

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

Hearing transcripts - 3 March 2011 - Morning session

1 Thursday, 3 March 2011

2 (10.00 am)

3 LADY JUSTICE HALLETT: Mr Keith?

4 MR KEITH: Good morning. My Lady, may I invite you to call

5 Assistant Commissioner Gary Reason, please?

6 ASSISTANT COMMISSIONER GARY JOHN REASON (affirmed)

7 Questions by MR KEITH

8 MR KEITH: Good morning. Could you give the court your full

9 name, please?

10 A. Gary John Reason.

11 Q. Assistant Commissioner, you have prepared a long and

12 helpful statement setting out the response on behalf of

13 the London Fire Brigade to a number of issues which were

14 brought to your attention by my Lady and the Inquest

15 Secretariat; is that correct?

16 A. That is correct.

17 Q. You are currently the head of operational and emergency

18 planning; is that correct?

19 A. That is correct.

20 Q. Does that require you to have responsibility for certain

21 aspects of the Fire Brigade's roles?

22 A. It certainly does.

23 Q. Are you responsible for matters such as operational and

24 emergency planning, Olympic planning and

25 special operations carried out by the Fire Brigade?

1 A. I am.

2 Q. In essence, do you provide or contribute to the
3 strategic operational overview of the Fire Brigade?

4 A. I do. I'm one of the five assistant commissioners that
5 performs the Gold strategic command function both at
6 conventional major incidents and those involving
7 chemical, biological, radiological and nuclear.

8 Q. Thank you very much. Could we start, then, please, with
9 a broad description of the size and nature of the London
10 Fire Brigade, which is a matter that you address at
11 page 3 of your statement which is at LFB136 [LFB136-3] ,
12 paragraph 7.

13 Is the London Fire Brigade the largest fire rescue
14 service in the country?

15 A. Yes, it is.

16 Q. How many staff or members does it currently employ?

17 A. Approximately just over 7,000, of which 6,000 are
18 operational uniformed officers.

19 Q. The area that it covers is the Greater London area, is
20 that correct?

21 A. Yes, it is.

22 Q. It has, we can see, some 113 fire stations in operation
23 24 hours a day --

24 A. That's correct.

25 Q. -- as well as a very large number, of course, of

1 appliances.

2 What are the main principles by which the
3 Fire Brigade is guided as well as its overall authority,
4 the London Fire & Emergency Planning Authority?

5 A. There are three principal elements to the Brigade's
6 work. One is prevention, to try to prevent incidents
7 occurring in the first place. Protection, so working
8 with partner agencies to maintain regulatory fire safety
9 components as part of the legislation of the regulatory
10 form order and then the main component, of course, is
11 emergency response.

12 Q. My Lady asked one of your colleagues many months ago in
13 these proceedings whether or not a high priority was
14 placed on the London Fire Brigade on the hierarchical
15 structure, of the need to observe protocols, to ensure
16 that there was no self-deployment and to put a high
17 priority on safety.

18 Why is safety and the need to follow procedures of
19 such great importance to the London Fire Brigade as well
20 as other fire rescue services?

21 A. Well, the nature of the Fire Service response role
22 predominantly is obviously to work in hazardous
23 environments, and that's on a daily basis. The way we
24 deal with that, obviously, as an employer, with the --
25 with a reference to health and safety legislation and

1 the duty of care for health and safety for all our
2 employees is that we will train our staff, so we'll
3 select the right people, we will train them to the right
4 specification, we'll equip them with the right equipment
5 and, of course, what underpins that is a set of
6 protocols and procedures, guidance notes for a simple
7 term, that operate as a framework that officers and
8 firefighters can use when they are deployed to these
9 hazardous environments.

10 Q. Is there an appreciation or an acknowledgment in the
11 London Fire Brigade that the job that you do
12 collectively is perhaps subtly distinct from the jobs of
13 the other emergency services, that it is more hazardous,
14 it is more dangerous and, therefore, perhaps
15 accordingly, a greater level of care has to be taken?

16 A. Yes, I'd agree with that in broad principles.
17 Obviously, all the blue light emergency services have
18 a role to play at emergencies. Certainly at major fires
19 or chemical incidents we have a primary role, which
20 means that some of our firefighters will need to be
21 deployed into the hazardous area and, again, that's when
22 I come back to that equipment, the training and the
23 procedures become paramount in terms of us discharging
24 our health and safety responsibility in terms of
25 providing a safe system of work for our staff.

1 Q. In terms of the ordinary response provided by the London
2 Fire Brigade, would it be usual for a firefighter to be
3 deployed on his or her own or would the minimum
4 deployment always consist of an appliance which
5 necessarily entails the attendance of at least four
6 firefighters?

7 A. That's correct, our mobilising protocol and the way we
8 deal with our response side of our organisation is to
9 deploy our resources by the number of fire engines that
10 are appropriate for the incident type that we're
11 attending.

12 So the minimum for very minor incidents would be one
13 fire engine which can have a minimum crew of four or
14 a maximum crew of six, and then we obviously deploy
15 different sizes of attendance and different numbers of
16 fire engines and specialist vehicles, depending on the
17 nature of the incident or, indeed, what the
18 Incident Commander has requested.

19 Q. Because firefighters are therefore deployed in number
20 rather than singly, and because the equipment which
21 appliances carry requires generally more than one
22 firefighter to deploy that equipment, is a greater
23 emphasis placed in the Fire Brigade upon the response of
24 the Fire Brigade by way of teamwork, by way of
25 a structure as opposed to individual deployment?

1 A. Yes, our training and policies reflect the need to,
2 again, discharge the minimum standards of things like
3 manual handling and, as you've quite rightly said, a lot
4 of the equipment is heavy, requires more than one person
5 to either lift or operate the equipment. So we train as
6 a team and we deploy as a team to discharge the
7 functions that we need to discharge.

8 Q. My Lady has heard evidence in particular from two
9 firefighters at King's Cross who referred to or
10 indicated that there had been a certain degree of
11 frustration at the inability of those particular
12 firefighters to deploy down into the tunnel.

13 What is the general view of the Fire Service, the
14 Fire Brigade, to self-deployment in potentially
15 hazardous situations?

16 A. Well, we err on the side of caution, obviously, for the
17 reasons I've said previously.

18 The issue with self-deployment in the context of my
19 statement is about crews operating outside what the
20 Incident Commander's asked them to do.

21 Particularly at larger incidents, where crews will
22 be arriving from different locations, it's important
23 that the person that's responsible for the incident,
24 which we call the Incident Commander, knows where the
25 resources are and, also, if they've asked crews to do

1 a particular task, then they need to be confident that
2 they are discharging that task, and that they report
3 back that either the task is completed or they've
4 identified different issues which need to be obviously
5 advised to the Incident Commander.

6 So self-deployment is part of the safety -- overall
7 safety approach that we take.

8 That said, obviously individual firefighters do have
9 authority to undertake dynamic risk assessment, which
10 again underpins --

11 Q. Just pause there, you rushed through that phrase.

12 A. Sorry.

13 Q. "Dynamic risk assessment"?

14 A. Yes.

15 Q. What is "dynamic risk assessment"?

16 A. It's a process -- and I have described it in my
17 statement --

18 Q. You have.

19 A. -- which actually firefighters will do in a matter of
20 seconds because of their training, because of their
21 experience, and that's a process by which they go
22 through, using their experience, using their training,
23 using the capacity of their equipment and their skills,
24 will look at a situation and decide whether they can
25 deal with that situation safely.

1 Now, at many incidents, firefighters will be
2 deployed into a -- if we use the example of a fire
3 scene. So the Incident Commander will stay outside and
4 retain a focal point for Command for oncoming resources
5 and other agencies to liaise with.
6 So the firefighters are there inside the building,
7 out of line of sight from the Incident Commander and,
8 therefore, we trust their judgment to do the right
9 thing, and that's when I say about dynamic risk
10 assessment. It's about exercising that judgment to do
11 the right thing.
12 So clearly, when there are lives involved, they will
13 make decisions about rescuing people and that will be
14 within the framework of the deployment that the
15 Incident Commander's asked them to do.
16 Q. Can I pause you there? We'll come back to the
17 particular subject of breathing apparatus, BA, a little
18 later. But there has been some evidence to suggest that
19 there are some areas, such as the use of breathing
20 apparatus, where there are quite strict controls in
21 place, quite strict protocols.
22 A. That's correct.
23 Q. Does the ability of an Incident Commander or an
24 individual firefighter to carry out a dynamic risk
25 assessment depend on the particular incident or the

1 nature of the response or the potential use of certain
2 equipment? Does the flexibility that they have to take
3 their own decisions depend on what it is that they're
4 doing, does it vary?

5 A. It does vary. If we use the example of breathing
6 apparatus -- I know you're going to come back to that --
7 that is -- I think we've submitted that as evidence, and
8 it's quite a weighty tome of policy, and the reason it
9 is, it is the one policy, or one of the policies, that
10 firefighters absolutely rely on to remain safe.
11 Once you deploy in breathing apparatus, the fact
12 that that decision's been taken is there is either
13 a fear or a known risk of irrespirable atmosphere.
14 So the breathing apparatus is actually keeping the
15 firefighters alive. So that is one of the procedures
16 that we have less flexibility about, because it is
17 actually about life and death decisions, about deploying
18 firefighters into high risk areas.

19 Q. You've set out in your statement at page 10 for
20 my Lady's note -- LFB136 on the screen, please -- the
21 particular steps which make up the dynamic risk
22 assessment.

23 A. That's correct.

24 Q. Do you recognise those steps?

25 A. Absolutely, yes.

1 Q. Step one is concerned with evaluation of the situation,
2 task and persons at risk. Plainly, it is essential, at
3 the start of the exercise of this risk assessment, to
4 gather as much information as possible.

