

Coroner's Inquests into the London Bombings of 7 July 2005

Hearing transcripts - 14 October 2010 - Morning session

1 Thursday, 14 October 2010

2 (10.00 am)

3 LADY JUSTICE HALLETT: Yes, Mr Keith?

4 MR KEITH: Good morning, my Lady. My Lady, the first  
5 witness this morning is Detective Sergeant Stuart,  
6 please.

7 DETECTIVE SERGEANT MARK STUART (sworn)

8 Questions by MR KEITH

9 A. Mark Stuart, detective sergeant, attached to the  
10 Counter-terrorism Command, my Lady.

11 MR KEITH: Detective Sergeant, you are the officer  
12 responsible, are you not, for dealing with requests from  
13 your fellow officers for enquiries to be made of  
14 telecommunication companies, mobile and landline, in  
15 relation to subscriber information that they hold and  
16 the details of telecommunication information that they  
17 hold?

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

19 Q. Are you what is known as the gentleman in charge of the  
20 Single Point of Contact Office, the office within the  
21 Counter-terrorism Command that allows you to be the  
22 point of contact for officers wanting --

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

24 Q. -- to make further enquiries of telecommunication  
25 information?

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

2 Q. The police are permitted, are they not, to approach  
3 telecommunication companies who hold subscriber  
4 information and details of billing records and  
5 information concerning traffic and other data for that  
6 information?

7 A. Yes, they are, sir, yes.

8 Q. That's provided for by Parliament under the Regulation  
9 of Investigatory Powers Act 2000, is it not?

10 A. It is, sir, yes.

11 Q. During the course of Operation Theseus, which we know is  
12 the operation concerned with the investigation of the  
13 events of 7 July, a very large number of applications  
14 were received by your office and your colleagues from  
15 investigating officers requesting data relating to  
16 mobile and other telephones?

17 A. They were, sir, yes.

18 Q. Can you tell us, please, just how many requests for data  
19 you then either received from those officers or made of  
20 telecommunication companies?

21 A. We made just short of four and a half thousand.

22 Q. Now, information can come from a number of different  
23 places, can it not? In the present case, a certain  
24 number of phones were recovered, were they not, from the  
25 bomb scenes?

1 A. They were, sir, yes.

2 Q. In particular, investigators found in the wreckage  
3 a phone subsequently determined to belong to Khan?

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

5 Q. When that phone was examined, did it have any readable  
6 data on it?

7 A. No, sir, it was damaged beyond --

8 Q. Officer, could I ask you to keep your voice up a bit?

9 A. Sorry. No, it was too damaged to recover data from.

10 Q. So when that phone was examined, it wasn't possible to  
11 extract any relevant information from it?

12 A. No, sir.

13 Q. Was there also recovered from the Russell Square tunnel  
14 a phone subsequently determined to belong to Lindsay?

15 A. Yes, sir.

16 Q. When that phone was recovered, was it found to have  
17 information on it?

18 A. It was, sir, yes.

19 Q. Data relating to the use of the phone, the SIM card  
20 number, and some of the text messages that it had both  
21 received and sent?

22 A. Yes, sir.

23 Q. That's hard data, isn't it, data recovered from exhibits  
24 found to be relevant at scenes and elsewhere?

25 A. Yes, sir.

1 Q. Are you also in a position, under the Regulation of  
2 Investigatory Powers Act, to make requests of  
3 telecommunication companies for their billing records  
4 and subscriber information?

5 A. Yes, sir.

6 Q. Are you able, therefore, to approach them and to get  
7 from them information showing both the use of the phone,  
8 the times of the use of the phone, text messages and  
9 where the phone is used?

10 A. Yes, sir.

11 Q. How are you able to determine where a phone is used?

12 A. The networks gather a certain amount of information  
13 about each call, including the cell mast, the mobile  
14 phone mast through which the call was made, and they  
15 retain that data and they can provide that to us, sir.

16 Q. So in basic terminology, if I were to use a phone, the  
17 nearest cell site or mast would pick up my attempt to  
18 use the phone and would relay the signal from my phone,  
19 and a record is kept of the location of that cell site  
20 or any other cell site or mast which I use in making  
21 that call. So by triangulating which masts are being  
22 used, you can pinpoint to greater or a lesser degree the  
23 location of the phone?

24 A. Yes, sir. Broadly speaking, yes. It's not necessarily  
25 the nearest mast. It's the mast which provides the best

1 signal for the phone, which may be dependent on the lie  
2 of the land or buildings.

3 Q. If I move when making a call, I may generate records  
4 showing that I've moved from one mast to another,  
5 depending on where I am.

6 A. Yes, generally the first and last cell of the call would  
7 be captured by the network and provided to us.

8 Q. In the course of the investigation, were you able to  
9 determine the phones used by the four bombers?

10 A. Yes, sir.

11 Q. Before we look at the particular phones themselves and  
12 the numbers, is it commonplace for you and your  
13 investigating officers to refer to phones as being of  
14 two types: one, operational phones, phones used by  
15 suspects in the course of the operational phase of  
16 whatever it is that you were investigating, and personal  
17 phones?

18 A. If they've used that degree of trade craft, then, yes,  
19 we would split them in that way.

20 Q. Was that degree or significant degree of trade craft  
21 present in this case?

22 A. It was, sir, yes.

23 Q. Were there a number of phones used in the last few days  
24 leading up to 7 July 2005 that led you to believe that  
25 they were operational phones?

1 A. Yes, sir.

2 LADY JUSTICE HALLETT: Sorry, before we go on, define "trade  
3 craft" for me, if you would, Detective Sergeant Stuart.

4 A. Taking care over your communications, buying prepaid  
5 unregistered phones, changing them regularly to avoid  
6 detection ultimately, my Lady.

7 LADY JUSTICE HALLETT: You found evidence of that amongst  
8 the phones used amongst the four?

9 A. Yes, my Lady.

10 MR KEITH: If we could have please on the screen  
11 INQ00010395 [INQ10395 - NFP], please -- I appear to have a technical  
12 problem in that my screen has lost power. I'll see if  
13 I can do it from memory.

14 Officer, in the last few days leading up to 7/7,  
15 four numbers were attributed by you and your colleagues  
16 to Khan, Lindsay, Tanweer and Hussain. If you could go  
17 to the last page of the schedule on the screen --

18 LADY JUSTICE HALLETT: It's probably better if we pause,  
19 Mr Keith. You can't look --

20 MR KEITH: I can see Mr Hay's, thank you, my Lady, but  
21 actually, I see his screen has lost colour.

22 LADY JUSTICE HALLETT: Mine has lost colour. Mine is  
23 unreadable. There's no way I can follow this. I don't  
24 know if we're going to be zooming in.

25 MR KEITH: We do have a hard copy, my Lady. We have the

1 document in the core bundle. I don't know whether we  
2 have a spare core bundle that we could give, please, to  
3 Mr Stuart.

4 A. I have a copy, sir.

5 Q. You have a copy?

6 A. Yes, sir.

7 Q. I'm grateful. It can be found behind divider E. The  
8 page we want is E/13. Is this a schedule, Mr Stuart,  
9 that you prepared at the direction of her Ladyship for  
10 the purposes of these proceedings?

11 A. Yes, sir.

12 Q. Notwithstanding the fact that there were many thousands  
13 of calls made to and from any number of potentially  
14 relevant phone numbers, you prepared a schedule showing  
15 all the calls between the four men from 27 June onwards?

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

17 Q. In essence, the most relevant days leading up to the  
18 events of 7 July?

19 A. Yes, sir.

20 Q. If we go to the last page, for example, E/13, we can see  
21 there a number of calls between Lindsay and Khan at the  
22 top of the page, between Khan in red and Lindsay,  
23 Hussain, Tanweer, and then from Lindsay to Khan and so  
24 on and so forth?

25 A. Yes, sir.

1 Q. Were all the calls made on that last day, on 7 July, and  
2 the day preceding, on 6 July, calls made by what you've  
3 called operational phones?

4 A. Yes, sir.

5 Q. Can you tell us, please, when the use of those  
6 operational phones commenced?

7 A. There were a series of operational phones. The earliest  
8 operational phones began in May, the middle of May,  
9 2005, sir.

10 Q. How many times were the phones switched or how many  
11 times were a new set of operational phones introduced  
12 into their usage?

13 A. For three of the subjects, four times, you're looking at  
14 data for the last, fourth, operational phone. For  
15 Lindsay, there were three, sir.

16 Q. So they changed their phones regularly --

17 A. Yes, sir.

18 Q. -- in the months and weeks leading up to 7/7?

19 A. Yes, sir.

20 Q. And in the last few days, they used their final set of  
21 operational phones?

22 A. Yes, sir.

23 LADY JUSTICE HALLETT: Could we just pause there, three of  
24 the subjects changed phones four times?

25 A. Yes.



1 LADY JUSTICE HALLETT: And Jermaine Lindsay changed his  
2 phone three times?  
3 A. Yes, sir. Sorry, my Lady.  
4 LADY JUSTICE HALLETT: Thank you. That's between May  
5 and July 2005?  
6 A. Yes, my Lady.  
7 MR KEITH: What was the distinguishing characteristic of the  
8 use of the operational phones? Were they only ever  
9 used, for example, to call each other and never used for  
10 any other calls to other people?  
11 A. They were only used to call each other or otherwise in  
12 connection with the planned attack, would be our  
13 assessment, sir.  
14 Q. How can you tell in relation to that latter point that  
15 a call may only have been made in relation to the  
16 planned attack?  
17 A. Well, apart from calls to each other, the only other  
18 calls made were to hire companies, car hire companies,  
19 including the car hire company that was eventually used  
20 for the Nissan Micra left at Luton railway station on  
21 the 7th, sir.  
22 Q. So if we go to the second page of the schedule which is  
23 our E/11, do we see there on 30 June at 16.21.06 a call  
24 from Khan to First 24-hour Car Rentals Limited?  
25 A. Yes, sir.

1 Q. Was the number that Khan used to make that call  
2 \*\*\*\*\*254?

3 A. Yes, sir.

4 Q. One of the operational calls?

5 A. Yes, sir.

6 LADY JUSTICE HALLETT: Please tell me it wasn't the on/off  
7 button.

8 MR KEITH: My Lady, I pressed it three or four times, in  
9 fact.

10 He used that number to call the First 24-hour Car  
11 Rental Limited company on that day?

12 A. He did sir, yes.

13 Q. In fact, we can see that he made a number of calls to  
14 that company. In fact, that was the same company from  
15 which the Nissan Micra was rented on 4 July, was it not?

16 A. It was, sir, yes.

17 Q. So although it was rented by Tanweer, Khan himself had  
18 called the car hire company a few days before?

19 A. Yes, sir.

20 Q. At the same time as they were using operational phones,  
21 did they then also use personal phones or phones that  
22 you've called personal phones?

23 A. Yes, sir, they did.

24 Q. Even when those personal phones were being used between  
25 the suspects, did they ever use a personal phone to call

1 an operational phone number?

2 A. Not at this stage. I believe in the early stages, the  
3 first operational phones, there may have been slight  
4 mixing, but by this stage there was no mixing at all.

5 Q. The schedule speaks for itself in relation to showing  
6 all the conclusions that you've reached from the various  
7 information streams that you had: call data, subscriber  
8 data, text messages, data received from hard phone sets  
9 recovered from scenes, in this single schedule, but  
10 you've plainly stated the conclusions as to who each of  
11 these phone numbers is attributed to.

12 A. Yes, sir.

13 Q. By that I mean this: in every case you've been able to  
14 say who has called whom, not merely by reference to the  
15 phone number, but by reference to the identity of the  
16 person whose phone it is?

17 A. Yes, sir.

18 Q. In every case, were you certain by examination of the  
19 amount of -- a large amount of evidence available to you  
20 that these phones were properly attributed to the person  
21 to whom we say they were?

22 A. Yes, sir.

23 Q. Could I just run very briefly through why you are so  
24 sure that these phones relate to these people? In  
25 relation to Khan and his operational phone ending 254,

1 were there a number of pieces of evidence which  
2 demonstrated that that phone was indeed his?

3 A. Yes, sir.

4 Q. Could you very briefly, please, summarise why that  
5 conclusion was reached?

6 A. The handset for that phone was discovered at the  
7 Edgware Road scene where Mohammed Sidique Khan's body  
8 was recovered. DNA from Mohammed Sidique Khan was  
9 recovered from the handset as well. The phone was  
10 routinely cell-sited in and around his home address. It  
11 was cell-sited in Luton on the 7th where we know from  
12 CCTV Mohammed Sidique Khan was. It only ever rang the  
13 other three. It was never rung by another number  
14 attributed to Mohammed Sidique Khan. That was the  
15 principal evidence, sir.

16 Q. In relation to Lindsay, whose phone, operational phone,  
17 we can see was a phone number ending in 3211, the blue  
18 calls on the schedule, why were you sure that that was  
19 a phone number used by him?

20 A. Again, sir, the SIM card and the handset for that phone  
21 were found at the Russell Square scene where  
22 Jermaine Lindsay's body was recovered. The number was  
23 rung by the other three but never by Lindsay himself.  
24 His fingerprints were found on the packaging for that  
25 box which was recovered from 18 Alexandra Grove. It was

1 generally cell-sited in and around his home address in  
2 Aylesbury, and it was cell-sited in Luton on the 7th  
3 where, again, we know from CCTV Jermaine Lindsay was.

4 Q. We looked at the question of CCTV yesterday. Plainly,  
5 it's possible for investigating officers to pick up the  
6 CCTV, work out the time on the CCTV showing the location  
7 of a particular person and then compare those times with  
8 telecommunication data records, and then they can see  
9 who is using the phone on the time that the data  
10 suggests that phone is being used?

11 A. Certainly in one case, there was an exact match between  
12 the CCTV recovered and the phone actually in somebody's  
13 hand being used which matched data, sir, yes.

14 Q. Indeed, in the morning of 7 July, we see from CCTV  
15 Lindsay using his phone at Luton railway station and the  
16 data records show the use of the phone that morning, do  
17 they not?

18 A. Yes, sir.

19 Q. All right, that's Lindsay. Tanweer?

20 A. This was a number which was provided by Shehzad Tanweer  
21 on the rental agreement for the Nissan Micra  
22 subsequently left at Luton train station. Again, it was  
23 only rung by the other three and not by Tanweer himself.  
24 Generally cell-sited in the area of his home address  
25 and, although this phone appears to have originally been

1 purchased by Lindsay and was registered in an alias,  
2 false name, for him, the call data suggests that it was  
3 then shortly transferred to Tanweer for his usage.

4 Q. Finally, Hussain?

5 A. Hussain, the handset was again found at Tavistock Square  
6 where his body was recovered. CCTV shows him making  
7 a call near King's Cross on the 7th, and that matches  
8 with the call data for that number. Again, it was rung  
9 by the other three but not by Hasib Hussain himself.  
10 A top-up card for that number was found at his home  
11 address and his fingerprints were found on a bag at  
12 Alexandra Grove which contained a SIM card holder for  
13 that phone, sir.

14 Q. Finally, I think a receipt for the purchase of that  
15 handset was found from the home address of Lindsay as  
16 well?

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

18 Q. Can we then please look at one or two of the numbers in  
19 the schedule? My Lady, the first one is at E/12 of the  
20 hard copy in the core bundle. For Lextranet, it's the  
21 entry for 04.36.17, on 6 July, so two further pages on,  
22 please. If you go back one page, it's the bottom of the  
23 preceding page.

24 If you could go to the penultimate entry, bottom of  
25 the page, 6 July, 04.36.17 and highlight, please, that

1 entry, it's very hard to see on the screen, but from  
2 a hard copy, do we see, Mr Stuart, that at 04.36.17,  
3 a text message -- we can see "text" from the third  
4 column -- was sent by Khan from his operational phone  
5 254 to Lindsay on his operational phone?

6 A. Yes, sir.

7 Q. Have you been able to recover data from Lindsay's phone  
8 found in the debris at Russell Square?

9 A. Yes, sir.

10 Q. Can we please put up on the screen INQ00010485, page 6 [INQ10485-6 -  
not for publication],

11 and could you please enlarge the bottom message? There  
12 we are, it's in the middle of the page now.

13 Does it show that Lindsay's phone had in it the data  
14 suggesting that he had received a text message at 4.35,  
15 so approximately the same time as that on the schedule?  
16 Why is there a difference between the remnants of the  
17 data in Lindsay's phone and the call data relating to  
18 the sending of the text message to him?

19 A. The time stamp for an incoming text found on a handset  
20 is something that's provided by the service centre  
21 through which the text has been passed, so it's not from  
22 the same billing system that produces the data from  
23 which this schedule has been produced, so it is just  
24 different time stamps on different computers.

25 Q. But it's the same text?

1 A. Yes.

2 Q. Can we see there that he received a message from  
3 a sender and we can see that, although most of the  
4 number has been redacted, the last three digits on the  
5 screen are 254, which was Khan's operational phone?

6 A. Yes, sir.

7 Q. The message received was:

8 "Having major prob. Can't make time. Will ring ya  
9 when I got it sorted. Wait at home."

10 A. Yes.

11 Q. Just so that we can see -- no, in fact, I needn't  
12 trouble you with the other exhibit. Further enquiries  
13 showed, in fact, the details of text messages sent by  
14 Lindsay.

15 A. Yes.

16 Q. The schedule we have on the screen are those being  
17 received by Lindsay, and did he -- in fact, we will look  
18 at it. Could you please have INQ00010516, page 47 [INQ10516 - not for  
publication]?

19 Did he then send a text message back at 04.41.28,  
20 our schedule, the master schedules shows at 04.38.56 but  
21 his phone recorded it at 04.41.28, it's the penultimate  
22 entry on the page:

23 "No bullshit doctor! Fix it!"

24 A. Yes.

25 Q. So that was Lindsay's response?



1 A. Yes.

2 Q. Can we then go back, please, to the events later in the  
3 day on 7 July, and our schedule in the core bundle, to  
4 the last page, which will then be the last page of the  
5 INQ exhibit INQ00010395 [INQ10395 - not for publication].

