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Thursday, 28 March 2013

(9.00 am)

(Proceedings delayed)

(9.18 am)

Discussion re further directions to the Jury

THE CORONER: Yes, good morning everybody. Thank you very much for coming in early, that's very kind of you. Apologies for the slightly delayed start.

Mr Edwards, I understand that Mr Hendy isn't here at the moment. Are you content that we continue in his absence, or are you asking me to wait until he is able to come?

MR EDWARDS: No, madam, I'm content for you to continue in his absence.

THE CORONER: Well that's helpful, thank you very much.

Yes, well, the position is, as I think you probably already all know, the jury handed me the document which they had prepared, their narrative verdict, yesterday. It's a single document, and of course we need six different verdicts, one for each of the deceased, so I need to give the jury directions on that.

Mr Maxwell-Scott and Mr Atkins and I considered the document, from the point of view of whether it breached the guidelines which we gave to the jury and in any other respect, was something which should not be

1 permitted to proceed and as a result of that
2 Mr Maxwell-Scott has I think sent round to all properly
3 interested parties a proposal regarding one passage in
4 the document which the jury have passed to me.

5 Mr Maxwell-Scott, do you just want to introduce
6 that?

7 MR MAXWELL-SCOTT: Yes, madam. The focus of my
8 consideration was perhaps more precisely whether there
9 was anything in the document that breached the law as
10 opposed to breaching the guidance.

11 THE CORONER: Yes, that's a more precise way of putting it,
12 thank you.

13 MR MAXWELL-SCOTT: There was a concern spelt out in the
14 document and the proposal that the passage which was
15 quoted in it might infringe Rule 42, because it might
16 appear to determine criminal liability on the part of
17 a named person. The guidance that the jury were given
18 included on page 1 and following:

19 "Your verdicts must not contain any finding of
20 criminal liability on the part of a named person
21 (individual or organisation)."

22 Now, it is right to point out that the jury were not
23 expressly told that breach of the Building Regulations
24 could constitute a criminal offence, so they may not be
25 aware of that. It seems to us that it would, at the

1 very least, be desirable to draw to their attention that
2 breach of the Building Regulations is a criminal
3 offence, and therefore, taking that together with the
4 guidance they have already been given, the guidance they
5 have been given can, in effect, be expanded upon and
6 explained to say that their verdict must not state, or
7 imply, that a named organisation failed to comply with
8 the Building Regulations, because that would contravene
9 Rule 42.

10 So that was the primary point of concern and it
11 arises from reading the passage as a whole and the way
12 the different sentences and paragraphs in it interlink.
13 If they're going to be given guidance on that passage,
14 then at the same time it seems to us desirable to point
15 out another matter of law, namely that the Building
16 Regulations did not require that the materials used in
17 the panels under the bedroom windows of Flat 79 were
18 provided on a like for like basis.

19 Of course the Building Regulations did require that
20 the panels complied with the Building Regulations, which
21 we know means they needed to be Class 0, and the jury
22 seem to have that point, and they also require that in
23 the event of a replacement that was not like for like
24 that would constitute a material alteration and would
25 trigger, or ought to trigger, a process of seeking

1 formal building control approval, and it would be
2 perfectly proper for the jury to say it ought to trigger
3 serious consideration about the fire safety implications
4 of a non-like for like replacement.

5 But the short point of law is that the
6 Building Regulations do not require like for like
7 replacement.

8 So that is the background to our proposal points 1
9 and 2. The question then is, if one is going to tell
10 them proposition 1 and proposition 2, which are purely
11 matters of law, then what in addition can be said to
12 them by way of guidance? We have in our proposal taken
13 a conservative view, by which I mean a view that,
14 insofar as possible, does not attempt to redraft, by
15 putting forward new words, the jury's document.

16 So in a sense all we have done is to delete some
17 words, leaving behind what is perhaps the core of the
18 passage in any event:

19 "The panels under the bedroom windows of Flat 79
20 were not Class 0, although they were required to be.
21 This was due to a serious failure on the part of SBDS,
22 its contractors and its subcontractors."

23 That is perhaps the core of the passage and in our
24 view it does not infringe the law. There's no doubt
25 that the jury could say more than that. They could say

1 more than that whilst still complying with the law and
2 complying with propositions 1 and 2, but in our proposal
3 we had reservations about expressly saying how they
4 could say more than that, because it would require, in
5 our submission, us doing an element of rewriting, which
6 we are reluctant to do.

7 So that, in short, is our proposal and the reasoning
8 behind it.

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

11 Mr Edwards, any comment on that?

12 MR EDWARDS: Thank you, madam. It's our position that it's
13 entirely inappropriate for you to start essentially
14 tinkering with the jury's verdict at this stage. It is
15 our position that what they have set out does not breach
16 Rule 42 in any event, and it is simply one
17 interpretation of what they might have said, essentially
18 Mr Maxwell-Scott's interpretation of their words.

19 It's wrong to start tinkering or amending their
20 words at all. I know Mr Maxwell-Scott said no doubt the
21 jury could say more whilst still complying with the law.
22 Once you start deleting things and saying "Well, you can
23 say more", it essentially opens up an impossible can of
24 worms and what are the jury going to think when you
25 delete their words and say "Ah, but you can say more"?

1 It places them in a impossible position.

2 The jury have been given the guidance before they
3 retired and, madam, if certain parties don't agree with
4 what they're saying that's an entirely different matter,
5 but it's wrong to start tinkering with it in this way.

6 Madam, those are my submissions, fairly simply.

7 THE CORONER: Do you disagree with Mr Maxwell-Scott's
8 submission that the passage infringes Rule 42? Do you
9 disagree with that interpretation?

10 MR EDWARDS: Yes, madam, it doesn't go as far as, for
11 example, saying "unlawful killing" or something like
12 that. They simply set out a narrative which they are
13 entitled to do.

14 THE CORONER: Is it not a matter of criminal liability?

15 MR EDWARDS: Madam, that's simply one interpretation of
16 their words but, in any event, it's wrong to start
17 telling the jury what they can and cannot say in their
18 verdict. Madam, they haven't expressed a view on
19 criminal liability, they've simply made the reference
20 that they have done.

21 Madam, perhaps I can be more specific than that as
22 well. There is absolutely nothing wrong with the jury
23 saying there was a serious failure to ensure that
24 "materials were provided on a like for like basis, in
25 addition to complying with requirements, et cetera",

1 there is no suggestion in my reading of that paragraph
2 that "like for like" is any reference to the
3 Building Regulations and this really comes back to the
4 difficulty that this is Mr Maxwell-Scott's
5 interpretation of what "like for like" means.

6 That is not an interpretation that we share, and for
7 that very reason it's wrong to start, as I say,
8 tinkering with their words to reflect what the
9 interpretation might be. There is no clear wording
10 saying "there is criminal liability" or suchlike.

11 THE CORONER: Okay, that's very helpful. Thank you very
12 much. Yes, Mr Dowden?

13 MR DOWDEN: I support Mr Edwards' submissions.

14 THE CORONER: Okay, thank you. Ms Al Tai?

15 MS AL TAI: Good morning, madam. I would merely echo the
16 observations of my learned friend in respect of the
17 Rule 42. Rule 42 requires -- excuse me, madam -- if
18 I could just refer to my text here and if you will
19 permit me I will just read from the text.

20 THE CORONER: Yes, of course.

21 MS AL TAI: It says that Rule 42 states that:

22 "No verdict will be framed in such a way as to
23 determine any question of: (a) criminal liability; or
24 (b) civil liability."

25 There is no provision there for an implied meaning.

1 There have been no expressions by the jury in respect of
2 criminal culpability, they have merely made findings of
3 fact. I will also echo my learned friend's observations
4 in respect of the fact that the jury have made such
5 findings and it is not for us to amend or manipulate
6 those facts.

7 Just to further that point, madam, if I could draw
8 your attention to an analogous situation, for example
9 a verdict of unlawful killing, although that's not the
10 subject of what I'm talking about at this moment in
11 time. A verdict of unlawful killing is an appropriate
12 verdict in certain circumstances, and that certainly
13 does not infringe Rule 42.

14 The purpose of these Inquests, madam, as you're well
15 aware, is for the jury to make such findings, and we
16 would urge you to allow them to do so on the basis that
17 they have clearly expressed an opinion on these matters,
18 and it's for them to decide, ultimately. Thank you,
19 madam.

20 THE CORONER: Yes, thank you very much, Ms Al Tai. Thank
21 you. Mr Walsh?

22 MR WALSH: No, thank you, madam.

23 THE CORONER: Thank you. Mr Matthews?

24 MR MATTHEWS: Madam, just on the last point, I think the
25 words in Rule 42 "appear to" are important and,

1 secondly, unlawful killing is not an analogy at all,
2 because as you know the criminal standard of proof has
3 to apply.

4 To Mr Maxwell-Scott's suggestion, we wholeheartedly
5 agree and, with respect, "tinkering" is an inappropriate
6 word to use. It isn't tinkering in any sense.

7 Mr Maxwell-Scott's suggestions involve you directing
8 on his points 1 and 2, which clearly set out the ambit
9 of the law. When it comes to his third suggestion, that
10 is simply the removal of the offending words to make the
11 jury's verdict comply with the law. Adding that it's
12 open to them to rephrase the passage in any way they see
13 fit, in a sense, goes the extra mile. It allows the
14 leeway that they're entitled to to consider rephrasing
15 that in a manner consistent with the legal directions,
16 but I don't think the good sense of my learned friend
17 Mr Maxwell-Scott's suggestions have been dealt with, in
18 any way by, with respect, the families' submissions.

19 THE CORONER: Thank you very much. Mr Compton?

20 MR COMPTON: Madam, I also support what's been put in
21 writing by my learned friend Mr Maxwell-Scott. It seems
22 to me again that, as Mr Matthews has said, "tinkering"
23 is completely inappropriate.

24 We have a duty to the jury. If one goes to this
25 litmus test here that Rule 42 appears to be infringed,

1 it may well be, as you said, that the jury have no idea,
2 and I don't think we did give them any information about
3 the Building Regulations and breaching the Building
4 Regulations and penalties and so forth, and if that is
5 right one has a clear duty to correct it now.

6 It seems to me that what Mr Maxwell-Scott has set
7 out is very fair. It gives them room to manoeuvre, so
8 it's not infringing in any way on their rights to
9 record, as they want, the appropriate narrative. It
10 simply removes the words that bring it up against in
11 stark contrast to Rule 42. So that is what we would
12 submit is the appropriate way to deal with this.