5 A. That's correct.

6 Q. My Lady heard evidence from -- I think it was
7 Senior Divisional Officer Adams at Edgware Road how,
8 when he attended, he met a member of the
9 London Underground staff whom he interrogated as to what
10 information was available, he asked about whether or
11 not -- whether there was smoke, whether there was fire,
12 what the nature of the incident was, whether there was
13 a CBRN risk and so on. He was unable to get much on
14 that particular occasion by way of detailed information
15 in response.

16 What steps do the Fire Brigade take to go out and
17 try to find out for themselves what the nature of the
18 incident is that they're attending, as opposed to
19 relying upon other people bringing the information to
20 them?

21 A. Well, the information-gathering process for responding
22 to incidents can actually start as part of preplanning
23 work. So, for certain sites in London, big sports
24 stadia, in fact London Underground stations, we would
25 expect the local firefighters, the local crews from the

1 local fire station, to have a degree of knowledge and
2 awareness about the particular challenges of having to
3 deal with incidents in those particular structures.
4 Obviously, sports stadia, when they're full of
5 audiences, obviously pose a different issue. So there
6 is a little bit of preplanning work that can familiarise
7 you with the geography and the layout of particular
8 sites.

9 Q. How familiar are individual members of the Fire Brigade
10 with London Underground stations?

11 A. The local crews would be very familiar because they
12 would be undertaking regular visits to the sites as part
13 of our routine inspection programme.

14 Q. We'll come back to the specific issue of
15 short-circuiting devices, but are they generally
16 familiar with the location of the platforms, where the
17 tunnels are and the way in which London Underground
18 itself deploys its own staff, ie who to speak to?

19 A. Yes, they will be familiar with that. As I think was
20 touched on yesterday, around RVPs, at every
21 London Underground station there is a designated
22 rendezvous point. Typically, that will be in the
23 entrance to the station. That was a requirement that
24 came out of the Fennell Enquiry into the tragic fire in
25 1987 at King's Cross station, and I understand that's

1 been referred to earlier in the proceedings, I know.
2 That was a specific requirement on the London Fire
3 Brigade and London Underground Limited to provide those
4 rendezvous points.
5 So at those rendezvous points, there is a red box on
6 the wall which contains plans of the station and other
7 information around the state of the communication, the
8 leaky feeder -- and I think you referred to that
9 previously, so you understand what that is -- and also
10 the important point, which hasn't come out yet, is
11 the -- that is very close to where the fire engine would
12 park. So they're located as close to the road network
13 as possible, and the reason we do that, with
14 London Underground's assistance, is that we can
15 guarantee, if the leaky feeder and base station is
16 switched on, that our fire engine can talk on the
17 analogue UHF system, which Mr A'Court spoke about the
18 other day, right down now into the tunnels.
19 So the initial Command pump that would be set up at
20 that location, we can guarantee we've got communications
21 down to the tunnel and, when the call has been received
22 from London Underground, we will be typically met by
23 colleagues from London Underground Limited who will
24 liaise with our first attendance.
25 Q. That location, somewhere between the rendezvous point

1 and the Command vehicle, if it is parked adjacent to the
2 rendezvous point, will be where the Incident Commander
3 for the Fire Brigade will generally be found?

4 A. On a first arrival, they will obviously report there.
5 If they're met by a London Underground person, which
6 they typically are, they will then gather the
7 information about the incident which then may take them
8 somewhere else and, again, as was seen at the
9 King's Cross incident, one rich source of information
10 is -- at King's Cross is the control room, the
11 London Underground control room which is actually
12 on-site at concourse level.

13 So Mr Roche made his way to the operations room
14 there.

15 Q. He did.

16 A. Because there is CCTV and there will be a lot of
17 information available to inform the Incident Commander's
18 decisions about getting situation awareness of about
19 what he's got to deal with.

20 Q. When somebody like Mr Roche attends an incident and he's
21 gathering information and deciding what to do and how to
22 respond, is this process -- the dynamic risk
23 assessment -- something that is gone through by rote, or
24 is it an instinctive decision-making process?

25 A. For virtually all incidents, it will be instinctive. It

1 forms part of our training, all operational officers'
2 training, and it's something you do intuitively in order
3 to make a decision about your tactical deployment.
4 So there will be lots of things that will inform
5 that risk assessment, that dynamic risk assessment, some
6 of it will be visual cues, so a large fire, it will be
7 obvious and evident what you're dealing with.
8 At the bombings that occurred sub-surface, on the
9 Underground system, of course there were no visual cues
10 at the road at surface level and, indeed, even at the
11 early stages of King's Cross, Mr Roche was unaware of
12 the scale of the destruction and the event that was
13 unfolding in the tunnel, because there were no visual
14 cues until the passengers started to detrain.

15 Q. If any firefighter attends an incident and carries out
16 a dynamic risk assessment and decides how best to
17 respond, will there be room in that process for
18 volunteers, for people to say, "Well, I appreciate that
19 you're trying to put a safe system of work into place,
20 but I'm going to take a risk and go down to a tunnel
21 myself and see what's happening"? Does the service
22 encourage that sort of volunteering or not?

23 A. I wouldn't use the term "volunteering". Certainly they
24 operate as a crew. So if the crew's own risk assessment
25 is that they want to move forward, obviously it is the

1 Incident Commander's responsibility and it is that
2 person who will be accountable for that decision, and
3 I am aware through the evidence that has been given in
4 court that there was a discussion between Newton and
5 Shaw, with Roche, about what they'd been asked to do
6 initially and they obviously felt some pressure, moral
7 pressure, to actually move forward onto the platform at
8 an earlier stage than Roche was comfortable to allow.

9 Q. Their particular predicament was, of course, that of the
10 breathing apparatus policy, because there was only one
11 crew in attendance, as you know, at that stage, at
12 09.13, and the policies concerning -- for good reason --
13 the use of breathing apparatus didn't permit two members
14 of that four-man crew to go ahead with breathing
15 apparatus in the absence of a second crew arriving.

16 A. That's correct.

17 Q. No entry control officer, no backup, no command post to
18 govern the use of the breathing apparatus?

19 A. That's correct.

20 Q. Was it open to those officers to depart from that
21 general policy? Did they have any discretion to go
22 ahead nevertheless on those facts, in that instance?

23 A. I think we need just to go back a bit. In terms of the
24 call to King's Cross, as we saw yesterday with
25 Mr Payton's evidence, they were actually called to smoke

1 issuing from tunnel, so they weren't called to an
2 explosion. And obviously, that was the secondary
3 attendance, which, again, I won't go into detail because
4 that was covered yesterday.

5 So they were there on their own, as reconnaissance
6 for a potential fire in a tunnel between King's Cross
7 and Russell Square, that's what they believed they had.
8 When they got -- when Mr Roche got to the
9 Control Centre on the concourse, everything was
10 indicating, in terms of the CCTV footage, there was
11 some -- what appeared to be smoke issuing from the
12 tunnel, not large volumes, of course, but there was --
13 it was consistent with the call that he'd been called
14 to.

15 As we know, London Underground was still not
16 100 per cent sure what was going on, and there was some
17 talk around electrical explosion, and they were having
18 difficulties at other stations in terms of the power.
19 So, again, it was quite reasonable for Roche to feel
20 that he may have a fire situation and, in that
21 situation, of course, it would have been unsafe to
22 deploy Newton and Shaw forward of where they'd been
23 positioned, which was at the head of the escalator, down
24 to platform level.

25 Q. Without some sort of respiratory device?

1 A. Without respiratory device, because that's what he truly
2 believed he had in terms of the type of incident. He
3 had no one to govern the BA entry control, which is
4 the -- you know, is sacrosanct in terms of committing
5 crews into buildings, you do need some level of entry
6 control to know where they're committed to and oxygen
7 rates, et cetera.

8 LADY JUSTICE HALLETT: Pause there, please.

9 You've said reasonable for him not to deploy down to
10 platform level. Now, I can understand the policy about
11 not going into the tunnel, because the CCTV shows smoke
12 coming from the tunnel. Why can't they go down to
13 platform level, because the CCTV surely would show there
14 were people at the platform who weren't suffering from
15 any kind of fire?

16 A. Well, I don't know if that's true because I obviously
17 didn't see the CCTV footage myself.

18 LADY JUSTICE HALLETT: Why couldn't they go down to the
19 platform, then? Forget about the CCTV.

20 A. As you recall, in 1987, they were called to a very
21 similar incident which resulted in the tragic outcome of
22 the King's Cross fire. Fires can escalate very rapidly
23 and, particularly at sub-surface, that causes particular
24 difficulties, as you'll imagine.

25 So there would have been acknowledgment from

1 Roche -- and he would have been aware, I'm sure, of the
2 1987 incident -- that, even though there was limited
3 smoke at platform at the time he made the decision, of
4 course the dynamic nature of fires means that that could
5 escalate quite rapidly.

6 So immediately you commit firefighters to platform,
7 the nature of the heat and smoke that would build up, if
8 there had been a major fire in the tunnel, the platform
9 would have been compromised immediately, and because he
10 had no control in terms of entry or backup crews to rely
11 on, I think it was a reasonable decision to take at that
12 moment in time with the information he had.

13 MR KEITH: You've been very careful, if I may say so, to
14 emphasise "at that time", but my Lady's point is that it
15 wasn't just clear from the CCTV that there were people
16 on the platform who were not affected by smoke, there
17 were people going back and forth, passengers coming out
18 of the tunnel, London Underground staff also on the
19 platform. There were London Underground staff members
20 going down the escalators down to the platform and
21 coming back up again, because, by 09.13, quite a few
22 members of staff, from them and also subsequently the
23 London Ambulance Service, were coming up and down.
24 There was a sense, Assistant Commissioner, that the
25 policy operated too stringently on Mr Roche: there is

1 a risk of fire, I must have breathing apparatus,
2 I cannot go further down, I must wait for another crew.
3 What was the point of having split attendance where
4 the secondary attendance is only one crew, if they can
5 never take any steps to ascertain what is going on where
6 there's a possibility of a fire or a smoke incident
7 without waiting for the second crew?

