10 refer it up to our consultants, which was Southwark
11 Building Design Services.

12 Q. Leaving aside the question of value for a moment,
13 because you've said if it was too expensive you would
14 have to refer it to somebody else --

15 A. Yeah.

16 Q. -- if there was an item of work which needed to be done
17 which was within your budget, below that threshold, but
18 which had some complicated element to it -- for example,
19 if something had happened which had a structural
20 significance for a property -- would there be times when
21 you would go to, for example, a surveyor, either from
22 within Southwark or an external surveyor to get their
23 input into the work that had to be done?

24 A. Yes, yes.

25 Q. And is that something which you would arrange or your

1 team would arrange for works within that value
2 threshold?

3 A. I would report it to my repairs manager, saying that
4 I needed an input from a -- either a building surveyor
5 or maybe a structural engineer, and so they would
6 obviously send a referral off to the internal
7 organisation of Southwark, and then I would be told
8 that -- who the consultant was, so we would liaise
9 together. So in effect, I would, like, give them the
10 background to that problem and probably work alongside
11 them or again, give them any information, like maybe the
12 odd drawing or two or something like that.

13 Q. So there was no difficulty, by the sound of it, in
14 obtaining that sort of help if it was necessary?

15 A. That's right.

16 Q. The jury are aware already that a substantial amount of
17 work was carried out at Lakanal House in 2006/2007 which
18 went well beyond the sort of budget which you mentioned
19 a moment ago. If the property was identified for
20 refurbishment on that sort of scale, what kind of
21 involvement would you and your team have with that?

22 A. Mainly initial advisory, because under the neighbourhood
23 system at Harris Street, we would be told by our line
24 manager, which would then be, at that time, a contracts
25 manager -- would say that we may have got the go ahead

1 to do -- in the case of Lakanal House, put forward for
2 major refurbishment, and I would be asked to not too
3 either sit in or to advise and to give initial advisory
4 information, like historical information or any
5 necessarily information to the consultant that would
6 obviously be in charge of the contract, so in effect
7 give a lot of background information, historical
8 information, and also any other technical information
9 which is relevant to allow the consultant to actually
10 put together -- or complete their specification.

11 Q. Because if we think, for example, about Lakanal House,
12 by the time of the 2006/2007 refurbs, Lakanal House had
13 been within the scope of your responsibility for the
14 best part of ten years --

15 A. That's right.

16 Q. -- at that stage. So do we take it then you were well
17 placed to tell others what problems there had been
18 historically and, for example, what previous works had
19 been carried out?

20 A. Exactly.

21 Q. If works were to be carried out, whether to perhaps one
22 particular flat or to a whole building, would you or
23 members of your team have any design role? Would you be
24 preparing specifications and drawings, for example?

25 A. No. It would be mainly historical information and also

1 giving them any information that we'd encountered -- or
2 I encountered during the course of my involvement with
3 Lakanal.

4 Q. I'll come back to what happened prior to the 2006/2007
5 works at Lakanal House a little later on, if I may, but
6 just thinking about it in principle, and what would
7 happen for the different projects, would you be involved
8 in preparing or submitting any documents? For example,
9 planning permission, would that be something that fell
10 within your role?

11 A. No, that would all be done by the consultants, Southwark
12 Building Design Services.

13 Q. Do you have a working knowledge of the requirements of
14 the building regulations?

15 A. Yes, I have a reasonably good knowledge of the building
16 regulations.

17 Q. Would you be required to use that knowledge in the
18 context of those sorts of works? Would people be coming
19 to you and saying, "This is what we're proposing to do;
20 is that all right? Does that satisfy the requirements
21 of the building regulations?" or would that sort of
22 thing be done by somebody else?

23 A. That would mainly be done on the contract -- the major
24 contract. Obviously, when you're dealing with
25 consultant surveyors or architects or structural

1 engineers, you know, you wouldn't really sort of --
2 obviously, you would take it as read that they would be
3 in charge of all relevant approvals of building
4 regulations and all the relevant legal requirements.

5 Q. On a large project, would there invariably be
6 a surveyor, for example, involved?

7 A. It could be a surveyor. It could be a consulting
8 architect or an architect within Southwark.

9 Q. What about for smaller scale works that were within the
10 spending limit that you had? Would you rely on your own
11 knowledge or --

12 A. I mean, in most cases -- I would say probably in most
13 cases the -- I would probably be able to deal with that,
14 unless there was a specific technical problem that might
15 be outside my level of expertise.

16 Q. Would it then be up to you to make that assessment of
17 whether it was something that was within your expertise
18 or whether you needed outside help?

19 A. Yes. I mean, I think it's fair to say that there would
20 be times when you would, say, depending on the
21 circumstances -- I mean, for example, if it was like,
22 say, a legal case of alleged disrepair, sometimes it was
23 a case where we might have had to engage the services of
24 an outside consultant surveyor, because it was -- it was
25 preferable for having an independent view, if you like,

1 more like a second opinion, like what a doctor would do.

2 Q. Could I ask you a slightly different question. Once
3 work had been carried out, whether modest repairs or
4 something more significant, who would be involved in
5 making sure that what had been done did in fact comply
6 with any requirements?

7 A. Going back to the repairs and maintenance contract,
8 the -- the conditions of the repairs and contract and
9 the council builder would have obviously an obligation
10 to make sure that all building works was up to the
11 relevant building code, building regulations and
12 standards. Our job was -- once we'd raised the order,
13 was to make sure there was -- there would be certain
14 checks that the council would ask us to do. We would
15 always be asked to do what's called a post inspection,
16 after the work was done, to make sure that the works
17 were completed to satisfaction, like, from a -- on
18 behalf of the council, to make sure that it was done
19 properly.

20 Q. So in the case of the smaller scale works, it was a term
21 of the contract that you and your team were working
22 under that the builders would make sure that work was
23 done properly and then you would have separate checks?

24 A. Yes, I think the builder would have a requirement in the
25 contract -- the terms of the contract that they tendered

1 for, that they would -- the requirement was that they
2 had to either pay -- make sure everything was done in
3 accordance with the building regulations --

4 Q. Sorry, what about in the case of larger scale works,
5 such as the refurbishment of a block? What would the
6 process then be to check that the work that had been
7 done did comply with any requirements?

8 A. In the larger contracts that's outside the budget of
9 10,000 that I was responsible for, the council would
10 engage the services of a -- of what are called
11 a clerk of works, which would be under the direction of
12 the supervising consultant, and his or her job would be
13 to make sure that the job was checked on a daily basis
14 to make sure there was compliance with the terms of the
15 specification that was being carried out to
16 Lakanal House.

17 Q. In those circumstances, then, those checks would fall to
18 the clerk of works who was working for the consultant,
19 rather than to you?

20 A. Exactly.

21 Q. In your experience working on projects like that, would
22 there also be inspections by anybody from the building
23 control department? Would there be building inspectors
24 who would come and look at the work as it progressed or
25 when it was finished to satisfy themselves that it was

1 being done properly?

2 A. On a major refurbishment, once the contract is given to
3 the supervising consultant, the supervising consultant
4 takes charge of the contract money, if you like, that's
5 been designated to that job. So he or she were being
6 told a direction, which will obviously include the
7 management of the clerk of works and obviously anybody
8 else that would be associated with the contract, like
9 maybe the quantity surveyor, sort of thing. So if you
10 like, they would have like a small specialised team that
11 would handle the day to day of that.

12 Q. Would there be any independent visits from somebody
13 working for the building control section of the council,
14 rather than checks by people who were working under
15 direction of the consultant? Do you see what I mean?
16 As a separate check.

17 A. Yes. I -- that would be between -- not to my -- sorry,
18 to my knowledge, that was all something arranged between
19 the supervising consultant and the building control. So
20 any meetings that they had we wouldn't need to be there
21 or have any knowledge of, so it was something in the
22 remit of the supervising consultant.

23 Q. I'd like to ask you now a few questions so we can try to
24 build up a picture of where different teams and
25 different functions sat within the structure of

1 Southwark as at, say, 2005/2006, in other words just
2 prior to the refurbishment works at Lakanal House.
3 Before I embark on this, I should say I appreciate that
4 it's a large and complex organisation, that there have
5 no doubt been many changes of personnel over the years,
6 and also probably several reorganisations of which teams
7 were in which department and so on.

8 Could I begin, then, thinking about 2005 and 2006,
9 by asking which were the top level departments that the
10 different teams sat in? Because I think, for example,
11 it's right that there was a housing department; is that
12 correct?

13 A. There was a -- I joined the housing department in 1982
14 but when the reorganisation occurred in January 2005,
15 the housing department merged with the environmental
16 services. So for the very first time, it was not
17 a single department as such. It merged.

18 Q. Was the environmental services department -- is that the
19 same thing as the environment and leisure department?

20 A. I believe so. I believe so.

21 Q. Was there also something called the regeneration and
22 neighbourhoods department, can you remember?

23 A. Yes, yes.

24 Q. The repairs team that you were a part of, was that --
25 forgive me while I just check a note. Was that part of

1 something called the engineering and repairs department
2 or team?