13 THE CORONER: Thank you very much. Thank you. Yes,
14 Mr Dickason?

15 MR DICKASON: Thank you, madam. Simply to say that we agree
16 with Mr Maxwell-Scott and Mr Compton as well. Thank
17 you.

18 THE CORONER: Thank you very much. Ms Canby?

19 MS CANBY: Thank you, madam. We agree with the approach
20 outlined by Mr Maxwell-Scott and as supported by
21 Mr Matthews and Mr Compton. It seems to me that the
22 verdict, as currently drafted, is wrong in law and
23 therefore I do agree that it is not tinkering, and
24 I agree that we do have a duty to give further direction
25 to the jury whilst a verdict that is wrong in law is

1 being proposed by them.

2 It seems to me that it's wrong in law for two
3 reasons: firstly, because of that reason outlined by
4 Mr Matthews and others, in that it does, as drafted,
5 currently read in a way in which it appears to determine
6 any question of criminal liability. It seems to me that
7 that is very clear on the face of the paragraphs that
8 have been referred to you by Mr Maxwell-Scott.

9 Secondly, it seems to me to offend Rule 42 by
10 determining the question of criminal liability on the
11 part of a named person, ie SBDS, who are obviously
12 a legal person.

13 So for those two reasons it seems to me that there
14 ought to be a direction as outlined by Mr Maxwell-Scott.

15 THE CORONER: Thank you very much. Ms Petherbridge?

16 MS PETHERBRIDGE: Madam, yes, we'd also agree with the
17 proposition made by Mr Maxwell-Scott, both as to his
18 interpretation of what the particular passage appears to
19 determine and indeed we would support the
20 appropriateness, madam, of your intervening to ensure
21 that any verdict is lawful.

22 THE CORONER: Thank you very much.

23 Have I given everyone -- yes, I think I've covered
24 everybody. Yes, Mr Edwards?

25 MR EDWARDS: Madam, forgive me for rising again, just two

1 points. Of course, there's a duty to assist the jury
2 but not after they have effectively delivered their
3 verdict and --

4 THE CORONER: Well, has it been delivered?

5 MR EDWARDS: Well, madam --

6 THE CORONER: What's the authority for that? You need to
7 give me some guidance on that.

8 MR EDWARDS: Well, madam, they've handed up a document which
9 I understand is their verdict. It's of course within
10 your power to give guidance --

11 THE CORONER: Mr Edwards, I don't yet have a narrative
12 verdict for each of the six deceased, we haven't got
13 there yet.

14 MR EDWARDS: Well, madam, effectively we're simply asking
15 the jury to add in names. That's an entirely different
16 matter. What is being suggested is that they change
17 their opinion on the facts. But I understand what you
18 are saying, madam, but in my submission the document
19 they've handed up effectively forms their verdict.

20 Madam, really in the same vein, there is no power
21 once the jury have delivered their verdict to correct
22 what may or may not be an error of law. This
23 effectively follows on from my previous point.

24 THE CORONER: Okay, thank you very much. Mr Maxwell-Scott,
25 do you want to come back with any observations?

1 MR MAXWELL-SCOTT: Just to clarify the point that Rule 42 in
2 relation to criminal liability is focussed on criminal
3 liability on the part of a named person. That's why
4 an unlawful killing verdict is permitted, because it
5 doesn't name the person who has done the unlawful
6 killing. What the concern is here is the connection
7 between the apparent statement that the Building
8 Regulations have been breached and in the same passage
9 the naming of the person who has breached them. That's
10 the first point.

11 The second point is just to repeat what I consider
12 to be the most important consideration, which is that
13 the jury, through no fault of their own, may not be
14 aware that breach of the Building Regulations is
15 a criminal offence. So they may not have taken that
16 into account when reading the written guidance they have
17 about not in their verdicts making any finding of
18 criminal liability on the part of a named person.

19 THE CORONER: Thank you. Are you able to offer me any
20 assistance on Mr Edwards' submission that it's now too
21 late -- if I can summarise it that way -- to be giving
22 this guidance to them?

23 MR MAXWELL-SCOTT: I don't have any authority that I can put
24 to the court. I am aware of other cases in which
25 documents at this stage have been considered by the

1 coroner and further guidance has been given and the
2 reality is that everybody agrees that some further
3 guidance needs to be given at this stage and it's not
4 just putting in the names, it's, as the jury see fit,
5 taking the text they have at the moment and converting
6 it into, one would expect, documents that are at least
7 significantly different in respect of Catherine Hickman
8 in relation to the other five deceased.

9 THE CORONER: Thank you very much. That's very helpful from
10 everybody, thank you.

11 Can I just ask for any comment on the way in which
12 we're proposing to offer help to jurors to complete
13 their task? The suggestion is that we should give them
14 access to a laptop computer so they can try to produce
15 six documents which we'll need.

16 I understand Mr Atkins last night has typed the text
17 of the handwritten document which I received from the
18 jurors yesterday. I haven't yet had a chance to check
19 it against the original. I've no doubt that it is
20 accurate, but I shall want to check that carefully
21 before it's handed in to jurors.

22 Unless there's any observation, my proposal is that
23 we should give the jurors the typed text which Mr Atkins
24 has prepared, provided obviously it is a precise
25 transcription of the handwritten document and that that

1 text will be on the computer to which they will have
2 access in their room -- I think that they will not have
3 internet access from that computer, so just to put any
4 concern on that to one side -- and ask them, using that,
5 to produce their six narrative verdicts.

6 Do I have any dissent from that as a practical way
7 forward to help them to achieve and complete their task?
8 Okay.

9 I think another point which Mr Maxwell-Scott raised
10 in his email circulated last night was the proposal that
11 we should ask either the foreman of the jury or another
12 juror, if between the jurors they so decide, to read out
13 loud each of the narrative verdicts. Is there any
14 comment that anyone would like to make on that?

15 MR EDWARDS: Madam, simply to observe if effectively five of
16 the narrative verdicts are the same but with different
17 names there would be no need to read all of them out
18 five times.

19 THE CORONER: Okay, well, it depends what the jurors do on
20 that. If they are simply the same but for the names
21 then we may be able to deal with that in a slightly
22 foreshortened way but obviously we need to make sure
23 that the text, if it is to be the same, is actually the
24 same, so we need to check that.

25 All right, does anyone want to raise any other point

1 before we have a break now and then ask the jurors to
2 come in at 10 o'clock?

3 All right, thank you very much.

4 (9.42 am)

5 (A short break)

6 (9.55 am)

7 Application by MR EDWARDS

8 THE CORONER: Thank you. Mr Edwards, I gather you have
9 a application?

10 MR EDWARDS: Yes, madam, we apply to see a copy of the
11 handwritten document that the jury have handed up to
12 you. Madam, this was pointed out to me after you had
13 risen, but it was a very sensible point. If this were
14 a question from the jury you would, of course, circulate
15 it to all parties. As it is, you yourself seem to be
16 uncertain or queried its status as to whether or not it
17 was a verdict. It's entirely appropriate in those
18 circumstances for it to be circulated to properly
19 interested persons.

20 THE CORONER: Well, the text of the passage which concerned
21 me has been circulated, so people have seen that, have
22 they not?

23 MR EDWARDS: Yes, madam, but we need to see the whole thing.
24 Mr Maxwell-Scott placed an interpretation on that text
25 and reading one paragraph with another paragraph. It's

1 impossible for properly interested persons to argue
2 about that interpretation, or indeed the document at
3 all, without seeing the document as a whole.

4 THE CORONER: All right. Thank you very much. Before I ask
5 Mr Maxwell-Scott to comment, does anyone want to make
6 any observation on that? Mr Walsh?

7 Submissions by MR WALSH

8 MR WALSH: Madam, I do and I would respectfully urge extreme
9 caution in considering the request which is made by
10 Mr Edwards. The reason why I say that is this: it would
11 probably mean that everybody would have to see it.

12 On behalf of the Fire Brigade, I don't want to see
13 it. I don't want to see it for this reason: it is not
14 a verdict, as I understand the position to be. It is
15 not even a draft verdict. It effectively represents the
16 jury's deliberations so far. There is a mandatory
17 fundamental prohibition to any of us being aware of the
18 broad nature of those deliberations and other than doing
19 what has thus far been done, and that is to identify
20 a potential breach of Rule 42 and the discussion of
21 an appropriate method of advising the jury to avoid such
22 a breach, to circulate what amount to the written
23 deliberations of the jury before the verdict is
24 delivered would present all sorts of problems and, just
25 thinking about it, I think it should be avoided. I put

1 it that strongly.

2 THE CORONER: Thank you very much. That's helpful. I'm so
3 sorry, Ms Al Tai, yes?

4 Submissions by MS AL TAI

5 MS AL TAI: Thank you, madam, but just really to adopt
6 Mr Edwards' observations and likewise support his
7 application in respect of the document that has been
8 proffered by the jury. Just coming on from --
9 I apologise, perhaps I'm not close enough to the
10 microphone.

11 THE CORONER: Sorry.

12 MS AL TAI: No, not at all, it's my fault.

13 THE CORONER: That's helpful, thank you.

14 MS AL TAI: Just in respect of following on from what
15 Mr Walsh has said, if in fact the document is
16 a reflection of the jury's deliberations, then surely we
17 would urge you, Madam Coroner, to not interfere in those
18 deliberations, if that is the case. Thank you, madam.

19 THE CORONER: Sorry, I think that I slightly lost the thrust
20 of your submission on that, Ms Al Tai. My understanding
21 was that you were supporting the application that
22 Mr Edwards was making --

23 MS AL TAI: Absolutely.

24 THE CORONER: -- but saying that we shouldn't interfere. In
25 that case why would we be wanting to circulate it?

1 anything?

2 MR COMPTON: I respectfully agree, madam.

3 THE CORONER: I'm sorry?

4 MR COMPTON: I respectfully agree with that last argument
5 and that of Mr Walsh.

6 MR DICKASON: As do I, thank you.

7 MS CANBY: As do I agree with the approach set out by
8 Mr Walsh.

9 THE CORONER: Sorry, Ms Petherbridge?

10 MS PETHERBRIDGE: I support Mr Walsh wholeheartedly.

11 THE CORONER: Thank you. Yes, Mr Maxwell-Scott, can you
12 assist?

13 Submissions by MR MAXWELL-SCOTT

14 MR MAXWELL-SCOTT: Just to say this: the interpretation that
15 I placed on the passage which was circulated -- and it
16 may be the correct interpretation, it may be the wrong
17 interpretation -- was placed on that passage as a whole
18 alone, not how it related to any other passages in the
19 document. I don't regard it as necessary for anyone to
20 see other passages in the document in order to make
21 their submissions, as they have done, in relation to any
22 guidance that needs to be given in respect of this
23 passage.