8 A. Do you want me to cover the split attendance?

9 Q. Please.

10 A. So the split attendance issue, which I know was covered
11 in detail yesterday, is -- normally -- I know you know
12 what happened at King's Cross in terms of the mobilising
13 issue -- we would mobilise in good faith, either through
14 LUL Control or from a member of the public to the
15 station that we believe is the best access to deal with
16 the incident that we've been called to.

17 So the balance of attendance, as you know, three
18 pumps and officers go to the primary location, as
19 I said, the location we believe is the most suitable to
20 deal with the incident.

21 The idea of having the second pump or the pump going
22 to the other end of the tunnel is, for the very reason
23 that we witnessed at King's Cross, is when it is
24 misreported or in fact the incident escalates to such
25 a size where you can access or deal with passengers or

1 casualties from both ends of the tunnel, we've got eyes
2 and ears at the other end of the tunnel that can make
3 that assessment.

4 So it's not our understanding, and our principles
5 and policy is that that second crew that goes to the
6 secondary location is there for the -- to deal with the
7 incident on their own. Of course, as soon as they get
8 there and they get that situation awareness, they can
9 ask for whatever they need and we'll mobilise it.

10 Q. We're slightly at cross-purposes. The fault, I'm sure,
11 is mine.

12 The point I'm making is this: the secondary crew, of
13 necessity restricted to one crew, the secondary
14 attendance restricted to one crew, will generally,
15 therefore, never be able to do more than assess the
16 situation and ask for more resources, if the protocols
17 and the understandable need for safety -- and, of
18 course, firefighting, as you've acknowledged, is highly
19 dangerous -- demand there's quite a limit on what
20 they're able to do operationally on their own.

21 Is that a fair summary?

22 A. That's correct, that is a fair summary. However --
23 I think Mr Payton mentioned it yesterday -- if there had
24 been a significant fire in the tunnel -- and as we know
25 that wasn't the case, in hindsight -- as again in 1987,

1 there was 30 pumps that attended the 1987 King's Cross
2 fire. Fires below ground are extremely difficult to
3 deal with for many reasons --

4 Q. Indeed.

5 A. -- and even having three pumps at King's Cross would
6 have been challenging, if it turned out to be
7 a significant fire.

8 So the argument yesterday was that maybe we should
9 split the attendance and have two and two. I certainly
10 don't agree with that. The policy has served us very
11 well for many years, because we believe, and we mobilise
12 in good faith that we are going to the right location
13 and, if there was a major fire, whether it be at
14 King's Cross end or Russell Square end, the first
15 Incident Commander would have needed to ask for
16 significant more resources to actually deploy safely.

17 Q. That is the point, isn't it? The secondary crew must
18 wait for the arrival of further resources and, of
19 course, although there is a discretion to say, "We need
20 eight pumps" or ten pumps, whatever it is, they are
21 completely dependent on the arrival of the further
22 resources?

23 A. They are.

24 Q. And, as it happened, at King's Cross the further
25 resources didn't arrive for another half an hour, 09.13

1 to 09.42.

2 So the point is well made, if I may say so, by you,
3 that the first crew must be allowed to assess the
4 situation and decide what further resources are
5 required, and it may well be that a great deal many more
6 resources are required to address the fire, if it turns
7 out to be a fire.

8 A. That's true.

9 Q. But in terms of the survivors and the other emergency
10 services who were there, they didn't appear to
11 appreciate -- perhaps understandably -- that that first
12 fire crew were there for carrying out, in essence, an
13 assessment role rather than being able to get down into
14 the tunnel, and that was reflected in frustration on the
15 part of the crew itself?

16 A. That's right and I'm aware of what Newton and Shaw have
17 said in terms of their frustration.

18 Q. Is there a case here for making it clearer to the other
19 emergency services, or perhaps to the public more
20 generally, that because of the inherent dangers in
21 firefighting, the first crew attending a situation may
22 not actually be able to get in operationally, but is
23 required, forced, to carry out sensible assessment
24 processes and then call for help?

25 A. But that's -- but the officer in charge at King's Cross,

1 Mr Roche, was liaising with London Underground. I know
2 there was lots going on at that point, and that would
3 have been one of his roles, was to create a clear
4 expectation of what the Fire Service was doing at that
5 moment and, as you know from the statements from Shaw
6 and Newton, that, quite quickly, when the nature of the
7 injuries started to show themselves as being much more
8 severe, they did put pressure on Roche and actually were
9 allowed to go down to the platform where they started to
10 interact with the casualties.

11 Q. Somewhat belatedly.

12 A. I don't know what the exact timing, but I don't think it
13 was half an hour, as you've suggested.

14 Q. It was half an hour until Mr Colebrook-Taylor and the
15 second appliance arrived.

16 A. I accept that.

17 Q. But the two firefighters, having initially acquiesced in
18 the decision not to go down even to the platform level,
19 waited a bit and then came back to Mr Roche and said,
20 "We really insist, we must go down to the platform, even
21 if we don't go into the tunnel."

22 A. Because the information they had had changed. So when
23 they first arrived, as I said, they believed they may be
24 dealing with a fire in the tunnel, and then, when the
25 casualties started coming up the Piccadilly Line

1 escalator -- and, clearly, the first casualties had
2 blackened noses and faces, I think that's in their
3 statement, which is consistent with a fire, but when
4 they started to see some of the more significant
5 injuries, they realised that they were not dealing
6 primarily with a fire, possibly a train collision,
7 derailment, or an explosion, they made Mr Roche aware of
8 that and Mr Roche then allowed them to go forward, until
9 such time as Mr Colebrook-Taylor arrived.

10 Q. One final question on this, if I may. If the first crew
11 in a secondary split attendance attends a scene, what is
12 the point of them taking their breathing apparatus with
13 them, as that fire crew did, if, in fact, there is no
14 possibility that it could be used in advance of a second
15 or third or fourth crew arriving so as to provide the
16 necessary backup such as control entry officers?

17 A. Our policy on London Underground is in appendix 1, which
18 I think has been submitted as evidence. That actually
19 deals with reconnaissance at London Underground stations
20 or tunnel incidents. As I said, tunnel fires are
21 a particular difficulty, if you get a significant fire
22 in a tunnel below ground. We get lots of calls to smoke
23 in tunnel and that's based on many years of working with
24 London Underground, et cetera.

25 We need a system to allow crews to do the

1 reconnaissance without having the full weight of 20 or
2 30 appliances having to arrive to put the full, safe
3 system of work in, when there is no visible indicator,
4 when you first arrive, that there is actually a fire.
5 So you may well have been called in good faith to
6 a fire, and it may be a small trackside fire, a rubbish
7 fire on the line, which can be dealt with quite easily
8 with two or three crews.
9 So in order to make that assessment without drawing
10 in the necessary resources that you would need if you
11 were dealing with a major fire, the crews are permitted
12 to don breathing apparatus but not to start up to carry
13 out that reconnaissance.
14 Q. With respect, that seems rather unusual. For Mr Roche's
15 crew, they could don breathing apparatus then at surface
16 level or office level, because they didn't need an entry
17 control officer for that, but they were unable to go
18 down to the platforms or the tunnels where the breathing
19 apparatus would actually be required in order to carry
20 out the necessary assessment. So they have equipment on
21 them that they can't use in the absence of a backup
22 crew.
23 A. Part of the sub-surface procedure, which I won't go into
24 all the detail because it's a very complicated
25 procedure --

1 Q. We've had the benefit of looking at it in some detail.

2 A. Yes, but there is a proposal within that that obviously

3 one of the difficulties of fighting fires sub-surface is

4 the travel distance from the entry point, so that's

5 where the breathing apparatus crews actually don their

6 breathing apparatus and are committed to the incident,

7 because the cylinders on their back only last for

8 a certain amount of time, so the time you spend

9 travelling to the incident obviously diminishes your

10 ability to deal with the incident once you arrive, and

11 underground fires are typically very hot and very

12 physically demanding, so you use a lot of oxygen.

13 So the procedure provides for, where there is

14 suitable structure, infrastructure, for a bridge head to

15 be established, which allows the crews to go forward

16 from outside the building, inside a premise, and

17 establish a bridge head, now the distance between the --

18 shall we call it the road and the bridge head, they

19 don't need to be donned in breathing apparatus.

20 Q. The short answer is they were allowed to take

21 equipment -- expected to take equipment in for the

22 purposes of providing for a forward equipment dump that

23 they could then come back to and use when the other

24 crews arrive?

25 A. That's right, and it makes much more expedient use of

1 the resources and means we can interact and deal with
2 the incident much more effectively, once that decision's
3 been taken.

4 MR KEITH: All right.

5 LADY JUSTICE HALLETT: Can we just go back to the breathing
6 apparatus protocol? Your appliance, if it's going to
7 a secondary location, you've got the one appliance with
8 four crew. If they're dealing with a fire in
9 a building -- I saw the diagram with little people
10 marked as entry control officer -- the idea is, what,
11 that two firefighters go in wearing breathing apparatus
12 and there is outside the building an entry control
13 officer and what else?

14 A. The Incident Commander.

15 LADY JUSTICE HALLETT: What is the role of the entry control
16 officer?

17 A. On the breathing apparatus itself, there's a tally which
18 has got the officer's name, the person that's wearing
19 the set, and the cylinder capacity that's on their back.
20 There's a table on the entry control officer's board
21 that will determine how long they've got to stay into
22 the situation under air.

23 So we have a control officer outside that will
24 monitor when they're reaching their -- what they call
25 time of whistle, which is when a whistle goes off when

1 they start to run out of air and, if those crews have
2 not returned, then it will be for the entry control
3 officer to make the Incident Commander aware so that we
4 can deploy an emergency team to go and check on our
5 colleagues.

6 LADY JUSTICE HALLETT: The backup crew is the emergency
7 team, as it were?

8 A. Yes.

9 LADY JUSTICE HALLETT: That's why you have to have the
10 second crew there?

11 A. That's correct.

12 LADY JUSTICE HALLETT: Right, so when it comes to a possible
13 fire in a tunnel, you are going to -- to be able to use
14 breathing apparatus, you need -- what, you'd have an
15 entry control officer outside the tunnel or on the
16 platform?