3 A. I wouldn't know that, no.

4 Q. What was your team part of? Which department did you
5 sit in?

6 A. Like I say, we were -- the housing department will cease
7 to function as a single department up to January 2005
8 when it will merge with the -- the environmental
9 services, so from then on. But no other -- I cannot
10 think of anything else.

11 THE CORONER: Sorry, we're just trying to understand which
12 department your team was part of.

13 A. Sorry, we was -- we still functioned under the housing
14 department.

15 THE CORONER: Under the housing department?

16 A. Yeah.

17 MR ATKINS: Was there any mid-level division -- were there
18 different divisions within the housing department and
19 then you would be part of one of those divisions, or was
20 the repairs team the next level below the housing and
21 environment department?

22 A. I think the -- the -- I think we would just be housing
23 department. Sorry, the repairs, repairs and
24 maintenance.

25 Q. In that case, can I ask you about a team called the

1 Camberwell area office housing team from the Camberwell
2 area office of the housing department. Is that a label
3 that you're familiar with?

4 A. Yes, from January 2005 we moved from the walled
5 neighbourhood office in Harris Street to the Camberwell
6 district -- Camberwell area, sorry -- it would then be
7 known as the Camberwell area office -- at Castlemead.

8 Q. So was the Camberwell area office a physical building,
9 or was it also a team of people or a collection of
10 teams?

11 A. In the -- from January 2005 at Castlemead, it housed the
12 repairs and maintenance team, and for a short time we
13 were next to -- or shared the same building with the
14 major refurbishment team.

15 Q. The major refurbishment team, which you've just
16 mentioned there, is that all they did? Was that a team
17 whose job was to organise the refurbishment of large
18 buildings?

19 A. Yes. They -- they actually would deal with nothing else
20 but major refurbishment schemes.

21 Q. So if we were thinking about the sorts of housing
22 officers who might have day-to-day involvement with
23 tenants and helping them with problems, they will not be
24 people who worked either for the repairs team or the
25 major refurbishments team; they would be in some other

1 team. Is that right?

2 A. That's right, yeah.

3 Q. So what would they be a part of? What was their team?

4 A. The -- sorry, could I just clarify that? There was two

5 teams at Castlemead. There was the repairs and

6 maintenance, of which I was a member, and like I said,

7 there was the major refurbishment team. They were, if

8 you like, subdivided into another part of the building,

9 and obviously they had no contact with residents over

10 day-to-day maintenance. They would only have contact

11 with tenants where the major refurbishment scheme had

12 some feedback, whether it be good or bad, from tenants,

13 for major works only.

14 Q. Could I try approaching it from a different direction.

15 Was there something called the investment management

16 team?

17 A. Yes.

18 Q. Is that a separate --

19 A. I think they -- yes, a different thing, but they was

20 also known as the investment team because -- when I say

21 "major refurbishment", investment team would have been

22 more -- more nearer their official title.

23 Q. So that is the same thing as the major refurbishment

24 team that you mentioned?

25 A. Yes.

1 Q. The jury are likely to hear evidence from some witnesses
2 who worked as part of that team in due course, so it's
3 helpful now to identify that that team existed and just
4 in general terms what their role was.

5 Was there also something called contract management?
6 Was that a separate team, do you remember?

7 A. No, I would say it's the same team.

8 Q. The same as the investments team?

9 A. Yes, because you see in that team -- investment team
10 was, in our case, certain members that -- of staff that
11 we already knew under the old neighbourhood. So
12 effectively the neighbourhood is split into -- we was in
13 the same office, if you like, housed -- cooperating
14 within the same housing department under the
15 neighbourhood system. From January 2005, when we moved
16 to Castlemead, we were known as repairs and maintenance,
17 day-to-day maintenance, and they were known as the
18 investment and, if you like, contract management team,
19 yeah.

20 Q. Is it correct that there was a separate team or
21 a separate organisation called Southwark Building Design
22 Services?

23 A. That's right. That was our in house consultant
24 architects and surveyors division.

25 Q. I think it's correct that Southwark Building Design

1 Services, or SBDS, were the consultants who were used in
2 relation to the 2006/2007 works at Lakanal House?

3 A. That's right.

4 Q. So when you were explaining to us a little earlier on
5 that on larger contracts the work would be done under
6 the direction of a consultant and the consultant might
7 then, for example, appoint a clerk of works, in the case
8 of the Lakanal House works, that was SBDS?

9 A. That's right.

10 Q. And I think you said they would look after the money
11 that had been allocated for the project and organise the
12 work that was to be done?

13 A. That's right.

14 Q. In the case of projects where SBDS were involved, if you
15 know the answer, would they be involved in, for example,
16 drawing up the tender documents or drawing up the
17 designs for the work to be carried out?

18 A. Yes. After the initial consultation with the
19 neighbourhood, going back to when we were
20 a neighbourhood from -- up to January 2005, the
21 initial -- the initial contact would be through the --
22 obviously they would come in to meet us, and obviously
23 we would give them the -- all the historical
24 information. So they would go away and obviously
25 prepare the documents and all the relevant information,

1 and prepare it ready to go out to tender.

2 Q. Did SBDS, so far as you are aware, employ professionals
3 such as surveyors and architects and quantity surveyors?

4 A. That's right, exactly.

5 Q. People of that sort?

6 A. Exactly.

7 Q. To carry out those tasks? I think it's right that SBDS
8 was part of the environment department, which, as you've
9 mentioned to us, merged with the housing department; is
10 that how you understand it?

11 A. I would say, yeah.

12 Q. Does it follow that there was somebody at the top of the
13 housing and environment department who was responsible
14 for both of those aspects, for the housing side, which
15 included your repairs team, and also for the environment
16 side, which included SBDS?

17 A. I don't -- I wouldn't like to answer that. I don't
18 think I can answer that properly.

19 Q. Is it right that SBDS had, as part of that organisation,
20 something called a building services group? Are you
21 aware of that?

22 A. No.

23 Q. Do you know whether they had any personnel, any staff,
24 who could carry out maintenance work or repair work on
25 their behalf without having to come to you and your

1 team?

2 A. No, it -- anything that would -- any works carried out
3 by consultants was always at first initiated from
4 a referral from the contracts manager based at that time
5 at the neighbourhood. So the original referral for
6 Lakanal would have come from the neighbourhood office.

7 Q. And the contracts manager who is making the referral, is
8 that the person managing the contract that your team
9 were working under? Is it the same contract or are we
10 talking about a different contract?

11 A. Under the neighbourhood system, up to January 2005, the
12 contracts manager -- sorry, the contracts manager would
13 have initiated a referral to send off to Southwark
14 Building Design Services to engage their services for
15 the overall supervision of the contract.

16 Q. Yes, sorry, it was a question of which contract that I
17 was driving at. The person has the job description of
18 contracts manager, but which contract is it that they
19 are the manager of? Is it the contract for you and your
20 team to carry out repairs and maintenance or is it
21 contracts to carry out other work?

22 A. The contracts manager at that time under the
23 neighbourhood would have been responsible for the
24 repairs and maintenance, which would come under --
25 I would come under, but also at that time would be in

1 charge of major refurbishment investment.

2 From January 2005, the repairs and maintenance became

3 separated, but the new investment manager would be in

4 charge of the major refurbishment, where -- which would

5 include Lakanal.

6 Q. It may help if we tried to put some names to some of the

7 job titles.

8 A. Certainly.

9 Q. Can I just take them through in turn and let me know if

10 I've missed any as I go through.

11 A. Yeah.

12 Q. You told us that up to 2005 there was a contracts

13 manager.

14 A. That's right.

15 Q. Who was that?

16 A. That was Sharon Shadbolt(?).

17 Q. Sharon Shadbolt?

18 A. Can I just correct that? At that time -- are we talking

19 about the time of the initiation with -- the contract

20 that was given for Lakanal House? It would have been

21 Chris Ayton.

22 Q. I'm sorry, Chris ...?

23 A. Ayton, A-Y-T-O-N.

24 Q. Ayton?

25 A. Ayton.

1 Q. Yes.

2 A. Can I just qualify it again? It was either Sharon
3 Shadbolt or Chris Ayton. I suspect it was probably
4 Chris Ayton.

5 Q. So up to 2005, contracts manager either Chris Ayton or
6 Sharon Shadbolt. Then you've mentioned that after 2005
7 the repairs team was split off. Who was the head of the
8 repairs team at that time, if you can remember?

9 A. It was Peter -- I can't remember his second name.

10 Q. Peter?

11 A. Yeah.

12 Q. Then separately there was this investment or major
13 refurbishment team. Are you able to remember who was in
14 charge of that team?

15 A. The investment team?

16 Q. Yes.

17 A. That would have been Sharon Shadbolt.

18 Q. If Sharon Shadbolt was the contracts manager, does that
19 mean there was no intervening level of management
20 between that position and the major refurbishment team?
21 In other words, there wasn't a separate major
22 refurbishments manager who was reporting to Sharon
23 Shadbolt; she was occupying both roles?

24 A. Up to January 2005, Chris Ayton would have been the
25 contracts manager at Harris Street. Then because there

1 was the reorganisation, that means some of the staff had
2 to obviously reapply for these new posts. Sharon
3 Shadbolt obviously applied for the new investment
4 manager's post, and I understand from January 2005 she
5 became the investment manager. So we saw her at the
6 Castlemead. She was -- she was next door to us in the
7 investment team, when it reorganised.