6 Do we see there the calls that were made to and from  
7 each of the bombers on 7 July?

8 A. Yes, sir.

9 Q. Starting at 00.03.59, which was a call from Khan to  
10 Tanweer --

11 A. Yes, sir.

12 Q. -- in the very early hours of the morning, so presumably  
13 before they went to bed the night before. They commence  
14 at 04.21, later on that morning, when Lindsay calls  
15 Khan, obviously as part of the arrangements to meet at  
16 Luton railway station --

17 A. Yes, sir.

18 Q. -- there are a number of calls to and from Lindsay and  
19 Khan, presumably associated with their arrangements to  
20 meet in the car park of the railway station?

21 A. Yes, sir.

22 Q. The last call from Khan is a text message at 07.26 to  
23 Hussain, and we can see that the cell site summary for  
24 that call shows it to have been in the broad location of  
25 Luton airport, so near Luton?

1 A. Yes, sir.

2 Q. Then finally, the six remaining calls are those from  
3 Hussain commencing at 08.58.53, ending at 09.19 where he  
4 attempts to call, first, Lindsay, then Khan, then  
5 Tanweer and then he repeats that sequence of calls,  
6 Lindsay, Khan, Tanweer. He makes those calls while  
7 situated in the Euston Road?

8 A. Yes, sir.

9 Q. From the times of the calls, and from what we know, of  
10 course, from the detonation of the first three bombs,  
11 the three recipients of those calls were all dead. He  
12 was plainly attempting to contact them to ensure -- to  
13 see whether or not they had indeed carried out their  
14 acts?

15 A. That would appear to be the case, sir, yes.

16 MR KEITH: Mr Stuart, thank you very much. I have no  
17 further questions for you, but there may be some other  
18 questions from others.

19 LADY JUSTICE HALLETT: Mr Patterson?

20 Questions by MR PATTERSON

21 MR PATTERSON: May it please your Ladyship. Officer, may we  
22 begin, please, with one or two other matters from that  
23 very helpful schedule we've just been looking at.

24 Beginning, please, with the reconnaissance trip to  
25 London on 28 June, we can see that date on page 1 of the

1 schedule.

2 A. Yes, sir.

3 Q. It's right, isn't it, that in summary there was contact  
4 between the men on that day as well?

5 A. Yes, sir.

6 Q. Perhaps if we can fit it in with the CCTV material that  
7 we viewed yesterday, we can see that, before they met up  
8 at Luton railway station on the 28th, there was a text  
9 message at 5.28 am from Khan to Tanweer?

10 A. Yes, sir.

11 Q. So presumably before the two vehicles rendezvoused  
12 viewed at the railway station, and then later, we have  
13 contact between Lindsay and Tanweer at 5.30, is that  
14 right?

15 A. Yes, sir.

16 Q. Lindsay cell-sited at that stage in the Buckinghamshire  
17 area?

18 A. Yes, sir.

19 Q. He, of course, living in Aylesbury, and Tanweer still  
20 cell-sited up in Wakefield?

21 A. Yes, sir.

22 Q. Then, as we go down the schedule, some time later, at  
23 7.24, by then Lindsay is in the Luton area, Tanweer is  
24 in Northamptonshire, so presumably driving south from  
25 Yorkshire?

1 A. Yes, sir.

2 Q. Then at 8.07, Lindsay at Luton, Tanweer cell-sited also  
3 at Luton, so that would be consistent, would it not,  
4 with the two vehicles coming, one from Yorkshire, one  
5 from Buckinghamshire and meeting at Luton railway  
6 station?

7 A. Yes, sir.

8 Q. Then later that day, at 12.41, we have a telephone call  
9 from Hussain to Tanweer, do we not?

10 A. Yes, sir.

11 Q. From the CCTV evidence, which we looked at yesterday, we  
12 know that Hussain wasn't involved in that trip to London  
13 but it would appear that, nevertheless, although he was  
14 cell-sited to Yorkshire, he was in contact with the  
15 three men who were on the reconnaissance mission in  
16 London?

17 A. Yes, sir.

18 Q. For my Lady's note, those contacts between Hussain and  
19 Tanweer at 12.41 and following would appear to be when  
20 the men were on the train journey from Baker Street  
21 travelling round on the Circle Line to King's Cross and,  
22 therefore, presumably sufficiently above ground to  
23 transmit.

24 Then, Sergeant, at 14.36 we have a further contact,  
25 Hussain to Tanweer. By then Hussain is cell-sited in

1 Leeds, Tanweer is cell-sited in Buckinghamshire, MK16,  
2 is that right?  
3 A. Milton Keynes area.  
4 Q. So presumably a call made while Tanweer was driving back  
5 north up the M1 towards Leeds?  
6 A. Yes, sir.  
7 Q. So Tanweer would have been in the car at the time,  
8 presumably with Khan, as the two of them drove north to  
9 where Hussain was, as we can see, in the Leeds area?  
10 A. Yes, sir.  
11 Q. In the days that followed and leading up to 7 July  
12 itself, you mentioned the four operational phones and  
13 you've mentioned that there was evidence of changing the  
14 phones on a number of occasions.  
15 Can I just clarify: are you suggesting that the  
16 handsets were being changed but the same SIM card kept  
17 and reinserted into a new handset, or were they changing  
18 the SIM card and the actual telephone number?  
19 A. Both, sir.  
20 Q. So presumably, although you've highlighted those four  
21 attributed numbers, are you suggesting that there were  
22 other numbers being used by the four men before we get  
23 to the use of those four particular numbers?  
24 A. Yes, sir.  
25 Q. Have you, Sergeant, analysed the contacts made between

1 the earlier phones and numbers being used by the four  
2 men and other people outside that group of four?

3 A. Yes, sir.

4 Q. Did those enquiries lead you to any suspicions as to  
5 other contacts that might have led to suggestions that  
6 other people were involved or assisting the four men?

7 A. There have been prior court cases in relation to that,  
8 sir, yes.

9 Q. I'm aware of that, and three individuals in particular,  
10 but focusing just on the days leading up to 7/7, any  
11 suspicious contacts in any of the telephones in that  
12 period of time?

13 A. No, this is an accurate schedule of that, of all the  
14 contacts.

15 Q. Yes. That's not quite an answer to my question. One  
16 issue that arises is whether there's evidence that the  
17 four bombers were assisted in any way, either on the 7th  
18 itself or in the days leading up, and one way we can  
19 analyse that question is by focusing on telephone  
20 contact.

21 Any suspicious contacts on the 7th or in the days  
22 leading up with others outside of the group of four?

23 A. No, sir, not that I'm aware of, no, sir.

24 Q. So that's the four operational phones. Both the numbers  
25 that we see on the schedule and earlier numbers that

1 you've just mentioned, there were also what you've  
2 described as personal phones, yes?

3 A. Yes, sir.

4 Q. And a number that ends 458 for Tanweer and a number that  
5 ends 805 for Hussain?

6 A. Yes, sir.

7 Q. Again, did you analyse the communications with those two  
8 phones?

9 A. Yes, sir.

10 Q. Again, on the 7th, or in the days leading up to the 7th,  
11 any suspicious contacts outside the group of four on  
12 those two phones?

13 A. I can't specifically remember, I mean, I concentrated on  
14 this schedule for contact between the four. It's some  
15 time since I've looked at data outside of that  
16 parameter. I honestly can't remember, sir.

17 Q. You can't remember. Is that something that you could  
18 look into --

19 A. Yes, sir.

20 Q. -- to see, in particular, on the 7th and in the days  
21 leading up, whether there were any other contacts of  
22 note?

23 A. Yes, sir.

24 LADY JUSTICE HALLETT: Sorry to interrupt. As far as those  
25 personal phones are concerned for the four men, did the

1 personal phones have what might appear to be normal  
2 mobile phone usage?

3 A. Yes. There was a distinct difference between the usage  
4 of the two types of phone. The personal phones all  
5 appeared to be unrelated, a lot of different people rung  
6 by them, but the enquiry showed that they were people  
7 that were known, historical friends and family. So  
8 that's why I can't remember there being anything which  
9 jumps out as being operational from a non-operational  
10 phone, my Lady.

11 MR PATTERSON: Sergeant, those two handsets associated with  
12 the two personal phones, were they ever found, those  
13 handsets?

14 A. I believe they were, sir. I would have to check records  
15 as to which ones.

16 Q. What about the other two individuals, MSK and Lindsay,  
17 were personal phones or evidence of personal phones at  
18 that time ever found in relation to them?

19 A. They certainly had personal phones. Again, I would need  
20 to check to see which ones were actually recovered, sir.

21 Q. But again, that would be something that you could check?

22 A. Yes, sir.

23 Q. We've seen outgoing data for those two personal phones  
24 that you have mentioned. Did you obtain incoming  
25 telephone data for those two phones?



1 A. Yes, we would have, sir.

2 Q. So that would be available for you to check?

3 A. Yes, sir.

4 Q. You were asked questions about cell site data and how  
5 it's possible to analyse the movements of a handset  
6 through cell site analysis. Was there any evidence from  
7 cell site analysis of other suspicious trips or  
8 reconnaissance missions, perhaps, to London other than  
9 28 June? I'm focusing on the period leading up to  
10 7 July.

11 A. No, sir, not that I'm aware of, sir.

12 Q. Finally this, Sergeant: could you go back, please, to  
13 that telephone schedule and to the entries for 7 July  
14 itself?

15 You dealt with this briefly with Mr Keith, but the  
16 contact between the four operational phones in the early  
17 hours, 4.00 am, 6.00 am and so forth, do you have that  
18 on the schedule?

19 A. Yes, sir, I have that.

20 Q. So, for example, 6.50, Khan to Lindsay, and again,  
21 having viewed the CCTV material, we know that that would  
22 appear to be before the two cars met at Luton railway  
23 station, but then we have at 7.28 a text message.  
24 Now, I think it was perhaps inadvertently referred  
25 to a moment or two ago by Mr Keith as 7.26, but that

1 text is 7.28.33, isn't it?

2 A. Yes, sir.

3 Q. Again, from the CCTV material we know that at 7.26 the  
4 four bombers left the railway station on the train bound  
5 to London and so that would appear to suggest, would it  
6 not, that Khan had to send a text message to Hussain at  
7 7.28.33 seconds?

8 A. Yes, sir.

9 Q. Which might suggest that the two men weren't together at  
10 that time?

11 A. At that immediate time, possibly, or they weren't able  
12 to communicate otherwise, yes.

13 Q. In terms of cell site evidence, what we know about that  
14 text message is that Khan was cell-sited to Luton town  
15 but that Hussain was cell-sited slightly to the south,  
16 was he not, at a mast at Luton airport LU2 being the  
17 postcode?

18 A. Yes, sir.

19 Q. So that again would suggest that they were on the train  
20 perhaps at the time that they -- that that text message  
21 was sent?

22 A. Yes, sir.

23 MR PATTERSON: Thank you. I have no more questions.

24 LADY JUSTICE HALLETT: So the purport of those questions,  
25 Mr Patterson, was what? To establish that they might

1 have been in different carriages?

2 MR PATTERSON: Possibly, yes.

3 LADY JUSTICE HALLETT: Thank you. Mr Hill?

4 MS GALLAGHER: My Lady --

5 LADY JUSTICE HALLETT: Sorry.

6 MS GALLAGHER: We've alerted your team to the issue, I'm not  
7 sure if the message has reached you. Yesterday evening  
8 after court hours, 20 new exhibits, we were alerted to  
9 the existence of 20 new exhibits, which were uploaded on  
10 to Lextranet overnight. Unfortunately, both I and my  
11 instructing solicitor were unable to access them  
12 overnight. There were continuing Lextranet problems  
13 this morning and, as a result, we've been given them  
14 during Mr Stuart's evidence in court this morning. They  
15 are rather voluminous, there's a large pile over there,  
16 we've gone through them during his evidence, but we are  
17 likely to have some short questions for Mr Stuart  
18 arising from it.

19 They are quite significant exhibits, they include  
20 the exhibits you've seen with the text messages, which  
21 Mr Keith took you to during his questioning, and we  
22 wonder if it would be possible to take a very short  
23 break of in the region of ten minutes, if the court  
24 could rise for us to consider it to prepare those  
25 questions? We apologise for the difficulty, but it's

1 not of our making.

2 I do also note, just for completeness, that my  
3 instructing solicitor has been requesting this material  
4 for quite some time. He was in contact with your team  
5 last week on 5 October in writing about it.

6 There's certainly no criticism whatsoever of your  
7 team intended. I understand that they only received the  
8 material yesterday afternoon themselves. So they simply  
9 couldn't do anything with it until after court hours  
10 last night. But we are where we are, and we do need  
11 approximately ten minutes just to race through it in  
12 order to put some questions to the witness.

13 LADY JUSTICE HALLETT: Thank you. Mr Keith?

14 MR KEITH: My Lady, the documents were indeed only received  
15 yesterday. I think I saw them at about quarter to  
16 midnight. We brought hard copies of the most relevant  
17 exhibits, I think two exhibits out of about 25, which  
18 are here for my learned friend to examine, but it's  
19 quite correct to say that there are a fair number of  
20 exhibits which we received only yesterday.

21 LADY JUSTICE HALLETT: Thank you.

22 Mr Hill, how long do you think your questions will  
23 be?

24 MR HILL: Ten minutes, I would think.

25 LADY JUSTICE HALLETT: Well, let's -- Ms Gallagher, why

1 don't I ask Mr Hill to ask his questions, and then, if  
2 you need a break at that stage, we can break for ten  
3 minutes then?

4 MS GALLAGHER: Thank you.

5 LADY JUSTICE HALLETT: Yes, Mr Hill?

6 Questions by MR HILL

7 MR HILL: Just pausing for another moment on the text  
8 message sent at 7.28.33 on 7 July, so E/13 in the core  
9 bundle, we see that is a text message from Khan on 254  
10 to Hussain on 545. Is that, or may that be, consistent  
11 with Khan and Hussain being aboard the same train, being  
12 in the same carriage of the same train, but simply not  
13 standing side by side?

14 A. Yes, it could be, sir.

15 Q. The fact that the Khan phone is served by the Luton town  
16 mast, cell mast, and that the Hussain phone is served by  
17 the Luton airport mast doesn't mean that that equates to  
18 geographical distance between them, does it?

19 A. No, sir, and in addition, they're actually on different  
20 networks. Khan is on the O2 network and Hussain is on  
21 the Virgin T-Mobile network, so they would be using  
22 different masts in any event, even if they were standing  
23 right next to each other.

24 Q. Just to extend one point further. It is the case,  
25 technically, isn't it, that even if there are two

1 telephones on the mobile network and provided by the  
2 same service provider, there may be reasons to do with  
3 traffic and particular coverage of a sector of an  
4 individual mast whereby the operators, the owners of the  
5 two phones, although very close to each other  
6 physically, may make calls which are served by different  
7 masts?

8 A. Yes, that could be the case.

9 Q. It can happen. All right, but as you say here, separate  
10 operators in any event.

11 Insofar as 7 July is concerned, just looking up the  
12 same page, the analysis that you conducted is a data  
13 analysis as distinct from observation-based, this is  
14 analysis of hard data retrieved after the fact by you as  
15 a single point of contact officer?

16 A. Yes, sir.

17 Q. Just on data analysis alone, we are told, is this right,  
18 that at 00.05.31 on 7 July the operational phone  
19 attributed to Lindsay was in the area served by the  
20 Buckinghamshire County Council, Virgin T-Mobile mast?

21 A. Yes, sir.

22 Q. Which would be consistent with Aylesbury?

23 A. Yes, sir, it is in Aylesbury, sir.

24 Q. And that the Lindsay phone -- and, therefore, it's  
25 suggested Lindsay himself -- was still in the Aylesbury

1 area at 4.21.21 that morning?

2 A. Yes, sir.

3 Q. Right. It obviously follows, therefore, that he has  
4 moved with his phone from Aylesbury to Luton between  
5 4.21 and 6.38?

6 A. Yes, sir.

7 Q. You are then able to add -- and this is part  
8 observational from CCTV -- that, when we see him on the  
9 Luton station internal CCTV system just after 6.40 that  
10 morning, with a phone in his hand, that may be entirely  
11 consistent with a voice call made to Khan at 6.46.40?

12 A. Yes, sir.

13 Q. Then just looking at the entirety of this schedule, so  
14 the period from 27 June to 7 July, are you saying that  
15 this is a complete operational picture in terms of  
16 telephones in the hands of all four bombers throughout  
17 the period 27 June to 7 July?

18 A. Operational, yes, sir.

19 Q. In answer to earlier questions from Mr Patterson, it is  
20 right that at an earlier stage there was what might be  
21 called some operational telephone use connected to those  
22 who became the subject of the Theseus trials.

23 A. Yes, sir.

24 Q. The three men who stood trial in 2008 and 2009.

25 You conducted the telephone analysis for the purpose

1 of those trials, didn't you?

2 A. I didn't do those trials, sir, no.

3 Q. All right. Are you aware of the analysis that was  
4 conducted in relation to those trials?

5 A. Not to any degree, sir, no.

6 Q. All right. I'll put a proposition and, if it needs to  
7 be checked, with my Lady's leave, perhaps you can check  
8 it.

9 I suggest that in terms of operational calls  
10 relating to the Theseus defendants, there were some in  
11 the spring of 2005 but there were none in July, none  
12 in June and, indeed, none in May 2005. Can you assist  
13 on that at all?

14 A. I would have to check, sir.

15 Q. All right. Well, it may be that that can be checked.  
16 Insofar as personal phones, can I make one or two  
17 suggestions? You did, as part of your analysis, look at  
18 attribution and use of three further telephones which  
19 you ascribe as personal phones, not operational or  
20 conspiracy phones. There was a telephone -- to give the  
21 full mobile number, \*\*\*\*\*757 -- attributed to Khan,  
22 is that right?

23 A. There was, sir. That's not included in this because  
24 it's not 100 per cent, we're not 100 per cent satisfied  
25 that there was usage, we believe, by his wife as well.