24 THE CORONER: Thank you very much.

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Ruling on application

THE CORONER: Mr Edwards and Ms Al Tai apply, on behalf of their respective clients, for the document handed to me last night by the jury be circulated. The document has been seen by Mr Maxwell-Scott as counsel to the Inquest and by Mr Atkins, his junior.

The passage with which we have been concerned earlier this morning has been circulated to you verbatim. You have all been able to make your submissions on that particular passage.

It seems to me that, first, it is not necessary for you all to see the rest of the document, as the passage in question is capable of being interpreted as a stand alone passage. Secondly, I should not circulate a document which in effect represents the jury's deliberations so far.

I therefore reject the application.

Thank you very much. I just need to make sure that I have checked the typed version before I ask the jury to come in, and that's going to take me a few minutes to complete. So Mr Clark will know as soon as I'm ready to continue and we're ready to ask the jury to come in.

Thank you very much.

(10.03 am)

(A short break)

1 (10.44 am)

2 Ruling on directions to the Jury

3 THE CORONER: As you know, I was handed a document yesterday
4 by the jurors, a handwritten document which was headed
5 "Narrative verdict". This was a single document. Of
6 course, in relation to these inquests we need six
7 separate verdicts, one for each of the deceased. Mr
8 Maxwell-Scott, counsel to the Inquest, his junior, Mr
9 Atkins, and I, looked at the document to make
10 sure that it complied with the law. One passage
11 gave rise to concern. The text of that passage has been
12 circulated to all properly interested persons, and the
13 opportunity has been given for everyone to consider the
14 passage and the suggestions made by Mr Maxwell-Scott as
15 to how I should deal with it.

16 The concern which Mr Maxwell-Scott identified was
17 that the passage potentially breached Rule 42 of the
18 Coroner's Rules. This provides (so far as is relevant
19 to this issue) that no verdict should be framed in such
20 a way as to appear to determine any question of criminal
21 liability on the part of a named person.

22 Mr Maxwell-Scott made proposals as to directions
23 which I might consider giving to the jurors to deal with
24 this.

25 Mr Edwards, on behalf of some of the bereaved,

1 submits that I should not direct the jury as has been
2 proposed. His submission is that to do so would amount
3 to tinkering with the findings which jurors have made.

4 He submits that the passage in question does not
5 amount to a breach of Rule 42. He also submitted that
6 verdicts have been delivered and so it was now too late
7 to suggest correction.

8 Mr Edwards' submissions were supported by Ms Al Tai
9 and Mr Dowden, also on behalf of the bereaved.

10 The other properly interested persons take the
11 contrary view.

12 I conclude that the passage in question does
13 infringe Rule 42 as there is a clear connection between
14 a named person (SBDS) and the statement that the Building
15 Regulations were breached; breach of those regulations
16 is a criminal offence. As a matter of law, the Building
17 Regulations did not require that materials used in
18 panels below the bedroom windows in flat 79 be provided
19 on a like for like basis.

20 I am not persuaded by Mr Edwards' submissions.

21 The jury have not yet been directed that breach of
22 the Building Regulations is a criminal offence.

23 I do not accept that it is too late to ask jurors to
24 accept directions on questions of law relating to the
25 narrative verdict which they may bring.

1 It is my duty to give the jury guidance so that
2 their narrative verdicts do not infringe the
3 requirements of Rule 42.

4 I shall direct the jury as has been helpfully
5 proposed by

6 Mr Maxwell-Scott, and I shall do so now.

7 Could we ask the jurors to come in, please.

8 Mr Maxwell-Scott, do we have the original
9 handwritten version?

10 (In the presence of the Jury)

11 Directions to the Jury

12 THE CORONER: Members of the jury, good morning. I'm sorry
13 that we've delayed you but there were a number of
14 matters that we needed to deal with before we asked to
15 you come back in this morning. My thanks again for the
16 work which you have put in so far, I appreciate that
17 very much.

18 As I briefly explained yesterday, we do need
19 a separate narrative verdict for each of the six
20 deceased. You've seen the inquisition which has been
21 partially completed to assist you in relation to each of
22 the six deceased, and I must also complete a certificate
23 relating to each of the deceased. So I must complete
24 six certificates, so that details of the death of each
25 is registered.

1 The document which you handed to me yesterday reads
2 as one single narrative and, as I say, I need six
3 separate narrative verdicts. I hope that we have found
4 a way to help you to achieve six documents. We have
5 made arrangements for you to use a computer and I'm sure
6 that between you some of you have good keyboard skills.
7 If that's not the case then please let me know, but I'm
8 hoping that that is the case.

9 Mr Atkins last night typed the next of your
10 document, so there is a typed version of your document
11 ready on the computer which will be made available to
12 you. Mr Maxwell-Scott and Mr Atkins checked carefully
13 to ensure that the typed version is a faithful
14 transcript of what you wrote and I personally have
15 checked it as well. So I hope you can be confident that
16 the typed document is a reproduction of the handwritten
17 document which you prepared.

18 Please, can I just ask for the original to be handed
19 back to you perhaps, Madam Foreman. Thank you very
20 much. Mr Graham has copies of the typed version, so we
21 have prepared 11 copies so you can each have one.

22 (Handed)

23 I make it clear that this is simply a faithful
24 transcript of what you have written, because it is not
25 for any of us to be telling you what to say or how to

1 say it, save that, as I explained a little while ago, it
2 is for me to give you directions to matters of law, and
3 I shall come back to that in a moment.

4 I hope that use of the computer will enable you to
5 produce six separate documents, because we need
6 a separate narrative verdict for each of the six
7 deceased. I hope that by using the computer this will
8 enable you to decide which passages you want to take
9 from your document to put into each of the verdicts.
10 That is entirely a matter for you.

11 If I may respectfully make some suggestions as to
12 how you might go about this, and these are merely
13 suggestions, you don't have to follow them, but I hope
14 they might help.

15 I would suggest that you start with the narrative
16 verdict for Catherine Hickman and complete that, so that
17 you're satisfied that that is what you want to say in
18 relation to Catherine Hickman, and then go on to deal
19 with the remaining five deceased, creating a new
20 document for each, so you'll end up with six separate
21 documents. After you've dealt with Catherine Hickman's
22 narrative, you might, for example, want to go onto that
23 for Dayana Francisquini. You might, and this is
24 entirely a matter for you, want to indicate, maybe at
25 the beginning of the narrative, or wherever you feel

1 appropriate, something to the effect that Dayana
2 Francisquini died in the bathroom of Flat 81 in
3 Lakanal House some time between 1750 and 1800 hours on
4 3 July 2009. Something along those lines might be
5 a helpful introduction. Whether it is or not is
6 entirely a matter for you.

7 The timing of that, of course, I've taken from the
8 guideline document which we handed out when we asked you
9 to go away and begin your narrative verdicts.

10 So then set out your narrative verdict for Dayana
11 Francisquini and then go on to maybe Thais Francisquini.
12 The order in which you deal with it is entirely a matter
13 for you, but a separate document, please, for each of
14 the deceased. As I say, I hope that by using a computer
15 that will help you to be able to produce those
16 narratives in a comparatively straightforward way.

17 You recall that in the guidelines which we gave
18 you -- I don't know whether you have those with you.
19 Don't worry if you don't have it, I'll just remind you,
20 and you can see it when you go back to your room.

21 On the first page, the guidance says this:

22 "Your verdicts must not contain any finding of
23 criminal liability on the part of a named person,
24 individual or organisation."

25 When I give you directions and summed up the case to

1 you I think that I did not mention to you that a breach
2 of the Building Regulations is a criminal offence. With
3 this in mind, could I ask you, please, to have a look at
4 a passage which appears on page 3 of your handwritten
5 document -- and I think in the typed version you will
6 find it on page 1 -- in about the middle of the page.

7 The passage there reads, a side heading of "Building
8 condition":

9 "The panels under the bedroom windows of Flat 79
10 were not Class 0, although a Building Regulation
11 required them to be so. This was due to a serious
12 failure on the part of SBDS, its contractors and its
13 subcontractors, to ensure that materials were provided
14 on a like for like basis in addition to complying with
15 requirements such as those set out in Approved
16 Document B of Building Regulations."

17 So if you see that passage.

18 Members of the jury, I'm going to give you
19 a direction in relation to the law and this is
20 a direction which you must comply with.

21 The first direction is this: your narrative verdicts
22 must not state or imply that a named organisation failed
23 to comply with the Building Regulations.

24 The second direction which I gave you is that, as
25 a matter of law, the Building Regulations do not require

1 materials to be provided on a like for like basis.

2 So, members of the jury, when you are assembling
3 your six narrative verdicts, I ask you, please, to bear
4 those two directions carefully in mind.

5 I'm now going to make a suggestion as to how you
6 might deal with that. As to how you deal with that is
7 a matter for you, just bearing in mind the direction
8 which I've given.

9 If you were to amend that passage to read:

10 "The panels under the bedroom windows of Flat 79
11 were not Class 0, although a Building Regulation
12 required them to be so. This was due to a serious
13 failure on the part of SBDS, its contractors and its
14 subcontractors."

15 Wording of that sort would not fall foul of the two
16 directions which I have given you, but it's open to you
17 to rephrase that passage as you see fit, provided that
18 when you're doing so you bear in mind and adhere to the
19 two directions which I have given you.

20 Do you want me to repeat the directions or are you
21 clear on those two?

22 THE FOREMAN OF THE JURY: I think we're clear, thank you.

23 THE CORONER: All right, thank you very much.

24 So we have, as I say, made a laptop available for
25 you and I hope that that will enable to you deal with

1 what we ask you to do, please. So in a moment I'll ask
2 you to go back to your room and please just to complete
3 the task. I don't want to put any pressure on you or to
4 make you feel rushed, and so we've made it clear to
5 everybody that there'll be no formal handing down of any
6 verdicts until this afternoon, so I hope that that
7 assists.