8 Q. So after that reorganisation and the teams were split,
9 was there somebody who still had the job description
10 "contracts manager" or was that obsolete?

11 A. That would have been obsolete.

12 Q. Could I just mention a few other names to you, because
13 they're people whose names the jury are likely to hear
14 again. Somebody called either Charles Pearce or Robert
15 Pearce?

16 A. Robert Pearce.

17 Q. Known as Robert Pearce?

18 A. Robert Pearce.

19 Q. Where did he fit into the structure?

20 A. Up to -- sorry, from January 2005, when we reorganised,
21 Sharon Shadbolt, like I said, become the investment
22 manager, but she went on maternity leave fairly shortly
23 after the reorganisation in January 2005, and when we
24 were at Castlemead, next door in the repairs and
25 maintenance team, Robert Pearce stood in for her while

1 she was on what eternity leave.

2 Q. I see. So he was temporarily in Sharon Shadbolt's

3 place, the investment team manager?

4 A. That's right.

5 Q. Is it right there was also a lady called Ejovi Awaritefe

6 who also worked in the investments team? Do you know

7 her?

8 A. Yes. She would have been under Sharon, as well as

9 Robert filling in for Sharon, and she was like

10 a day-to-day officer who would liaise with the tenants

11 and be a contact between the tenants and either Sharon

12 or Rob if there was any particular problems.

13 Q. I see. So the three of them, then -- that is Sharon

14 Shadbolt, Robert Pearce when she was on maternity leave,

15 and Ejovi Awaritefe -- the three of them were part of

16 this investment team?

17 A. That's right.

18 Q. Moving on to some different names -- again, because the

19 jury are likely to hear them again -- did you know

20 somebody called Annabel Sidney, who was part of SBDS?

21 A. Yes.

22 Q. Is it right that she was involved in the 2006/2007

23 project at Lakanal?

24 A. That's right. She was in charge of the entire project

25 of Lakanal House.

1 Q. Do you recognise either the names Vincent Edwards or
2 Amos Adewalure?

3 A. Amos was the quantity surveyor. I've known Amos a lot
4 of years from previous major refurbishment schemes, and
5 Vince Edwards I knew on an earlier refurbishment scheme,
6 yeah.

7 Q. So the three of them were part of SBDS, and again, is it
8 right, to the best of your knowledge, that the three of
9 them were also involved in the 2006/2007 works?

10 A. I would say Vince Edwards I don't actually remember
11 having a great deal of knowledge --

12 THE CORONER: Well, if you don't know, Mr Smettem, just say
13 you don't know. That's fine.

14 MR ATKINS: Did you know somebody by the name of Patrick
15 Costello(?)? Is that a name you recognise?

16 A. I know the name.

17 Q. But not where he fits in perhaps?

18 A. Not so much, no.

19 Q. Thinking about a different department altogether, then,
20 is it correct that there was a buildings control section
21 or a building control department within Southwark?

22 A. That's right.

23 Q. Is it correct that that was part of something called the
24 planning and transport division, do you remember?

25 A. We always knew it as the old -- either building

1 control -- some used to -- forerunner to the, you
2 know -- sometimes it was known as the district
3 surveyors, but building control. But --

4 Q. Did you, in the course of work that you did, ever have
5 a need to speak to anybody from building control or to
6 carry out any process with them?

7 A. Yes. Yes, if we needed any information.

8 Q. What sort of information?

9 A. Well, there would be times when we would -- we'd have
10 tenants who would be writing in for information about
11 proposed alterations to their properties and things like
12 that. So there would always be a time when we would
13 make contact with building control, you know, and --
14 because part and parcel of the building applications and
15 things like that, we would -- we would have a small part
16 in that. So there would be some sort of contact with
17 building control.

18 Q. In relation to the 2006/2007 works at Lakanal House, do
19 you recall whether you had any involvement with anybody
20 from building control?

21 A. No.

22 Q. Sorry, by that, do you mean you think you didn't or you
23 don't remember?

24 A. No, no, the -- can I just point out that the consultant
25 in this case, Annabel Sidney, once it took charge of the

1 contract, they -- their responsibility was to liaison
2 all relevant information that required building control
3 contact. So there wouldn't be a need for to us make
4 contact because it would form a sort of a duplication,
5 even if we wanted to. So it was always regarded as once
6 they were given the contract to supervise, they would
7 handle all the relevant contacts with building control
8 or any organisation that needed an input.

9 Q. Just so we can keep it in our minds, then, you say "once
10 Annabel Sidney took charge" -- that's SBDS again?

11 A. That's right.

12 Q. Because they were the consultants, so you would have
13 expected, in your experience, that they would deal with
14 any issues relating to building control?

15 A. That's right. I think the -- a good example of that
16 would be, like, because we were changing things like
17 windows and that, you would have to, from 2002, have --

18 THE CORONER: Well, Mr Smettem, I'm going to stop you there,
19 because we're going to be dealing with that with other
20 witnesses.

21 A. Sorry.

22 THE CORONER: No, that's all right.

23 A. I'm one of these people that like to be too helpful.

24 THE CORONER: No, you're being very helpful. Thank you.

25 MR ATKINS: Can I ask you about, again, a separate team or

1 department altogether. Was there something called the
2 performance and compliance department? I'll just
3 mention a couple of names that you may recognise,
4 I don't know: James Partington or James Hemmings(?). Do
5 you recognise those?

6 A. Yes, David Partington and -- yes, David Partington in
7 particular. I knew David Partington.

8 Q. What was his role, can you remember?

9 A. He was -- his role was mainly to make sure everything
10 was dealt with. When I knew David, it was more or less
11 to make sure the compliance, health and safety, and
12 there -- although I didn't have a great deal -- when he
13 actually took up that role, I didn't have a great
14 deal -- I only knew David Partington when he was
15 a health and safety officer.

16 Q. Okay. Was there anything else other than health and
17 safety which fell under his remit, or was that his main
18 responsibility?

19 A. Well, I only had involvement when he was the health and
20 safety officer.

21 Q. Do you know whether he or his team were ever involved in
22 any process to do with fire risk assessment? Was that
23 something you had any knowledge of?

24 A. No, I wouldn't have any knowledge of that.

25 Q. Do you know whether there was anybody employed by

1 Southwark at that time -- in other words, 2005/2006 --
2 whose role was to be a fire officer?

3 A. No.

4 Q. Did you yourself have any particular responsibilities,
5 so far as you were aware, relating to the management of
6 fire risk or making assessments of fire risk, anything
7 like that?

8 A. Only -- I can only speak if I was called out on
9 a particular survey or an inspection of a property in --
10 in the case of Lakanal House, where there would be cases
11 where you would have tenants blocking off a fire escape,
12 means of fire escape, in the large bedroom, for example,
13 where you would have people putting -- because the rooms
14 were not that large and people having very large
15 freestanding wardrobes, for example, there would be
16 cases where people would block the half -- it was the
17 half fire escape door in the large master bedroom, and
18 it would be my job to point out that that was a means of
19 escape and it should not be blocked.

20 Q. So if something like that came to your attention, you
21 would point it out?

22 A. That's right.

23 Q. But is it right that it wasn't part of your job to
24 specifically go around looking for those sorts of
25 things?

1 A. No, no. It would just be down to just general common
2 sense.

3 Q. Who would you report them to if you found something like
4 that?

5 A. Well in this particular case, if you point it out to the
6 tenant, you naturally assume -- you know, you would
7 point it out and say, "You really need to move it out
8 the way", and obviously point out the purpose of the
9 half door underneath the staircase.

10 Q. What if there was some problem -- not necessarily at
11 Lakanal House but in any property that you happened to
12 be in -- which you spotted and which you pointed out to
13 the tenant, but which hadn't been fixed? Would you then
14 draw it to the attention of somebody else in Southwark?

15 A. I would say yes. If there -- if there was a case where,
16 for any reason, the issue was not being progressed back
17 to its original design, you know, like if it was a means
18 of escape, for example, then it would be my job to
19 report it back to, say, a relevant housing officer.

20 Q. That was what I wanted to ask. Who would you report it
21 back to?

22 A. Yes, because -- I would report it back to the housing
23 officer concerned and say, "I've pointed this out."
24 Say, for example, if somebody had done some alterations
25 which had actually compromised either health and safety

1 or means of escape or whatever. I would point it out to
2 the housing officer and the housing officer would send
3 off the relevant correspondence on behalf of the
4 council, pointing that issue out.

5 Q. And those sorts of housing officers, would they be
6 people who were part of, for example, the investment
7 team, or were they part of some other day-to-day housing
8 team?

9 A. Up to 2005, the housing itself had, if you like, more
10 responsibility as far as day-to-day correspondence in
11 their particular patch, 'cos each housing officer had
12 a patch to look after. It was -- could be sort of
13 several hundreds of properties, maybe like 4/500
14 properties, something like that.

15 Q. Sorry, what I'm driving at is: were they part of one of
16 the teams we've already mentioned or was there some
17 other collection of housing officers who weren't
18 responsible for refurbishments or investments?