17 A. It depends on where you can set up and what we determine
18 safe air. So the position you actually commit the crews
19 from in their breathing apparatus must be in what we
20 define as clean air, safe air, so it's not contaminated
21 with smoke or unburnt fire gases, because obviously that
22 contaminates the wearer.

23 So if we're confident that we can deploy at a bridge
24 head inside a building, because it will not be become
25 compromised by a developing fire situation -- now, they

1 are typical buildings that have pressurised staircases,
2 because then the smoke doesn't ingress into the
3 protected stairwell -- then we'll make that decision,
4 and that's about preplanning and knowledge of the sites.
5 Where we're not confident we can do that, we will
6 always start up breathing apparatus in clean air, which
7 will be typically outside the incident, upwind so that,
8 even when the smoke starts drifting, you're not
9 breathing in the smoke before you've actually been
10 committed to the incident.

11 LADY JUSTICE HALLETT: What I'm really trying to focus on is
12 the situation we had here, and you've obviously had to
13 be involved in planning for incidents at Underground
14 stations.

15 So if you have your crew who are going to don
16 breathing apparatus, the whole point is that you need to
17 be able to -- that somebody needs to be alert to the
18 fact that the crew might be in trouble and, therefore,
19 an emergency crew can go in.

20 Now, I can understand all of that as far as
21 a building is concerned, where you might be sending
22 firefighters in to the most appalling danger and you
23 need somebody to make sure that they come back out or
24 they're rescued, but here we had lots of people around.
25 This wasn't just firefighters in breathing apparatus

1 going into a building.

2 A. But the situation awareness at the time that decision
3 was taken was that they were called to a fire in
4 a tunnel, "smoke issuing from tunnel" was on the call
5 slip and everything pointed that there may be a fire in
6 the tunnel, the CCTV footage, the smoke, the blackened
7 faces coming up the escalators was consistent with
8 a fire situation.

9 So Mr Roche made the decision, based on that he was
10 riding with the crew of four, that it was inappropriate
11 to commit Newton and Shaw below ground at that
12 particular moment, which obviously he subsequently
13 changed when the situation awareness became such that he
14 felt he could commit them below ground to start to
15 interact with the casualties.

16 MR KEITH: When that moment came and he changed his view as
17 to what the risks were, he only allowed them down to the
18 platform. In fact, they delayed further before going
19 into the tunnel, even though it was by then completely
20 apparent that there were other emergency services going
21 in and out of the tunnel and passengers were walking out
22 unaided.

23 A. Yes, and that's the issue -- he would have -- Roche
24 would have been expecting support vehicles to arrive
25 within a matter of minutes when he asked for them, and

1 I know we heard yesterday why that didn't happen.

2 Q. He was entitled to expect that there would be a crew
3 coming behind him?

4 A. He was entitled to expect it. That's probably what
5 informed his decision, I suspect.

6 Q. Might you agree that the dynamic risk assessment carried
7 out on that day at King's Cross did not sufficiently
8 take into account the fact that the other emergency
9 services appeared to be able to go and in out of the
10 tunnel, passengers, survivors, were coming out unaided
11 and was not a process that was conducted quick enough?
12 Whether because he was waiting for another crew or
13 because he was concerned, overly concerned, for half an
14 hour at the possibility of a fire, they didn't react
15 fast enough to the changing situation?

16 A. Well, as you know, I attended King's Cross and
17 I obviously wasn't --

18 Q. You were the command vehicle at 10.05.

19 A. Yes, and I obviously wasn't in attendance at the point
20 that Mr Roche had to deal with all of these challenges.

21 Q. This is before you arrived.

22 A. This is before I arrived. But, having seen -- I know
23 the station and many people will know the layout. It's
24 an extremely complex station, one of the largest termini
25 in London. Mr Roche's awareness, situational awareness,

1 was informed by all the things that I've said, and he
2 was limited because he only had a crew of four.
3 When they went down to the platform, as I understand
4 from Newton and Shaw's statement, they obviously started
5 to interact with casualties and assist. Based on my
6 operational experience, I think, even if they'd have
7 tried to go into the tunnel, they would have quickly
8 come across some fairly seriously injured people, as we
9 now know, and would have brought them out.
10 So I suspect they would have never reached a train
11 before the point that Adam and Colebrook-Taylor arrived
12 with the second machine.

13 Q. But they would have been able to get into the tunnel and
14 help the more seriously injured?

15 A. Yes, which they did from the platform area.

16 Q. All right. Page 13 [LFB136-13] of your statement, traction current
17 status.

18 A. Yes.

19 Q. The dangers of traction current are self-evident, and
20 you make the point that, within the area covered by the
21 London Fire Brigade, there is not just, of course,
22 London Underground, but a number of overground networks
23 and different infrastructures and, amongst them, there
24 are differences, in fact, in the way in which tunnel
25 lights are used. So, for example, some of the tunnels

1 in London have lights in the tunnel on all the time.
2 A. That's correct.
3 Q. So the presence of lights in tunnel is not a necessary
4 indicator of the traction current being off?
5 A. It is for a London Underground and we know that --
6 Q. But not for other tunnels?
7 A. -- but not for other tunnels, yes.
8 Q. The procedure in 2005 -- and I think it is the procedure
9 now -- is that firefighters must send a priority message
10 to their own Brigade Control in the Docklands and seek
11 confirmation that the traction current is off?
12 A. Not strictly true. There's two options for crews
13 arriving. One, they can do it locally with
14 a responsible member from LUL, either the station
15 supervisor or liaison officer can confirm it. They can
16 do it themselves by use of the head wall telephone,
17 which is positioned at the tunnel entrance, and they can
18 pick that up, wait three seconds, and it dials through
19 to the line controller, where they can talk directly to
20 the line controller and explain that they need to go
21 onto the track and why they need to go onto the track.
22 They can also twist the head wall telephone wires
23 together, which are metal wires that run down the length
24 of the tunnel, and they can --
25 Q. Tunnel telephone wires.

1 A. And as long as they are touching, it will isolate the
2 power in that area. And one option they've got, which
3 you've described, is, if that isn't available to them,
4 or they choose, they can contact our parent Control at
5 Greenwich View Place and ask for our Control to talk to
6 Network Control Centre, who will then talk to the line
7 controller to confirm the power is off or request the
8 power is off.

9 So there are a number of methods they can use to
10 request the power is off.

11 Q. The evidence from the firefighters has tended to suggest
12 that the primary method is that of contacting their own
13 Brigade Control, in particular because there is a risk
14 that, even if the traction current is off, the section
15 of the rail could become reenergised subsequently.

16 There are certain circumstances we've seen in which
17 the traction current could be suspended but then come on
18 again after seven minutes.

19 A. Yes.

20 Q. Some of the firefighters have given evidence to the fact
21 that they were concerned that the only safe way of
22 ensuring that the current is off, and remains off, is to
23 speak to your own Brigade Control so that there is no
24 risk of the current coming back on without the knowledge
25 of the Brigade Control because they will speak to the

1 London Underground.

2 Your answer appears to give equal weight to each of
3 these different possibilities. That doesn't appear to
4 be reflected in practice.

5 A. It's a judgment for the crews that arrive, the officer
6 in charge that's there first. I suspect you're talking
7 about the Aldgate scenario.

8 Q. Indeed.

9 A. We'll probably get to that in a minute.

10 Q. Where the officers waited for an answer from
11 Brigade Control, whereas they could have actually got
12 the answer from the local LUL staff, although there was
13 a lack of clarity as to who the person in command at
14 Aldgate was.

15 A. That's correct, and my understanding of the delay, it
16 was in the order of 30 seconds to a couple of --

17 Q. It wasn't a great delay.

18 A. It wasn't a great delay.

19 Q. But they didn't appear to have appreciated that they
20 could do it by twisting the tunnel telephone wires
21 together or calling the line controller from the head
22 wall telephone?

23 A. It's covered in their training, and I've covered the
24 training that we provide to operational crews in my
25 statement.

1 I think it's worth mentioning that there are other
2 hazards to do with electrification of the lines,
3 depending where it is, I wouldn't suggest that it was
4 relevant at Aldgate, but there are other issues that can
5 cause firefighters particular problems when particularly
6 operating in a tunnel.

7 One, that the isolation of the power in itself,
8 whether that be temporary or permanent, doesn't mean
9 that all trains are stopped. It's not a common
10 practice, as I understand, on London Underground, but on
11 other networks they do coast the trains to try to get
12 them to a station in case they need to detrain, because
13 it's much easier, for obvious reasons, to detrain at
14 a station rather than mid-station.

15 So there is a potential, if you don't confirm it
16 with the line controller why you're on the track and
17 what you're doing, trains could be coasting on the line
18 which means you could actually be run over by a train.

19 Often, there will be multiple lines, which means, if
20 you isolate the current on one track, the track next to
21 it may still be live and we need to confirm that.