8 If you have any practical problems with the
9 document, not in terms of what you say or how you say
10 it, but the sort of problems that I always have when I'm
11 preparing a document because something always goes wrong
12 for me technically, then Mr Atkins I think will be able
13 to help you, because he's a real wizard at IT, but
14 obviously on the basis that he has no input at all of
15 any sort in what you say or how you say it. So if you
16 do need IT help then please make that clear.

17 When we come to the formal handing down of the
18 verdicts, what I should like you to do, please, is to
19 read out the narrative verdicts. There will be six of
20 them, one for each of the deceased. You may want to
21 share that out between you, madam foreman, you may want
22 to deal with that all yourself. That's entirely
23 a matter for you, I can leave you to decide that between
24 yourselves, all right?

25 So please, is that clear, do you have a clear

1 understanding of what we would like you to do and how
2 I would like you to deal with it? Good.

3 So could I ask you then, please, to go back to your
4 room and complete the task. Thank you very much.

5 (The Jury retired again at 11.00 am)

6 THE CORONER: Thank you.

7 (11.02 am)

8 (A short break)

9 (11.09 am)

10 (In the presence of the Jury)

11 THE CORONER: Yes, thank you, sorry for disturbing you so
12 quickly, I hope the computer has arrived.

13 A moment ago I was indicating a suggestion for the
14 way in which you might approach the wording of the
15 passage we were looking at and I, in fact, went astray
16 myself, so apologies.

17 The suggestion, and it is only a suggestion, it is
18 a matter for you, is that if the passage were to read:

19 "The panels under the bedroom windows of Flat 79
20 were not Class 0, although they were required to be.
21 This was due to a serious failure on the part of SBDS,
22 its contractors and subcontractors."

23 So my apologies for having given you a false
24 suggestion earlier. But it is only a suggestion and it
25 is a matter for you how you choose to word that, bearing

1 in mind the direction that I've given you on those two
2 matters of law. Okay?

3 Thank you very much, my apologies for that.

4 (The Jury retired again at 11.11 am)

5 THE CORONER: Thank you.

6 (11.12 am)

7 (A short break)

8 (2.00 pm)

9 (Proceedings delayed)

10 (2.30 pm)

11 THE CORONER: Yes, thank you. I'll invite the jury to come
12 in in a moment. I just wanted to say, particularly to
13 the properly interested persons, that I shall deal as
14 soon as I am able with my judgment on the Section 20
15 issue and I shall provide that to the legal teams and
16 put it on the website here. That's probably going to be
17 the best way to disseminate that.

18 Could we ask the jury to come in?

19 (The Jury returned into Court at 2.31 pm)

20 Verdicts

21 THE CORONER: Members of the jury, good afternoon.

22 I understand that you have completed a narrative verdict
23 in respect of each of the six deceased; is that correct?

24 THE FOREMAN OF THE JURY: Yes, Madam Coroner.

25 THE CORONER: Thank you very much. In each case, is it the

1 verdict of you all?

2 THE FOREMAN OF THE JURY: It is, Madam Coroner.

3 THE CORONER: So in each case it's a unanimous verdict?

4 THE FOREMAN OF THE JURY: In each case, yes.

5 THE CORONER: Thank you very much.

6 I understand that you're going to share between you

7 the reading of the verdicts, which I think is fine.

8 So, please, could I ask whoever is going to begin,

9 may I suggest that we begin with the inquisition and

10 narrative verdict for Catherine Hickman.

11 Verdict in respect of CATHERINE HICKMAN

12 THE CORONER: Yes, before I ask you to read the narrative

13 verdict, can I just ask you to confirm that all 11

14 members of the jury have signed the inquisition form?

15 THE FOREMAN OF THE JURY: That's correct.

16 THE CORONER: Let me just run through that with you to

17 confirm the contents. In relation to section 1, the

18 name of the deceased, what, please, have you completed

19 there?

20 THE FOREMAN OF THE JURY: Catherine Hickman.

21 THE CORONER: Thank you. In relation to section 2, the

22 injury or disease causing death?

23 THE FOREMAN OF THE JURY: Inhalation of fire fumes and

24 burns.

25 THE CORONER: Thank you. In relation to section 3, time,

1 place and circumstances at or in which injury was
2 sustained, what have you put there?

3 THE FOREMAN OF THE JURY: We'll be discussing that in the
4 narrative verdict, which is attached.

5 THE CORONER: Thank you. In section 4, conclusion of the
6 coroner as to the death, can you please say what has
7 been put there?

8 THE FOREMAN OF THE JURY: See attached narrative verdict.

9 THE CORONER: Thank you. Then in relation to section 5,
10 which are the particulars which are required to be
11 registered, the first one is date and place of birth of
12 Catherine Hickman.

13 THE FOREMAN OF THE JURY: 15/07/1977 in Southampton.

14 THE CORONER: Thank you, and the name and surname of the
15 deceased?

16 THE FOREMAN OF THE JURY: Catherine Hickman.

17 THE CORONER: Thank you, and her sex.

18 THE FOREMAN OF THE JURY: Female.

19 THE CORONER: Date and place of death, please.

20 THE FOREMAN OF THE JURY: 03/07/2009, in Flat 79,
21 Lakanal House, Sceaux Gardens, Camberwell, SE5 7DP.

22 THE CORONER: Thank you. In relation to the last item,
23 occupation and usual address.

24 THE FOREMAN OF THE JURY: Fashion designer, Flat 79,
25 Lakanal House, Sceaux Gardens, Camberwell SE5 7DP.

1 THE CORONER: Thank you very much. Can I invite you now to
2 read your narrative verdict. Before you start can
3 I suggest you put on the other microphone so you have
4 both. Thank you.

5 THE FOREMAN OF THE JURY: This is our narrative verdict
6 regarding the death of Catherine Hickman.

7 Catherine Hickman died in the lounge of Flat 79 of
8 Lakanal House facing east between 1650 and 1700 hours on
9 03/07/2009 of inhalation of fire fumes and burns. These
10 fatal injuries came as the result of an initial fire in
11 Flat 65 and subsequent developments.

12 Evidence suggests that the fire within Flat 65 was
13 of medium growth.

14 The fire spread up into Flat 79 through the panels
15 under the bedroom windows of Flat 79.

16 THE CORONER: Sorry, not too fast, please, because of the
17 transcribers.

18 THE FOREMAN OF THE JURY: Shall I go back?

19 THE CORONER: No, that's fine.

20 THE FOREMAN OF THE JURY: The aluminium window frames were
21 distorted by the flames from Flat 65, creating gaps
22 through which the curtains of Flat 79 caught alight.

23 Combustible items within bedroom 1 of Flat 79
24 facilitated the fire spread within the flat up to the
25 internal staircase.

1 Smoke spread from the windows across the bedroom, up
2 the staircase, and into an upstairs open plan lounge.

3 Gaps around window sets allowed external winds to
4 push smoke back into Flat 79, facilitating smoke spread
5 under and through floorboards.

6 These factors all contributed to rapid and extensive
7 smoke-logging within Flat 79, alongside severe heat and
8 flame which created non-survivable conditions.
9 Catherine Hickman was overcome by heat, smoke and later
10 flame.

11 The panels under the bedroom windows of Flat 79 were
12 not Class 0, although they were required to be.

13 This was due to a serious failure on the part of
14 SBDS, its contractors and its subcontractors.

15 The evidence suggests alterations made to Flat 79
16 may have had more than a minimal contribution to the
17 death of Catherine Hickman as the removal of the
18 staircase wall facilitated the spread of smoke up the
19 internal staircase.

20 However, in October 2006, SBDS was informed that the
21 modifications of Flat 79 were approved. This
22 information included the suggestion that SBDS check the
23 work for fire safety.

24 This fire safety check did not happen and was
25 therefore a missed opportunity to consider the adequacy

1 of fire protection.

2 In the 1980s the pipework for the heating system was
3 installed in the ceiling cavity above the communal
4 corridors.

5 This would have been an opportunity to ensure that
6 the fire stopping around pipes leading into flats and
7 segmentation within the ceiling itself offered adequate
8 protection from fire.

9 The 2006/2007 major refurbishments which involved
10 material alterations to Lakanal House provided numerous
11 opportunities to consider whether the level of fire
12 protection at the building was adequate.

13 Asbestos removal and replacement with composite
14 panels had a significant impact on the fire resistance
15 of the external wall of Lakanal House.

16 Despite a proactive approach by the Health and
17 Safety advisers to the London Borough of Southwark, the
18 council's Housing Department did not prioritise carrying
19 out fire risk assessments in all of its properties.

20 As a result, by 3 July 2009 Lakanal House had not
21 been assessed.

22 Catherine Hickman made a 999 call to brigade control
23 at 16.21 and remained on the line receiving fire
24 survival guidance until she became unconscious around
25 half an hour later.

1 In regard to training (and refresher training)
2 received by brigade control officers, there were no
3 records of minimum training requirements being met
4 between 1994 and 2009.

5 Evidence suggests that existing training documents
6 were contradictory and inconsistent, particularly in
7 regard to either staying put or getting out when there
8 is a fire in the building.

9 There was a clear expectation by brigade control
10 operators that persons trapped would be rescued by
11 firefighters.

12 Their advice to the caller relied heavily on this
13 assumption.

14 The training of brigade control officers failed to
15 promote active listening or encourage operators to react
16 to dynamic or unique situations.

17 Early on in her call Catherine Hickman gave
18 important information to brigade control about the
19 layout of the building, as well as her own whereabouts.

20 Catherine also described how she was being affected
21 by smoke and fire.

22 This information was not shared effectively with or
23 acted on by London Fire Brigade personnel on the fire
24 ground.

25 With regard to firefighting operations, the initial

1 attack on Flat 65 was both timely and adequate.

2 The extensive smoke-logging in the communal
3 corridors led to the bridgehead being moved and
4 firefighters becoming involved in rescuing residents
5 from flats other than Flat 79.

6 Although brigade control and firefighters were aware
7 of Flat 79, insufficient efforts were made to prioritise
8 and locate the flat and to deploy BA wearers
9 specifically to this location.

10 Confusion about the layout of the building,
11 including the numbering system, and the speed with which
12 the fire spread, prevented firefighters from reaching
13 Flat 79.

14 Despite the incident commander at the time
15 prioritising flats above the fire, the aforesaid
16 confusion concerning the layout and numbering of
17 Lakanal House, as well as the rescue of other residents,
18 meant that Flat 79 was not reached in time.