19 A. They would be another part of the housing team up
20 to January 2005.

21 Q. And what about after January 2005?

22 A. After 2005, they would still -- in the case of
23 Camberwell, they would still be based at Harris Street,
24 whereas we were based at Castlemead from January 2005.
25 But they would still be there, still doing the same

1 function.

2 Q. I'd like to move on, then, please, to think about
3 Lakanal specifically. I'm going to ask you first of all
4 about some works that were carried out, as we understand
5 it, before 2006/2007 -- you may be able to help us with
6 them or not, I don't know -- and then to ask you about
7 the Decent Homes works in 2006/2007.

8 A. All right.

9 Q. We established earlier, I think, that Lakanal fell
10 within the scope of your role from 1982, when you
11 started to work for Southwark, until 1991?

12 A. Yeah.

13 Q. And then again from 1997 onwards. So I'll only ask you
14 about things in those periods.

15 A. Fine.

16 Q. The jury have heard that a suspended ceiling was
17 installed in the corridors, the main access corridors at
18 Lakanal House, at some time during the 1980s, and that
19 that ceiling was subsequently changed -- the material it
20 was made out of was changed a little later on in the
21 1980s. Did you have any involvement in either the
22 installation of that ceiling or the subsequent changes
23 that were made to it?

24 A. No.

25 Q. Would you have had, in the course of your general

1 duties, any involvement in maintaining those ceilings
2 that you can remember?

3 A. No, no.

4 Q. In principle, would maintenance of those ceilings -- for
5 example, replacing a damaged panel, something like
6 that -- fall within the scope of your role?

7 A. It would -- it would come to -- if I was in the building
8 and I see a panel that had been unscrewed and left,
9 I would probably get me own screwdriver and put it back,
10 or I'd report it to someone to actually -- in the
11 engineering service, because the engineering service for
12 Southwark were responsible, at that time, to -- for the
13 complete maintenance of the corridor ceilings.

14 Q. I suppose it might be that something as simple as
15 replacing a panel that was damaged would not be the sort
16 of more complicated or larger scale work that would
17 require your involvement?

18 A. That's right.

19 Q. And would be dealt with directly by a contractor?

20 A. That's right.

21 Q. Did you know, in fact, whether the material that those
22 ceilings were made of was made out of something of
23 a particular specification? Sorry, I haven't asked that
24 very well. Did you know what the ceiling was made of,
25 first of all?

1 A. No, apart from just the surface, which was like a -- and
2 the actual jointing of it, but not the actual inner core
3 of it, because I've never seen it actually come down,
4 really. So it was limited.

5 Q. Would you, for example, be made aware that the ceiling
6 was made of a particular material, and therefore if
7 there was a need to repair it or replace parts of it
8 then that had to be done with the same material?

9 A. No, I was -- like I say, I wasn't aware of all -- all
10 that -- what the panel was completely made of.

11 Q. Tell us if you can't help us with this, but does it
12 follow from that that as and when there was a need to
13 carry out any repairs, it would be left to the person
14 carrying out the repairs to work out what was needed?

15 A. That's right, because even with the engineering services
16 having full responsibility for it, any works that they
17 would raise to their respective contractors, it would be
18 in their contract to replace any damaged panels in the
19 course of their works.

20 Q. Did you, in the 1980s, before the reorganisation, have
21 any opportunity to see above the suspended ceiling, to
22 see what was in the cavity above?

23 A. No. The first time I've seen those ceilings, the works
24 had already been completed, and the only thing I saw was
25 the resulting debris, you know, because obviously when

1 (Inaudible) works this thing, they were just in the
2 process of sweeping up after the contract had finished.
3 So really all the work had been done and I never saw
4 inside the ducting at all.

5 Q. Thinking about the fire which occurred in flat 81 in
6 1997, obviously after that fire there was a need to
7 rebuild that flat.

8 A. Mm-hmm.

9 Q. To put it back into serviceable condition. Is it
10 correct that the fire was in September 1997 but there
11 was a little bit of a delay in getting funding, and so
12 the work wasn't carried out until a little later?

13 A. That's right.

14 Q. Could I just ask you about your involvement in that,
15 really. Is it correct that before the works were
16 carried out you had some involvement in discussions
17 about what needed to be done?

18 A. That's right.

19 Q. As part of your role?

20 A. That's right.

21 Q. And that also once the work was completed, it was part
22 of your job to arrange an inspection afterwards to check
23 that it had been done properly?

24 A. No, my -- my role in that was to inspect the property,
25 because this -- this property had been left for some

1 time before we got the funding, the capital funding, and
2 I was asked to carry an inspection of the property,
3 because obviously it had been boarded up et cetera. And
4 what I did was -- I was asked to carry out the
5 inspection. I carried out the inspection, and obviously
6 we found out that the internal staircase had completely
7 gone, and most of the debris, the fire debris, had been
8 removed, but there was still some still there, some
9 residue debris, and my job was first to arrange for
10 a temporary scaffolding to be erected inside, because on
11 my inspection I found that we had to bring a structural
12 engineer in because I was concerned that the upstairs
13 stair -- sorry, the upstairs lounge ceiling, because
14 of --

15 Q. I'm sorry to cut you off. I appreciate you remember
16 obviously a lot of the detail of what the difficulties
17 were and what had to be done, but again I'm interested
18 simply in general terms in what aspects of it fell
19 within your role. You've mentioned to us that you went
20 to look at what had been done, and you formed the view
21 that because of the damage to the staircase there was
22 a need to bring in a surveyor?

23 A. Exactly.

24 Q. So this was an example of an occasion when you brought
25 in external help?

1 A. Yes, yes.

2 Q. I've just put a letter on the screen. I just want to
3 ask you, really, one question about it, again just so we
4 get a flavour of your involvement. This is page 855 in
5 the chronological bundles, which is in file number 3.
6 We can see it's a letter addressed to you from a firm of
7 chartered surveyors called Potter Raper. It's a letter
8 dated 8 May 2001, addressed to you, "Major voids
9 refurbishment, 81 Lakanal", and it says:

10 "As you may be aware, the 12-month defect liability
11 period expires on 11 May 2001."

12 So it seems that this was after the reinstatement
13 work had been done. Then in that third paragraph:

14 "Please could you make the necessary arrangements to
15 do an inspection with the occupier to confirm which of
16 the above dates is acceptable."

17 So you had some involvement then, in going along
18 after the work had been done, to check that it was up to
19 scratch?

20 A. Yes.

21 Q. Lastly, then, could I ask you to think about the
22 2006/2007 work. Is it correct that in September 2004
23 you had a meeting with Annabel Sidney?

24 A. That's right.

25 Q. Who, as we've heard, was part of SBDS. She was, as far

1 as you knew, in charge of that project, was she?

2 A. That's right. I was notified by the contracts manager
3 that she would be coming in and she would be taking
4 charge of the Lakanal contract.

5 Q. I think you discussed a number of aspects of the
6 building which work might potentially be done to. First
7 of all, there was some discussion, was there, about
8 asbestos panels in Lakanal House and whether she should
9 be replaced?

10 A. That's right.

11 Q. At that time, so far as you were aware, was the
12 intention that they should be removed and replaced with
13 a composite panel which would have a powder-coated
14 aluminium facing? Do you remember the detail of that?

15 A. In the case of the asbestos, can I just point out -- can
16 I expand a little bit?

17 THE CORONER: Well, I don't think we need a detailed
18 discussion of asbestos, thank you, Mr Smettem. If you
19 just focus on Mr Atkins' question.

20 A. To understand it, you really need to expand a little bit
21 on why -- why we were talking about the asbestos.

22 THE CORONER: Well, I think that probably there's a general
23 understanding of the problems with asbestos. What I'd
24 like you to do is to focus on Mr Atkins' question.
25 Do you want to put it again, Mr Atkins?

1 MR ATKINS: Well, Mr Smettem, what I'll do is identify the
2 different aspects of work that were discussed and you
3 can tell me whether they were discussed and then perhaps
4 we can see whether we need to expand after that.

5 So there was first of all the question of replacing
6 the panels which formerly had been asbestos?

7 A. That's right.

8 Q. There was also discussion, was there, about windows?

9 A. That's right.

10 Q. Because previously you had identified that there was
11 a problem in the sister block, Marie Curie, with leaks
12 in the frames which were timber?

13 A. Yes.

14 Q. And there was also a problem with some of those frames
15 becoming rotten?

16 A. That's right.

17 Q. So in your view there was a good argument for replacing
18 the window frames at Lakanal to avoid the same problems?

19 A. Exactly.

20 Q. Is this an example of you being able to use your
21 knowledge and your experience of those blocks to help
22 the consultant to work out what should be done?

23 A. That's right, yeah.

24 Q. There were also discussions, I think, about work that
25 needed to be carried out on the roof --

1 A. Yes.

2 Q. -- which we needn't worry about in too much detail.

3 Also a discussion about whether it would be possible to

4 have an extractor fan --

5 A. That's right.

6 Q. -- in the glazed windows and what upgrade work ought to

7 be carried out in the bathrooms.

8 A. That's right.

9 Q. The works, as we know, started in March 2006.

10 A. Yes.

11 Q. There were then a number of meetings that were held from

12 time to time involving the people who had roles to carry

13 out in relation to the works, so there were first of all

14 what were called pre-progress resident meetings, and

15 each day of one of those was held, it would then be

16 followed by a progress meeting. Did you have cause to

17 attend either of those sorts of meetings?