1 So we haven't alluded to that one in this case.

2 Q. Yes, there are two points, aren't there? The first is  
3 that the number subscribes either exclusively or also to  
4 Khan's wife?

5 A. Yes, sir.

6 Q. That's the first point. The second point is: that phone  
7 wasn't used by Khan on 7 July 2005, was it?

8 A. No, sir.

9 Q. Secondly, in relation to Hasib Hussain, you analysed  
10 data relating to mobile number \*\*\*\*\*805, and two  
11 points again in relation to that.

12 Firstly, that number was not used by Hussain on  
13 7 July?

14 A. No, sir.

15 Q. But, secondly, through analysis of items recovered,  
16 including a SIM card, a mobile phone SIM card, found at  
17 Tavistock Square where Hussain's body was found,  
18 a download -- in other words, interrogation of the  
19 information held within that SIM card -- showed the  
20 805 number saved within the SIM card under the title "My  
21 number"?

22 A. Yes, I believe that's the case.

23 Q. That goes towards attribution of that as a personal  
24 phone for Hussain, but one that you can say was not used  
25 on 7 July?

1 A. Correct, sir, yes.

2 Q. Then thirdly and finally, in relation to Tanweer, did  
3 you analyse data for \*\*\*\*\*458?

4 A. Yes, sir.

5 Q. Not used by him on 7 July, is that right?

6 A. Correct, sir, yes.

7 Q. But there was material in terms of exhibits seized  
8 during Operation Theseus which did tend to the  
9 conclusion that there was an attribution to him of that  
10 as a personal phone?

11 A. Yes, sir.

12 Q. So coming then just back, finally, in our core bundle at  
13 E/13 to 6 and 7 July, taking them collectively, E/13, is  
14 it right that we have an exclusive picture of  
15 operational or, as I would suggest, conspiracy use of  
16 the four operational phones which is limited to contact  
17 between the four bombers, the only exception to that  
18 being what might be called service calls?

19 A. Yes, sir.

20 Q. For example, at 20.10.14 on 6 July, Lindsay made  
21 a Virgin customer services call, duration 9 seconds.

22 A. Yes, sir.

23 MR HILL: For my Lady's note -- I'm sure it's already been  
24 noted -- the First 24-Hour Car Rentals operation in  
25 Leeds which made a call to the Tanweer phone at 14.58.45

1 was from a Leeds number commencing 0113 which I believe  
2 I'm correct in saying is the very number that  
3 Mrs Clarke, yesterday's witness, noted within the  
4 windscreen of the Nissan Micra.  
5 That's all I ask, thank you.

6 LADY JUSTICE HALLETT: Does anybody have any other questions  
7 before we break to give Ms Gallagher and Mr Tibber  
8 a chance to read the material?  
9 Right, now what questions do we have for  
10 Detective Sergeant Stuart and is there any way we're  
11 going to be able to answer them while he's here today?  
12 Mr Patterson, what did you want pursued?

13 MR PATTERSON: It was a general enquiry in relation to any  
14 evidence of other contacts suggesting suspicious  
15 contacts beyond the group of four.  
16 Now, in the light of the answers given by the  
17 Sergeant, I don't know if he needs to check his material  
18 and perhaps provide an answer in due course or whether  
19 he can deal with it this morning.

20 LADY JUSTICE HALLETT: In what period?  
21 MR PATTERSON: On the 7th and in the days leading up?  
22 A. That's relatively easy to check, my Lady, so I could  
23 come back today.

24 LADY JUSTICE HALLETT: Thank you.  
25 MR PATTERSON: I'm very grateful.

1 LADY JUSTICE HALLETT: And Mr Hill, you wanted checked?

2 MR HILL: I asked a number of questions --

3 LADY JUSTICE HALLETT: You put a proposition. In terms of  
4 operational calls re the Theseus defendants, there are  
5 some in the spring of 2005 but none in May, June  
6 and July?

7 MR HILL: Yes, that's it.

8 LADY JUSTICE HALLETT: Thank you. We'll break now -- we'll  
9 take our 15 minutes' break now, Ms Gallagher. I'll stay  
10 in my room until I get a message you're ready.

11 (10.50 am)

12 (A short break)

13 (11.10 am)

14 MR KEITH: My Lady, may I raise two issues, if I may.

15 Mr Stuart has made some enquiries, but I think the  
16 answer to his questions may not be available until this  
17 afternoon, so may we be permitted to recall him when he  
18 has concluded those additional enquiries at some  
19 convenient point this afternoon?

20 LADY JUSTICE HALLETT: Certainly.

21 MR KEITH: My Lady, the second matter concerns two documents  
22 to which I made reference in the course of my  
23 examination of Detective Sergeant Stuart, and my use of  
24 the two documents raises a wider issue of principle  
25 concerning publication of documents on the website and

1 it is this: I made specific reference to two particular  
2 texts, one from Khan to Lindsay and Lindsay's response  
3 timed at 04.35 and then the response at 04.41.  
4 Correctly and technically speaking, my reading out  
5 of those texts is the only part of the material that, in  
6 fact, forms part of the evidence in these proceedings  
7 because what I said forms part of the transcribed record  
8 of what is said in open court. But of course on their  
9 screen, by dint of the fact that I was referring to the  
10 documents, there appeared references to other text  
11 messages and other parts of those documents which are  
12 not relevant.

13 Two enterprising members of the press have quite  
14 properly enquired as to whether or not they may report  
15 what they saw on the screen: namely, text messages to  
16 which we did not make reference in the course of  
17 evidence.

18 I would be very grateful for a direction from you  
19 that, because the rest of the material on the screen is  
20 not, in fact, part of the evidence, it forms no part of  
21 these proceedings, it is irrelevant and, therefore, is  
22 not something that should be reported and, for that  
23 reason, it would not therefore and will not therefore go  
24 on to the public website.

25 LADY JUSTICE HALLETT: First of all, may I thank the members

1 of the press for asking what they should do. I'm  
2 extremely grateful to them for taking such care.  
3 Does anybody else have any submissions they wish to  
4 make of those who are here? Very well, well subject to  
5 receiving further submissions because it may be others  
6 will wish to pursue this matter, my ruling at present is  
7 that we should follow the course you suggest, Mr Keith,  
8 which is that the record is what you read out. The  
9 document itself is not an exhibit. Therefore, there is  
10 to be no reporting of the rest of the contents and it  
11 will not go yet on to the public website.

12 MR KEITH: I'm very grateful, my Lady.

13 LADY JUSTICE HALLETT: Thank you.

14 MR KEITH: My Lady, may I read now three short statements?  
15 The first is a statement from Gavin Townsend, dated  
16 12 July 2005.

17 LADY JUSTICE HALLETT: What are we doing about  
18 Detective Sergeant Stuart?

19 MR KEITH: I'm so sorry, Mr Stuart. My Lady, unless my Lady  
20 has any questions for him, may he be released --

21 LADY JUSTICE HALLETT: I think Ms Gallagher may have some.

22 MR KEITH: I'm doubly apologetic.

23 MS GALLAGHER: My Lady, just before I ask  
24 Detective Sergeant Stuart some questions, just related  
25 to both matters raised by Mr Keith just now, we've

1 agreed to write to the Inquest team with a number of  
2 questions which arise from the material we've just seen.  
3 It may be that we later need to put certain questions to  
4 Detective Sergeant Stuart. I'm going to put certain  
5 oral questions now, but it may be that our other queries  
6 can be answered in writing rather than having to recall  
7 him, but if he is recalled, we may have questions  
8 arising from that additional material.

9 LADY JUSTICE HALLETT: Thank you very much.

10 Questions by MS GALLAGHER

11 MS GALLAGHER: Mr Stuart, I represent bereaved families, as  
12 does my learned friend Mr Patterson, and I've just got  
13 a number of short questions for you.

14 Firstly, in your evidence this morning, you referred  
15 to 15 operational phones in total, I think, so four  
16 phones for each of three perpetrators:

17 Mohammed Sidique Khan, Hussain and Tanweer, so twelve in  
18 total, and then three for Jermaine Lindsay. So a total  
19 of 15 operational phones?

20 A. Yes, ma'am.

21 Q. Is it correct that the schedule we have, which is in the  
22 core bundle at tab E, in fact just relates to the final  
23 four operational phones?

24 A. That's correct, ma'am, yes.

25 Q. Have you done the analysis for the earlier eleven

1 operational phones?

2 A. Yes, there's been analysis on all phones.

3 Q. Is it possible -- have you prepared that in schedule  
4 form in a similar way to this schedule?

5 A. Basically, all billing for all phones is put into one  
6 massive schedule, and then we take out from that parts  
7 that are relevant. So it's easy to extract that  
8 information, if you like.

9 Q. As you've referred to 15 operational phones, we only  
10 have the very tail-end of that material, the last four.  
11 Will it be possible for us to see the material in  
12 relation to the earlier eleven operational phones?

13 A. Yes, certainly, madam.

14 Q. Grateful. We know as well as the 15 operational phones,  
15 there are at least four personal phones, so one personal  
16 phone for each of the individuals. Now, we know the  
17 numbers for Khan, Hussain and Tanweer, but -- I'll be  
18 corrected if I'm wrong -- we don't appear to have the  
19 personal phone number for Jermaine Lindsay. Is that  
20 right?

21 A. Not on this schedule, but again, it's something I can  
22 easily rectify for you, ma'am.

23 Q. So it may be something that you do have, even if it's  
24 not in our materials. Are there, again, schedules of  
25 calls and texts between those personal phones, material



1 that came to and went from those personal phones over  
2 the entire period?

3 A. Yes.

4 Q. You were asked by Mr Hill earlier, in his questions,  
5 about the personal phones with the three individuals,  
6 Khan, Hussain and Tanweer, not being used by those  
7 perpetrators on 7 July -- the reference, my Lady, is  
8 page 33, line 13 of today's transcript -- but do you  
9 have the records in relation to the earlier days, so  
10 5 and 6 July, in relation to those personal phones?

11 A. Yes.

12 Q. Again, would it be possible for us to see those?

13 A. Certainly.

14 Q. Of course, the reason that that's particularly pertinent  
15 is there's been a suggestion earlier this week that the  
16 attacks may originally have been planned for 6 July, the  
17 day when the London Olympic bid was announced as  
18 successful. So clearly, it could be very relevant to us  
19 to have that material from the earlier days, despite  
20 Mr Hill's question about 7 July.

21 A. Certainly, ma'am.

22 Q. Again, just relating to a matter which was raised by  
23 Mr Hill, in the operational phone schedule for the final  
24 four phones, the INQ reference is INQ00010395 [INQ10395 - not for  
publication], it's the  
25 main document we've been looking at this morning, and

1 it's on page E/13. I'm just going to take you again,  
2 just for clarity, to the voice call timed 04.21.21 on  
3 7 July, about two-thirds of the way down the page on  
4 E/13 in the bundle which you have.

5 A. Yes ma'am.

6 Q. This is the voice call which Mr Hill asked you about  
7 which suggests that Jermaine Lindsay -- the local site  
8 is Buckinghamshire County Hall?

9 A. Yes, ma'am.

10 Q. We heard from a witness yesterday who believed she had  
11 seen Jermaine Lindsay at 4.10 am in the Leeds area on  
12 7 July, but can we say with certainty from this record  
13 that the phone associated -- the operational phone  
14 associated with Lindsay at 4.21, eleven minutes later,  
15 was, in fact, in this area, Buckinghamshire?

16 A. In Aylesbury, yes, that's correct.

17 MS GALLAGHER: I'm very grateful. I've nothing further.

18 Oh, excuse me --

19 LADY JUSTICE HALLETT: I think, too, Ms Gallagher, we need  
20 to emphasise that the witness didn't at the time  
21 associate Jermaine Lindsay with being in Leeds. It's  
22 something that she now thinks some over five years on.

23 MS GALLAGHER: Of course. It's something she said in oral  
24 evidence yesterday. It wasn't necessarily in her  
25 earlier statements.

1 Just one final thing that my instructing solicitor  
2 has asked me to bring to your attention. We've referred  
3 to the 15 operational phones in total and at least four  
4 personal phones. Are there any other phone numbers  
5 which you know to be associated with any of those four  
6 individuals?

7 A. There are, I believe, from recollection -- and it is  
8 some time since I've looked at the data as a whole, but  
9 there are probably individual calls made on phones  
10 attributed to family members which we've felt were  
11 attributed to the subjects, but actually a phone in its  
12 entirety, I don't believe so, no. But again it's  
13 something I can double-check for you.

14 MS GALLAGHER: I would be very grateful if you could  
15 double-check that while you're double-checking the other  
16 material which we've asked you about. I'm very  
17 grateful, thank you.

18 LADY JUSTICE HALLETT: I think that's it, then, thank you  
19 very much. I can't say that you're free to go totally,  
20 Detective Sergeant Stuart, but obviously we'll try to  
21 get back to you as soon as we can once you've got the  
22 information to hand. Thank you.

23 If everybody is content that Mr Stuart deals with  
24 the information on paper or electronically, then I will  
25 happily release him. I don't see why we should call him

1 back unless it's absolutely necessary.  
2 Statement of GAVIN TOWNSEND read  
3 MR KEITH: My Lady, Mr Townsend produces a statement dated  
4 12 July 2005. It contains the usual declaration of  
5 truth:  
6 "I am an employee at First 24-Hour Car Rentals  
7 Limited, Cardigan Road, Leeds. I have been asked by the  
8 police regarding a customer at the rental company by the  
9 name of Shehzad Tanweer. I do remember dealing with an  
10 Asian male who gave these details when he hired  
11 a vehicle on 4 July. I could describe the man as an  
12 Asian male, 23 years of age, 5' 9", slim build. He had  
13 a slim face, short dark hair. He wore a traditional  
14 type of embroidered skullcap. He had quite a prominent  
15 nose and he wore small, fashionable-style glasses with  
16 small lenses. He had an amount of facial hair, mainly  
17 thin hair or stubble at the sides. He wore casual  
18 clothing on the top and a traditional style of baggy  
19 trousers. I have been shown an exhibit KSP1. I can  
20 confirm that this is one of several carbonated copies of  
21 the hire agreement form which I completed on 4 July.  
22 "In relation to the booking of the vehicle, I can  
23 recall that I received a phone call at the office a few  
24 days previously from a man giving the name  
25 Shehzad Tanweer and his initial request was to have

1 a vehicle starting on 5 July for a period of two days.  
2 I enquired if he had hired vehicles from our office  
3 previously, which he told me he had and, as a result of  
4 that, I was happy to reserve a vehicle for him."  
5 My Lady, we saw from the schedule, of course, this  
6 morning, that there was indeed a phone call to the  
7 office on 30 June.  
8 "He asked for the cheapest vehicle that was  
9 available. I did not ask him what the purpose of hiring  
10 the vehicle was for. I then met Shehzad Tanweer at  
11 approximately 11.00 on 4 July. I did not see how he  
12 arrived at the office that day, but he was alone. He  
13 came into the office and stood at the office counter  
14 where I completed the necessary documentation. It is  
15 the first time I had personally dealt with this man.  
16 However, I did recognise him as a man I had seen at the  
17 premises on previous occasions over the last two months.  
18 I completed the agreement form with him, which would  
19 take about 10 to 15 minutes. He supplied me with his  
20 personal details, name and address, date of birth and  
21 gave his occupation as being involved in retail and he  
22 produced his driving licence by way of identification.  
23 "Whilst completing the agreement form, he was unsure  
24 about the date of return of the vehicle and he had  
25 arrived at the office a day earlier than agreed on the

1 telephone. He did not give me any reason or indication  
2 why he was unsure about the length of the hire.  
3 However, this is quite normal for a large number of our  
4 customers. We agreed to hire the vehicle for a period  
5 until 11.00 on 8 July, a cost of £120 for the hire,  
6 including insurance, which he paid on the day in  
7 advance. He paid in cash. It is normal company working  
8 practice to record details of a credit or debit card  
9 from a hirer in case of damage or speeding fines, also  
10 parking tickets. He supplied a credit card. I would  
11 have checked over the vehicle to ensure there was no  
12 damage. The vehicle hired to him was a Nissan Micra  
13 DE05 RJX. It was sky blue colour.  
14 "Having completed the transaction, he was given the  
15 keys and drove away. I have not seen him since.  
16 "Following 8 July, when the vehicle had not been  
17 returned as agreed, I rang the mobile number given by  
18 him on at least two occasions. However, the phone was  
19 off. I can only say, if I saw the man again, I would  
20 definitely recognise him."  
21 My Lady, we know that the last entry on the schedule  
22 prepared by Mr Stuart at your direction is that there  
23 was a call on 7 July, in fact, two minutes to 3 from  
24 First 24-hour Car Rentals to Tanweer's number.  
25 My Lady, I don't propose to read out the remainder

1 of that statement.

2 May I then read out the statement of

3 Kulvinder Pipial dated 12 July 2005, also his colleague

4 and manager at First 24-Hour Car Rentals Limited.

5 Statement of KULVINDER PIPIAL read

6 "During the last six months or so, a customer has

7 been hiring cars from my company Shehzad Tanweer.

8 Records back at my office would tell me how many times

9 he has hired cars from my company. I would estimate he

10 has hired cars on about four occasions this year. On

11 these occasions when I have dealt with him, he has

12 sometimes been dropped off by another person. I do not

13 recall seeing who dropped him off, but I do remember

14 once a red Honda Civic, possibly a two-door coupe,

15 dropped him. On another occasion, he was dropped off in

16 a silver car. I cannot remember the details of the car,

17 but I think it might have been Japanese. It may be that

18 other colleagues at the company have dealt with him.

19 According to my records, Mr Tanweer hired a car from my

20 company on 4 July 2005."