19 Evidence suggests that Catherine Hickman would have
20 been able to escape without assistance using the east
21 balcony until approximately 16.40. However, conditions
22 on the east balcony were quite difficult by this time,
23 with extensive smoke from the fire in Flat 65.

24 Escape would have been daunting but not impossible.

25 Within three minutes of the first London Fire

1 Brigade appliance arriving at the scene, the composite
2 panels below the bedroom windows at Flat 79 were already
3 alight.

4 Issues such as smoke-logging in communal areas and
5 the need to undertake difficult rescues elsewhere in the
6 building would have made it impossible for firefighters
7 to extinguish the fire before it created non-survivable
8 conditions in Flat 79.

9 However, had it been possible to deploy BA crews to
10 the flats immediately above and adjacent to Flat 65 at
11 the same time as the BA crew were deployed to fight the
12 fire in Flat 65, it may have been possible to rescue
13 Catherine Hickman before she sustained fatal injuries.

14 Even if the composite panels under the bedroom
15 windows of Flat 79 had been Class 0, they would not have
16 prevented the spread of fire from Flat 65 to Flat 79.

17 However, if they had been Class 0, the spread of
18 fire within Flat 79 would have been slower.

19 Due to the non-invasive nature of fire risk
20 assessments at the time of the fire, if one had been
21 carried out it would not have made a significant
22 difference to the outcome of this situation. However,
23 it may have highlighted features of the building that
24 required further investigation.

25 THE CORONER: Thank you very much. May I suggest that we

1 take Dayana Francisquini next. Who is going to deal
2 with that, please? Thank you.

3 Verdict in respect of DAYANA FRANCISQUINI

4 THE CORONER: Yes, Madam Foreman, can I just take you first
5 through the inquisition for Dayana Francisquini, and
6 could you just confirm, please, how the inquisition has
7 been completed at item 1, the name of the deceased?

8 THE FOREMAN OF THE JURY: Dayana Francisquini.

9 THE CORONER: Item 2, injury or disease causing death?

10 THE FOREMAN OF THE JURY: Inhalation of fire fumes.

11 THE CORONER: Thank you. In relation to item 3, time, place
12 and circumstances at or in which injury was sustained.

13 THE FOREMAN OF THE JURY: See attached narrative verdict.

14 THE CORONER: Item 4, conclusion of the coroner as to the
15 death?

16 THE FOREMAN OF THE JURY: See attached narrative verdict.

17 THE CORONER: Thank you. Then I'll deal with the details
18 required under section 5. So the first is date and
19 place of birth.

20 THE FOREMAN OF THE JURY: 14/12/1982 in Brazil.

21 THE CORONER: Thank you. The next is the name and surname
22 of the deceased.

23 THE FOREMAN OF THE JURY: Dayana Francisquini.

24 THE CORONER: The sex of the deceased?

25 THE FOREMAN OF THE JURY: Female.

1 THE CORONER: Maiden surname?

2 THE FOREMAN OF THE JURY: Francisquini.

3 THE CORONER: Thank you. Date and place of death?

4 THE FOREMAN OF THE JURY: 03/07/2009, Flat 81,
5 Lakanal House, Sceaux Gardens, Camberwell SE5 7DP.

6 THE CORONER: Thank you, and occupation and usual address of
7 the deceased?

8 THE FOREMAN OF THE JURY: Bank clerk. Flat 81,
9 Lakanal House, Sceaux Gardens, Camberwell, SE5 7DP.

10 THE CORONER: That inquisition has been signed by each of
11 the jurors, has it?

12 THE FOREMAN OF THE JURY: It has.

13 THE CORONER: Thank you. The narrative verdict which
14 I shall ask you to read in a moment, is that the verdict
15 of you all?

16 THE FOREMAN OF THE JURY: It is.

17 THE CORONER: Thank you. Would you like to read that
18 please?

19 THE FOREMAN OF THE JURY: This is our narrative verdict for
20 Dayana Francisquini.

21 Dayana Francisquini died in the bathroom of Flat 81
22 of Lakanal House on 03/07/2009 between 1750 and
23 1800 hours. Her fatal injuries were sustained by the
24 inhalation of fire fumes generated from the initial fire
25 in Flat 65 and subsequent fires in flats 79, 37, and 53.

1 After the fire started in Flat 65, the flames spread
2 through the composite panels of Flat 79.

3 Dayana Francisquini was sheltering in the bathroom
4 of Flat 81 and was affected by the smoke from the
5 numerous fires in Lakanal House.

6 Smoke entered Flat 81 from the 11th floor corridor,
7 as well as from the bathroom ventilation duct. This
8 duct was directly connected to secondary fires lower
9 down the building.

10 Evidence suggests these fires were caused by flaming
11 debris falling from flats 65 and 79.

12 When the front door of Flat 79 collapsed into the
13 11th floor corridor, smoke and fire were able to spread
14 along the corridor and enter Flat 81 because: (a) the
15 boxing in under the stairs of Flat 81 failed to provide
16 the required 60 minutes' fire resistance; (b) there were
17 no fire seals on the front door of Flat 81; (c) there
18 was a lack of fire stopping on internal pipework from
19 previous renovations; (d) the panel above the door of
20 Flat 81 failed to provide adequate resistance.

21 All of these factors, in addition to the
22 interconnected bathroom ducts, contributed to a serious
23 failure of compartmentation.

24 Had a fire risk assessment been carried out at
25 Lakanal House, it is possible that these features may

1 have been highlighted for further investigation.

2 The installation of a new heating system in the
3 1980s would have been an opportunity to ensure that the
4 fire stopping around pipes leading into Flat 81 and
5 segmentation within the suspended ceiling offered
6 adequate protection from fire.

7 The 2006/2007 refurbishment provided numerous
8 opportunities to consider whether the level of fire
9 protection of the building was adequate.

10 If the panel above the door of Flat 79, and the
11 boxing in of both flats 79 and 81 had been
12 fire-resistant to 60 minutes the spread of fire and
13 smoke into the roof cavity of the 11th floor corridor
14 would have been greatly limited.

15 If the roof cavity had been adequately protected,
16 the occupants of the bathroom in Flat 81, including
17 Dayana Francisquini, would in turn have had
18 significantly less exposure to smoke.

19 In addition, firefighters could have channelled
20 resources more heavily towards search and rescue rather
21 than active firefighting.

22 Finally, it would have extended the period in which
23 Dayana Francisquini could have escaped to the east
24 balcony via the internal stairs of Flat 81.

25 With regard to firefighting operations, the initial

1 attack on Flat 65 was both adequate and timely.

2 The extensive smoke-logging in the communal
3 corridors led to the bridgehead being moved and
4 firefighters becoming involved in rescuing residents
5 from flats other than Flat 81.

6 Rescue attempts to Flat 81 were significantly
7 hampered by the effects of smoke-logging.

8 By moving the bridgehead further down the building
9 on account of secondary fires in flats 37 and 53, the
10 firefighters had further to go to reach Flat 81 on the
11 11th floor and used more oxygen from their BA due to the
12 efforts involved in doing so.

13 The unprecedented move of the bridgehead placed
14 demands to time, resources and manpower, which hampered
15 rescue attempts.

16 If firefighters had been aware of the precise
17 location of Flat 81 a rescue may have been effected
18 before Dayana Francisquini sustained fatal injuries.

19 When speaking with Dayana Francisquini, it would
20 have been appropriate for London Fire Brigade personnel
21 to follow standard guidance advising persons to stay
22 put, had they not been affected by smoke or fire. Given
23 the worsening smoke, it would have been appropriate for
24 the LFB to have used such a call to explore potential
25 routes and means of escape. There was a clear

1 expectation by brigade control that trapped persons
2 would have been would be rescued by firefighters. Their
3 advice to the caller relied heavily on this assumption.

4 The training of brigade control officers failed to
5 promote active listening, or encourage operators to
6 react to dynamic or unique situations.

7 Between 16.36 and 17.32 there were numerous calls
8 made between brigade control and members of the public
9 concerning families trapped in Flat 81.

10 Although brigade control informed firefighters of
11 Flat 81, insufficient efforts were made to prioritise
12 the flat and to deploy BA wearers specifically to this
13 location in time to save the occupants.

14 Dayana Francisquini's friend and several family
15 members also spoke in person to members of the London
16 Ambulance Service and the London Fire Brigade,
17 communicating the whereabouts of Dayana and her two
18 children.

19 As was the case with other flats in the building,
20 the firefighters had little knowledge of the layout and
21 numbering system of Lakanal House, thus Flat 81 was not
22 reached in time to save the occupants.

23 Consideration was given to the safety of those in
24 flats above the fire in Flat 65, however confusion about
25 the layout and the rescuing of residents elsewhere meant

1 that the flats directly above the fire were not actually
2 reached in time.

3 It would have been possible for Dayana Francisquini
4 to have left the bathroom of Flat 81 without assistance
5 up until approximately 17.15, using the escape balcony
6 on the east side of the building.

7 Unfortunately, evidence suggests that Dayana was
8 unaware of escape routes such as this and where they led
9 to.

10 THE CORONER: Thank you very much.

11 Can I suggest that we take Felipe Francisquini Cervi
12 next. Who is going to deal with that? Thank you.

13 Verdict in respect of FELIPE FRANCISQUINI CERVI

14 THE CORONER: Do you have the inquisition form for Felipe
15 Francisquini Cervi?

16 A JUROR: Yes.

17 THE CORONER: Thank you. Please, in relation to
18 section number 1, the name of the deceased, what have
19 you put in there?

20 A JUROR: Felipe Francisquini Cervi.

21 THE CORONER: 2, injury or disease causing death?

22 A JUROR: Inhalation of fire fumes.

23 THE CORONER: In section 3, time, place or circumstances at
24 or in which injury was sustained.

25 A JUROR: This is in our narrative verdict.

1 THE CORONER: Thank you. Item 4, conclusion of the coroner
2 as to death?

3 A JUROR: Again, this is in our narrative verdict.

4 THE CORONER: Thank you. Then item 5, particulars for the
5 time being required by the Registration Act, the first
6 item is date and place of birth.

7 A JUROR: 19/09/2005, in London.

8 THE CORONER: The second item is the name and surname of the
9 deceased.

10 A JUROR: Felipe Francisquini Cervi.

11 THE CORONER: The sex of the deceased?

12 A JUROR: Male.

13 THE CORONER: Date and place of death?

14 A JUROR: 03/07/2009, in Flat 81, Lakanal House,
15 Sceaux Gardens, Camberwell, SE5 7DP.

16 THE CORONER: Then the next section, occupation and usual
17 address?

18 A JUROR: Occupation is not applicable, and the usual
19 address is Flat 81, Lakanal House, Sceaux Gardens,
20 Camberwell, SE5 7DP.