18 A. No, because apart from initial meetings with Annabel

19 under the old neighbourhood system in September 2004 --

20 and obviously, in having some initial conversation with

21 her -- come January 2005, obviously our role changed

22 considerably, so we were totally into repairs and

23 maintenance there. So it meant that whereas under the

24 old neighbourhood system I had more responsibility, more

25 sort of involvement, if you like, come January 2005,

1 following the reorganisation, all that -- all that
2 involvement ceased, effectively.

3 Q. I see. So once the works were underway in March 2006,
4 really, your involvement had pretty much ended?

5 A. Exactly.

6 Q. I think it's right that you were consulted on one
7 particular question, which was this one about the
8 extractor fan --

9 A. That's right.

10 Q. -- and where it could be placed, but otherwise you were
11 not involved in making decisions about what work should
12 be carried out?

13 A. That's right, exactly.

14 Q. Madam, might I just have a second, please?

15 THE CORONER: Yes.

16 MR ATKINS: Mr Smettem, thank you. Those are all the
17 questions I have, but if you would be good enough to
18 wait there, I'm sure others will have questions for you.

19 THE CORONER: Thank you. Mr Hendy.

20 Questions by MR HENDY

21 MR HENDY: Mr Smettem, may my name's Hendy. I represent
22 some of the bereaved families. Just one matter. There
23 came a time in Lakanal House when security doors were
24 put in place at the various floors and at the front
25 door. Do you remember that happening?

1 A. Security doors?

2 Q. Yes.

3 A. Yes. On each communal passageway, there was an intercom
4 system and all the tenants were given obviously entrance
5 keys et cetera, but people like myself who obviously
6 didn't carry keys, we would have to press the button and
7 wait for the response, for the relevant tenant to let us
8 in.

9 Q. Can you remember more or less when those security doors
10 were installed?

11 A. I couldn't be exact, no, sorry.

12 Q. No. At some point, there was an electronic locking
13 system for the outer door so that if a caller came who
14 wasn't resident in the block, they would have to press
15 the relevant button to communicate with the occupant of
16 the flat that they wanted and the occupant could let
17 them in by means of an answerphone.

18 A. Yes, in the -- in the main entrance that faced west on
19 the ground floor, there was a -- there was an entry
20 phone system there, where you communicated with the
21 tenant.

22 Q. Yes.

23 A. And the tenant could let you in by answerphone.

24 Q. Can you remember when the entry phone system was put in?

25 A. Again, I couldn't tell you.

1 Q. Did you have any involvement with the installation of
2 the --

3 A. No.

4 Q. -- entry phone?

5 A. No, because it would be a -- it would be deemed to be
6 a major upgrading to the block, and that would be
7 outside my rebate.

8 Q. Were you present when those works or part of them were
9 done?

10 A. No, no. I mean, I would be covering the area as
11 a building inspector or a technical officer's role, but
12 not as -- have anything to do with the contract.

13 Q. The wires for the entry phone system ran in the false
14 ceiling and from the false ceiling in the corridors the
15 holes were drilled and the wires were put through into
16 the particular flats. Is that something that you
17 observed or saw at all?

18 A. No.

19 Q. Thank you very much.

20 THE CORONER: Thank you. Ms Al Tai?

21 MS AL TAI: No thank you, madam.

22 THE CORONER: Yes.

23 Questions by MS CANBY

24 MS CANBY: Mr Smettem, I'm Fiona Canby and I just have
25 a couple of questions to ask you on behalf of SAPA. We

1 know that you had some involvement in the refurbishment
2 of flat 81 after the 1997 fire, and I wondered if
3 I could take you very quickly to some of the documents
4 in relation to that. It's the chronological bundle --
5 I think it's the second folder and it's page 697.

6 I appreciate, Mr Smettem, that it would be a very
7 long time since you last saw this document, but this is
8 the schedule --

9 THE CORONER: Can you just wait for Mr Smettem to be shown
10 it. (Handed)

11 MS CANBY: Mr Smettem, you can see from page 697 that this
12 is the schedule of works that was produced in relation
13 to that work on flat 81. If you could turn, please, to
14 page 699.

15 A. Yes.

16 Q. These were the works that in particular were due to be
17 carried out to the living room and kitchen, and if I can
18 take you, please, to item F, under the heading "Living
19 room", and item N, under the heading "Kitchen". You
20 will see that it was proposed that the window and
21 balcony door and frames were to be renewed to match
22 existing, and the balcony doors were said to be
23 "exterior quality solid door with escape latch on
24 inside". That's the same for both the living room and
25 the kitchen. Can you see that, Mr Smettem?

1 A. Sorry, can you just repeat that?

2 Q. Yes. If you look under the heading "Living room".

3 A. "Living room", yes.

4 Q. It's item number F.

5 A. Item number F.

6 Q. Yes?

7 A. Yes.

8 Q. And it says:

9 "Renew window and balcony door and frames to match

10 existing; exterior quality solid door with escape latch

11 on inside."

12 A. Yes.

13 Q. Then if you do the same exercise for the kitchen and

14 look at item N --

15 A. Yes.

16 Q. -- you'll see that it's the same specification.

17 A. Yes.

18 Q. So do you agree that it appears that given that the work

19 was to match existing, both the living room and the

20 kitchen door prior to the fire in 1997 had been the

21 same, and that it looks as if they had been exterior

22 quality solid doors with escape latches on the inside?

23 A. Yes.

24 Q. Do you have recollection or knowledge more generally as

25 to the fire performance of the balcony doors that were

1 installed in Lakanal before the 2006/2007 refurbishments
2 took place?

3 A. You mean before the -- before the major fire?

4 Q. No. I'm now moving from 1997. We know that the balcony
5 doors were replaced in the refurbishment works in 2006
6 to 2007, but what I'm interested in is whether or not
7 you know that the balcony doors themselves before
8 2006/2007, so the living room and kitchen doors, were
9 fire doors.

10 A. I believe so.

11 Q. You believe so?

12 A. Yeah.

13 Q. You're basing that on the fact that they had
14 self-closing mechanisms, as far as you're aware?

15 A. As I understand it, they had a latch detail.

16 Q. Would that be the escape latch that we see referenced
17 here?

18 A. Yes.

19 Q. But you appreciate that the escape latch is the means
20 for the resident to get out of the door rather than the
21 self-closing mechanism, which is something different,
22 which is the means for the door to close behind you once
23 you've left?

24 A. I'm not sure about -- I cannot recall the actual --
25 whether it had a self-closer.

1 Q. No.

2 A. It was just the fact that I knew about the -- the means
3 of escape, the handle. When they pressed the handle
4 down, they were straight out.

5 Q. So that would be the escape latch that we've seen
6 referenced on this document which is still on the
7 screen?

8 A. Mmm.

9 Q. Yes. Did you have any knowledge about the
10 fire-resisting properties of either of those balcony
11 doors?

12 A. No, no. All I would understand is that they had a fire
13 check capability or a fire resistant capability.

14 Q. So your understanding was that both doors had some form
15 of fire-resisting quality?

16 A. Exactly.

17 Q. So as far as you were concerned, before the 2006/2007
18 refurbishments, there was no difference in either of
19 those balcony doors?

20 A. Exactly, yes.

21 Q. Just one very short last topic, please, Mr Smettem.
22 You've told the jury that when a property was identified
23 for a major refurbishment, you would often meet with the
24 consultant to discuss the history of the block, and
25 you've told the jury that by "consultant" you mean SBDS.

1 A. Southwark Building Design Services, yes.

2 Q. You told the jury that you met with Annabel Sidney in
3 about September 2004 in relation to the major
4 refurbishments.

5 A. That's right.

6 Q. Did you have any discussions with her in that meeting
7 about the history of the block?

8 A. Yes.

9 Q. Did any of those discussions relate to either fire
10 safety or the particular fire performance of any of the
11 materials within Lakanal House?

12 A. No, it was -- can I expand on that?

13 Q. Just shortly, please, thank you.

14 A. Shortly. It was mainly to -- to tell about the
15 historical problems that we had on an earlier project on
16 the sister block, Marie Curie.

17 Q. And that was in relation to the asbestos panels that
18 you've already referred to?

19 A. And that was related to the asbestos problems we had
20 with Marie Curie.

21 Q. Thank you very much, Mr Smettem.

22 THE CORONER: Thank you.

23 MR MATTHEWS: I have no further questions.

24 THE CORONER: Sorry, I was just waiting for Mr Matthews, but
25 did you want to say something before that, Mr Atkins?

1 MR ATKINS: Madam, no.

2 THE CORONER: Mr Matthews, did you want to put any questions
3 to this witness?

4 MR MATTHEWS: No thank you.

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

7 Questions by the Coroner

8 THE CORONER: Mr Smettem, in answer to Miss Canby, you've
9 just said that you thought that the balcony doors after
10 the earlier fire reconstruction had fire-resisting
11 properties.