22 The other issue that can happen is that if you --
23 even when you've spoken to the line controller and
24 you've isolated a section of track, until you've
25 actually understood where the train is in relation to

1 the isolated track, if it's bridging another section --
2 Q. It will reenergise?
3 A. It could potentially reenergise until the
4 short-circuiting devices are placed on the track.
5 Q. I'm sorry to interrupt. These are all very good
6 examples of the inherent dangers in firefighting on
7 tracks and the importance of ensuring that the traction
8 current was off, but my point to you is not that care
9 must be taken to ensure that the traction current is off
10 and remains off; it is whether or not communicating
11 through the handheld radio, perhaps, to the vehicle --
12 the London Fire Brigade vehicle -- and then having the
13 driver speak to Brigade Control through the main scheme
14 radio set, for the Brigade Control to speak to
15 London Underground and then for an answer to come back,
16 and the Network Control Centre in London Underground
17 will have to speak to its own line controller before
18 they get the answer --
19 A. That's correct.
20 Q. -- because the line controller has to be part of the
21 loop, is a very inefficient way of doing it.
22 Is there not an argument that the best way of doing
23 it is for the firefighter present in the station to
24 speak to the line controller to get the information from
25 the horse's mouth through the appropriate person in the

1 London Underground station?

2 A. That is an option for the crews and they are trained
3 that that option is available to them. At Aldgate, the
4 decision was taken to actually rely on LUL. So
5 although -- I think it's Mr Curnick's statement suggests
6 that the person he was with, the LUL representative,
7 wasn't 100 per cent sure and a phone call was made to
8 the control room at Aldgate and then the line
9 controller, it was confirmed the power was off. So we
10 actually did make the arrangements locally at Aldgate.
11 Our requirement, in terms of policy, is we would
12 still go back to our Control to confirm that we've made
13 those local arrangements, and/or request the power is
14 off. And I have to say, from my experience of working
15 with London Underground, it is a priority message that
16 our officers will send to confirm the power's off, and
17 LUL's response is usually very quick and it's a very
18 short delay.

19 Q. All right.

20 LADY JUSTICE HALLETT: If you accept confirmation locally --
21 you said you could accept it from a station supervisor
22 or the liaison officer -- does that mean your staff are
23 trained that they shouldn't accept confirmation it's off
24 from anybody else?

25 A. I would expect operational firefighters to confirm who

1 they're talking to at the station to make sure that they
2 are a person that is in authority there that does
3 understand the issues and, as long as they're satisfied
4 that they've spoken to that person, and they will
5 normally take their name and role, that we will then
6 request that our staff confirm who they've spoken to to
7 confirm, and we've got an audit that that local
8 arrangement has been made.

9 So if it does obviously subsequently go wrong, we
10 have an audit of who we actually was -- who told us that
11 the power was confirmed off.

12 LADY JUSTICE HALLETT: So would your firefighters know
13 whether a customer service multifunctional assistant had
14 sufficient authority to confirm that the power was off?

15 A. If I'm honest, I wouldn't say "Yes" to that.

16 LADY JUSTICE HALLETT: No. I thought not. The chances are
17 that the only person they would understand seemed to
18 have a supervisory role was somebody who was called
19 a supervisor: namely, the station supervisor. Is that
20 right?

21 A. Yes, and they wear tabards with -- they meet us at the
22 RVP, they're usually suitably attired, and that gives us
23 the confidence they are the person that's in that role.
24 We wouldn't obviously challenge whether they are if
25 they're wearing the tabard.

1 MR KEITH: They're meant to wear the tabard and meant to be
2 at the RVP.

3 A. Our experience is generally they are. Obviously, you
4 have had evidence that we weren't met at some of the
5 incidents, but I think the scale of the incidents
6 obviously put pressure on London Underground.

7 Q. Overwhelmed.

8 We've heard evidence of the use by the
9 London Underground of current rail indicator devices,
10 CRIDs, and short-circuiting devices, SCDs.
11 The position is this, is it not, that the
12 Fire Brigade itself doesn't possess, and is not trained
13 to use, current rail indicator devices but, in certain
14 limited situations, some of the specialist fire response
15 units can use short-circuiting devices?

16 A. That's correct. Our fleet of Fire Rescue Units, of
17 which we now have 16 -- we had ten in 2005 -- the crews
18 that staff those vehicles are trained in deploying
19 short-circuiting devices on tracks. That's primarily
20 for incidents where London Underground staff are unable
21 to deploy them because of the nature of the incident.
22 So that could be a fire or a chemical incident where
23 they don't have suitable protection to actually deploy
24 the short-circuiting devices.
25 Typically, at London Underground incidents -- as you

1 know, they're carried in train cabs and at certain
2 stations -- they will be put down onto the track by
3 London Underground staff.

4 Q. We understand that quite considerable thought has been
5 given to whether or not the Fire Service could itself do
6 more by way of using short-circuiting devices itself,
7 but is it, in both cases, quite a difficult technical
8 exercise to install them on the rails and one has to be
9 incredibly careful that one isn't, in fact, connecting
10 a device between a piece of live rail and an inert rail?
11 So has this position been reached: that you've gone
12 as far as you're technically able to allow your own
13 firefighters to use them?

14 A. As I say, the provision for us to put the
15 short-circuiting devices on the track is for certain
16 incident types only, and London Underground, under
17 normal operations, will deploy them probably before we
18 have arrived, actually, or very soon after we've
19 arrived, so there is no requirement for to us do that on
20 a routine basis because it's a function that's done by
21 London Underground staff.

22 LADY JUSTICE HALLETT: I'm just wondering, Mr Reason --
23 I appreciate that if the power goes off in the entire
24 station it wouldn't work -- I'm just wondering if
25 there's any scope for there being some kind of message

1 on the electronic screens that tell us when the next
2 train to Upminster is coming through, that the
3 Fire Brigade and emergency services would know was an
4 official message to indicate the power was off.

5 A. That would be one option, obviously, that you could look
6 at.

7 LADY JUSTICE HALLETT: Do I take it from what you've been
8 saying that you have not, in fact -- or, as far as you
9 are aware, the Fire Brigade haven't been discussing with
10 London Underground ways of alerting you to the power
11 being off because you haven't found it a problem other
12 than on 7 July?

13 A. I don't think it was a particular problem on 7 July.
14 The Aldgate incident was a very minor delay and, as far
15 as I'm aware -- and I've attended many incidents at
16 Underground stations -- it's not an issue that's arisen
17 certainly frequently that I'm aware of.

18 So it's not something that we would particularly
19 change because it's worked so well for us over many
20 years.

21 MR KEITH: There is another aspect to my Lady's question,
22 though, which is this: a number of firefighters -- and,
23 in fact, other members of the emergency services or the
24 other emergency services, on arriving at the various
25 stations, understandably hesitated before entering, not

1 just because of concerns about whether the traction
2 current was off, but because of the risk of CBRN,
3 chemical biological radiological or nuclear devices
4 having been used.

5 A. Yes.

6 Q. Is there a case for perhaps the tannoy system in the
7 London Underground network being used in a given station
8 in the event of an alert so that everybody arriving from
9 whichever emergency services can be told over the tannoy
10 somebody has determined the traction current is off --
11 the station supervisor perhaps -- and the assessment
12 reached by whoever the first emergency responders are is
13 there are no indications of a CBRN here?

14 So everybody else arriving can just get on in
15 without having to wait for confirmation from their own
16 services.

17 A. There's two components, if I've understood your
18 assertion correctly.

19 Q. Yes, it was a split point, as we've come to understand.

20 A. The first one goes back to the rendezvous point and the
21 visibility of Incident Commanders and, as I've already
22 said, at London Underground particularly, there is
23 a predefined rendezvous point, it doesn't mean that our
24 Incident Commander will stand there and not do anything
25 else, waiting for everyone else to arrive, because

1 obviously that would diminish the benefit --

2 Q. Plainly.

3 A. -- but the vehicle that's parked there will be parked,
4 if it's an escalating incident, with its blue lights on,
5 and I think you've heard the term "Incident Command
6 pump" in previous evidence, which is our initial focal
7 point of command for any oncoming resources, both our
8 own and other services.

9 So if you go to that vehicle, whilst the
10 Incident Commander won't always be standing next to it,
11 there will be a firefighter, typically the driver of
12 that vehicle, that will know as much about the incident
13 as the Incident Commander or certainly will be able to
14 contact the Incident Commander as other agencies arrive
15 to give that situation awareness.

16 The point you're making is sort of broadcasting
17 messages, but my assertion would be that, if the Command
18 structure is working correctly, as it is designed to do,
19 then the oncoming resources will get a briefing about
20 those hazards and the situation awareness, and then
21 firefighters and other agencies will be deployed
22 accordingly.

23 Q. Quite so, Assistant Commissioner, but the "if" in your
24 answer is the significant feature, because what happened
25 on 7 July is that Commanders in the various services

1 would arrive, look for the other Commanders, not be able
2 to find them in the large part of the cases that we
3 looked at, have to spend time to send their own staff,
4 fellow officers, down to make assessments in order to be
5 able to get that primary information.

6 If they could arrive and, either by a message board,
7 or a tannoy, immediately find out what has already been
8 understood to be the case, then precious seconds are
9 saved. That was the suggestion.

10 A. My only concern about that is that the best form of
11 communicating is face-to-face, when you're talking to
12 your partner agencies.

13 Q. If you can find them.

14 A. We've introduced, since 2005, that all our Incident
15 Commanders will wear an Incident Command tabard. So we
16 used to use them on the larger incidents so that we were
17 identifiable, but we've now put them on all front line
18 pumping appliances -- fire engines -- so that they are
19 immediately visible and identifiable to any members of
20 the public or oncoming partner agencies. So that's
21 a change we've made to try to assist with the
22 recognition of who is the Incident Commander.

23 Face-to-face briefings are always the best briefings
24 because communications is usually two-way. Each of the
25 agencies has their own unique responsibilities at these

1 types of events. So just broadcasting one message may
2 work for one agency, but they might need to qualify that
3 message by asking for, you know, further information.

4 Q. With great respect, every service attending
5 a London Underground station needs to know that the
6 traction current is off and there is no risk of a CBRN
7 weapon.

8 A. Absolutely.

9 Q. That is a generic piece of information that would be of
10 general assistance.

11 A. And it was very difficult, if we split that out into the
12 traction current and CBRN, as you know from the evidence
13 that's been submitted, it was quite some time before we
14 actually confirmed CBRN. There are indicators,
15 obviously, that you can assess within the first few
16 minutes, in terms of the way the casualties present
17 themselves, it was a consideration, certainly at two of
18 the incidents, we know, where more emphasis was placed
19 on the potential for a CBRN device to be part of the
20 explosion.

21 Q. If I may pause you there, you raised, quite rightly, as
22 one of the two incidents, Edgware Road. At
23 Edgware Road, Assistant Divisional Officer Davies was
24 very concerned about the possibility of CBRN.