21 THE CORONER: Thank you very much. Has that inquisition
22 been signed by each of the jurors?

23 A JUROR: Yes.

24 THE CORONER: Yes, thank you very much. You have the
25 narrative verdict there to read and can you confirm that

1 that's the verdict of you all?

2 A JUROR: Yes.

3 THE CORONER: Thank you. Yes. I don't know whether it's
4 possible for you to get a little closer to the
5 microphones. Thank you.

6 A JUROR: This is the narrative verdict for Felipe
7 Francisquini Cervi.

8 Felipe Francisquini Cervi died in the bathroom of
9 Flat 81, Lakanal House, on 03/07/2009, between 1745 and
10 1800 hours. Fatal injuries are sustained by the
11 inhalation of fire fumes generated from the initial fire
12 in Flat 65 and subsequent fires in flats 79, 37, and 53.

13 After the fire started in Flat 65, the flames spread
14 through the composite panels of Flat 79.

15 Whilst sheltering in Flat 81, Felipe Francisquini
16 Cervi was overcome by smoke and the numerous fires in
17 Lakanal House.

18 Smoke entered Flat 81 from the 11th floor corridor,
19 as well as from the bathroom ventilation duct. This
20 duct was directly connected to secondary fires lower
21 down the building.

22 Evidence suggests these fires were caused by flaming
23 debris falling from flats 65 and 79.

24 When the front door of Flat 79 collapsed into the
25 11th floor corridor, smoke and fire were able to spread

1 along the corridor and enter Flat 81 because: (a) the
2 boxing in under the stairs of Flat 81 failed to provide
3 the required 60 minutes' fire resistance; (b) there were
4 no fire seals on the door of Flat 81; (c) there was
5 a lack of fire stopping on internal pipework from
6 previous renovations; and (d) the panel above the door
7 of Flat 81 failed to provide adequate resistance.

8 All of these factors, in addition to the
9 interconnected bathroom ducts, contributed to a serious
10 failure of compartmentation.

11 Had a fire risk assessment been carried out at
12 Lakanal House, it is possible that these features may
13 have been highlighted for further investigation.

14 The installation of a new heating system in the
15 1980s would have been an opportunity to ensure that the
16 fire stopping around pipes leading into Flat 81 and
17 segmentation within the suspended ceiling offered
18 adequate protection from fire.

19 The 2006/2007 refurbishment provided numerous
20 opportunities to consider whether the level of prior
21 protection of the building was adequate.

22 If the panel above the door of Flat 79 and the
23 boxing in of both flats 79 and 81 had been
24 fire-resistant to 60 minutes, the spread of fire and
25 smoke within the roof cavity of the 1st floor corridor

1 would have been greatly limited.

2 If the roof cavity had been adequately protected,
3 the occupants in the bathroom of Flat 81, including
4 Felipe Francisquini Cervi, would in turn have had
5 significantly less exposure to smoke.

6 In addition, firefighters could have channelled
7 resources more heavily towards search and rescue rather
8 than active firefighting.

9 Finally, it would have extended the period in which
10 Felipe Francisquini Cervi could have escaped to the east
11 balcony via the internal stairs of Flat 81.

12 With regard to firefighting operation, the initial
13 attack on Flat 65 was both adequate and timely.

14 The extensive smoke-logging in the communal
15 corridors led to the bridgehead being moved and
16 firefighters becoming involved in rescuing residents
17 from flats other than Flat 81.

18 Rescue attempts to Flat 81 were significantly
19 hampered by the effects of smoke-logging.

20 By moving the bridgehead further down the building,
21 on account of secondary fires in flats 37 and 53, the
22 firefighters had further to go to reach Flat 81 on the
23 11th floor and used more oxygen from their BA due to
24 efforts involved in doing so.

25 The unprecedented move of the bridgehead placed

1 demands on time, resources and manpower, which hampered
2 rescue attempts.

3 If firefighters had been aware of the precise
4 location of Flat 81 a rescue may have been effected
5 before Felipe Francisquini Cervi sustained fatal
6 injuries.

7 When speaking with the adults in Flat 81 it would
8 have been appropriate for the London Fire Brigade
9 personnel to follow standard guidance, advising persons
10 to stay put had they not been affected by smoke or fire.
11 Given the worsening smoke, it would have been
12 appropriate for the London Fire Brigade to have used
13 such a call to explore potential routes and means of
14 escape.

15 There was a clear expectation by brigade control
16 that trapped persons would be rescued by firefighters.

17 Their advice to the caller relied heavily on this
18 assumption.

19 The training of brigade control officers failed to
20 promote active listening or encourage operators to react
21 to dynamic or unique situations.

22 Between 16.36 and 17.32, there were numerous calls
23 made between brigade control and members of the public
24 concerning families trapped in Flat 81.

25 Although brigade control informed firefighters of

1 Flat 81, insufficient efforts were made to prioritise
2 the flat and to deploy BA wearers specifically to this
3 location in time to save the occupants.

4 Several of Felipe Francisquini Cervi's family
5 members also spoke in person to members of the London
6 Ambulance Service and the London Fire Brigade,
7 communicating the whereabouts of Felipe Francisquini
8 Cervi and his family members.

9 As was the case with other flats in the building,
10 the firefighters had little knowledge of the layout and
11 numbering system of Lakanal House, thus Flat 81 was not
12 reached in time to save the occupants.

13 Consideration was given to the safety of those in
14 flats above the fire in Flat 65.

15 However confusion about the layout and the rescuing
16 of residents elsewhere meant that flats directly above
17 the fire were not actually reached in time.

18 Given the young age of Felipe, it would be
19 unrealistic to assume he could have escaped unassisted.
20 It would have been possible for Felipe Francisquini
21 Cervi, accompanied by an adult, to have left the
22 bathroom of Flat 81 without assistance from the
23 Fire Brigade up until approximately 17.15, using the
24 escape balcony on the east side of the building.

25 Unfortunately, evidence suggests that the adults

1 with Felipe Francisquini Cervi were unaware of escape
2 routes such as this and where they led to.

3 THE CORONER: Thank you. May we deal next with
4 Thais Francisquini, please. You're dealing with that as
5 well?

6 A JUROR: Yes.

7 Verdict in respect of THAIS FRANCISQUINI

8 THE CORONER: Yes. Can I just ask you to assist me with the
9 inquisition for Thais Francisquini. In section 1, name
10 of deceased, what has been put there please?

11 A JUROR: Thais Francisquini.

12 THE CORONER: In section 2?

13 A JUROR: Inhalation of fire fumes.

14 THE CORONER: Thank you. In section 3?

15 A JUROR: Please see attached narrative verdict.

16 THE CORONER: Thank you. Section 4?

17 A JUROR: Please see attached narrative verdict.

18 THE CORONER: Thank you. For section 5, date and place of
19 birth?

20 A JUROR: 25/09/2002 in Brazil.

21 THE CORONER: The second, name and surname of the deceased?

22 A JUROR: Thais Francisquini.

23 THE CORONER: The sex of the deceased?

24 A JUROR: Female.

25 THE CORONER: Date and place of death?

1 A JUROR: 03/07/2009, in Flat 81, Lakanal House,
2 Sceaux Gardens, Camberwell, SE5 7DP.

3 THE CORONER: Thank you. Occupation and usual address?

4 A JUROR: Occupation is not applicable, and the usual
5 address is Flat 81, Lakanal House, Sceaux Gardens,
6 Camberwell, SE5 7DP.

7 THE CORONER: Thank you. Has that inquisition been signed
8 by each of the jurors?

9 A JUROR: Yes, it has.

10 THE CORONER: Thank you. You have the narrative verdict,
11 I think, for Thais Francisquini.

12 A JUROR: Yes.

13 THE CORONER: Is that a verdict of you all?

14 A JUROR: Yes, that's correct.

15 THE CORONER: Thank you. Would you like to read that,
16 please?

17 A JUROR: Thais Francisquini died in the bathroom of Flat 81
18 of Lakanal House on 03/07/2009 between 1745 and
19 1800 hours. Her fatal injuries were sustained by the
20 inhalation of fire fumes generated from the initial fire
21 in Flat 65, and subsequent fires in flats 79, 37 and 53.

22 After the fire started in Flat 65, the flames spread
23 through the composite panels of Flat 79.

24 Whilst sheltering in Flat 81, Thais Francisquini was
25 overcome by smoke from numerous fires in Lakanal House.

1 Smoke entered Flat 81 from the 11th floor corridor,
2 as well as from the bathroom ventilation duct. This
3 duct was directly connected to secondary fires lower
4 down the building.

5 Evidence suggests these fires were caused by flaming
6 debris falling from flats 65 and 79.

7 When the front door of Flat 79 collapsed into the
8 11th floor corridor, smoke and fire were able to spread
9 along the corridor and enter Flat 81 because: (a) the
10 boxing in under the stairs of Flat 81 failed to provide
11 the required 60 minutes' fire resistance; (b) there were
12 no fire seals on the front door of Flat 81; (c) there
13 was a lack of fire stopping on internal pipework from
14 previous renovations; and (d) the panel above the door
15 of Flat 81 failed to provide adequate resistance.

16 All of these factors, in addition to the
17 interconnected bathroom ducts, contributed to a serious
18 failure of compartmentation.

19 Had a fire risk assessment been carried out at
20 Lakanal House, it is possible that these features may
21 have been highlighted for further investigation.

22 The installation of a new heating system in the
23 1980s would have been an opportunity to ensure that the
24 fire stopping around pipes leading to Flat 81 and
25 segmentation within the suspended ceiling offered

1 adequate protection from fire.

2 The 2006/2007 refurbishment provided numerous
3 opportunities to consider whether the level of fire
4 protection in the building was adequate.

5 If the panel above the door of Flat 79 and the
6 boxing in of both flats 79 and 81 had been
7 fire-resistant to 60 minutes, the spread of fire and
8 smoke into the roof cavity of the 11th floor corridor
9 would have been greatly limited.

10 If the roof cavity had been adequately protected,
11 the occupants of the bathroom of Flat 81, including
12 Thais Francisquini, would in turn have had significantly
13 less exposure to smoke.