12 A. Mm-hmm.

13 THE CORONER: What makes you say that? How can you be
14 confident of that?

15 A. It's -- it was just the thickness of a door, because if
16 a door is, like, 44 millimetres thick or more, it tended
17 to be more what we call a fire check door. So my -- my
18 knowledge in the building industry -- and also the
19 weight of the door. You can usually tell that if
20 a door's very heavy it has, if you like, a built-in fire
21 resistance capability.

22 THE CORONER: Right, so it was your experience which
23 suggested that that was the case, rather than your
24 knowledge of the particular specification of the doors
25 which had been fitted?

1 A. Although I might not know exactly what's inside the
2 door, you usually -- obviously there would be times
3 where I would put my tape measure on the door and
4 I would say, "44-millimetre." And also maybe sometimes
5 there would be times when maybe some doors come off or
6 are loosened and I've lifted it myself, and it's --
7 a fire check door --

8 THE CORONER: Let me have just stop you there. You made the
9 assumption on the dimensions and the weight of the door
10 and --

11 A. And not --

12 THE CORONER: Can you just let me finish putting it to you.
13 So you made your assumptions based on the dimensions and
14 the weight of the door, and not on your knowledge of the
15 specifications; is that correct?

16 A. That's right.

17 THE CORONER: Mr Smettem, thank you very much for coming and
18 thank you for the help that you've given us. You're
19 welcome to stay if you would like, but you're free to go
20 if you would prefer.

21 A. Thank you.

22 THE CORONER: Thank you very much.

23 (The witness withdrew)

24 Yes, thank you, Mr Atkins. Thank you.

25 MR ATKINS: Madam, Mr Smettem is the last witness who's

1 scheduled to give live evidence today. In view of the
2 time, that may be a good place to draw stumps for the
3 day.

4 THE CORONER: Right. There was a suggestion that we might
5 read some statements. Is that not --

6 MR ATKINS: Madam, we can if there's time, there are two
7 statements from firefighters we could read now.

8 THE CORONER: Would that be a sensible -- it would seem to
9 me to be a sensible course.

10 Members of the jury, if you're willing and think it
11 a sensible way forward, we could ask Mr Atkins or
12 Mr Maxwell-Scott to read the two statements now, which
13 will mean having a later break for lunch, but then
14 you'll be free for the rest of the afternoon, so I think
15 that if you're all willing, it would be a sensible way
16 to go forward to deal with that now, and then you'll be
17 completely free.

18 So yes, please, let's do that, thank you. Sorry,
19 Mr Hendy.

20 MR HENDY: Madam, might I just have a word with Mr Atkins
21 for a moment?

22 THE CORONER: Yes, of course. (Pause)

23 MR HENDY: Thank you, madam.

24 MR ATKINS: Madam, there are two statements to be read. The
25 first is from Trevor John Chapman, who is a temporary

1 watch manager, and the statement is dated
2 14 August 2009, and it is at page 264, originally in the
3 bundle of witnesses to be called.

4 THE CORONER: Thank you. Is it going to be possible to put
5 that on the screen, please, Mr Atkins, while you're
6 reading? That would be helpful.

7 MR ATKINS: Yes, madam. It is on the screen now.

8 THE CORONER: Thank you very much.

9 Witness statement of TREVOR CHAPMAN read

10 MR ATKINS: Mr Chapman says:

11 "I'm currently employed by the London Fire Brigade
12 as a crew manager and have held this position for
13 16 years. I have worked in the Fire Brigade for 21 and
14 a half years. I'm usually based at Mitcham fire
15 station.

16 "On Friday, 3 July 2009 I was working as the
17 temporary watch manager for Green Watch at West Norwood.
18 I was working a day shift. That shift I was riding
19 a pump ladder appliance call sign H251. Also riding the
20 appliance were Firefighter Cloke, Firefighter Godfrey
21 and Firefighter Corbett.

22 "At approximately 1640 our appliance was directed to
23 go to E37, Peckham Fire Station, as standby. While en
24 route we listened to the radio communications regarding
25 a fire incident that was occurring at Lakanal House in

1 Camberwell. While still en route to Peckham at 17.07,
2 the fire was upgraded to a 12-pump fire and our
3 appliance was directed to attend.

4 "We approached the incident from Peckham High Road
5 and parked our appliance about 20 yards up Havil Street.
6 There were already numerous LFB appliances parked down
7 the street. From the east where Lakanal House was we
8 could already see plumes of smoke issuing. We made our
9 way to the command unit parked further north on
10 Havil Street after donning PPE.

11 "The officers at the CU appeared extremely busy and
12 we were waiting approximately five minutes for a BM
13 [which is a brigade manager, we think] to become free.
14 He told us to put on our BA equipment, standard
15 duration, and make our way to the BA entry control
16 situated on the east side of Lakanal House.

17 "We returned to our appliance and put on our BA
18 equipment. We walked down Dalwood Road to make our way
19 to BA entry control. As Lakanal House came into view,
20 I could see on the west side visible fires at several
21 sites. There was smoke issuing from multiple floors on
22 the west side and from the north side. We were making
23 our way quickly around to BA entry control so I didn't
24 have time to assess the full scale of the incident but
25 it was clear incidents were occurring on three or four

1 floors. In Dalwood Road, a car had been overturned to
2 allow an ALP to get into position on the north east
3 corner of the building.

4 "The BA control was situation on the courtyard about
5 10 yards back from the main entrance to the building.
6 We reported to the incident commander. I think he was
7 of GM rank. He told us to stand by and await
8 instructions. There were several other BA crews waiting
9 to be deployed into the building. The incident
10 commander was working his way through the crews,
11 briefing them before they entered. I could also see
12 other crews leaving the building.

13 "Because it was a hot summer's day I ordered my crew
14 to sit down and take on water to ensure they were
15 hydrated. After about ten minutes we were called up and
16 told to take additional hose up to the 11th floor.
17 There was a 45-millimetre jet already being used up
18 there, but they needed to extend it further down the
19 corridor. We started up our BA sets outside the
20 building and made our way up the stairs to the 11th
21 floor, taking additional 45-millimetre hose.

22 "As we reached the 11th floor, we passed a BA crew
23 leaving the floor. A charged hose was already in place
24 running from a dry riser on a lower floor. The 11th
25 floor opened up into the lobby area. Two or corridors

1 ran off it to the left, south, and the right, north.
2 The door to the left was shut. The charged hose ran
3 through the door on the right. I could see that there
4 was a severe fire situation about five to ten yards down
5 that corridor. There was fire in the corridor and in
6 the box sections overhead. We couldn't see to the other
7 end of the corridor due to the fire conditions. The
8 visibility was about ten metres, so it was apparent that
9 there was venting somewhere along the corridor.

10 "I order the three firefighters I was with to use
11 the charged hose and continue fighting fire. Due to
12 its intensity I wanted to keep putting water on it.
13 I then tried to sort out a closer dry riser to attach
14 our additional hose so that we could extend it. I found
15 a dry riser on the 11th floor. However, the outlet was
16 covered by a metal box with a padlock on. It looked as
17 if it had been attached fairly recently. On the way up
18 I had noticed an enforcer lying about three floor down.
19 I let one of the firefighters know where I was going and
20 went and got it.

21 "I used the enforcer to smash off the padlock and
22 gain entry to the dry riser outlet. I charged up our
23 hose from it and took it through to the rest of crew in
24 the north corridor. They took up the new line and
25 started working their way down the corridor, putting out

1 the fire as they went. The corridor was fairly narrow
2 and the firefighters went two abreast with one
3 following. I picked up the other hose and used it to
4 apply water to the ceiling, as there was still fire
5 rolling overhead.

6 "We worked our way down the corridor, past two flats
7 on the left-hand side. The first flat had been fire
8 damaged to the extent that I could see into it from the
9 corridor. The second flat appeared to be intact.

10 "Progress was slow working our way forward and we
11 needed to leave soon after because our low pressure
12 whistles began to sound. One of the firefighters
13 informed BA control of this via channel 6. He also
14 stated that a gas main had ruptured up ahead a little
15 further down the corridor. I had been unaware of this
16 because I was at the back. We laid down the charge
17 hoses and withdrew.

18 "As we reached the stop of the stairs we passed a BA
19 crew coming up the stairs to continue fighting the fire.
20 We went back down to BA entry control and debriefed the
21 incident commander of the situation. One of the
22 firefighters explained the circumstances of the gas main
23 rupture.

24 "It was either at this point or perhaps when I had
25 been at the BA entry control earlier that I noticed

1 a line of bed sheets tied together hanging from one of
2 the upper floors on the north side of the building. At
3 later points in the incident, I noticed people on the
4 balconies towards the south of the building still
5 inside.

6 "I ordered the three firefighters I was with to go
7 clean air, rehydrate and get their BA sets off. They
8 went off and I didn't see them again until the end of
9 the incident when we were relieved. I took off my set
10 and left it out of the way, a short distance from the
11 entry control. I then returned to the incident
12 commander to see if I could assist.

13 "I arranged for enforcers and drinking water to be
14 taken up to the bridgehead that had been established on
15 the 3rd floor. I then acted as the liaison between the
16 incident commander positioned at the east side BA entry
17 control and the bridgehead, assisting where I could.

18 "Whilst I was at the bridgehead, I heard a radio
19 transmission on channel 6 that a BA crew had discovered
20 casualties on the 11th floor and were bringing them
21 down."