21 May we please have on the screen INQ00009366 [INQ9366-2]?

22 "The agreement document consists of a number of

23 copies. The top copy is white and completed by the

24 customer and employee dealing. The form carbonates on

25 to two copies below. One is green, one is blue. They

1 are then kept as company records. In addition to that,  
2 a further blue and white form is completed. This is  
3 carbonated and provides details of any damage. By  
4 referring to the green copy, I can see that  
5 Shehzad Tanweer provided his address, he gave  
6 a telephone number and date of birth and provided  
7 details of his driving licence. The car that  
8 Shehzad Tanweer hired was a sky blue Nissan Micra. This  
9 car was hired on 4 July and was due to be returned to us  
10 on 7 or 8 July."  
11 My Lady will see on the right-hand side of the page  
12 approximately a third of the way down if you could  
13 highlight, please, the number -- the date under "Date  
14 due back":  
15 "The reason the date is not certain is because on  
16 the green copy the date seems to have been overwritten  
17 to 8 July. However, on the damage details form the date  
18 of return is given as 7 July [INQ9366-4]. Also, the date given on  
19 the form for insurance cover was shown from 4 to 7 July.  
20 But the date of insurance cover can be changed easily by  
21 telephoning our office when the rental is extended. The  
22 cost of the rental was £120. To hire a car cost £30.  
23 And this particular hire was for three days. It would  
24 appear that he has overpaid by £30 when taking the car.  
25 My view is that either he has been accidentally



1 overcharged or that he always intended to keep it for  
2 another day.

3 "By 8 July, the car had not been returned. With  
4 Tanweer being a regular customer, it was considered he  
5 would pay the extra when the car was returned. However,  
6 by Monday, 11th, the car had still not been returned and  
7 this caused me concern. I therefore rang the mobile  
8 number and this went straight to an answerphone.  
9 I phoned about three times before leaving a message for  
10 him to contact me once.

11 "By today, Tuesday, 12th, I was very concerned at  
12 the whereabouts. I decided to visit his home address  
13 and I went to the vicinity of the address and I saw  
14 a police cordon. Having explained why I was there  
15 I then provided the rental agreement."

16 My Lady, this witness produces two further witness  
17 statements, neither of which I propose to read out as  
18 they're not relevant to these proceedings.

19 Could we have that exhibit back on the screen still?  
20 Before we leave the exhibit to which he makes  
21 reference, it's INQ00009366 [INQ9366-2], we saw the date highlighted  
22 of 7/8 July in the middle of the page there. On the  
23 bottom left-hand corner of that same page we can see  
24 insurance times which were the times of the insurance to  
25 which the witness also made reference, 4 to 7 July. He

1 also made reference to the damage sheet, if we go  
2 forward in the exhibit to INQ00009366-004 [INQ9366-4], please.  
3 On the right-hand side in the middle we can see  
4 "Date out: 4 July. Date in: 7 July". So those are the  
5 differing dates that were provided on the form.  
6 My Lady, the next witness is that of  
7 Andrew Donaldson, a police officer. He provides  
8 a statement dated 20 October 2005.  
9 My Lady, this witness attends upon the motor car,  
10 the maroon-coloured Fiat Brava which you will recall was  
11 towed away from the railway station in Luton. He  
12 provides a very long witness statement detailing  
13 everything that was found in that car, and I propose  
14 just to make reference to one or two of the exhibits  
15 that were found.  
16 Statement of ANDREW DONALDSON read  
17 "I am the above-named detective constable. On  
18 Tuesday, 12 July, I was requested to go from London to  
19 Luton, Bedfordshire where two motor vehicles had been  
20 located at Luton railway station and which were  
21 suspected of being connected to the bomb attacks in  
22 London on 7 July.  
23 "I arrived at Luton police station at 6.00 and  
24 liaised with other officers.  
25 "At about 8.00 I travelled to a recovery compound

1 arriving at about 8.30. I liaised with other officers  
2 already present, including an explosives officer,  
3 Dave Williams, who carried out safety search procedures  
4 on the car assigned to me to examine and search which  
5 was present here having been recovered from Luton  
6 railway station. Mr Williams had to force entry into  
7 the vehicle in order to conduct his procedures as the  
8 doors were locked and there were no keys present with  
9 the car. This entailed a front window being smashed.  
10 "The car was a burgundy-coloured Fiat Brava. The  
11 safety search conducted by Mr Williams revealed no  
12 explosive devices present, but there was a handgun  
13 firearm located in the boot of the car together with  
14 a number of live rounds of ammunition which were with  
15 the gun but not in it. No other dangerous hazards were  
16 found in this initial safety check procedure. The  
17 firearm and ammunition was made safe by an authorised  
18 firearms officer. The motor car was then photographed  
19 by a Bedfordshire police photographer. It was then  
20 initially examined by a fingerprint officer whilst under  
21 cover inside a building.  
22 "An initial search of the car was then conducted  
23 commencing at 9.15. I, as the scene examiner and  
24 exhibits officer, commenced and maintained  
25 contemporaneously an exhibit search logbook. The search

1 was conducted with other anti-terrorist branch officers.  
2 I list below all the items found and seized during the  
3 course of this search."

4 My Lady, from the hard copy statement I will read  
5 out the exhibits to which reference is made on page 5,  
6 FMC32, three icepacks from the rear passenger seat  
7 nearside footwell. FMC38, one pair of Adidas jogging  
8 bottoms, rear seat of the car. Page 7, FMC81,  
9 telescopic sight from a firearm, boot. FMC83, one  
10 semi-automatic handgun and magazine, boot. FMC85, one  
11 case containing five yellow metal bullets and one  
12 silver-coloured bullet.

13 "The search was concluded at 6.30 on Wednesday,  
14 13 July. I then organised the escort and removal of the  
15 car to a forensic laboratory. I then returned to London  
16 taking all the remaining exhibits with me."

17 My Lady, the next witness, please, is  
18 Janice Stephens. Would you come forward, please?

19 MISS JANICE STEPHENS (sworn)

20 Questions by MR KEITH

21 MR KEITH: Is your name Janice Stephens?

22 A. It is, yes.

23 Q. Thank you very much. Could we please put on the screen  
24 INQ00010283-002 [INQ10283-2]? If you could enlarge, perhaps, the  
25 middle of the King's Cross station itself, that will

1 give us some idea of the station and all the platforms.

2 Is it Mrs Stephens?

3 A. Miss.

4 Q. Could I ask you, please, about your journey on Thursday,  
5 7 July 2005?

6 A. I caught a train at about 7.55 from Harpenden in  
7 Hertfordshire to London. I was going to London Bridge.  
8 Because the trains were really delayed, my train arrived  
9 late into King's Cross at about 8.40, so I decided to  
10 change and go on the Northern Line to London Bridge.

11 Q. How long does it normally take to walk to the  
12 underground at King's Cross?

13 A. I would say about four or five minutes because it's  
14 quite a long way from the old King's Cross Thameslink  
15 station to the underground.

16 Q. So can you estimate what time approximately you must  
17 have arrived at the Northern Line, which is where you  
18 were heading towards?

19 A. It was about quarter to 9.

20 Q. On the screen, it's rather a complex diagram, but you'll  
21 probably know it better than we will, if you could --  
22 actually, we've enlarged it just a fraction too much.  
23 Could you scroll back outwards a little bit -- on the  
24 left-hand side of that screen we can see the words  
25 "northbound" and "southbound" which I think you may

1 recognise is the southbound and northbound Northern Line  
2 platforms?  
3 A. Is that 7 and 8?  
4 Q. Just to get our bearings --  
5 LADY JUSTICE HALLETT: Yes.  
6 MR KEITH: -- on the top of the screen we can see the  
7 eastbound and westbound Piccadilly lines. On the  
8 right-hand side of the screen we can see the southbound  
9 and northbound Victoria Lines and on the bottom  
10 left-hand corner, although we don't have it in colour,  
11 it is in yellow in the core bundle at page C/14, the  
12 eastbound and westbound Metropolitan and Circle Line  
13 trains. My Lady, we can see, in fact, on the diagram  
14 the ticket barriers right at the bottom left-hand  
15 corner, if you go left a bit with the cursor, those are  
16 the three groups of ticket barriers to which  
17 Mr Martoccia made reference yesterday.  
18 We are concerned, please, Miss Stephens, with the  
19 Northern Line on the left. Do you see those two  
20 platforms?  
21 A. I do, yes.  
22 Q. Which of those two platforms were you heading for?  
23 A. I was going on to the southbound platform.  
24 Q. Were there a lot of people there?  
25 A. Yes. There was a lot of people on the southbound

1 platform, so in that situation I normally walk up the  
2 northbound platform because then you're more likely to  
3 get on a train and then cut through to the southbound.

4 Q. As you walked around on to the northbound platform, did  
5 you see a man who brought himself to your attention?

6 A. Yes. As I came round the corner on to the northbound  
7 platform, there was a man sitting on a chair very near  
8 to where you come on to the platform.

9 Q. Was the bench or the chair on the platform itself --

10 A. It was.

11 Q. -- or on the interconnecting tunnel?

12 A. It was on the platform, literally as you came round the  
13 corner, and there was a man --

14 Q. Why did you notice him?

15 A. I think because -- well, because, when I came round the  
16 corner, I came round very quickly and because he was  
17 sitting very far forward on the chair, I nearly walked  
18 into him, so I had to sort of walk round, sort of change  
19 my path a little bit.

20 Q. In what position was he seated?

21 A. He was very far forward on to the chair, so sitting on  
22 the front edge of the chair, sitting forward.

23 Q. Was he leaning on anything, or resting on his knees  
24 or --

25 A. I think he had his hands on his knees.

1 Q. His hands on his knees?

2 A. With his elbows like this, his elbows on his knees,  
3 sorry.

4 Q. So he was leaning hunched forward with his elbows on his  
5 knees?

6 A. Yes.

7 Q. Was there anything about his appearance you noticed,  
8 whether it was clothes or whether he was carrying  
9 anything?

10 A. I remember thinking he had a jacket on which -- it  
11 was July, so that was a bit unusual, so he had a walking  
12 jacket on.

13 Q. Do you recall if he had a rucksack or anything like that  
14 with him?

15 A. I can't remember now.

16 Q. You can't remember?

17 A. No.

18 Q. If I can assist you, you told the police, I think, when  
19 you provided your statement on 18 July -- so shortly  
20 thereafter -- that you weren't sure, I think, whether or  
21 not he had a rucksack, you had a good view of him,  
22 though. Was he with anybody else?

23 A. I don't remember anybody --

24 Q. You don't remember whether he was with anybody else?

25 A. I don't remember, because, as I came round the corner,



1 I had to move my path a bit, so I was just literally  
2 looking at his face. That's why I can't remember what  
3 was around.

4 Q. You said to the police:

5 "I cannot say for sure if he had a backpack with  
6 him", because you may have been remembering what you saw  
7 on the television a week later.

8 A. Absolutely.

9 Q. So very fairly, you told them that. You described his  
10 jacket. Can you say anything about his age?

11 A. I think about 20, I would say.

12 Q. All right. In any event, matters were put beyond  
13 dispute as to who he might have been, because did you  
14 see about a week later a photograph of somebody on one  
15 of the news channels?

16 A. I did, yes.

17 Q. Who was the person who was shown on the news channel?

18 A. It was Hasib Hussain.

19 Q. Did you recognise the person that you saw?

20 A. It was when I saw the picture that I remembered the  
21 incident. I didn't remember it until I saw the picture.

22 Q. When you saw the picture, how sure were you that it was  
23 the person you had seen on the northbound platform of  
24 the Northern Line?

25 A. I was very sure.

1 Q. Very sure?

2 A. Very sure.

3 MR KEITH: Miss Stephens, thank you very much, but there may  
4 be some further questions for you.

5 LADY JUSTICE HALLETT: Mr Patterson?

6 Questions by MR PATTERSON

7 MR PATTERSON: May it please your Ladyship.

8 Miss Stephens, does it come to this, that you walked  
9 round the corner and he was just there on this seat --

10 A. Yes.

11 Q. -- at the start of the platform?

12 A. Mm.

13 Q. In your statement you said "It was a period of one or  
14 two seconds that I looked at this person". So can we  
15 take it from that that you just walked past him without  
16 stopping or giving him a second glance?

17 A. Well, because I had to adjust my path, I just stepped  
18 back and looked and then carried on. At the time, it  
19 was an inconsequential event on my journey to work,  
20 so ...

21 Q. Of course, and is that accurate, that it was for about  
22 one or two seconds that you were looking in his  
23 direction?

24 A. Yes.

25 Q. So you can't be sure whether there was anyone with him

1 or not?

2 A. No.

3 MR PATTERSON: Thank you very much.

4 LADY JUSTICE HALLETT: Any other questions? Thank you very  
5 much indeed, Miss Stephens. We are extremely grateful  
6 for you for coming forward and for coming to court,  
7 thank you.

8 MR KEITH: My Lady, the next witness is Fayaz Patel, please.

9 MR FAYAZ PATEL (sworn)

10 Questions by MR KEITH

11 MR KEITH: Is your name Fayaz Patel?

12 A. Fayaz Patel, yes, that's right.

13 Q. Thank you very much, Mr Patel. Were you, in 2005 and  
14 2006, and perhaps you still are, employed by  
15 London Underground as a customer service assistant,  
16 a job that you had held certainly then  
17 from September 2004?

18 A. Yes, that's correct. At the present time, I'm a train  
19 driver, but that's what I was doing in 2005, yes.

20 Q. In 2005, you were based at King's Cross station?

21 A. Yes, that's correct.

22 Q. You booked on, I think, that morning at about 4.20?

23 A. Yes, that's correct.

24 Q. Did your job entail opening the station and getting  
25 everything ready for the influx of passengers

1 thereafter?

2 A. That's right.

3 Q. Were you in uniform?

4 A. Yes, full uniform.

5 Q. Where were you located during the course of the early  
6 hours of that morning?

7 A. Originally, I was booked to work on the Piccadilly Line  
8 platforms where the incident took place, but I changed  
9 with one of my colleagues and I worked on a main barrier  
10 which led to the Victoria, Piccadilly and Northern Line  
11 platforms.

12 Q. Could we have, please, on the screen INQ00010283 and  
13 page 2, please, of that exhibit; INQ00010283-002 [INQ10283-2]?

14 Again, could you scroll into or enlarge the centre  
15 part -- perhaps enlarge it a little bit more so we can  
16 have the main concourse itself.

17 By use of that schematic diagram, Mr Patel, can you  
18 tell us where your duties took you in the early hours of  
19 the morning, around about 7.00 to 8.00?

20 A. This main ticket hall area here, not the actual hallway,  
21 but just see where the barriers are --

22 Q. Yes, the hatched line across?

23 A. This area here is called a bullring, and this area here  
24 is the main Tube gate line, so the Tube gate line area.

25 Q. During the course of that morning, do you recall there

1 being any delays in any of the lines in particular?

2 A. Yes, the main delays were on the Northern Line, and also  
3 I believe -- I'm not 100 per cent sure, but I think  
4 there was some kind of problem with the National Rail  
5 where trains were not going straight through to  
6 Moorgate, so we had customers, I think, coming on to the  
7 Tube to take other lines to get to Moorgate. I'm not  
8 100 per cent sure.

9 Q. Had there been some problem -- which line is the  
10 Caledonian Road --

11 A. Piccadilly Line.

12 Q. Had there been some problem at Caledonian Road earlier  
13 in the morning, do you recall?

14 A. If it was, it would have been a lot earlier, and I don't  
15 think that would have had much impact because that's  
16 going away from the City. There's not that much influx  
17 of passengers going in that direction.

18 Q. I see. At any rate, were there a lot of passengers  
19 generally in King's Cross that morning, by about 8.00?

20 A. Yes, by about 8.00, the entire Tube gate line area was  
21 congested and we'd implemented a station control to try  
22 and minimise the flow of passengers.

23 Q. Does that mean shutting the outer entrances into the  
24 station or shutting the barriers? How is that control  
25 exercised?

1 A. It involves shutting escalators off, shutting the main  
2 entrance and exit points and then periodically opening  
3 it as and when appropriate.

4 Q. Does that system of station control affect passengers  
5 arriving from the Thameslink -- and could we go to the  
6 top right-hand corner, please, of that page? We can see  
7 there the writing "Pedestrian footway from Thameslink",  
8 and we've heard evidence about -- and we've seen CCTV  
9 evidence of a passenger footway from the Thameslink. If  
10 you were coming through that footway, would one be  
11 affected by station control or not?

12 A. Yes, there's a particular duty that's positioned at the  
13 Thameslink exit/entrance point. I believe there was  
14 someone in position at that entrance, and what -- there  
15 is a gate there that they can shut if they are  
16 instructed by their supervisor to do so.

17 Q. All right. Do you know, one way or another, as to  
18 whether or not the gate was shut on that morning, or  
19 whether it was simply part of what is expected to be  
20 done?

21 A. Well, I would believe that if the station control was in  
22 place, then it's likely that that gate would be shut.

23 Q. Now, in relation to where you were, where did you go  
24 when the station control was implemented?

25 A. I remained at the Tube gate line area, but there's an

1 entrance point which is on the left-hand side which is  
2 directly adjacent to Piccadilly Line escalator, and  
3 there's an exit point which is on the right-hand side  
4 which is adjacent to the Victoria Line escalators.

5 Q. Could we please enlarge the central ticket hall area,  
6 please?

7 We can see the escalators on the right-hand side of  
8 the bullring, therefore the Piccadilly and Northern Line  
9 on the top and the Victoria Line escalators on the  
10 bottom. The exits, we can see one by D, subway entrance  
11 from street and a passageway that comes into the  
12 bullring. Is that correct?

13 A. That's correct.

14 Q. Another entrance just below it, directly to the left of  
15 the words "ticket hall" and then one, if this were  
16 a clock, at 7.00 and then one also at 5.00, is that  
17 right?

18 A. Yes.

19 Q. So where were you standing?

20 A. Originally, I was standing at the entrance ticket  
21 barriers, and by the luggage gate. Then --

22 Q. Which side, sorry, is the luggage gate? Is it to the  
23 bottom or top --

24 A. There's two luggage gates, one on each side, yes.

25 Q. Which one were you at, the top one or the bottom one?

1 A. Originally, I was at this one, the top one, but then  
2 what we were doing, we were rotating -- I was rotating  
3 with my other colleague because really the abuse was  
4 coming from the passengers that wanted to go in, so we  
5 were switching over between the two luggage gates.