25 A. That's correct.

1 Q. He spoke to the police and the Ambulance Service after,
2 I think, some twenty minutes or so. They were
3 confident, although he doubted whether they had given
4 a huge amount of consideration to it, but they were
5 confident that there was no CBRN indication present at
6 Edgware Road.

7 If he had arrived, or when he arrived, if he had
8 known that they had already determined -- and there's no
9 reason why the police are any less able than the
10 Fire Brigade to determine whether or not there is CBRN
11 present --

12 A. That's correct.

13 Q. -- that they had reached that view, it would have saved
14 him that 20 minutes and a great deal of concern as to
15 whether or not there were any CBRN indicia?

16 A. I think the difficulty I have with that is it is our
17 officers that are accountable for our staff -- and in an
18 ideal world, of course, you would rely on everyone
19 else's judgment to inform your decision-making.

20 Of course, if their judgment is flawed and you go
21 along with that assumption that it is safe, then there
22 is always the danger that it isn't and you've deployed
23 your crews into an unsafe area, and you haven't checked
24 yourself.

25 Q. All right. Well --

1 A. There is a legislative requirement there for us to have
2 a duty of care for our own employees.

3 Q. That's quite understandable, and it forms no part of
4 these proceedings to be overly prescriptive to the
5 experts who are to consider these areas, but it is
6 perhaps a matter for further consideration.

7 In relation to CBRN, you've set out at pages 18 to
8 21 the nature of the training that firefighters receive
9 at the various levels of seniority in relation to CBRN
10 indications. Is that correct?

11 A. That is correct.

12 Q. It's quite plain that from the Bronze level officers at
13 the bottom of the pyramid, who receive a three-day
14 initial theory and practical training through crew
15 managers, watch managers, enhanced first responders and
16 then the specialist teams, there are a whole range of
17 different training methods available.

18 A. That's correct.

19 Q. Has there been a development in the amount of training
20 available for front line firefighters or has that
21 remained more or less the same as it was at July 2005?

22 A. It remains more or less as I've described from page 18
23 onwards.

24 Q. All right. There is a reference on page 21 to the
25 Multi-agency Initial Assessment Team, which was, we

1 know, in place in 2004 and which was called upon on
2 7 July 2005.

3 A. That's correct.

4 Q. Has that team now been superseded to the extent that the
5 Fire Brigade now has its own rapid response team?

6 A. Yes, the Multi-agency Initial Assessment Team, MAIAT, as
7 it's called, was just a -- it was initially a 12-month
8 trial, a Government-initiated trial, following the
9 tragic events on 9/11 where obviously a CBRN component
10 was a concern that there may be an emerging threat to
11 London. It was trialed for 12 months and then extended
12 for a further 6 months, but the -- I don't have the
13 detail of the report, but the review of the 18-month
14 trial was that each service should have their own CBRN
15 capability, and that's what the London Fire Brigade has
16 put in place.

17 So we have two dedicated vehicles that are located
18 at Lambeth, and they are the most highly trained CBRN
19 technicians that we have. They are also available to be
20 deployed, one of the vehicles is available to be
21 deployed nationally and we have a third vehicle that we
22 can put into service if the threat level goes up or
23 we're doing any specific preplanned events.

24 Q. Has the Fire Brigade assessed that having your own rapid
25 response team with specialist officers able to deal with

1 hazardous chemicals and CBRN has been a better way of
2 responding to potential incidents than the generic
3 Multi-agency Initial Assessment Team that was formerly
4 in place?

5 A. That was the conclusion of the review, because the
6 vehicle obviously has utility outside of conventional
7 terrorist threat and we can use it for sort of routine
8 hazardous material incidents as well.

9 Q. All right. You then turn to breathing apparatus, and
10 I think we've dealt with much of what you've set out in
11 your statement in the course of your evidence.

12 May I just ask you this, though, in relation to this
13 topic: how often are the policies and procedures in
14 relation to the use of breathing apparatus amended or
15 updated or reviewed?

16 A. We've had a major review at the end of last year because
17 we've introduced the new breathing apparatus set,
18 a new -- the newest piece of equipment, so it had
19 a major review last year.

20 Prior to that, we have a programme of three-yearly
21 reviews, so all our operational procedures are at least
22 considered for review, and if there's any evidence
23 nationally, or evidence coming from lessons learnt from
24 incidents around the country or, indeed, new technical
25 guidance from the people who publish guidance around

1 breathing apparatus deployment, then we'll obviously
2 incorporate that into the revision.

3 So it is -- all our policies are regularly reviewed.

4 Q. I think it would follow from what you've said earlier
5 that your conclusion, having looked at the entirety of
6 this issue, was that Leading Firefighter Roche acted in
7 accordance with the training and the policies that were
8 applicable and, with the knowledge of hindsight,
9 although because of the mobilisation error, if error it
10 be, there was a delay, he did everything right from his
11 own standpoint?

12 A. Absolutely correct.

13 Q. Mobilisation. We heard, of course, yesterday, from
14 former Deputy Assistant Commissioner -- Deputy
15 Commissioner Payton, there is now a new unique reference
16 number scheme for all London Underground stations.

17 A. That is correct.

18 Q. You heard -- because I think you were present in court
19 yesterday --

20 A. I was.

21 Q. -- what Mr Payton had to say in relation to the
22 interaction between split attendance and breathing
23 apparatus policy. Is there anything else that you want
24 to add in relation to whether or not the automatic
25 designation of the secondary attendance as being one

1 crew necessarily prevents any use of breathing apparatus
2 in advance of further crews arriving?

3 A. I think I've already touched on this already, but I'll
4 say it again --

5 Q. You have already.

6 A. -- is that the split attendance has served us very well
7 over many years, because we don't only deal with fires
8 on the Underground, we deal with many different types of
9 incidents, and the weight of attack, as I call it, that
10 of the three appliances going to the primary location,
11 gives between 12 and 18 firefighters, resources, that
12 you can use to deploy, and for most routine incidents
13 that will be sufficient to resolve the incident, for all
14 the reasons I said earlier around manual handling,
15 getting the equipment below ground.

16 The pump to the other end of the tunnel is really
17 a failsafe that, if the incident is misreported or the
18 incident is such a scale it starts to develop, that we
19 have resources, eyes and ears, at the other end of the
20 tunnel. So it is not deployed for its breathing
21 apparatus capability because a lot of the incidents
22 won't be anything to do with firefighting.

23 But it's there as our eyes and ears, they can talk
24 to each other, the crews at each end of the tunnel can
25 talk to each other, and they can get a rich situational

1 awareness of whether we need to bolster the attendance
2 at the secondary location to assist with the resolution
3 of the incident.

4 A typical example I'll give is it could be quite
5 a minor incident for us in terms of detraining a train,
6 and we will help London Underground to detrain and,
7 often, they will take the passengers off the end of the
8 train which is closest to the platform or away from
9 whatever hazards there are in the tunnel.

10 So sometimes it will be -- it's appropriate to have
11 something at the other end of the tunnel to make that
12 assessment so that we can assist the members of the
13 public and London Underground to deal with that
14 situation.

15 LADY JUSTICE HALLETT: I think we've covered that topic,
16 Mr Keith.

17 MR KEITH: My Lady, yes. May I be permitted to ask one more
18 question, though? Because there has been an indication
19 received that this was a matter of policy that may or
20 may not have been addressed before July 2005.

21 Will this issue be looked at again or are you so
22 confident of the existing procedures that this will not
23 be kept under review?

24 A. Well, I've been an operational officer for 26 years and,
25 as far as I'm aware, it's always been our policy to

1 split the attendance with a larger attendance going to
2 one end and a secondary attendance for reconnaissance
3 and eyes and ears at the other end, and that's served us
4 very well throughout my career and I'm not aware of any
5 procedure other than the normal reviews to actually
6 change that.

7 Q. Happily for you, Mr Reason, I've learnt over the months
8 to take a hint, so I'll move on to the next issue, which
9 is equipment, on page 33.

10 You've set out for us there a number of different
11 aspects of the Fire Brigade resources and equipment.
12 Fire Rescue Units were, of course, available
13 in July 2005. Are they still available?

14 A. Yes, the difference being we had ten Fire Rescue Units
15 in service in July 2005, nine were actually in
16 operational service during the bomb scenes, all nine
17 were deployed across the four incidents, as you know.

18 One of the lessons learned that we have identified, that
19 left us with no resilience in the capital for that
20 period, and some of the equipment was impounded because
21 of the police investigation, which is quite proper.

22 So whilst we had mutual aid from neighbouring
23 brigades that provided a rescue -- an enhanced rescue
24 capability, one of the recommendations to our fire
25 authority is we needed greater resilience because of the

1 specialist nature of the rescue equipment and skills
2 that the officers on those vehicles have, and we've now
3 increased our fleet to 16 front line Fire Rescue Units.

4 Q. You also have Mass Decontamination Incident Response
5 Units, urban search and rescue vehicles and equipment
6 lorries?

7 A. That's correct, except the equipment lorries have been
8 replaced now with operational support units.

9 Q. Have also the CHELs, the casualty handling equipment
10 lorries, been replaced?

11 A. Yes, I know this came up yesterday, so if you want me to
12 deal with it now, do you want me to --

13 Q. If you could just, in essence, describe how the
14 equipment that was formerly in those lorries has now
15 been deployed elsewhere?

16 A. Yes, the casualty handling equipment lorry was
17 a Government-sponsored project, again on the back of the
18 tragic events in New York in 2001. It was primarily to
19 provide additional stretcher and rescue kit chair
20 capability at a single-sided incident. So it was one
21 vehicle carrying, I think, approximately 80 stretchers
22 and 20 rescue chairs.

23 It was decommissioned, I think, in 2008, when the
24 equipment was put on to the operational response
25 vehicles, so the -- we now have six operational support

1 units and the stretchers and the rescue chairs are
2 distributed across the six vehicles. So you've got an
3 enhanced capability now.