22 Madam, just to explain, I shan't put the next page
23 up to the screen but I will read from it:

24 "I know how difficult it is to carry a casualty when
25 wearing BA so immediately ran up the stairs to go and

1 assist. I wasn't wearing BA but had a disposable
2 breathing mask that I put on as I went up. I was aware
3 that there was someone behind me also going up and
4 handed the mask backwards, but I don't know who it was
5 or how far up they went.

6 "As I reached the 11th, I saw two BA users
7 struggling to carry an unconscious female. One was
8 holding her armpits and the other her legs. Due to
9 their BA sets they were unable to put her on their
10 shoulders ... I knelt down in front of them so they
11 could place the female over my shoulders. She was
12 placed across my shoulders so I could put my right arm
13 through her legs and grip one of her arms, leaving my
14 left arm free. This is a standard firefighters carrying
15 technique.

16 "I then ran down the stairs carrying the female. On
17 the 10th floor, I took off my helmet and dropped it
18 there because it was getting knocked over my eyes. On
19 approximate the 6th or 7th floor, I encountered a
20 paramedic on the stairs. I don't know if he had BA on
21 or not. All I can remember is he was dressed in green.
22 Almost without stopping, I swung around so he could
23 assess the casualty. He looked at her and told me to
24 take her straight down to ground level. I passed by the
25 bridgehead and got to the main entrance where two

1 firefighters assisted me to put other on the trolley.

2 "Immediately the LAS were on hand to treat her.

3 I turned away to catch my breath to the side and when I
4 turned back the trolley was surrounded by LAS staff.

5 I went back to the bridgehead before collecting my
6 helmet from the 10th floor."

7 THE CORONER: Thank you.

8 MR ATKINS: Madam, then the statement continues on the page

9 I put on the screen. Mr Chapman says:

10 "I remained at the bridgehead for the rest of my
11 time at the incident, still acting as liaison between
12 the bridgehead and incident commander. I'm not sure
13 when but I was later informed that our appliance had
14 been relieved. I met the rest of my crew just outside
15 the main entrance. We took on refreshments, collected
16 our role boards from the command unit and went back to
17 West Norwood at about 2100."

18 Madam, that's the end of the statement.

19 THE CORONER: Thank you very much.

20 MR ATKINS: The second statement to be read is that of

21 Firefighter Simon Chapman. It's dated 11 July 2009 and
22 is at page 348, and I've put that up on the screen.

23 THE CORONER: Thank you.

24

25

1 Witness statement of SIMON CHAPMAN read

2 MR ATKINS: In his statement Simon Chapman says:

3 "I'm employed by the London Fire Service and have
4 been a serving firefighter for 22 years. I am based at
5 Southwark fire station which is called E33. I am
6 an operational firefighter attached to Green Watch.

7 "On Friday 3 July 2009 I was working on a day shift
8 out of Southwark fire station. These hours are 9 am to
9 6 pm. Whilst at the station I was mobilised to
10 a six-pump persons reported fire on the 9th floor of
11 Lakanal House, Havil Street, SE5. This call came in at
12 4.39 pm. I recall that I had attended this particular
13 block of flats during my service, possibly on more than
14 two occasions, but definitely recall going there due to
15 flooding in the block.

16 "My role during this shift was the driver of E33
17 [I think that should be E331], which is a pump ladder,
18 along with four other colleagues on this vehicle. My
19 colleagues on this day were Watch Manager Chris Payton,
20 Crew Manager Alan Thomas, Firefighter Andrew Gray and
21 Firefighter Robert Smith.

22 "Not long after leaving the fire station I heard
23 a message on the radio saying that they had 10 per cent
24 of the 9th, 10th and 11th floors alight and about
25 a minute later the radio said they had 10 per cent of

1 the 12th floor alight. This radio message came from
2 other firefighters who were in attendance at the scene.
3 During this interview, I will be referring to a pack of
4 photographs and maps provided by the LFB.

5 "I drove along Havil street, Peckham, in a southerly
6 direction and I parked up just past Dalwood Street close
7 to the command unit. I was listening to the mainframe
8 radio, which is on the appliance, to a message from my
9 control, and the fire ground handheld radio, and
10 overheard the control had an urgent message to say that
11 there were people trapped in flat 57 and on the handheld
12 that the officer in charge required three more breathing
13 apparatus crews. The three colleagues in the back of my
14 appliance put their breathing apparatus sets on and
15 headed towards the fire. I was aware also that my watch
16 manager left the appliance with the role call board.

17 "When I initially arrived, I could see a well
18 developed fire on the 5th, 6th, 7th and 9th to the 12th
19 floors of this block of flats. I parked up my
20 appliance, put my fire gear on then put on my breathing
21 apparatus, and made my way over to the officer in charge
22 of the incident, Watch Manager John Howling, and joined
23 my crew. We were standing on grass opposite Lakanal
24 flats on the Havil Street side.

25 "Watch Manager Howling ordered us to make up three

1 teams of breathing apparatus and to collect as much
2 45 mm hose and branches as we could possibly carry and
3 then when we had done this to report back to him so he
4 could give us further direction. The nearest two
5 appliances were parked in Dalwood Street, and we
6 collected these items from these appliances and returned
7 to Watch Manager Howling.

8 "At this point Station Manager Paul Cartwright
9 arrived at the scene and he took Watch Manager Howling
10 to one side and said that he was taking over command of
11 the scene. He told us to wait, but while Watch Manager
12 Howling briefed Station Manager Cartwright, I decided to
13 preempt the next order and made my way towards the
14 building, taking my three colleagues with me, because
15 I had heard over my personal radio that extra breathing
16 apparatus wearers were urgently required at the
17 bridgehead, which was located on the 7th floor. The
18 bridgehead is a muster point which is set up usually two
19 floors below the seat of a fire at a high rise incident.

20 "Myself and my three other colleagues climbed into
21 the lift with the intention of going to the 7th floor
22 bridgehead. We took with us three lengths of hose,
23 a branch and 12 bottles of water. As we entered the
24 lift I heard over the radio that the bridgehead was
25 going to be moved down to the 2nd floor. I decided to

1 go to the 5th floor to assist the crew with bringing the
2 bridgehead down and to protect the stairwell because the
3 fire was below them.

4 "When we got to the 5th floor there was a little bit
5 of smoke and we were met by station officer Foster. He
6 ordered us to go down a couple of floors and locate
7 a floor without any smoke. We got down to the 3rd
8 floor. Other crews came down to the 3rd and other crews
9 came up to the 3rd, so we all gathered at this point.
10 I could see smoke was being drawn down the stairs and
11 a decision was made to relocate outside to the east of
12 the building. Myself and my colleagues used the stairs
13 to exit the building.

14 "There was a BA control set up under the big tree to
15 the east of the building. The rest of my crew were
16 ordered to return to the building on different floors.
17 They were part of two crews. Watch Manager Payton
18 ordered me to make sure that BA control had been set up
19 correctly, and to collect all the necessary equipment,
20 ie more hose, more branches and sledgehammers, and
21 forced entry equipment. This took about ten minutes.

22 "I then returned to BA control, situated under the
23 tree on the east side of the building. I had no
24 specific task, but saw two firefighters on the west side
25 of the building setting up a ground monitor. I went

1 over and assisted them, and then under the direction of
2 Section Commander Cartwright I used the monitor to
3 suppress the fire on the 5th, 6th and 7th floors to stop
4 it spreading to other flats, because the flames were
5 coming out of these windows and rolling up towards the
6 windows above. A ground monitor is a self contained
7 free standing jet supplied by one length of hose, and is
8 capable of projecting water up to a level of the 9th
9 floor. We were using this on the 7th floor.

10 "At this stage, an ALP (aerial ladder platform) was
11 reversing in down the side of the building on the west
12 side. I assisted setting up the supply pump and water
13 supplies for them. I then returned to BA control as on
14 the radio they were requesting more BA wearers.

15 I didn't get there because a BA wearer came out of the
16 building and handed me a black child aged about 3 to
17 4 years. This child was crying and possibly could have
18 been suffering from smoke inhalation. I took the child
19 over to the LAS triage area which was set up on the east
20 side of the building. This child's father and sister
21 were delivered to this area at the same time. They were
22 all showing signs of smoke inhalation.

23 "I asked the father what flat he was from and he
24 said 81 but that they lived in flat 80. I then asked
25 him if there was anyone else in the flat, and he said

1 yes, that there was a woman and at least one child, and
2 the impression I had was that his wife or partner was
3 still inside the building. I gave this information to
4 Station Manager Paul Glenny, who was collating
5 information on casualties and locations.

6 "Soon after this I saw another crew brought out of
7 the building a black woman who was hysterical because
8 she was unable to locate her family. I asked her what
9 flat she was from and to describe her family for me.
10 She described the three people who I had just dealt with
11 at triage, and then told her that they were out and the
12 ambulance crew had taken them to hospital but that they
13 were okay.

14 "I was then asked by Watch Manager Payton to come to
15 the bridgehead, which by now had moved back to the 3rd
16 floor, and to bring a load of equipment. They wanted
17 thermal image cameras. I collected three and made my
18 way up to the bridgehead. I was then tasked to be
19 a runner for the bridgehead, liaising with
20 Watch Manager Payton on anything he needed.