14 In addition, firefighters could have channelled
15 resources more heavily towards search and rescue rather
16 than active firefighting.

17 Finally, it would have extended the period in which
18 Thais Francisquini could have escaped to the east
19 balcony via the internal stairs of Flat 81.

20 With regard to firefighting operations, the initial
21 attack on Flat 65 was both adequate and timely.

22 The extensive smoke-logging in the communal
23 corridors led to the bridgehead being moved and
24 firefighters becoming involved in rescuing residents
25 from flats other than Flat 81.

1 Rescue attempts to Flat 81 were significantly
2 hampered by the effects of smoke-logging.

3 By moving the bridgehead further down the building
4 on account of secondary fires in flats 37 and 53, the
5 firefighters had further to go to reach Flat 81 on the
6 11th floor and used more oxygen from their BA due to the
7 efforts involved in doing so.

8 The unprecedented move of the bridgehead placed
9 demands on time, resources and manpower, which hampered
10 rescue attempts.

11 If firefighters had been aware of the precise
12 location of Flat 81, a rescue may have been effected
13 before Thais Francisquini sustained fatal injuries.

14 When speaking with the adults in Flat 81, it would
15 have been appropriate for London Fire Brigade personnel
16 to follow standard guidance advising persons to stay put
17 had they not been affected by smoke or fire. Given the
18 worsening smoke, it would have been appropriate for the
19 London Fire Brigade to have used such a call to explore
20 potential routes and means of escape.

21 There was a clear expectation by brigade control
22 that trapped persons would be rescued by firefighters.
23 Their advice to the caller relied heavily on this
24 assumption.

25 The training of brigade control officers failed to

1 promote active listening or encourage operators to react
2 to dynamic or unique situations.

3 Between 16.36 and 17.32, there were numerous calls
4 made between brigade control and members of the public
5 concerning families trapped in Flat 81.

6 Although brigade control informed firefighters of
7 Flat 81, insufficient efforts were made to prioritise
8 the flat and to deploy BA wearers specifically to this
9 location in time to save the occupants.

10 Several of Thais Francisquini's family members also
11 spoke in person to members of the London Ambulance
12 Service and the London Fire Brigade, communicating the
13 whereabouts of Thais Francisquini.

14 As was the case with other flats in the building,
15 the firefighters had little knowledge of the layout and
16 numbering system within Lakanal House, thus Flat 81 was
17 not reached in time to save the occupants.

18 Consideration was given to the safety of those in
19 flats above the fire in Flat 65, however confusion about
20 the layout and the rescuing of residents elsewhere meant
21 that flats directly above the fire were in the reached
22 in time.

23 Given the young age of Thais, it would be
24 unrealistic to assume she could have escaped unassisted.
25 It would have been possible for Thais Francisquini,

1 accompanied by an adult, to have left the bathroom of
2 Flat 81 without the assistance of firefighters up until
3 approximately 17.15, using the escape balcony on the
4 east side of the building.

5 Unfortunately, evidence suggests that the adults
6 with Thais Francisquini were unaware of escape routes
7 such as this and where they led to.

8 THE CORONER: Thank you very much. May we come on, next,
9 please, to Helen Udoaka.

10 Verdict in respect of HELEN UDOAKA

11 THE CORONER: Do you have there the inquisition form for
12 Helen Udoaka?

13 A JUROR: I do.

14 THE CORONER: Do you just want to bring the microphones
15 a little bit closer to you. Thank you very much. May
16 I just take you through that.

17 In section 1 please can you tell me what is
18 completed there?

19 A JUROR: Helen Udoaka.

20 THE CORONER: Section 2?

21 A JUROR: Inhalation of fire fumes.

22 THE CORONER: Thank you. Section 3?

23 A JUROR: See attached narrative verdict.

24 THE CORONER: Thank you. Section 4?

25 A JUROR: See attached narrative verdict.

1 THE CORONER: Thank you. Then the Registration Act
2 particulars in section 5. The first: date and place of
3 birth.
4 A JUROR: 31/05/1975, Nigeria.
5 THE CORONER: Thank you. Name and surname of the deceased?
6 A JUROR: Helen Udoaka.
7 THE CORONER: Sex of the deceased?
8 A JUROR: Female.
9 THE CORONER: Maiden surname?
10 A JUROR: Ojeyokan.
11 THE CORONER: Date and place of death?
12 A JUROR: 03/07/2009, Flat 81, Lakanal House,
13 Sceaux Gardens, Camberwell, SE5 7DP.
14 THE CORONER: Occupation and usual address of the deceased?
15 A JUROR: Management consultant, Flat 82, Lakanal House,
16 Sceaux Gardens, Camberwell, SE5 7DP.
17 THE CORONER: Thank you. Has that inquisition form been
18 signed by each of the jurors?
19 A JUROR: Yes, it has.
20 THE CORONER: I think you have the narrative verdict for
21 Helen Udoaka.
22 A JUROR: Yes, I do.
23 THE CORONER: Is that the verdict of you all?
24 A JUROR: Yes, it is.
25 THE CORONER: Thank you. Would you like to read that?

1 A JUROR: Helen Udoaka died in the bathroom Flat 81 of
2 Lakanal House on 3 July 2009 between 1755 and
3 1805 hours. Her fatal injuries were sustained by the
4 inhalation of fire fumes generated from the initial fire
5 in Flat 65 and subsequent fires in flats 79, 37, and 53.
6 After the fire started in Flat 65, the flames spread
7 through the composite panels of Flat 79.
8 Having left her own home, Flat 82, Helen went into
9 Flat 81 with her neighbours. Whilst sheltering in
10 Flat 81 she was overcome by smoke from the numerous
11 fires in Lakanal House.
12 Smoke entered Flat 81 from the 11th floor or door as
13 well as from the bathroom ventilation duct. This duct
14 was directly connected to secondary fires lower down the
15 building.
16 Evidence suggests these fires were caused by flaming
17 debris falling from flats 65 and 79.
18 When the front door of Flat 79 collapsed into the
19 11th floor corridor, smoke and fire were able to spread
20 along the corridor and enter Flat 81 because: (a) the
21 boxing in under the stairs of Flat 81 failed to provide
22 the required 60 minutes' fire resistance; (b) there were
23 no fire seals on the front door of Flat 81; (c) there
24 was a lack of fire stopping on internal pipework from
25 previous renovations; and (d) the panel above the door

1 of Flat 81 failed to provide adequate resistance.

2 All of these factors, in addition to the
3 interconnected bathroom ducts, contributed to a serious
4 failure of compartmentation.

5 Had a fire risk assessment been carried out at
6 Lakanal House, it is possible that these features may
7 have been highlighted for further investigation.

8 The installation of a new heating system in the
9 1980s would have been an opportunity to ensure that the
10 fire stopping around pipes leading into Flat 81 and
11 segmentation within the suspended ceiling offered
12 adequate protection from fire.

13 The 2006/2007 refurbishment provided numerous
14 opportunities to consider whether the level of fire
15 protection of the building was adequate.

16 If the panel above the door of Flat 79 and the
17 boxing in of both flats 79 and 81 had been
18 fire-resistant to 60 minutes, the spread of fire and
19 smoke into the roof cavity of the 11th floor corridor
20 would have been greatly limited.

21 If the roof cavity had been adequately protected,
22 the occupants of the bathroom in Flat 81, including
23 Helen Udoaka, would in turn have had significantly less
24 exposure to smoke.

25 In addition, firefighters could have channelled

1 resources more heavily towards search and rescue rather
2 than active firefighting.

3 Finally, it would have extended the period in which
4 Helen Udoaka could have escaped to the east balcony via
5 the internal stairs of Flat 81.

6 With regard to firefighting operations, the initial
7 attack on Flat 65 was both adequate and timely.

8 The extensive smoke-logging in the communal
9 corridors led to the bridgehead being moved and
10 firefighters becoming involved in rescuing residents
11 from flats other than Flat 81.

12 Rescue attempts to Flat 81 were significantly
13 hampered by the effects of smoke-logging.

14 By moving the bridgehead further down the building
15 on account of secondary fires in flats 37 and 53, the
16 firefighters had further to go to reach Flat 81 on the
17 11th floor and used more oxygen from their BA due to the
18 efforts involved in doing so.

19 The unprecedented move of the bridgehead placed
20 demands on time, resources and manpower, which hampered
21 rescue attempts.

22 If firefighters had been aware of the precise
23 location of Flat 81, a rescue may have been effected by
24 Helen Udoaka sustained fatal injuries.

25 When speaking with Helen Udoaka, it would have been

1 appropriate for London Fire Brigade personnel to follow
2 standard guidance by advising persons to stay put had
3 they not been affected by smoke and fire. Given the
4 worsening smoke, it would have been appropriate for the
5 LFB to have used such a call to explore potential routes
6 and means of escape.

7 There was a clear expectation by brigade control
8 that trapped persons would be rescued by firefighters.

9 Their advice to the caller relied heavily on this
10 assumption.

11 The training of brigade control officers failed to
12 promote active listening or encourage operators to react
13 to dynamic or unique situations.

14 Between 16.36 and 17.32, there were numerous calls
15 made between brigade control and members of the public
16 concerning families trapped in Flat 81.

17 Although brigade control informed firefighters of
18 Flat 81, insufficient efforts were made to prioritise
19 the flat and to deploy BA wearers specifically to this
20 location in time to save the occupants.

21 Several of Helen Udoaka's family members and
22 acquaintances were in contact with members of the London
23 Fire Brigade, communicating the whereabouts of Helen
24 Udoaka and her baby.

25 As was the case with other flats in the building,

1 firefighters had little knowledge of the layout and
2 numbering system of Lakanal House, thus Flat 81 was not
3 reached in time to save the occupants.

4 Consideration was given to the safety of those in
5 flats above the fire in Flat 65.

6 However confusion about the layout and the rescuing
7 of residents elsewhere meant that flats directly above
8 the fire were not actually reached in time.

9 It would have been possible for Helen Udoaka to have
10 left the bathroom of Flat 81 without assistance up until
11 approximately 17.15 using the escape balcony on the east
12 side of the building.

13 Unfortunately, evidence suggests that Helen Udoaka
14 was unaware of escape routes such as this and where they
15 led to.

16 THE CORONER: Thank you.

17 Next we'll deal with Michelle Udoaka, are you going
18 to deal with that as well?

19 A JUROR: Yes.

20 Verdict in respect of MICHELLE UDOAKA

21 THE CORONER: Thank you. Can I just take you through the
22 inquisition form for Michelle Udoaka. Could you tell me
23 please how you completed item 1?