4 Q. Have you listed the contents now of the new operational
5 support units on page 37 [LFB136-37] ?

6 A. That is correct, which includes the stretchers.

7 Q. Stretchers, motorised rescue trollies, those were the
8 trollies that were used at --

9 A. Russell Square.

10 Q. -- Russell Square, thank you. Extended breathing
11 apparatus sets, gastight suits, spill kit, hazardous
12 material equipment, stretchers, fuel packs and, we can
13 see, two short-circuiting devices?

14 A. That's correct.

15 Q. Lighting, I needn't trouble you with. There was one
16 issue at King's Cross, I think, where it became apparent
17 that there was a need for smoke ventilation equipment,
18 equipment to extract smoke out of the tunnel, or a view
19 that it might be needed, and certain equipment I think
20 was borrowed from the Channel Rail operators who were
21 working adjacent to King's Cross.

22 A. I can -- I was there, so I know all about this.

23 Q. So you were party to that decision. What steps are now
24 taken, or what equipment is now available, to provide
25 for ventilation of smoke?

1 A. Okay. So the issue at King's Cross, just to clarify,
2 was not in the initial stages but, as you are probably
3 aware, the movement of trains underground actually
4 creates the air current.

5 Q. It does.

6 A. So that keeps the air fresh. As soon as we asked for
7 the trains to stop -- which obviously, on that day, we
8 did, across the network -- the air becomes very stale
9 very quickly and the temperatures start to increase
10 quite considerably in a short space of time.

11 So not only were our crews, but other emergency
12 service workers were starting to suffer quite
13 significant physiological strain because of the heat
14 build-up and the lack of clean air.

15 So we were tasked with trying to resolve that issue.

16 In 2005, we didn't have any purpose-built equipment to
17 pump clean air into a tunnel of that distance away from
18 the surface. It's over 200 metres from the entrance to
19 King's Cross to the entrance of the Piccadilly Line, and
20 we were fortunate enough to have Crossrail tunnel
21 excavation works in an adjacent site and we made contact
22 with the site because we knew they were doing tunnel
23 workings and would have had a similar problem, and they
24 kindly offered to set up forced ventilation equipment on
25 behalf of the Fire Service and that was with the support

1 of the police who were obviously trying to maintain the
2 crime scene. We agreed a methodology to actually
3 implement that system.

4 Since 2005, we've introduced additional equipment on
5 our urban search and rescue capability, which is covered
6 earlier in my statement, and that now has ventilation
7 equipment that could be used in these types of
8 scenarios. So we now have a capability that we now
9 control ourself with trained officers that can deploy
10 it.

11 Q. I raise that issue because I think
12 Senior Divisional Officer Adams, when he gave evidence
13 in December, said that some of the other fire rescue
14 services in the United Kingdom had smoke extraction
15 equipment on front line appliances, but the Fire Brigade
16 in London did not at that time.

17 A. It did not.

18 Q. But you do now?

19 A. Not on the front line fire engines, but on the urban
20 search and rescue vehicles that we have four sets of in
21 the Brigade.

22 Q. All right. First aid equipment. Do Fire Brigade
23 appliances now carry something called an immediate
24 emergency care pack which is a package of equipment?

25 A. That is correct, and the --

1 Q. Page 41 [LFB136-41] , do you list the contents of that emergency care
2 pack. It's carried on all pump ladders, pumps, Fire
3 Rescue Units and fire boats, and it has with it
4 a defibrillator, oxygen regulator, oxygen administration
5 mask, cervical collars, equipment for keeping airways
6 unobstructed and so on?

7 A. That is correct.

8 Q. Is that a considerable improvement on the equipment
9 previously carried?

10 A. Yes, in 2005, all front line vehicles will have been
11 kitted out with basic first aid equipment. So a typical
12 one you buy in the shops, just a green first aid box
13 with plasters, bandages, et cetera. All firefighters
14 would have been trained in basic first aid, and this
15 programme has been put in place since 2005 and
16 represents a considerable investment, both in terms of
17 equipment, but also in training, for all front line
18 firefighters.

19 Q. So they've had a significantly enhanced training now?

20 A. Yes.

21 Q. Next, please, inter-agency liaison officers, page 47 [LFB136-47] .
22 You state there that it's acknowledged that
23 incidents such as 7/7 are not resolved by one agency
24 alone, and it may well have been appreciated also that
25 there had been a certain level of confusion between

1 agencies in the way in which information was
2 communicated.

3 Has the Fire Brigade now set up a body of dedicated
4 members of the Fire Brigade called inter-agency liaison
5 officers?

6 A. We have, but I need to qualify the answer --

7 Q. Do.

8 A. -- in terms of what I think you're getting at in terms
9 of the understanding of these officers' role.

10 We have, at the moment, about 24 officers trained
11 and we will have 30 in the very near future. So it's
12 quite a small cadre of specially trained officers.
13 They train predominantly with parts of the police
14 service, Counter-terrorism Command, firearms units, some
15 of the more specialist areas of multi-agency working.
16 They train with the military and are the key liaison
17 between those agencies and the Fire Service, both at
18 preplanned events and for dynamic incidents, as we saw
19 on 7/7.

20 They're not -- their primary function is not to
21 provide inter-agency liaison at routine incidents where
22 more than one agency is in attendance. That will be
23 done by the Incident Commander. They may appoint
24 someone to do liaison, as a separate function -- that's
25 certainly something I would have considered and would do

1 as a matter of routine at any significant incident --
2 but these officers have actually specialist training,
3 specialist contacts, with some of those other specialist
4 partner agencies. They're not there for routine
5 day-to-day business.

6 Q. So they provide tactical advice to the
7 Incident Commander?

8 A. On very specialist police operations, police capability
9 and health capability.

10 Q. All right, but presumably, in doing so, they bring to
11 the Incident Commander perhaps a better understanding of
12 the specific way in which other agencies work?

13 A. Around some of those specialist roles, yes.

14 Q. So the Incident Commander might be a little better
15 informed as to how other agencies might be responding in
16 their own way to a particular incident?

17 A. Definitely, and that's part -- at the larger incidents
18 they would definitely attend and provide that tactical
19 advice.

20 Q. All right. Thank you very much for that.

21 Mr Coltart, who acts for a group of the bereaved
22 families, has addressed, in the course of his own
23 examinations of witnesses, the performance command
24 review, the assessing or the debriefing process by which
25 commanders in the Fire Brigade carried out their roles

1 on 7 July.

2 Is there now a similar procedure in relation to the
3 way in which operational performances are reviewed by
4 the Fire Brigade in the light of incidents?

5 A. Yes, in 2005, there was two main debriefing approaches.

6 One was what we called a HOT debrief, which would be
7 done typically at the scene before the first wave of
8 responders leave the incident, and there's evidence,
9 I know, that's been submitted, to suggest that was done
10 at all four scenes.

11 The downside of that is, obviously, it's not
12 recorded, other than contemporaneous notes, and the
13 formal review process was the performance review of
14 command which was done for all four scenes.

15 Since 2005, in fact quite quickly after these
16 events, in January 2006, the Fire Brigade introduced
17 a performance review of operations which follows
18 a similar format to the performance review of command
19 but is much more focused on the smaller incidents that
20 are attended by front line crews looking at their own
21 performance, the performance of policies, procedures and
22 equipment.

23 Q. You conclude do you not, at the end of your statement,
24 Assistant Commissioner, by acknowledging that no other
25 Fire Brigade in the United Kingdom had ever faced the

1 sorts of challenges which faced you on 7 July 2005.

2 A. Yes, there was no benchmark against which we could
3 assess our performance, because it was the first time
4 that the UK mainland had been attacked by suicide
5 bombers on the transport network.

6 Q. But you acknowledge, do you not, that although the
7 Fire Brigade, you believe, responded properly,
8 effectively and safely on the day, there were
9 nevertheless some areas in which key improvements, or
10 the need for key improvements, was identified
11 subsequently?

12 A. Yes, and that's -- we're a progressive organisation that
13 always seeks to improve our performance for the public
14 and in support of our partner agencies, we take
15 debriefing very seriously, which is why we've increased
16 the amount of debriefing and performance management
17 review we do and we are completely open and transparent
18 in terms of lessons learned, and I think some of the
19 evidence that I've given has indicated that we have
20 addressed the areas that have been identified, both
21 through the joint emergency service review, which was an
22 undertaking by Mr Strickland from the Emergency Planning
23 College, and that started in October 2005, and of course
24 the Barnes Review, London Assembly Review, which we gave
25 evidence to and actually submitted a large report to in

1 early 2006.

2 Q. Comparisons are odious, but you appear to wish to
3 emphasise, in your final paragraph, the candid approach
4 taken by the London Fire Brigade to addressing those
5 improvements?

6 A. Yes.

7 MR KEITH: Thank you very much, I have no further questions.

8 LADY JUSTICE HALLETT: Mr Reason, before anybody else asks
9 you any questions, somebody suggested during the course
10 of their evidence -- I can't remember now who it was --
11 that the name -- or the roles -- say, for example,
12 leading firefighter names had changed. Is that true?

13 A. Yes. In 2005, we were predominantly a ranked-based
14 organisation, so leading firefighter was a rank,
15 sub-officer was a rank, station officer was a rank.
16 We went from what we call a process of rank to role,
17 where we went to a number of role-based definitions to
18 describe the level of officer at particular levels
19 within the organisation, and that's -- the role-based
20 definitions are national, so we went over to the
21 national model, and there was some -- I could go through
22 all of the examples, but there was a correlation between
23 a number of ranks that obviously turned to roles.
24 So it's just the terminology. They're still the
25 same people with the same responsibilities. It's to do

1 with national role maps, the standards by which they're
2 assessed, and we come under the national model. It's
3 just a name change. Their role didn't change
4 specifically.