6 Q. All right. Now, did there come a time when a man  
7 approached you and asked you or told you that he wanted  
8 to speak to a duty manager?

9 A. Yes, that's correct, yes.

10 Q. Did you see where he came from?

11 A. To be honest, I can't say for 100 per cent, but  
12 I believe he came up the Victoria Line escalator, which  
13 is on the right.

14 Q. If you were anywhere near the Piccadilly Line or the  
15 other lines, say, for example, the Circle Line, can you  
16 get to that Victoria Line escalator, or does it only  
17 come from the Victoria Line escalator, from the  
18 Victoria Line?

19 A. You can still get to the Victoria Line escalator via the  
20 Northern and Piccadilly Line concourse. There's  
21 a stairway which is referred to as a -- it's shaped like  
22 a dog leg, which you can use to access the Victoria Line  
23 concourse and then up the escalator.

24 Q. So if somebody comes up the Victoria Line escalator, it  
25 doesn't necessarily mean that they could only have been



1 on the Victoria Line trains?

2 A. That's right, but also, at the end of the Victoria Line  
3 platform, that's what leads to the Thameslink tunnel,  
4 which is the trains that come from Luton, so it could  
5 also have come via that tunnel and then up the  
6 Victoria Line platform, up the escalator.

7 Q. Could we please scroll back out and look at the top  
8 right-hand corner of that page again? We can see there  
9 the Thameslink tunnel. Just go up again, please, a bit.  
10 We can see that the pedestrian footway from  
11 Thameslink joins the Victoria Line platforms there, in  
12 the middle of the page --

13 A. Yes.

14 Q. -- and also goes on to join the Piccadilly Line  
15 platforms as well, if you could scroll left, please,  
16 there we are, there's a dog leg from the pedestrian  
17 footway on to that platform as well.

18 Do you remember anything about the man who  
19 approached you?

20 A. Yes. The guy was tall, male, black, short hair,  
21 I wouldn't say dressed -- he wasn't wearing a suit, but  
22 he was dressed quite smart, and --

23 Q. In what way, a jacket of some sort or --

24 A. Just wearing a shirt tucked in, smart trousers and it's  
25 very strange for a passenger to ask for the duty station

1 manager. That's not really -- it seems as if --  
2 a passenger wouldn't know -- wouldn't refer to the  
3 person in charge of the station as the duty station  
4 manager, that's more for staff. They'd normally ask to  
5 speak to the station foreman or to the station  
6 supervisor.

7 Q. What sort of voice did he have?

8 A. I would just say normal.

9 Q. Did he have any kind of accent at all?

10 A. I would say maybe north London, but I'm not -- I can't  
11 confirm accent.

12 Q. All right. Now, the reason I ask is that you told the  
13 police in your witness statement of April 2006 that,  
14 after 7/7, you saw pictures of the bombers in the press  
15 and you told the police that the person who had  
16 approached you resembled a man, Jermaine Lindsay, and  
17 you also told them that the person whom you had seen was  
18 of African appearance.

19 Can I ask you: when you saw the picture of Lindsay  
20 in the press, how sure were you -- and if you weren't  
21 sure at all, then please say so -- that it was Lindsay?

22 A. Well, to be honest, originally -- the guy that  
23 approached me on the gate line, what I did first was,  
24 opposite the station, there was a newspaper cutting of  
25 all the 52 victims, so I checked his picture with the 52

1 victims and no one out of the victims -- none of the  
2 victims resembled this guy --

3 Q. This is afterwards?

4 A. Yes, this was afterwards. Then, when I saw the picture  
5 of Lindsay, like, on the news, then afterwards I thought  
6 that he resembled this particular person, but the only  
7 characteristic which I was unsure about was Lindsay's  
8 hair, I'm not sure whether it was dreadlocked or whether  
9 it was short. That was why I was unsure.

10 Q. When you saw the picture of Lindsay, did you say to  
11 yourself, "That's the man I saw", or, "It looks like the  
12 man I saw, it might not have been the man, I just don't  
13 know", which of those two most accurately records your  
14 views?

15 A. I would say it looks like the man I saw, but not in  
16 certain terms. It was a combination of the way he  
17 looked and the nature of his enquiry and the fact that  
18 he disappeared before the manager arrived, that's  
19 what -- based on what I concluded, that he resembled  
20 Lindsay.

21 Q. Was he wearing a rucksack of any type or description?

22 A. As far as I'm aware, he was wearing a rucksack.

23 Q. Can you recall anything about the size of the rucksack?

24 A. It was a small rucksack over the right-hand shoulder,  
25 I think, dark -- I think either navy blue, dark navy

1 blue or black rucksack.

2 Q. When he asked to speak to a duty manager, what did you  
3 say?

4 A. I explained to him that, "Well, we're quite busy at the  
5 moment because of, obviously, with the station control",  
6 and I asked him also, is there any particular reason why  
7 he needs to speak to a duty manager, is it okay if he  
8 just speaks to a supervisor, and he seemed quite adamant  
9 to speak to a duty manager.

10 So at that time, the duty manager was in the station  
11 control room, which is located adjacent to the ticket  
12 hall, just at the top of the escalators, and I literally  
13 went over and tapped on the window, asked the duty  
14 manager to come out and speak to this gentleman.

15 Q. Did you see what happened after that?

16 A. By the time the duty manager actually came to my gate  
17 line where I was located, the guy had gone.

18 Q. In your statement to the police, you said that the man  
19 had actually said to you, "It's something very  
20 important".

21 A. Yes, that's right, he did say that, yes.

22 Q. Are you sure those are the words he used?

23 A. Yes, yes.

24 Q. Can I ask you finally just about this part of your  
25 statement: what time do you think it was that the man

1 approached you from what you believed to be the  
2 Victoria Line escalators?

3 A. I would say somewhere between around 8.15 and 8.40,  
4 I think, but that can all be confirmed via the CCTV  
5 that's available on the gate line and, also, the full  
6 appearance of the gentleman can be confirmed, because we  
7 have cameras that are particularly focused on the  
8 luggage gates because that's where staff generally get  
9 the most abuse.

10 Q. Have you ever seen or been shown CCTV cameras or footage  
11 or photographs of the bullring and asked whether or not  
12 you could spot the man who approached you?

13 A. That's a negative, no, I've never been asked to confirm.

14 Q. Just in relation to the times, you were confident in  
15 your statement to the police that the procedure, the  
16 station control procedure, was operated around 8.00. Do  
17 you have any other reference points by way of the times  
18 that events occurred that morning against which to gauge  
19 the moment when this man approached?

20 A. Yes, I mean, I would say we normally do a security check  
21 of the ticket hall and the bullring area at the top of  
22 the hour, so that had already been done, so that  
23 confirms that it had already passed 8.00, and we'd not  
24 done the 9.00 security check. So it was obviously  
25 between 8.15 and 8.50, after which the station was shut

1 and evacuated anyway. So it was between that window.

2 Q. All right. Other events occurred that morning of  
3 course, didn't they? Did there come a time when you  
4 received a message on the radio about smoke coming from  
5 the Piccadilly Line tunnels?

6 A. Yes, that's correct.

7 Q. The radio that you have, who does that connect you with?

8 A. That radio is a one-to-many radio. It's -- it can  
9 connect you directly to the station control room or to  
10 any other member of staff within the vicinity of  
11 King's Cross station.

12 Q. Does that include people who may be downstairs in the  
13 lower levels of the station?

14 A. Yes, that includes any part of the underground station  
15 and a very limited coverage on the National Rail  
16 concourse and there's coverage also on the Thameslink  
17 tunnel.

18 Q. Do you recall whether the radios were working normally  
19 and properly that morning before the events to which  
20 we'll come?

21 A. Yes, the radios were working correctly.

22 Q. So you received a message on the radio about smoke. Did  
23 you know where exactly the smoke was emanating from?

24 A. Well, it seemed as if the person who passed a message on  
25 was, I believe, my colleague, Peter Ball, who was

1 located on Piccadilly Line platform 5. That's the  
2 westbound platform that goes towards Holborn/Leicester  
3 Square. So I would assume that the smoke was coming  
4 from the westbound platform.

5 Q. You say "assume". Was that an assumption you recall  
6 making at the time, that because he had sent the  
7 message, it must have been the westbound platform?

8 A. That's right, that's the busier platform in the morning  
9 and, unless he actually went across to the other side,  
10 it's unlikely that the smoke was coming from platform 6.

11 Q. As a result of that message, did you then go and look at  
12 the CCTV monitors which are located in the control room?

13 A. Yes, because the control room is only about 10 metres  
14 away, I -- and it's got a see-through glass on it,  
15 I just went across and I looked at the monitor, I could  
16 see that the smoke was on the platform.

17 Q. Was that monitor showing a CCTV camera image pointing at  
18 the platform?

19 A. Yes, that's correct, yes.

20 Q. Could you see anything else on the other CCTV monitors  
21 or any other computer screens giving messages about what  
22 was going on that morning?

23 A. Not on the screens but obviously there were messages  
24 coming out on the radio via the control room that --  
25 basically, to just prepare for evacuation. Not -- you

1 see, what it is, we were going to evacuate anyway  
2 because of overcrowding. The evacuation was not  
3 necessarily because of the smoke. It was just the  
4 station was far too overcrowded anyway, so it was  
5 just -- it just happened that the attacks happened at  
6 the time when the station was overcrowded. That's why  
7 we -- we evacuated because of the overcrowding, not  
8 directly as a result of the smoke.

9 Q. But plainly, smoke coming from a tunnel is a matter of  
10 grave concern. Having seen the smoke on the CCTV  
11 camera, what did you do about that, if anything, and did  
12 other people -- would other people have seen the CCTV  
13 camera showing the smoke?

14 A. Other people would be -- the duty station manager, he  
15 was in the control room at the time, that's DSM  
16 Simon Cook. There was a one-station supervisor in the  
17 control room and then a control room assistant who  
18 actually works in the control room.

19 Q. So they would have seen what was on the monitor?

20 A. Yes, that's right.

21 Q. You looked through the window to see the monitor in the  
22 control room. Were you able to hear what was going on  
23 in the control room or not?

24 A. No.

25 Q. All right. So you don't know what steps they took to



1 deal with what they would have seen on the screen?

2 A. Well, whatever steps they took, they would have been  
3 relayed via the radio to all the staff because, as you  
4 can imagine, the station's got eight platforms, so if  
5 any evacuation was necessary the staff need to be  
6 positioned early on.

7 Q. When you saw that smoke on the CCTV monitor, do you  
8 recall around about the same time receiving any radio  
9 message from the control room on the other side of the  
10 window directing you to take any steps in addition to  
11 the evacuation of the station that was already  
12 occurring?

13 A. Well, that was followed up by -- basically, just to stop  
14 all entry -- all the gates on the left-hand side we  
15 basically just -- we have our own computer at the gate  
16 line, we just shut them. We put crosses on all gates.  
17 So no one can swipe their Oyster or use their ticket to  
18 get in. And the luggage gate, we just kept it locked,  
19 and then we opened the exit luggage gate and let  
20 everyone out.

21 Q. You are concerned there with the evacuation of the  
22 bullring. Rather, I'm concerned with whether or not,  
23 smoke having been seen on the monitor, you received any  
24 radio messages to the effect of: could somebody go down  
25 there and see what's happening, or directed to steps to

1 dealing with the smoke itself as opposed to the  
2 evacuation of the bullring area?

3 A. With the smoke itself, we have one mobile station  
4 supervisor and one who stays in the control room. So as  
5 far as I'm aware, there was one mobile station  
6 supervisor at that area of the station, so he would have  
7 been dealing with closing the platform, et cetera, and  
8 it's likely he was just liaising with his colleagues  
9 verbally rather than via the radio.

10 Q. Did there come a time when you were asked to go down to  
11 the platforms on the Piccadilly Line?

12 A. I wasn't actually asked to go down there. Once the  
13 station had been fully evacuated and the gates had been  
14 shut, then I went into the control room itself and a few  
15 colleagues and myself then we went down to the  
16 Piccadilly Line platforms. The escalators were not  
17 working. They had shut off.

18 Q. Was that because they had been shut off by you or  
19 because of a power cut or any other reason?

20 A. It's possible the customers could have turned them off  
21 as well by activating the emergency stop buttons, it's  
22 possible. But -- just in panic, or -- but I'm not sure  
23 why the escalators were turned off.

24 Q. All right. Can you recall how much time passed between  
25 you seeing the smoke on the monitor and when you went

1 into the control room and were asked, or decided of your  
2 own volition, perhaps, to go down to the platforms  
3 taking the things with you that we'll come to? How much  
4 time went past?

5 A. I would say no more than 10 to 12 minutes, because we  
6 have a target to evacuate the whole station within  
7 6 to 7 minutes. So after that, I didn't really do much  
8 else. I went to the control room and then went  
9 downstairs.

10 Q. Between seeing the smoke on the monitor and going into  
11 the control room, did you go up to street level at all  
12 and take part in a headcount of staff?

13 A. I didn't take part in the headcount of staff, but  
14 I think I might have passed the register on to another  
15 colleague who was at the staff assembly point and he was  
16 a senior colleague, he did the headcount.

17 Q. Were other London Underground staff arriving in the  
18 station at this time?

19 A. Yes, what had happened is one of the exits which led to  
20 the Novotel, that exit we shut off. When I shut that  
21 exit off, there was a duty manager trainside, I believe  
22 from East London Line, Tim Wade, and a few police  
23 community officers that wanted to get into the station.  
24 So once I double-checked with the duty station manager,  
25 he said "Let them in to help", then I took them,

1 I escorted them to the control room.

2 Q. Do you know why they were there?

3 A. I believe they were just passing through or they were  
4 going to a training course or something, and they heard  
5 about -- and they came to help.

6 Q. What had they heard about?

7 A. They had just heard that there's some kind of problem or  
8 some kind of power failure or -- at King's Cross. It's  
9 also likely that because of -- it's an interchange  
10 point, it's likely that they were travelling themselves  
11 and maybe come off the National Rail.

12 Q. At that time, did you gain any understanding of how they  
13 would have heard of the problem at King's Cross? Would  
14 it have been, perhaps, through your own radio network or  
15 from some other reason?

16 A. Some of the duty managers, they have their own PDAs, so  
17 they can --

18 Q. They have their own?

19 A. An electronic -- like a Smart phone device, and they can  
20 get updates on their PDAs.

21 Q. Before we look in detail at what you found on the  
22 platforms, one final question in relation to the CCTV.

23 At that time, were there CCTV cameras on every  
24 platform at King's Cross?

25 A. Yes, we had CCTV cameras on every platform. There are

1 a few blind spots, I believe, like right at the tail-end  
2 of the platform, but, yes, every platform is covered.  
3 Q. How many per platform were there?  
4 A. I would say between -- when you mean the Piccadilly Line  
5 platforms?  
6 Q. Yes.  
7 A. Yes, between the Piccadilly Line platforms and the  
8 concourse area, I would say at least ten cameras.  
9 Q. You went downstairs to help. Can you tell us, please,  
10 something about the time that you went downstairs?  
11 A. I would say about between 8.50 and 9.05.  
12 Q. Did you go straight down to the westbound platform?  
13 A. That's negative. What I did is my group station  
14 manager, who's -- who runs the whole -- who's the  
15 responsible landlord manager, he did not have a high  
16 visibility vest, so I went and got him one and then,  
17 afterwards, I went to the Piccadilly Line platform.  
18 Q. Which platform did you go to?  
19 A. I went to the westbound platform first, platform 5.  
20 Q. Yes, and we can see that on the screen. Did you take  
21 anything with you?  
22 A. I believe I think we took -- the first occasion we took  
23 just water only, I think, and maybe some hand lamps.  
24 Q. Did someone tell you to take those items, or is that  
25 standard equipment to take down to the platforms if

1 there is a problem brought to your attention in those  
2 tunnels?

3 A. Yes, because, as far as we are aware, we are dealing  
4 with a detrainment of customers inside the Tube tunnel,  
5 back into the platform. So that's standard to take that  
6 equipment.

7 Q. Why water?

8 A. Just so, when the customers come out on to the platform,  
9 if there's anyone that's feeling like weak or faint,  
10 et cetera.

11 Q. All right. And lights?

12 A. The lamp, that's -- there's two reasons. Firstly, it's  
13 part of the emergency equipment and it also helps when  
14 we're travelling, like, in the tunnels, it's quite dark.

15 Q. Are the tunnels lit generally?

16 A. No, when -- if there's a power failure or the tunnel  
17 lighting -- there is tunnel lighting -- it can be  
18 switched on manually from the platform.

19 Q. Can it come on automatically in any way?

20 A. Yes, if the electricity is turned off, it comes off  
21 automatically.

22 Q. Do you recall whether it was on that morning?

23 A. Yes, the tunnel lighting was on. Not that morning, but  
24 it advertently switched on, obviously, because -- as  
25 soon as the incident happened, it's likely that the

1 current was turned off.

2 Q. I put the question badly. When you went down to the  
3 westbound platform, do you recall whether the tunnel  
4 lighting was already on?

5 A. That's right, yes, it was on.

6 Q. Is there any other standard equipment -- whether medical  
7 or otherwise -- that is kept in or near the control room  
8 that would form part of what you would ordinarily take  
9 down to the platforms if there's a problem?

10 A. Sometimes we're required to take stretchers and there's  
11 also a bit of equipment that's normally held on the  
12 train which, if you are detraining between two trains,  
13 then you may need to use that equipment. Most of the  
14 other equipment is actually kept on the train.

15 Q. So in the control room -- is it in the control room that  
16 the upstairs equipment is kept? You'd have water?

17 A. It's either in the control room or in the station  
18 supervisor's office, but at that time, our office -- the  
19 supervisor's office -- was located on street level, so  
20 it's between the two rooms.

21 Q. Did you have to go up to the street level and get  
22 whatever it is you wanted to get?

23 A. I believe most of it had already been brought down.

24 Q. So water, lamps?

25 A. Yes, water, lamps, stretchers, they were scattered over

1 the station.