21 "An EDDBA team (this means extended duration
22 breathing apparatus) came down from I believe the 11th
23 floor with one of their crew in distress, and a group
24 manager, whose name I don't know, gave him oxygen,
25 removed his tunic and tried to cool him down using half

1 a dozen bottles of water and decided to assist him out
2 of the building to cool down, and as he was unable to
3 stand we carried him down to the triage area outside.
4 His name was firefighter Chris Ross, I believe. He's
5 stationed at Clerkenwell.

6 "I assisted with the ambulance crew for about ten
7 minutes and then made my way back up to the bridgehead.
8 During all of this I was up and down the stairs several
9 times taking equipment to and from this area. At some
10 point again while I was at the bridgehead I was handed
11 an Asian looking child of about 3 or 4 years along with
12 another colleague who was holding a baby. We carried
13 these children out of the building to the triage area.
14 This had now relocated under cover in a block of flats
15 to the west of Lakanal. Both of these children were
16 suffering minor smoke inhalation.

17 "As I returned to the scene, I noticed two or three
18 elderly Asian adults being led by ambulance crew to the
19 triage area. I then made my way back to the bridgehead.

20 "At some point during this incident I was tasked
21 along with another colleague to go up above the
22 bridgehead to meet a BA crew coming down with four
23 adults and a dog. It was about the 9th floor when we
24 met them. There was a white middle aged man with a dog,
25 an elderly white couple and a black male, again middle

1 aged, who liked like a Rastafarian. We accompanied the
2 four along with the dog down to the bridgehead and they
3 were escorted by other colleagues to safety.

4 "I had been tasked with another colleague to make
5 a record of anyone that went above the bridgehead who
6 wasn't bearing breathing apparatus, their names,
7 locations, and times that they went up. This was
8 carried out by writing names with a Chinagraph pencil on
9 the wall, which is subsequently photographed. This then
10 keeps a running record of colleagues who are in the
11 building above the bridgehead. I know at this stage it
12 was approximately 8 pm that this was set up. I am
13 unable to time events before this due to the numerous
14 tasks and speed with which things were happening during
15 this incident.

16 "At approximately 9.20 pm, I was asked by
17 Group Manager Andrews, who was in charge of the
18 bridgehead, to record for him the situation above the
19 bridgehead. This included the conditions of the
20 building, heat and smoke et cetera, how much of the
21 building was damaged, what was still alight and where
22 and what tasks the BA crews were carrying out.
23 I completed this task and passed on this information to
24 Group Manager Andrews.

25 "I had been informed that we were being relieved

1 from the scene. Having completed the tasks I then made
2 my way back my appliance. I believe we returned to
3 Southwark fire station just before 10 pm."

4 Madam, that's the end of his account of what
5 happened on the day of the fire.

6 THE CORONER: Thank you very much. Yes, Mr Hendy.

7 MR HENDY: Madam, can I just raise one matter. In relation
8 to the statement of Trevor Chapman, which Mr Atkins read
9 first, he very delicately didn't give the description of
10 the lady that Mr Chapman carried downstairs, entirely
11 understandable, but in doing so he didn't identify the
12 lady, and the jury would probably want to know, I've
13 spoken to Mr Dowden about this and there's no
14 controversy, that the lady was Dayana Francisquini.

15 THE CORONER: Thank you very much for clarifying that,
16 that's very helpful. Thank you, Mr Hendy.

17 Yes, that's all of the evidence that we shall be
18 dealing with today, members of the jury, so you're
19 welcome to go and please be back for 10 o'clock tomorrow
20 morning. Thank you very much.

21 (In the absence of the Jury)

22 Housekeeping

23 THE CORONER: Yes, just a couple of things then before we go
24 our separate ways this afternoon. Mr Maxwell-Scott, the
25 plan for tomorrow, is that as set out on the timetable?

1 MR MAXWELL-SCOTT: Yes. On the timetable, we have
2 Ejovi Awaritefe and Charles Pearce to give evidence, and
3 they are expected to attend tomorrow. After we finish
4 in court today I'm going to have a discussion with those
5 representing the London Borough of Southwark about the
6 witnesses scheduled for Friday.

7 So there's no secret about it, it may be suggested
8 that Mr Adewalure will be unable to provide any
9 particular assistance to the court, and certainly from
10 his statements there is nothing in them to suggest any
11 particular direct involvement in the issues we are
12 interested in, so if it is the case that he's not going
13 to be able to provide more general assistance then I
14 will be reviewing whether he is required as a witness.

15 I will also be discussing in such circumstances
16 whether it might be possible for Mr Edwards to be
17 available tomorrow, thereby perhaps creating a free day
18 on Friday. That sort of discussion is taking place, so
19 it's therefore possible that Mr Edwards will be added to
20 the list tomorrow.

21 There are also in any event some statements to be
22 read to be caught up on.

23 THE CORONER: All right. Well that's helpful, thank you
24 very much.

25 There are two matters I think that I'm aware of that

1 are outstanding. One concerns the question of the
2 recording of Catherine Hickman's telephone conversation,
3 and I think you're all aware I've just sent round by
4 email some points on that, so I'm just waiting to have
5 responses once you have had a chance to look at that
6 email, so it does not need to be dealt with now.

7 The second concerns the application which Mr Hendy
8 is making for evidence from Mr King to be called, and
9 I'm just waiting for submissions from everybody on that.
10 So again I don't need to deal with that now, but those
11 are both outstanding at the moment.

12 Then I just wanted to add one further point --
13 sorry, Mr Compton, you wanted to say something on that?

14 MR COMPTON: Simply, madam, I wonder if you'd just extend
15 the response time in respect of Mr King. I think that
16 might be helpful to all of us. I see Mr Hendy nodding.

17 THE CORONER: Of course, yes. That's fine. What are you
18 suggesting?

19 MR COMPTON: Well I wonder if we could extend it perhaps
20 until, I hope I'm not asking for too long if one was to
21 say Friday. There may be a reason for this, and I think
22 if we look at this together to assist you as to the
23 parameters of the report, where it strays into other
24 territory, and whether there may be another fire officer
25 of sufficient similar type of experience who could take

1 the role. I'm not in a position to give you any more
2 information at the moment, but I think we are working on
3 that and I think that would be very helpful to us at the
4 bar.

5 THE CORONER: Mr Hendy?

6 MR HENDY: Madam, just to say you already have our
7 submissions, I think.

8 THE CORONER: Thank you, yes I have.

9 MR HENDY: But I wonder whether it might not be more
10 sensible to extend the time until Monday, particularly
11 if Mr Maxwell-Scott's hope of a free Friday comes about.
12 The expert that's currently scheduled, Mr Davey, is
13 quite a long way away, so it wouldn't appear to be
14 a desperately urgent matter, and there are some
15 discussions taking place which might assist you.

16 THE CORONER: Well that sounds sensible. I'm happy to
17 extend that time limit until Monday then, so that's
18 fine, and just let me know at an appropriate time where
19 you are with discussions. That would be very helpful.

20 Could I just ask whether any other teams are going
21 to make a similar application in respect of any expert
22 evidence? It would help us to know.

23 MR COMPTON: I don't think, if there is an application on
24 behalf of Apollo, it won't be to duplicate, it will be
25 to replace. I hope that makes it clear. We certainly

1 wouldn't be serving a report from an expert as
2 an additional report. I think the court has enough
3 expert reports at the moment. But that would be the
4 discussions I'm having with Mr Hendy, to see if there's
5 another perhaps more suitable person.

6 THE CORONER: Okay, thank you very much. Was someone else
7 wanting to make a point on that? All right. Thank you.

8 Yes, Mr Maxwell-Scott.

9 MR MAXWELL-SCOTT: Just two housekeeping matters for those
10 who didn't have the opportunity to check their emails
11 very shortly before coming into court this morning.
12 They relate to the points which you raised, madam,
13 firstly about Catherine Hickman's 999 call. The effect
14 of the emails was that people have the opportunity to
15 make representations and the opportunity to listen to
16 the tape in order to enable them properly to do so.

17 What we have said is that anyone who might wish to
18 make representations, might wish to have the tape,
19 should let us know before they leave today. We are not
20 going to provide the tapes automatically. They are all
21 available and we will burn such tapes as are requested,
22 and they will be numbered copies and the expectation is
23 that they will be returned once people have had the
24 opportunity to consider them. So anyone who wants one
25 is entitled to have one, but they will need personally

1 to ask for it.

2 THE CORONER: Thank you very much. Yes, I sent an email
3 round to that effect just before we began today, so
4 that's helpful, thank you.

5 MR MAXWELL-SCOTT: Then the second point in relation to
6 Mr Hendy's application is that I sent by email the
7 references for five cases which may be of potential
8 relevance in identifying some applicable legal
9 principles.

10 THE CORONER: Thank you very much. Well it may well be that
11 again, given that we might have a full day tomorrow, it
12 may be the sensible thing that we actually come back to
13 that on Monday, if Friday's going to be a free day, yes.

14 All right, thank you very much. Any other points to
15 raise before tomorrow?

16 All right, well thank you all very much and thank
17 you for staying late so that we can now finish for the
18 day. Thank you.

19 (1.28 pm)

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

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24 read
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