24 A JUROR: Michelle Udoaka.

25 THE CORONER: Item 2?

1 A JUROR: Inhalation of fire fumes.

2 THE CORONER: Thank you. Section 3?

3 A JUROR: See attached narrative verdict.

4 THE CORONER: Section 4?

5 A JUROR: See attached narrative verdict.

6 THE CORONER: Thank you. The registration of particulars in
7 section 5, the first is date and place of birth.

8 A JUROR: 13/06/2009, London.

9 THE CORONER: The name and surname of the deceased?

10 A JUROR: Michelle Udoaka.

11 THE CORONER: The sex of the deceased?

12 A JUROR: Female.

13 THE CORONER: Date and place of death?

14 A JUROR: 03/07/2009, Flat 81, Lakanal House, Sceaux
15 Gardens, Camberwell, SE5 7DP.

16 THE CORONER: Thank you. Occupation and usual address?

17 A JUROR: The occupation is not applicable, and the usual
18 address is Flat 82, Lakanal House, Sceaux Gardens,
19 Camberwell, SE5 7DP.

20 THE CORONER: Thank you. Has that inquisition form been
21 signed by each of the jurors?

22 A JUROR: Yes, it has.

23 THE CORONER: Thank you. You're going to read the narrative
24 verdict. Is that a verdict of you all?

25 A JUROR: Yes, it is.

1 THE CORONER: Thank you.

2 A JUROR: Michelle Udoaka died in the bathroom of Flat 81 of
3 Lakanal House on 3 July 2009 between 1745 and
4 1800 hours. Her fatal injuries are sustained by the
5 inhalation of fire fumes generated from the initial fire
6 in Flat 65, and subsequent fires in flats 79, 37 and 53.

7 After the fire started in Flat 65, the flames spread
8 through the composite panels of Flat 79.

9 Whilst sheltering with her mother in Flat 81,
10 Michelle Udoaka was overcome by smoke from the numerous
11 fires in Lakanal House.

12 Smoke entered Flat 81 from the 11th floor corridor
13 as well as from the bathroom ventilation ducts. This
14 duct was directly connected to secondary fires lower
15 down the building.

16 Evidence suggests that these fires were caused by
17 flaming debris falling from flats 65 and 79.

18 When the front door of Flat 79 collapsed into the
19 11th floor corridor, smoke and fire were able to spread
20 along the corridor and enter Flat 81 because: (a) the
21 boxing in under the stairs of Flat 81 failed to provide
22 the required 60 minutes' fire resistance; (b) there were
23 no fire seals on the front door of Flat 81; (c) there
24 was a lack of fire stopping on internal pipework from
25 previous renovations; and (d) the panel above the door

1 of Flat 81 failed to provide adequate resistance.

2 All of these factors, in addition to the
3 interconnected bathroom ducts, contributed to a serious
4 failure of compartmentation.

5 Had a fire risk assessment been carried out at
6 Lakanal House, it is possible that these features may
7 have been highlighted for further investigation.

8 The installation of a new heating system in the
9 1980s would have been an opportunity to ensure that the
10 fire stopping around pipes leading into Flat 81 and
11 segmentation within the suspended ceiling offered
12 adequate protection from fire.

13 The 2006/2007 refurbishment provided numerous
14 opportunities to consider whether the level of fire
15 protection of the building was adequate.

16 If the panel above the door of Flat 79 and the
17 boxing in both flats 79 and 81 had been fire-resistant
18 to 60 minutes, the spread of fire and smoke into the
19 roof cavity of the 11th floor corridor would have been
20 greatly limited.

21 If the roof cavity had been adequately protected,
22 the occupants of the bathroom in Flat 81, including
23 Michelle Udoaka, would in turn have had significantly
24 less exposure to smoke.

25 In addition, firefighters could have channelled

1 resources more heavily towards search and rescue rather
2 than active firefighting.

3 Finally, it would have extended the period in which
4 Michelle Udoaka could have escaped with an adult to the
5 east balcony via the internal stairs of Flat 81.

6 With regard to firefighting operations, the initial
7 attack on Flat 65 was both adequate and timely.

8 The extensive smoke-logging in the communal
9 corridors led to the bridgehead being moved, and
10 firefighters becoming involved in rescuing residents
11 from flats other than Flat 81.

12 Rescue attempts to Flat 81 were significantly
13 hampered by the effects of smoke-logging.

14 By moving the bridgehead further down the building
15 on account of secondary fires in flats 37 and 53, the
16 firefighters had further to go to reach Flat 81 on the
17 11th floor, and use more oxygen from their BA due to the
18 efforts involved in doing so.

19 The unprecedented move of the bridgehead placed
20 demands on time, resources and manpower, which hampered
21 rescue attempts.

22 If firefighters had been aware of the precise
23 location of Flat 81, a rescue may have been effected
24 before Michelle Udoaka sustained fatal injuries.

25 When speaking with the adults in Flat 81, it would

1 have been appropriate for London Fire Brigade personnel
2 to follow standard guidance advising persons to stay put
3 had they not been affected by smoke or fire. Given the
4 worsening smoke, it would have been appropriate for the
5 LFB to have used such a call to explore potential routes
6 and means of escape.

7 There was a clear expectation by brigade control
8 that trapped persons would be rescued by firefighters.

9 Their advice to the caller relied heavily on this
10 assumption.

11 The training of brigade control officers failed to
12 promote active listening or encourage operators to react
13 to dynamic or unique situations.

14 Between 16.36 and 17.32 there were numerous calls
15 made between brigade control and members of the public
16 concerning families trapped in Flat 81.

17 Although brigade control informed firefighters of
18 Flat 81, insufficient efforts were made to prioritise
19 the flat and to deploy BA wearers specifically to this
20 location in time to save the occupants.

21 Several of Michelle Udoaka's family members were
22 also in contact with the London Fire Brigade,
23 communicating the whereabouts of Michelle and her
24 mother.

25 As was the case with other flats in the building,

1 the firefighters had little knowledge of the layout and
2 numbering system of Lakanal House, thus Flat 81 was not
3 reached in time to save the occupants.

4 Consideration was given to the safety of those in
5 flats above the fire in Flat 65.

6 However confusion about the layout and the rescuing
7 of residents elsewhere meant that flats directly above
8 the fire were not actually reached in time.

9 It would have been possible for Michelle Udoaka to
10 have been taken out of the bathroom of Flat 81 to safety
11 without the assistance of firefighters up until
12 approximately 17.15 using the escape balcony on the east
13 side of the building.

14 Unfortunately, evidence suggests that the adults
15 with Michelle Udoaka were unaware of escape routes such
16 as this and where they led to.

17 THE CORONER: Thank you very much.

18 THE FOREMAN OF THE JURY: Madam Coroner, just before we
19 finish, just as a jury we'd like to extend our
20 condolences to the bereaved families and partners.

21 THE CORONER: Thank you. Thank you very much.

22 The text of the narrative verdicts will be posted on
23 the website, the London Borough of Lambeth website
24 dedicated to these inquests immediately after we have
25 finished this afternoon.

1 Members of the jury, thank you very much. I would
2 just like to report that I have decided to make three
3 reports pursuant to Rule 43 of the coroner's rules as
4 amended.

5 That rule provides that where evidence gives rise to
6 a concern that circumstances creating a risk that other
7 deaths will occur in the future and in the coroner's
8 opinion action should be taken to prevent the occurrence
9 of such fatalities then the coroner may report those
10 circumstances to a person who the coroner believes may
11 have power to take such action.

12 The reports which I have prepared and shall send out
13 once we have finished this afternoon will be sent to the
14 Secretary of State for Communities and Local Government,
15 to the London Fire Commissioner on behalf of the London
16 Fire Brigade, and to the Mayor and Burgesses of the
17 London Borough of Southwark. I shall not summarise now
18 the content of those reports.

19 Those reports, like the narrative verdicts that the
20 jurors have given, will be posted on the website as soon
21 as we have finished the Inquests this afternoon.

22 Just for the sake of completeness, I should confirm
23 that I have also signed the six inquisition forms which
24 the jurors have signed, as you have heard, and I shall
25 complete the coroner's certificate in relation to each

1 of the deceased when we have finished in here this
2 afternoon.

3 There's just one more matter I want to raise before
4 we finish, but does anyone have anything that they wish
5 to raise before I complete the proceedings? Thank you.

6 My first point is to you, members of the jury, and
7 that is to thank you very much for the very careful
8 attention which you have given to the evidence, for the
9 excellent questions which you have put and for the great
10 care that you have taken in preparing your narrative
11 verdicts. I thank you very much for the time that you
12 have given to this process. Thank you.

13 I'd like also to record thanks to the transcribers
14 who have done a tremendous job and sat quietly in the
15 corner.

16 I'd like also to thank the London Borough of
17 Lambeth, who have made special arrangements for us to be
18 able to hold these Inquests within this building, and
19 for the extremely helpful and friendly assistance that
20 we have had from the staff here.

21 I thank also the advocates for their patience and
22 cooperation and constructive approach throughout these
23 inquests.

24 Finally, and above all, my grateful thanks to
25 Mr Maxwell-Scott and Mr Atkins for their immense

1 contribution to these Inquests. Thank you very much.

2 Members of the jury, you are free to go. Thank you
3 very much.

4 MR EDWARDS: Madam, before they leave, can I just echo those
5 thanks on behalf of my clients and those instructing me,
6 in particular thanks to the jury.

7 THE CORONER: Thank you very much.

8 Please just remember, members of the jury --
9 I couldn't send you away without a warning -- the
10 discussions that you have had are and remain private to
11 yourselves. Thank you very much indeed for your time.

12 Thank you all.

13 (3.30 pm)

14 (The Inquests concluded)

15	Discussion re further directions to	1
16	the Jury	
17	Application by MR EDWARDS	16
18	Submissions by MR WALSH	17
19	Submissions by MS AL TAI	18
20	Submissions by MR MATTHEWS	19
21	Submissions by MR MAXWELL-SCOTT	20
22	Ruling on application	21
23	Ruling on directions to the Jury	22
24	Directions to the Jury	24
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2	Verdict in respect of DAYANA FRANCISQUINI	40
3	Verdict in respect of FELIPE FRANCISQUINI	47
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5	Verdict in respect of THAIS FRANCISQUINI	54
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