2 Q. Do you remember how many there were available?

3 A. Yes, on the Piccadilly Line concourse, there's, I think,  
4 two to three stretchers and there's stretchers on the  
5 Northern Line concourse also.

6 Q. What about medical equipment? Is there any first aid  
7 kit available or kits available?

8 A. Yes, that's available in the control room.

9 Q. We're of course dealing with 2005. Do you remember how  
10 many kits were available at that time in the control  
11 room?

12 A. I'm not sure exactly how many available, but we try and  
13 always have a first aider who's on duty. They normally  
14 have their own kit with them.

15 Q. In your statement to the police, you recount how you  
16 were told to take water, stretchers, gloves, lamps and  
17 blankets down, but this morning you have recollected  
18 that you may have made more than one trip. Certainly in  
19 your first trip you talk water and lamps.

20 A. Yes.

21 Q. Did you come back then again later and get more  
22 equipment?

23 A. Yes, that's correct. Because the escalators were  
24 switched off, we could only take limited equipment at  
25 a time. That's why we had to make numerous trips.



1 Q. When you went down to the platform, to the southbound  
2 platform, did you go straightaway into the tunnel or did  
3 you stay on the platform?

4 A. No, I stayed on the platform and took instructions from  
5 the group station manager.

6 Q. Do you recall his name?

7 A. Yes, his name is Pete Saunders.

8 Q. What did he tell you to do?

9 A. What he asked myself and a colleague to do is -- see, it  
10 was easier to access the platform or the train via the  
11 eastbound platform. So we crossed over on to the other  
12 platform and we got a notebook and a pen and we started  
13 to record how many people were leaving the affected area  
14 and basically being brought to the platform.

15 Q. I'm going to try to put up for you, please, a diagram of  
16 the tunnel system. It's C19 in our core bundle, which  
17 is INQ00010283 [INQ10283-7]. I think you need to go to the next  
18 page. One more. One more. Again, keep going. To the  
19 bottom of that page, please.

20 We can see there, Mr Patel, the southbound  
21 Piccadilly Line, do you recognise the schematic diagram,  
22 and you can see there how -- where the train was  
23 located, the northbound, the eastbound Piccadilly Line  
24 platform, as you've called it, runs towards there and  
25 the two tracks join.

1 If you go to the next page, please, down to the  
2 bottom, and then to the right, do we see there the  
3 eastbound tunnel joining the westbound tunnel there?  
4 A. That's correct, yes, there's a reversing facility there.  
5 That's why both tunnels connect.  
6 Q. So, therefore, we can see that, if you'd come down the  
7 eastbound tunnel, it is a shorter distance from the  
8 platform to where the train was located?  
9 A. That's correct, yes.  
10 Q. We can see the link tunnel in the middle of the page.  
11 So you stayed, did you, on the platform?  
12 A. Yes, initially myself and my colleague, Peter Ball, we  
13 stayed on the platform, at the tail-end of platform 6,  
14 which is the eastbound platform, and we waited for our  
15 colleagues to go into the tunnel and escort the  
16 passengers back.  
17 Then it was quite a drop, so we were lifting them up  
18 on to the platform.  
19 Q. I want to ask you, please, about what you recollect of  
20 your other colleagues going into the tunnel. When you  
21 went down to the platform, were your colleagues already  
22 in the tunnel?  
23 A. At that point, I believe there was only two colleagues  
24 in the tunnel. One of them was a duty station manager,  
25 Simon Cook, and the other was a first aider,

1 Imran Chowdhury, and I believe two BTP officers. That's  
2 it.

3 Q. Did you see them go on to the tracks and down the  
4 tunnel, or had they already gone ahead of you?

5 A. I was told that they'd already gone ahead of us.

6 Q. So you didn't actually see them go in yourself?

7 A. No. After that, I think there was another -- an  
8 additional BTP officer that entered, like, with us. Not  
9 with us, but at the time that we went down there.

10 Q. How come they had got down there before you, you being  
11 one of the first people to appreciate there was smoke  
12 coming from the tunnel and one of the first people to go  
13 down?

14 A. Because normal protocol is a first aider goes to the  
15 incident first and, also, it's likely that -- because  
16 a duty station manager didn't actually assist with the  
17 evacuation side, it's likely he went to the incident  
18 straightaway.

19 Q. So that was Mr Cook?

20 A. Yes.

21 Q. The first aider, Imran Chowdhury, he's a member of  
22 London Underground staff?

23 A. That's correct, yes.

24 Q. Is he generally located, like all members of staff, in  
25 the King's Cross London Underground area?

1 A. Yes, that's right.

2 Q. So as soon as there's a problem, he will go there, will  
3 he, because he's the first aider?

4 A. Yes, he's a normal member of staff customer service  
5 assistant at the time, but he's also a first aider. I'm  
6 sorry, there was another first aider as well,  
7 Patrick Akimbiya, but I'm not sure at what time he  
8 actually went into the tunnel.

9 Q. Can you give us any assistance as to what time it was  
10 that you arrived on the platform, the eastbound  
11 platform, and appreciated that there were people already  
12 in the tunnel who had gone into the tunnel ahead of you?

13 A. Yes, between 8.50 and about 9.05.

14 Q. How long was it before passengers began to emerge from  
15 that tunnel?

16 A. I would say about 5 to 7 minutes later the first  
17 passenger basically came out of the tunnel.

18 Q. As passengers started to come out, do you recollect  
19 whether other emergency services -- other members of the  
20 emergency services, or other London Underground staff  
21 were appearing on the platforms, or was it just you  
22 standing there watching passengers coming out?

23 A. Early on, there was a very limited number of emergency  
24 services at the scene. Obviously, they were dealing  
25 with other incidents that had been going on across

1 London, but -- and the alarm had not been fully raised  
2 for a bombing incident. We were dealing with  
3 a detrainment. So mainly underground staff only.

4 Q. When you were on the platform, were you receiving radio  
5 messages at all?

6 A. Yes, that's right, yes.

7 Q. Can you remember what they were?

8 A. I don't -- the radio messages were not specifically  
9 towards ourselves. They were more got to do with  
10 detraining trains on the Northern Line. Basically, some  
11 trains were coming into the station and -- or that had  
12 been stalled in tunnels. So some of them, the  
13 passengers had to be removed off them trains. But there  
14 were no specific messages at that early point.

15 Q. Does your radio receive messages from British Transport  
16 Police or just from London Underground?

17 A. No, not from British Transport Police.

18 Q. Because by this time, Mr Patel, the British Transport  
19 Police, at 2 minutes to 9, had been asked by one of  
20 their officers, a man called Inspector Mingay, to  
21 declare a major incident. So I'd like to know, in those  
22 first few minutes when you were on the platform, did you  
23 receive any information from anywhere else to suggest  
24 that this was anything other than a detrainment as  
25 opposed to an explosion or a bomb or of a major

1 incident?

2 A. That's negative. What you've got to bear in mind is the  
3 people or the member of staff and the two BTP officers  
4 that were inside the tunnel near the incident train, who  
5 could actually have witnessed what was going on, their  
6 radios also were not working. So the only way the  
7 message could be relayed to either myself or anyone on  
8 the station or in the control room was manually. They'd  
9 have to physically walk 100 yards or meet us back on to  
10 the platform and relay that message manually.

11 Q. Your radio was working?

12 A. Yes, our radio on the platform was working, but not  
13 those that were in the tunnel.

14 Q. We know you went in the tunnel subsequently. Did your  
15 radio work inside the tunnel or not?

16 A. No.

17 Q. So you, as a London Underground member of staff, had  
18 a radio that worked on a platform and in the concourse  
19 and the escalators and in the passageways, but not in  
20 the tunnel itself?

21 A. Yes, and no one had a radio that worked in the tunnel.

22 Q. Do you recall now -- and I appreciate it's a long time  
23 since -- the moment at which you first saw a member of  
24 the Fire Brigade appear either on the platform or from  
25 a tunnel?

1 A. That was a lot later on, I would say, well -- at least  
2 half an hour after the smoke. You must also note I'm  
3 not too sure about what time the firefighters emerged,  
4 but most of the medical staff that had arrived at the  
5 station were positioning themselves at the top of the  
6 escalator, and they'd made like a little makeshift tent  
7 also outside the station at the top of the escalator  
8 where they were positioning themselves like to deal with  
9 anyone that was coming up.

10 Q. So it was a reception centre, if you like?

11 A. Yes.

12 Q. That presumably, though, wasn't done until after  
13 passengers first started appearing on the platform?

14 A. Yes, that's correct. When you said "radio messages",  
15 I don't recall receiving any radio messages, but after  
16 the first few passengers had exited the tunnel on to the  
17 platform area and I had witnessed the condition of some  
18 of them, their faces were black or with soot and dust,  
19 then I myself on my radio -- sorry, one passenger left  
20 the tunnel and most of the customers that were leaving  
21 the tunnel were just -- they didn't seem too in shock or  
22 anything, but one particular customer made a point quite  
23 angrily of the fact that there's fatalities in the  
24 tunnel and that -- and that was the first that anyone  
25 had heard of it, like, that was on the platform.

1 Q. How long after your arrival do you think that person had  
2 appeared and you understood that there may have been  
3 fatalities?

4 A. I would say he was like probably the 20th or the 25th  
5 customer that had left that had actually made a point of  
6 what was happening inside.

7 Q. So they came out in groups, or groups and one or two?

8 A. They came out in, like, ones and twos.

9 Q. Did you relay any message yourself when you received  
10 this message from a member of the public, a passenger on  
11 the train, that there may have been fatalities?

12 A. Yes. Originally, I relayed that message to a colleague.

13 Q. By radio or by word of mouth?

14 A. Verbally, and also to a supervisor who was on the  
15 platform at the time, but it seemed as if they -- there  
16 appeared to be a reluctance to mention this type of  
17 message on the radio system. So I just --

18 Q. Pause there. Why -- let me say, who showed that  
19 a reluctance?

20 A. I would say that was from the supervisor, but he was  
21 a relatively inexperienced supervisor, he had just  
22 joined the station very recently, and I just --  
23 normally, the radio etiquette is we don't normally  
24 mention these types of messages on a radio, we use an  
25 autophone, which is like a telephone system.



1 Q. So when you said to the supervisor "Somebody has just  
2 mentioned that there may be fatalities", he didn't get  
3 on his radio and say "We've just received a report of  
4 fatalities".

5 A. That's right.

6 Q. What did he do instead?

7 A. He didn't get on the radio, so I just did it myself.

8 Q. Who did you call?

9 A. I called the supervisor and the control room via my  
10 radio.

11 Q. At King's Cross?

12 A. Yes.

13 Q. And said "I've just received a report of fatalities"?

14 A. Yes, basically what I was getting frustrated about was  
15 that we had customers that were coming out that were  
16 clearly injured, but no one to really take them up the  
17 escalator or attend to them at platform level. So what  
18 I said on the radio is that "We are dealing with, now,  
19 fatalities and can we get the emergency services to come  
20 down to the platform level? Because the escalator is  
21 off, we can't carry people up an escalator that is  
22 switched off."

23 Q. By this stage, had any of the emergency services arrived  
24 at platform level, whether London Fire Brigade or London  
25 Ambulance Service?

1 A. No, not yet.

2 Q. Had any other London Underground staff arrived on the  
3 platform to assist or to see what was happening?

4 A. At that point, I would say on the platform itself there  
5 was probably only about two or three of us that were  
6 helping to pull customers from the track on to the  
7 platform.

8 Q. But it was obvious to you, wasn't it, that passengers  
9 walking down the tracks, the tracks plainly had no  
10 current in them, it was safe to go in there?

11 A. That's the first thing we confirmed when we got to the  
12 site, yes.

13 Q. Did you stay on the platform or did you go into the  
14 tunnel?

15 A. I stayed on the platform for a little longer until the  
16 bulk of the customers had exited, but then it seemed as  
17 if we'd lost count of how many people had left the  
18 train, like, because we weren't recording it correctly  
19 or there were just too many people coming out, and we  
20 started to deal with the injuries and we stopped  
21 counting how many people were coming out. So --

22 Q. When you say "we", who was that?

23 A. Myself and a colleague that were designated to do that.

24 Q. Do you remember who that colleague was?

25 A. Yes, Peter Ball.

1 Q. Peter Ball again?

2 A. Ball, yes.

3 Q. Peter Ball. By this stage, had any emergency services  
4 arrived?

5 A. I would say the first emergency services arrived about  
6 maybe 9.20 and that was as a direct result of when  
7 I mentioned that there's fatalities and there's bodies,  
8 et cetera, then it's like as if, like, the cavalry of  
9 the people that were positioned at the top of the  
10 escalator, they arrived after that.

11 Q. Why did you say "bodies"? Presumably by this stage you  
12 had not gone into the tunnel yourself.

13 A. No, because the person who had left mentioned that  
14 there's bodies on the floor, on the tunnel floor.

15 Q. I understand. So the emergency services arrived. Did  
16 you then go into the tunnel yourself?

17 A. Yes, after that, yes, that's right.

18 Q. Why did you go in?

19 A. There was some equipment that needed to be taken in,  
20 like stretchers, et cetera. Also, there were some  
21 colleagues who were bringing a lady, I believe, with  
22 some severe injuries to her leg and needed help to carry  
23 that stretcher out, and then, after that, I just went to  
24 the incident train.

25 Q. You walked down the tunnel. Did you walk down on your

1 own or with others?

2 A. I walked with others.

3 Q. As you approached the train, did you see a body lying on  
4 the tunnel floor next to the train?

5 A. I didn't notice it initially. I noticed the body  
6 a little later on, that's right, yes.

7 Q. So not initially. Did you then just approach the train  
8 directly?

9 A. I tried to -- the body was facing -- the face facing  
10 downwards. It seemed as if it was a black male,  
11 dreadlocks, no arms, no legs, and so I was kind of like  
12 intrigued to see -- I originally thought it was a doll,  
13 but obviously, after that, I just went towards the  
14 train.

15 Q. It may seem that there is an obvious answer, Mr Patel,  
16 but was the person that you saw moving or was he plainly  
17 dead?

18 A. Plainly dead, plainly dead.

19 Q. Could you see whether there was anybody attending to him  
20 or seen verifying whether he was indeed dead?

21 A. To be honest, he had been plainly dead and no one was  
22 attending to him, but I think someone had placed a tag  
23 on him which said, like, "Dead body 1" or something of  
24 that nature.

25 Q. So did you presume from that that paramedics of some

1 kind or other had been there before you and had seen the  
2 gentleman and had carried out some sort of assessment?

3 A. Someone had, but it was pretty clear just from the  
4 nature of the injuries that he had definitely died.

5 Q. That he was dead?

6 A. Yes.

7 Q. Did you go on to the train?

8 A. Yes, I went on to the train, yes.

9 Q. And which part of the train did you go on to? Could we  
10 please have that document back on the screen? Can you  
11 tell us, please, which part of the train you went on to?

12 A. I think I went on to the first -- as in the tail-end  
13 carriage, the sixth carriage, and then I went through  
14 the doors on to maybe the second carriage, but the  
15 second carriage, there was too much debris and mess in  
16 that carriage, so I didn't stay in that carriage for  
17 long.

18 Q. How did you get into the sixth carriage if you'd gone up  
19 the link tunnel from the eastbound platform? Did you  
20 board the train in one of the middle carriages and then  
21 go to the sixth carriage first and then back along?

22 A. You see, I didn't realise that link tunnel led to the  
23 fourth carriage. Yes, that's right, then. In that  
24 case, it would be the fourth carriage, sorry.

25 Q. Do you remember going -- recollect going to the end of

1 the train or did you just assume that you boarded the  
2 train at the end, but in fact it's turned out to be  
3 carriage 4?

4 A. It seemed as if the carriage that I boarded was either  
5 the second from the last carriage or one of the middle  
6 carriages maybe.

7 Q. All right, so you didn't go to the end of the train in  
8 recollection. You must have boarded the carriage  
9 adjacent to the link tunnel?

10 A. That's correct, yes.

11 Q. Right. You didn't, however, go all the way down to the  
12 bombed carriage. What did you do?

13 A. I just went on the carriage to see, and there was some  
14 kind of problem where they were trying to locate  
15 a particular lever which releases certain doors. So  
16 I just went to give a key which would help them open  
17 a certain compartment.

18 Q. Is that a standard key that will open all the doors or  
19 just one part of the train?

20 A. It won't open the doors. What it does is it opens  
21 a compartment in the train where you can manually  
22 release doors.

23 Q. So there's a locker or some space?

24 A. It's like a lever, yes.

25 Q. Inside that locker or compartment, there is a lever that

1 you pull to open the doors?

2 A. Yes.

3 Q. But you can only get into that lever by unlocking the  
4 door on the outside of that space or locker?

5 A. Yes.

6 Q. Where is that key?

7 A. That key -- all staff have that key, but maybe in  
8 a panic or -- you know, maybe they just couldn't find  
9 that key or maybe they needed a spare key.

10 Q. Were you involved at all in relaying information from  
11 the emergency services and from your colleagues in  
12 London Underground to others, either by using your radio  
13 or by acting as a runner?

14 A. Yes, that's right. After -- I'd gone on the carriage  
15 and I'd seen the damage and there wasn't really anything  
16 that could be done on the carriage anymore. So I got  
17 off the train and I was acting as a messenger. There  
18 was a request for a pneumatic cutter or some kind of  
19 cutting device, so I was relaying messages manually or  
20 going from the train to the platform, passing the radio  
21 message on, finding out when that equipment is going to  
22 arrive, and then go back and relay that message.

23 Q. Mr Patel, could you help us: how long did it take, on  
24 average, to walk or to run, however you progressed, from  
25 the train carriage up the link tunnel along the

1 remainder of the tunnel to the eastbound Piccadilly  
2 platform where you could then make your radio call?  
3 A. Say about two to four minutes, roughly.  
4 Q. Each way?  
5 A. Yes.  
6 Q. So ten minutes or so there and back?  
7 A. Yes, roughly. Because of the nature of the tracks, you  
8 can't really walk fast because they all, like, submerge,  
9 so you've got to be really careful where you place your  
10 feet.  
11 Q. Because you have to step very carefully over each  
12 sleeper, is that how it works?  
13 A. Not necessarily the sleeper, but where the tracks  
14 actually -- it's points where they actually link up  
15 together. So there's not that much space.  
16 Q. So it's an extremely difficult thing to do if carrying  
17 something or if trying to do it at speed?  
18 A. Yes, that's right.  
19 Q. Can you recall how many times you were obliged to go  
20 back to the platform in order to relay messages?  
21 A. At least, like, three to five times maybe.  
22 Q. By this stage, when you were acting as a runner, had the  
23 majority of the people who were injured left the train  
24 to go to the platforms or were people still coming off  
25 the Tube?



1 A. Yes, most of the people that were not that severely  
2 injured, they had already left, but there were a few who  
3 basically needed to be stretchered out or they couldn't  
4 be moved because of the nature of their injuries. Maybe  
5 they were left. But the majority of customers had  
6 already left by then.

7 Q. Did you spend about three hours -- I think you didn't  
8 leave until about 12.15 -- in the tunnels going back and  
9 forth, acting as a messenger and assisting where you  
10 could?

11 A. Yes, that's right. From -- basically, from about 9.05  
12 or 9.15 onwards, until about midday, maybe 12.15, 12.30,  
13 yes, I remained in the tunnel area, yes.

14 Q. During that time, though, you didn't in fact, yourself,  
15 approach the bombed carriage?

16 A. To be honest, until I actually left the tunnel, even  
17 after seeing the bodies, et cetera, until I actually got  
18 up to the supervisor's office and watched the news,  
19 I didn't know that there had been any bombing.

20 Q. Mr Patel, thank you very much indeed. Would you bear  
21 with me just one moment?

22 Could we please go forward through the exhibit on  
23 the screen to the last page of the King's Cross  
24 documentation, to there?

25 Mr Patel, this is the same section of tunnel,

1 although enlarged on our screen, but from a slightly  
2 different angle.

3 On the top of the diagram we can see the link tunnel  
4 coming in with the tracks, the blue tracks ending  
5 abruptly there, and the bombed carriage.

6 By reference to the layout of the tunnels and the  
7 position of the train, could you please tell us where  
8 you saw the body that you saw lying on the ground? Can  
9 you say whether the body was near the join of the  
10 tunnels or further down the tunnel to the left towards  
11 carriage 3 and 2?

12 A. I would say slightly further down because, wherever  
13 there was a little bit of space next to the train,  
14 that's where the body was, and the body wasn't where the  
15 two tracks merge, it wasn't there.

16 MR KEITH: It was further down. All right.

17 Mr Patel, thank you.

18 LADY JUSTICE HALLETT: Yes, Mr Patterson?

19 Questions by MR PATTERSON

20 MR PATTERSON: May I deal first, please, Mr Patel, with this  
21 person that you saw who, summarising it, you believe may  
22 have been Jermaine Lindsay?

23 LADY JUSTICE HALLETT: Is your microphone on, Mr Patterson?

24 MR PATTERSON: I think it is.

25 You think this person was Jermaine Lindsay, is that

1 what it comes to, Mr Patel?

2 A. Yes, like I said, not in any certain terms, but I would  
3 say a lot of his characteristics and skin colour,  
4 et cetera, they resembled the photo of Jermaine Lindsay.

5 Q. I note your use of the word "resembled" just now, that  
6 was the word, in fact, that you used in your witness  
7 statement made to the police some years ago.

8 In that witness statement, you said that that  
9 sighting was at 8.15 am that morning, and I notice that  
10 this morning you've changed that time and you've given  
11 a wider bracket. But certainly in the witness statement  
12 you just gave it as being at 8.15, which of course we  
13 know would mean that, if that was right, Lindsay would  
14 have been on a train coming south from Luton at the  
15 time.

16 A. I don't know what time the train arrived at  
17 King's Cross, and when I wrote 8.15 in the witness  
18 statement, I am not sure whether I wrote "approximately"  
19 or whether I wrote "at 8.15", but, like I said, once  
20 again that can be verified via the station CCTV. If it  
21 is important what time the guy approached me, then that  
22 can be verified via the CCTV.

23 Q. In the statement, the words are "at about 8.15 hours  
24 a male person ..." and then you give the description of  
25 this person that you're speaking about.

1 So clearly at that stage no wide period of time

2 being suggested, just 8.15. Do you accept that, or

3 would you like to see the statement?

4 A. It says "at about 8.15". So "about 8.15" clearly

5 suggests that I'm not sure exactly what time it was --

6 Q. No.

7 A. -- but around 8.15.

8 Q. Yes. As for the appearance of this person, you were

9 able to describe his hair, "very short, black hair" were

10 the words you used in the statement, and if that's what

11 you said closer to the time, do you think that that

12 would be correct, that that's what you saw of the man's

13 hair?

14 A. Yes.

15 Q. So not a case of somebody wearing a Yankees baseball cap

16 over their head, for example?

17 A. No.

18 Q. As for the rucksack, you said that it was being carried

19 over just one shoulder?

20 A. Yes, I would say yes.

21 Q. You described it as a small rucksack?

22 A. A small rucksack, yes.

23 Q. So not a very large, clearly heavy rucksack being worn

24 over two shoulders?

25 A. No.

1 Q. You described him as being smartly dressed, wearing what  
2 you said this morning was a shirt and smart trousers, is  
3 that right?

4 A. Yes.

5 Q. So not, for example, casual sports/leisure kinds of  
6 clothes or --

7 A. No, definitely not.

8 Q. -- anything like that, tracksuits, that kind of  
9 appearance?

10 A. No.

11 Q. You make no mention of him carrying a white carrier bag?

12 A. No.

13 Q. You say that this person came up the escalators. You  
14 had the exchange with him, and then, when you came back  
15 from speaking to your colleague, he had gone. Is that  
16 right?

17 A. Yes.

18 Q. So you don't know whether he had left the station or  
19 whether he had gone back downstairs?

20 A. I'm not sure whether he had left, unless he used his  
21 ticket, the gate was locked, so if he had used his  
22 ticket, then he'd left. Otherwise he'd gone. There's,  
23 like, ten different entrances and exits, so he could  
24 have went any direction.

25 Q. Including leaving King's Cross station altogether?

1 A. Yes.

2 Q. Can I move on then, please, Mr Patel, to other things?

3 You were standing, as you've told us, by one of the  
4 luggage gates at the end of the long line of barriers,  
5 and there came a time when you were aware of smoke  
6 coming out of a tunnel. Is that right?

7 A. That's right, yes.

8 Q. Did you first become aware of that by hearing it over  
9 your radio or by seeing it on the screen, as you've  
10 mentioned some minutes ago?

11 A. Hearing it originally on the radio, but just went to  
12 confirm how much smoke there was on the actual screens.

13 Q. So what you heard over your radio was -- I'm sure you  
14 can't remember the precise words now, can you?

15 A. No, not precise words, but I remember a colleague,  
16 Peter, on the platform, saying to the effect that,  
17 basically, there is smoke filling up the platforms and  
18 basically asking for, like -- find out what's going on.

19 Q. So that's the first thing of any significance that you  
20 were aware of, a colleague actually on the  
21 Piccadilly Line platform saying over the radio that  
22 there's smoke coming out of the tunnel and -- did you  
23 say "filling the platform"?

24 A. Yes, it was filling up the platform area, yes.

25 Q. Was that a private call from him to you or was that

1 a call that would have been heard by many of the other  
2 London Underground staff who had radios that day?

3 A. As far as I remember, I think that was on the radio.

4 Q. Forgive me, do you mean that everyone would have heard  
5 that?

6 A. Yes, that's our one-to-many, yes.

7 Q. Presumably that's something of considerable importance,  
8 because it may mean that there's something serious that  
9 has occurred, possibly involving injuries?

10 A. Yes, to be honest, that same type of incident with smoke  
11 filling up the platforms happened about two weeks after  
12 the 7th, and we didn't evacuate the station. All we did  
13 was just stopped trains from stopping on the  
14 Victoria Line platforms and obviously customers were  
15 panicking because only two weeks after the incident, but  
16 it didn't lead to a full evacuation of the station. So  
17 it's not that much of a big deal compared to the actual  
18 detrainment. That's more of an issue.

19 Q. You say it's not that much of a big deal. My question  
20 was that it may mean -- and I use the word "may"  
21 deliberately -- it may mean something serious has  
22 occurred, possibly involving injuries, and that's right,  
23 isn't it?

24 A. No, I mean, smoke coming out on to the platform doesn't  
25 necessarily -- from my experience, doesn't necessarily

1 mean that there's possible injuries. It could just be  
2 a room, which is a secure room, which there might be  
3 smoke coming out from an area which is a non-passenger  
4 area of the station.

5 Q. Yes.

6 A. Like an escalator chamber, in the past, there's been  
7 smoke coming out of escalator -- an escalator chamber,  
8 that area of the station not accessed by customers.

9 Q. In any event, when you learnt from your colleague who  
10 was there on the platform of all of this smoke coming  
11 out of the tunnel and filling the platform, did you pass  
12 that on to anybody, that information?

13 A. No, it wasn't necessary, because everyone else could  
14 hear it on the radio.

15 Q. You confirmed it by seeing it visually on the screen in  
16 the office, on the monitor?

17 A. That's correct.

18 Q. What did you do upon seeing the visual confirmation of  
19 all of this?

20 A. Well, after that, we just acted upon the instructions  
21 that we were given from the station control room. Like  
22 I said earlier, we'd already kind of prepared for an  
23 evacuation anyway, so we were already in a motion of  
24 evacuating the station, regardless of the smoke.

25 Q. You say that it was 10 to 12 minutes before you went



1 down to the platform. What were you doing, please,  
2 Mr Patel, during those 10 to 12 minutes?

3 A. Yes, what we did is we opened all the exit gates on the  
4 station, shut all the entry -- when I say "gates" I mean  
5 the ticket barriers, and then opened the luggage gate,  
6 guided the customers towards the nearest exit and  
7 thereafter shut the -- helped customers up the  
8 escalators, and then we shut the entrance points to the  
9 station.

10 Q. So there came a time, 10 to 12 minutes after learning of  
11 the smoke, that you went down to the platform, yes?

12 A. Yes.

13 Q. I think you said you went down with a colleague. Is  
14 that right?

15 A. Yes, a few colleagues that were asked to go down there,  
16 we went together.

17 Q. What were you asked to go down there to do?

18 A. Just to take some of the supplies that are necessary to  
19 deal with any normal detrainment.

20 Q. I think you said that it was, at that stage, only water  
21 and maybe hand lamps. Is that right?

22 A. That's correct, yes.

23 Q. That's what you were specifically asked to take, or was  
24 that your own decision?

25 A. That's what we were asked to take, and that was what was

1 available at the time. That's what we took, yes.

2 Q. You didn't take any first aid kits from the office?

3 A. I, myself, didn't take any first aid kits, no.

4 Q. Did you think about taking any first aid kits from the  
5 office?

6 A. Well, to be honest, like I said, the escalator was  
7 switched off, it was difficult enough carrying a case of  
8 water to then carry further equipment at the same time.

9 Q. Do you happen to know whether any first aid kits had  
10 been taken down to the platform by that stage?

11 A. I'm not sure whether they had been taken down, but like  
12 I said, the first aider who had already entered the  
13 tunnel, he has his own portable first aid kit that he  
14 carries with him.

15 Q. That's Mr Imran Chowdhury. Is that right?

16 A. That's right, yes.

17 Q. Would there have been other kits available in the  
18 office?

19 A. Yes.

20 Q. But you don't know whether any of them had been taken  
21 down at this early stage?

22 A. That's right, yes. Sorry, I'd just like to mention,  
23 some of the equipment is located in the station  
24 supervisor's office, which was a temporary office on  
25 street level, which is about 150 metres away from the

1 control room, and the keys for that office only the  
2 supervisor has it. Obviously the supervisor was busy  
3 dealing with, like, the incident. So maybe at a later  
4 stage he might have went to his office to get more  
5 supplies.

6 Q. But at that stage, the first aid kit is in that  
7 supervisor's office. Those kits were behind a locked  
8 door, were they?

9 A. That's correct, there are some supplies in the  
10 supervisor's office, but there's also some on the  
11 station.

12 Q. Whereabouts are they?

13 A. They're in the control room.

14 Q. Were they in a room that was unlocked at the time or do  
15 you not know?

16 A. Well, it's accessible, yeah. You just press the bell  
17 and the station staff can go inside the control room.

18 Q. So at that early stage, Mr Patel, your understanding is  
19 that the medical assistance that was being given was  
20 Mr Choudhary, the first aider, with presumably his kit,  
21 had gone down, and do you know if any other first aiders  
22 were down at the train or on the platform at that stage?

23 A. No, but I'm not sure whether the BTP officers are  
24 trained in that field or not. But they might have had  
25 their own kits maybe, I'm not sure.

1 Q. Well, we can ask them. The timing of all of this you  
2 say was 10 to 12 minutes after the learning of the  
3 smoke. I think in your witness statement, you gave  
4 a time estimate of being around 8.55 to 9.10. So that  
5 was the approximate time you gave in your statement. Do  
6 you think that's accurate?

7 A. That's correct, yes.

8 Q. There came a time when, as was pointed out to you by  
9 Mr Keith, a major incident was declared and -- my Lady,  
10 I'm looking at the time line -- that was 8.58,  
11 Inspector Mingay.

12 Did there come a time, Mr Patel, when you learnt  
13 about the fact that a major incident had been declared?

14 A. Negative. That information wasn't relayed to the -- not  
15 to the station staff anyway. Maybe the senior  
16 management might know about it, but it wasn't passed on  
17 to the general staff on the station.

18 Q. It was something that was indicated by a BTP inspector  
19 to the BTP control, and we know that that was at 8.58.  
20 Did you ever receive that information from any source,  
21 that a major incident had been declared?

22 A. No.

23 Q. At any stage, did you learn that?

24 A. No.

25 Q. At any stage, did you learn that it was believed that

1 there had been an explosion of some kind?

2 A. No.

3 Q. You were there until -- I think you said something like  
4 midday or something of that sort.

5 A. Yes.

6 Q. Throughout all that time, did you receive any  
7 information as to what was believed to have happened on  
8 that train?

9 A. To be honest, yes, up until I actually left the site,  
10 I had not received any information about any type of  
11 a bombing or any of type of a major incident.

12 Q. I think it was about half an hour after you saw the  
13 smoke on the monitor that you would estimate that the  
14 Fire Brigade arrived. 9.20 to 9.25, or something like  
15 that, you said in your statement?

16 A. I remember more sooner to the time -- I remember  
17 approximately Fire Brigade, et cetera, and emergency  
18 services arrived about 28 minutes after -- after being  
19 requested, I think.

20 Q. 28 minutes, did you say?

21 A. Yes, that's something that was -- something that was  
22 being passed around the station after the incident,  
23 about the time that they took to arrive, in particular  
24 at King's Cross.

25 Q. What, there was discussion about the length of time that

1 it had taken them?

2 A. That it had taken them a lot longer than the other  
3 sites.

4 Q. Was that something that was being discussed on the day  
5 itself or on a later --

6 A. After, afterwards, it was something that was being  
7 discussed, yes.

8 Q. You mentioned an occasion when I think you said it was  
9 probably something like the 20th or 25th person who  
10 emerged from the tunnel mentioned that there were  
11 fatalities in the tunnel.

12 A. Yes, that's right.

13 Q. Was that before you saw any Fire Brigade personnel on  
14 the station or after?

15 A. That was before.

16 Q. On hearing somebody say this, what did you do?

17 A. I relayed that information to my supervisor who was  
18 there and to a colleague and, from their reaction --  
19 I don't know, there didn't seem to be an urgency about  
20 passing that information on to the control room, so  
21 I just relayed it myself as I heard it directly from the  
22 customer and requested that those that were positioned  
23 outside the station and those that were positioned at  
24 the top of the escalator, that they basically come down  
25 to concourse level and assist from there.

1 Q. You presumably, Mr Patel, appreciated the real urgency  
2 of the situation when you had a passenger saying this as  
3 he came out of the tunnel?

4 A. That's correct, yes.

5 Q. Indeed, there had been 20 or so already who had walked  
6 out of the tunnel, not an everyday occasion; no?

7 A. No.

8 Q. So the supervisor, when you passed this on to him, do  
9 I understand you correctly that he didn't relay that  
10 information onwards, is that what you're saying?

11 A. No, he didn't relay it onwards, but I didn't really wait  
12 for that long for him to relay it. I just -- from his  
13 reaction, I just relayed it myself.

14 Q. Did you see what he did?

15 A. He didn't really do much, no.

16 Q. What was he doing?

17 A. He was just also on the platform at the tail-end,  
18 just -- to be honest, he was quite confused and  
19 flustered because he had only started working at  
20 King's Cross about for a week only. So obviously for  
21 him it was quite a big, like, challenge.

22 Q. His position -- you said supervisor, did you? What was  
23 his position in the hierarchy of London Underground  
24 personnel?

25 A. Basically, the station supervisor, he's the person who's

1 responsible for operationally running the station on  
2 a day-to-day basis and he has the overall say, but if  
3 there's an incident and incident management structure is  
4 put in place, then we have a system where there's  
5 a Silver control and a Gold control. So in the  
6 situation, the Silver control would be the duty station  
7 manager and the Gold control would be the group station  
8 manager liaising with the senior Fire Brigade officer.

9 Q. So this person that we're talking about, was he the Gold  
10 or the Silver or what?

11 A. He wasn't -- you see, what it is, I'm not sure whether  
12 the actual management structure was put in place or not.  
13 It has to be formally put in place. So whether they'd  
14 put that in place upstairs or not, but ultimately, the  
15 supervisor was responsible for running the station.

16 Q. This station supervisor that you're telling us about,  
17 his name, please?

18 A. Supervisor Paul Berry.

19 Q. You've mentioned that you relayed the information about  
20 fatalities yourself. You did that using your radio, did  
21 you?

22 A. That's correct.

23 Q. You mentioned that -- I hope I've got your words  
24 accurately -- "normal etiquette is not to mention things  
25 like that on the radio but on an autophone".



1 A. That's right.

2 Q. What's the reason for that, so far as you understand it,  
3 Mr Patel?

4 A. It's because it's got to do with -- example, if the  
5 station was open and customers were standing next to  
6 a colleague of mine and they overheard that conversation  
7 on the radio, then it could cause, like, further panic.

8 Q. So although it's only going to the radio of  
9 a London Underground employee, nevertheless, if it's  
10 overheard by a member of the public, it might cause  
11 panic.

12 Despite that, obviously you appreciated the urgency  
13 of relaying this information. You therefore did it  
14 using the radio rather than using the autophone.

15 A. Yes, that's correct, because the nearest autophone was  
16 like -- one was on the concourse and one was right at  
17 the other end of the platform at the head wall.

18 Q. So that was one autophone available on the  
19 Piccadilly Line platform. Is that right?

20 A. Yes, one on the eastbound platform, but not at the  
21 tail-end, about 150 metres at the other end of the  
22 platform.

23 Q. So the opposite end from the emergency?

24 A. Yes.

25 Q. What about if you nip across to the platform going in

1 the opposite direction? Is the autophone to hand there  
2 or, again, is it at the far end?  
3 A. Yes, there's one autophone on that side, yes.  
4 Q. At which end, the end --  
5 A. At the end that we were at, yes.  
6 Q. Right. So it would have been just a few paces across to  
7 use that autophone --  
8 A. Yes.  
9 Q. -- if anyone wanted to? Does that go direct to one of  
10 the officers or to where?  
11 A. Well, that's an autophone, so I can dial any number for  
12 any station, any control room, in the entire network.  
13 Q. Then I think, Mr Patel, you went on and you explained  
14 your actions as you went on to the track and you went  
15 along to the train. Do I understand the lighting  
16 position to be this: that the tunnel lights were on?  
17 A. That's correct.  
18 Q. That on the train itself, from carriage 2 backwards,  
19 there were lights on the train, but it was only  
20 carriage 1 that didn't have lighting that was operating;  
21 is that the position on the train?  
22 A. As far as I'm aware, because I didn't go -- because  
23 I didn't access the full train, to be honest, it was  
24 only emergency lighting on the train, which is -- say,  
25 if there's ten Tube lights on one carriage, only five of

1 them will be working. That comes on when the  
2 electricity turns off.

3 Q. Right. So there is lighting on board the train --

4 A. It is limited.

5 Q. -- but it's perhaps limited. Am I right in thinking  
6 that there was none in the first carriage or did you not  
7 even look into the first carriage?

8 A. There wasn't much in the first one or two carriages  
9 because --

10 Q. Forgive me, do carry on.

11 A. No, because the doors are literally, like, being flung  
12 off and they were on the -- actually on the track. So  
13 because of damage to the carriage, I don't think the  
14 lighting was working anyway.

15 Q. So carriage 4 where you boarded the train, for example,  
16 was there any lighting on the train at all?

17 A. Just emergency lighting.

18 MR PATTERSON: Thank you very much. I have no more  
19 questions, my Lady.

20 LADY JUSTICE HALLETT: Ms Canby? Are you going to be some  
21 time?

22 MS CANBY: My Lady, I'll certainly go beyond 1.00.

23 LADY JUSTICE HALLETT: How much beyond? A rough estimate.

24 MS CANBY: A rough estimate, 10 to 15 minutes.

25 LADY JUSTICE HALLETT: I'm just thinking that for Mr Patel's

1     sake. Shall we carry on? Is everyone in front of me  
2     all right, if we carry on? We'll delay our lunch break,  
3     I think, to see if we can complete your evidence,  
4     Mr Patel, so you can go.

5     Questions by MS CANBY

6     MS CANBY: Mr Patel, I'm Ms Canby and I have a few questions  
7     to ask you on behalf of Transport for London.  
8     You've told us that, in July 2005, your job was  
9     a customer service assistant.

10    A. That's right, yes.

11    Q. Your immediate manager in that role would be a station  
12    supervisor. Is that correct?

13    A. That is correct.

14    Q. Normally at King's Cross, there would be two station  
15    supervisors?

16    A. That's correct.

17    Q. We have one station supervisor who would be present in  
18    the control room during a shift.

19    A. That's right.

20    Q. And a second station supervisor who would be called what  
21    we know as mobile.

22    A. That's right.

23    Q. So he's out and about around the station seeing what's  
24    going on. Was that the position on the day of 7 July?

25    A. That's correct, yes.

1 Q. The control room station supervisor, was that Ray Towle?

2 A. Yes, it was Ray Towle, yes.

3 Q. The supervisor that you were just referring to in answer  
4 to questions from Mr Patterson, that's a Paul Berry, was  
5 he the station supervisor mobile or was he, in fact,  
6 a third station supervisor who was being familiarised  
7 because he was early in his job?

8 A. To be honest, if he was being familiarised, I can't  
9 recall who else was there that was familiarising him,  
10 and it would be very unusual to familiarise a station  
11 supervisor when we are dealing with overcrowding and  
12 detrainment. He may be shadowing someone maybe, but  
13 I don't know who the third supervisor was.

14 Q. So it's possible that he was shadowing somebody, but you  
15 can't remember who the third person would have been?

16 A. Yes, that's correct.

17 Q. As a customer service assistant -- and I appreciate that  
18 you are now a train operator, so you have perhaps  
19 different knowledge now than you would have had at the  
20 time in July 2005 -- but, as a customer service  
21 assistant, you had had basic training in evacuation,  
22 detrainments, emergencies and the discharge of traction  
23 currents, is that correct?

24 A. That's correct, yes.

25 Q. In terms of evacuating the station, you would be acting

1 on instruction from the station supervisor --

2 A. That's right.

3 Q. -- in the control room?

4 A. That's right.

5 Q. So on this occasion, that was Ray Towle?

6 A. That's correct.

7 Q. During an evacuation, your role as customer service

8 assistant was, firstly, to prevent more passengers

9 coming into the station?

10 A. That's correct, yes.

11 Q. Secondly then, to let people out of the station, and

12 then, thirdly, you would wait for further instructions

13 from the station supervisor?

14 A. That's right.

15 Q. Those further instructions could be to provide

16 assistance down at platform level or, for example, to go

17 to the rendezvous point to await emergency services?

18 A. That's right.

19 Q. But, as a customer service assistant, you wouldn't

20 expect to be the first one on the scene down at the

21 platform; you would be responding to instruction from

22 your station supervisor?

23 A. Yes, I wouldn't be expected to be the first one on the

24 scene on the platform, but once I had already finished

25 doing what I had to do in terms of evacuation side,

1 I also -- I said earlier that there was a duty manager  
2 trains, Tim Wade, that obviously wasn't familiar with  
3 King's Cross station, so I took him also down to  
4 platform level.

5 Q. But you would ordinarily expect that the first one down  
6 on the platform in such an incident would be the mobile  
7 station supervisor --

8 A. That's right, yes.

9 Q. -- and/or the duty station manager?

10 A. Yes.

11 Q. Can you remind us who the duty station manager was on  
12 this occasion?

13 A. Simon Cook.

14 Q. You referred to, I think, Simon Cook and the GSM coming  
15 into the station and talking about a message about  
16 a power failure, do you remember that?

17 A. I don't -- I don't remember mentioning anything about  
18 a power failure, not from the DSM or from the GSM.  
19 I don't recall saying anything about power failure.

20 Q. Do you recall hearing a message on that morning about  
21 a power failure?

22 A. No.

23 Q. Okay, Mr Patel, I'm not trying to catch you out in any  
24 way. I appreciate that we're dealing with an incident  
25 five years on, but you did give a witness statement to

1 the police much closer to the events, and that was on  
2 11 April 2006. If you want to see that, I do have the  
3 reference. Otherwise, I'm happy to read out passages to  
4 you.

5 A. Read it out, yes.

6 Q. For those who are referring to it, it is INQ00005204.

7 So it's INQ00005204. The relevant page is page 2,

8 INQ00005204-002 [INQ5204 - not for publication].

9 Mr Patel, as I say, I'll start, but if at any stage  
10 you want to look at it, let me know and we can have it  
11 put on the screen, I hope.

12 At the top of that page, you say that, at about  
13 8.40, you were in the main booking hall area again when  
14 you heard on the radio something about smoke coming from  
15 the Piccadilly Line tunnel:

16 "I looked through the control room window and saw  
17 this for myself on the monitors. Then there were  
18 messages about power failures."

19 A. Yes, I mean, the message about power failure, that might  
20 have been on the radio or maybe -- we also have another  
21 device which is located next to the gate line which  
22 messages are sent -- it's a station control unit where  
23 messages are sent centrally to it. It may be I read it  
24 on the actual monitor that's next to the gate line.

25 Q. Has that helped to jog your memory now about a message



1 about a power failure?

2 A. Yes, to be honest, like, at this point, I can't remember  
3 it, but obviously that's a more accurate reflection  
4 because that was about six months after the incident.

5 Q. Yes. Mr Patel, you also referred in your evidence today  
6 about the fact that the escalators weren't working at  
7 King's Cross.

8 A. Well, some of the escalators weren't working.

9 Q. You were asked whether or not that was perhaps because  
10 they had been turned off or because a passenger may have  
11 turned them off?

12 A. That's right, yes.

13 Q. You said that was a possibility.

14 A. Yes.

15 Q. Mr Patel, no criticism of you, but we now know from the  
16 evidence that, in fact, the escalators at King's Cross  
17 were off because a power cable had been damaged by the  
18 Aldgate bomb in the Aldgate tunnel, and that had meant  
19 that the escalators at King's Cross were not working.

20 A. There's no way of me knowing that.

21 Q. Of course not, no, but just to let you know that it  
22 seems unlikely that the power -- the escalators weren't  
23 working because a passenger had switched them off. It  
24 seems more likely that it was because of a problem with  
25 the power cable.

1 Do you recall the time when the escalators were  
2 turned back on?  
3 A. No.  
4 Q. Because we do know that Pete Saunders -- and I think  
5 he's the group station manager; is that correct?  
6 A. Correct, yes.  
7 Q. He will tell us, if asked, that he recalls turning the  
8 escalators back on.  
9 A. At what time?  
10 Q. I'm afraid that I don't have that information at the  
11 moment.  
12 A. Yes, but I wouldn't know if the escalators had been  
13 turned on because I didn't leave the tunnel. I was  
14 always on the platform, so I can't see the escalators.  
15 I can maybe hear them, but ...  
16 Q. You went down to the tunnel at around about 9.15 and you  
17 didn't come back up again until about 12.15.  
18 A. No, that's correct, yes.  
19 Q. So you're not able to assist us with what was happening  
20 with the escalators between that period?  
21 A. That's right, yes.  
22 Q. Mr Patel, just going back to what you told the police --  
23 because obviously when your account was fresher in your  
24 mind -- so having told them at about 8.40 you heard  
25 something on the radio about the smoke, you then say

1 that you were instructed to go with your colleagues,  
2 Patrick Akimbiya, Imran Chowdhury and some others, to  
3 take water, stretchers, gloves, lamps and blankets and  
4 other items down to the Piccadilly Line level with some  
5 of the management people. This was now around 8.55 to  
6 9.10.

7 At that stage, when you were being told to go down  
8 to the platform level, you've not been told that there  
9 are any injuries, have you?

10 A. No, no.

11 Q. So you go down to the Piccadilly Line level, and in your  
12 statement to the police you said that, at around 9.15,  
13 you were on the eastbound platform Piccadilly Line at  
14 the back wall end, so the back of the train, and people,  
15 at least 50, initially came out in groups of 3, 4 or 5,  
16 blackened, some with cuts.

17 The bomb on the Piccadilly Line train, we know, went  
18 off when the train was particularly crowded. That's  
19 right, isn't it? And, just coming towards the end of  
20 rush hour, we would estimate that there was probably  
21 about between 100 and 200 passengers in each of those  
22 carriages. Would you agree with that sort of estimate?

23 A. Yes, that's correct, yes.

24 Q. So you say in your statement that initially about 50  
25 people came up and, given that there's going to be

1 between 100 and 200 in a carriage, we know that the bomb  
2 goes off in carriage number 1, so the carriage furthest  
3 away from where you are in King's Cross, that's right,  
4 isn't it?

5 A. Yes.

6 Q. Then there are five behind that bombed carriage, there  
7 are then five other carriages full of passengers who  
8 have to be detrained either to Russell Square or to  
9 King's Cross?

10 A. Yes.

11 Q. Going back to your statement, and still at around 9.15,  
12 you say that you helped with your colleagues these 50  
13 people on to the platform, they were escorted out of the  
14 station as they went by other colleagues, and everyone  
15 went out via the Piccadilly Line escalators. They were  
16 offered water and provided with customer services  
17 numbers.

18 You say in your statement that "At 9.15, we still  
19 didn't know what had happened."

20 A. Yes, that's right, yes.

21 Q. Then in your statement you say that it was at about 9.20  
22 to 9.25 hours that emergency service personnel began  
23 arriving. You don't actually mention being aware of  
24 seeing any fatalities until some time after that point.  
25 So in your witness statement you don't refer to any

1 fatalities until about 9.20 to 9.25 when you say that,  
2 when you approached the train, you could see injured and  
3 dead people.

4 A. That's correct, yes.

5 Q. So when you earlier said in answer to questions by  
6 Mr Keith and Mr Patterson that you were first told about  
7 fatalities from the first wave of passengers, about 20  
8 to 25 passengers, do you now, now that I've read your  
9 more earlier recollection in your witness statement,  
10 stand by that or do you think that it might have been  
11 a bit later?

12 A. Sorry, what was later?

13 Q. When you were first aware of fatalities?

14 A. No, you see, what it is, I was made aware of the  
15 fatalities by the customer who had left the train. I'm  
16 not sure whether I've mentioned that or not in that --

17 Q. It's not in your witness statement.

18 A. But I stand by what I'm saying now, that definitely the  
19 customer -- the customer made me aware, I made that  
20 message aware to the control room, and I believe, as  
21 a direct result, the help came down quicker and more  
22 urgently. Otherwise, they were being stationed upstairs  
23 and they would have just waited upstairs until we  
24 brought the casualties upstairs to them.

25 Q. Because earlier, you said that you weren't sure whether

1 or not the station supervisor had acted on the  
2 information that you'd given him?  
3 A. He'd not, he was in front of me, he had not acted on it.  
4 Q. You've just now said that you think it was because of  
5 that message --  
6 A. I passed that message on.  
7 Q. Because you spoke to the control room, you think that  
8 that resulted in help being brought down sooner?  
9 A. Definitely, yes.  
10 Q. So even though you had concerns in your own mind about  
11 what the station supervisor was doing with that  
12 information, you managed to relay it to the right  
13 people?  
14 A. That's correct.  
15 Q. You gave some evidence in relation to a key and you were  
16 talking about difficulties people had actually opening  
17 the doors in their carriages. The key that opens the  
18 carriages, that's called a J door key, isn't it?  
19 A. That's right, yes.  
20 Q. Operators who would have J door keys actually physically  
21 on them would be all-train operators?  
22 A. That's correct.  
23 Q. Duty manager trains?  
24 A. Yes.  
25 Q. You've mentioned that there was a duty manager trains

1 there.

2 A. Yes.

3 Q. And the duty station managers?

4 A. Yes.

5 Q. So all of those supervisors and operators would have  
6 J door keys on their person.

7 A. That's correct.

8 MS CANBY: Thank you very much, Mr Patel, that's all  
9 I needed to ask you.

10 LADY JUSTICE HALLETT: Are there any further questions for  
11 Mr Patel?

12 Mr Patel, how old were you when this incident  
13 occurred?

14 A. 19.

15 LADY JUSTICE HALLETT: Did you suffer any consequences as  
16 a result?

17 A. Not really, but -- well, in the immediate aftermath,  
18 I would say for a little while, but I had three weeks of  
19 annual leave a week after the incident, so I just went  
20 to Dubai and, when I come back, I just got back on with  
21 the job and that's it.

22 LADY JUSTICE HALLETT: Well, I commend you for your efforts  
23 for trying to help the people who were so badly injured.

24 Thank you, you're free to go.

25 I say that Mr Patel is free to go. He did mention

1 the Fire Brigade and I notice that Ms Boyd isn't here.

2 Are we confident that --

3 MR KEITH: My Lady, may I mention this: due to the  
4 exigencies of legal aid, Mr Coltart instructed by  
5 Kingsley Napley is not here today either, but he was  
6 obviously aware that Mr Patel would be giving evidence  
7 today, so he communicated his concern to me that there  
8 might -- it might be that evidence would cover areas of  
9 emergency response that he wouldn't be here to deal  
10 with.

11 What I have suggested to him, with your leave, is  
12 that, if there were issues that arose arising out of  
13 Mr Patel's evidence, that he could make an application  
14 in due course for you to have him recalled, but that  
15 there would obviously be a very large number of  
16 witnesses to whom he could put generic points in the  
17 course of the next few weeks and months, and he  
18 expressed the view that he would be content with taking  
19 that course by raising issues, if they needed to be  
20 raised, with other witnesses, and only exceptionally  
21 would he consider applying to you, my Lady, for any  
22 witness to be recalled.

23 LADY JUSTICE HALLETT: It has to be exceptional, Mr Keith.  
24 I can't have witnesses like Mr Patel being brought  
25 backwards and forwards.



1 MR KEITH: Absolutely. They have copies -- they will have  
2 the evidence and the transcript of the evidence and, no  
3 doubt, if there are issues that arise, there will be  
4 a multitude of witnesses to whom those points could be  
5 put.

6 LADY JUSTICE HALLETT: Thank you. Well, Mr Patel, I'm  
7 releasing you and I very much hope we won't call you  
8 back. If we do, it will be for very good reason,  
9 I promise. So for the time being, let's hope that  
10 you're released and thank you for coming and thank you  
11 for your help.

12 A. Thank you.

13 LADY JUSTICE HALLETT: 2.15.

14 (1.15 pm)

15 (The short adjournment)

16

17