5 LADY JUSTICE HALLETT: You see, the problem I have with
6 that, Mr Reason (and this is not directed solely at
7 you and it is not directed solely at the London Fire
8 Brigade, it is directed at a number of organisations)
9 as far as I can tell, management jargon is taking over
10 organisations. Perfectly sensible, straightforward
11 titles are being changed.

12 This is not just about somebody who is pedantic about
13 the use of English, which it may appear. It is that,
14 when it comes to a situation like a major incident,
15 people do not understand who and what the other person is.

16 What is a leading firefighter
17 now? A team manager, was I told?

18 A. Crew manager.

19 LADY JUSTICE HALLETT: I do not know whether a crew
20 manager is somebody who is responsible for supplies or is
21 used to fighting fires. I have no idea. I know what
22 a leading firefighter is likely to be, he is likely to be
23 somebody who's very experienced in fighting fires.

24 What worries me is that senior people in your position of
25 all organisations are allowing themselves to be taken

1 over by management jargon. As I say, this is not just
2 directed at you.

3 Mr Saunders, what was that unit described yesterday, the
4 demountable unit?

5 A. Conference demountable unit.

6 LADY JUSTICE HALLETT: Right, so if you turn up at a major
7 incident and you say "I'm a crew manager. Don't
8 worry, a conference demountable unit is on its way from
9 a management resource centre", what does that tell the
10 person from another agency?

11 I just think that people at the top need to say clearly
12 we have to communicate with other people and we best
13 communicate by using plain English.

14 A. Okay, noted. I'll take that back. Thank you.

15 LADY JUSTICE HALLETT: I am sorry if that sounded like
16 a rant, but everybody who has been here for the last few
17 months will know I have been building up to it.

18 MR KEITH: I think he took the hint, my Lady.

19 A. Yes.

20 LADY JUSTICE HALLETT: But it is really important when it
21 comes to communication at the scene of an incident.

22 I think, and I think it's been an ongoing theme for me
23 throughout this, that we need to say to people, cut the jargon.
24 If they prepare a report that has got jargon in it, say give me
25 the report back in plain English.

1 A. Okay.

2 LADY JUSTICE HALLETT: If you could do anything when you
3 meet up with your fellow senior officers, in whatever
4 organisation, to encourage the use of plain English, I,
5 for one, would be enormously grateful. I also think
6 it might make everybody just that little bit more
7 effective.

8 A. I will feed that back, my Lady.

9 LADY JUSTICE HALLETT: Thank you. Sorry, is it time for
10 a break after my apparent rant?

11 MR KEITH: I'm not quite sure what I would call a break now,
12 but that might be a convenient moment, my Lady.

13 LADY JUSTICE HALLETT: Mr Saunders, did you want to say
14 something?

15 MR SAUNDERS: No, thank you.

16 (11.20 am)

17 (A short break)

18 (11.35 am)

19 LADY JUSTICE HALLETT: Yes, Mr Saunders?

20 Questions by MR SAUNDERS

21 MR SAUNDERS: Mr Reason, many of the points have already
22 been covered by Mr Keith so I will simply ask you some
23 additional matters.

24 Can I start with the rendezvous points, please?

25 A. Yes.

1 Q. You mentioned to her Ladyship that, in fact, they are
2 usually at the front of the stations.

3 A. Typically, yes.

4 Q. That there is a red box on the wall that has the plans
5 in it, for obvious reasons.

6 A. Yes.

7 Q. Was that the position in 2005?

8 A. It was.

9 Q. Has anything changed since then?

10 A. Not that I'm aware of, no.

11 Q. So if some of the services found it difficult to find
12 the rendezvous point, nothing will have changed since to
13 assist them better now than it did then?

14 A. No, not as far as I'm aware.

15 Q. You mentioned about, or were asked about, the situation
16 at King's Cross of Mr Roche and Messrs Newton and Shaw,
17 and I think the phrase Mr Keith used was "Does it permit
18 the encouraging of volunteering?".

19 If, in fact, Newton and Shaw had gone on against
20 Mr Roche's order, would they have been in breach of fire
21 regulations and discipline?

22 A. Potentially. It depended on the outcome. As we've
23 tragically seen in Warwickshire a few years ago, which
24 is in the news this week, when things go wrong,
25 obviously we've got three of our colleagues in

1 Warwickshire now being prosecuted for manslaughter and
2 gross misconduct.
3 So it always depends on the outcome and the severity
4 of the breach. In terms of breathing apparatus,
5 obviously that is a serious failure to not comply with
6 our breathing apparatus, as I said earlier.
7 In the context of King's Cross -- and I think the
8 point that I made with Mr Keith is it was about what
9 they knew at what point -- that, at the point they went
10 forward, obviously the situation had changed in terms of
11 Roche's understanding of what he was dealing with.
12 Q. Yes.
13 A. So in certain circumstances, yes, it would be a breach
14 of policy and, therefore, may be subject to discipline,
15 but it would be very much based on the context in the
16 circumstances of the event.
17 Q. You then went through with Mr Keith the stages, dynamic
18 risk assessment policy.
19 A. That's correct.
20 Q. The first one -- and it may be quite obvious -- starts
21 at step number one, evaluating the situation, gathering
22 of information.
23 A. Yes.
24 Q. Whilst I'm sure we all appreciate that each of the
25 services have a slightly different outlook that they're

1 looking for, there must be a common theme, mustn't
2 there, for all three or four of the services who are
3 attending?

4 A. There will be, in terms of -- I think, Mr Allison, who
5 represented the police, Assistant Commissioner Allison
6 said exactly the same thing. We're all there to save
7 saveable life and to carry out humanitarian services.
8 That's what we do, our raison d'etre is to do that,
9 within the context of each service's specific role.
10 So there is always a commonality of purpose and
11 objective when life is at risk. So that is true.

12 Q. I don't necessarily mean the commonality of purpose,
13 which I think we all understand as being obvious, but
14 general information.

15 There has been an incident on a Tube that's on the
16 westbound platform. It doesn't matter who finds that
17 information; it is going to be information needed by all
18 the services.

19 A. Correct.

20 Q. There will be specific things that each needs to deal
21 with, but there must be, mustn't there, a situation
22 where the general information can be pooled without
23 everybody having to send their own team in to get basic
24 information?

25 A. That is the function of the Silver Commanders at the

1 scene, and if I describe that, at the various stages,
2 obviously these became major incidents and were covered
3 by the London Emergency Services Liaison Panel protocols
4 which have been discussed in court, I know, where there
5 is a formal joint emergency service Control Centre
6 established, but I'm sure the point you're making is in
7 the early stages of an incident --

8 Q. Exactly.

9 A. -- where that structure doesn't exist yet, because it
10 takes some time to implement.

11 Q. But can you see a difficulty that, if you, the
12 Fire Brigade, are first on scene, or the police or the
13 ambulance, and that general information is obtained, why
14 each of you needs to send somebody in to obtain exactly
15 that information?

16 A. Well, it will be service-specific. So if we use
17 King's Cross as an example, as we've been talking about
18 King's Cross, Roche felt there was a fire, obviously
19 other responders took it on their own -- made their own
20 decisions to go forward, and that's obviously their
21 decision, but we felt there was a fire. So we would
22 have primacy at that incident, and there is legislation
23 around who has primacy at different types of incidents,
24 as you know.

25 So our Command vehicle, our initial Command pump,

1 would have been parked at the ICP and would have had its
2 blue lights --

3 Q. Sorry, we're not using any acronyms during these
4 questions.

5 A. Sorry, Incident Command pump.

6 Q. At the?

7 A. Rendezvous point.

8 Q. Thank you.

9 A. That would have had its blue lights on --

10 Q. Yes.

11 A. -- and would be deemed a focal point of Command for the
12 Fire Service. So if another agency wants to interact
13 with the Fire Service, they can go to that point, and,
14 as I've described earlier, though the
15 Incident Commander, the one wearing the white
16 Incident Commander tabard, may not be positioned there,
17 for obvious reasons that they are interacting with the
18 incident or gathering more information, the person who's
19 stationed there from the Fire Service, which would be
20 typically the driver, will have communications with the
21 Incident Commander and can relay information to other
22 agencies that arrive at that location.

23 Q. I understand. So if yours is the first service in
24 attendance, is there any reason why the police and the
25 ambulance -- and I hope I'm not putting this too

1 simplistically -- don't simply come and park alongside
2 your tender, your engine?

3 A. They could do, and that --

4 Q. Is there any reason why they can't or shouldn't?

5 A. There is no reason other than if there's a physical
6 restriction why they can't. But I think we have to
7 remember that the vast majority of incidents will be
8 resolved quite simply with the first responders from all
9 three agencies and the situation will be quite apparent
10 to them in terms of the scale of operation and what
11 needs to be done, and they'll all be standing next to
12 each other and will just deal with the incident, and
13 that's day-to-day business for all three agencies.
14 When you get into the situation where an incident
15 clearly cannot be dealt with by the first response, and
16 it needs to escalate into the scale of operation, as we
17 saw on 7 July, the LESLP protocols, the London Emergency
18 Services Liaison Panel protocols, which I know you know
19 about, will kick in and there's a formal structure that
20 starts to be developed within the first 20 minutes to an
21 hour of the incident which brings together the
22 Silver Commanders at a joint meeting where the incident
23 is discussed and all the information is shared and each
24 agency takes away a set of actions to start to resolve
25 the incident, to bring some order to the chaotic scene

1 that we are dealing with.

2 Q. May I make this suggestion, that what seems to have
3 happened is that some of the first Silver meetings took
4 many, many minutes to organise, for obvious reasons, and
5 it was those who were first on attendance, first
6 appearing, who didn't necessarily know where the
7 rendezvous point was or who, in fact, was responsible
8 for the other agencies, and if, in fact, there had been
9 a gathering in one place of all those first vehicles, it
10 would have made it easier for everybody following.

11 A. It would in one context, although I'll qualify the
12 answer.

13 The issue you have in the very early stages, there's
14 huge moral and operational pressure on officers to act
15 in accordance with the common objectives that I've
16 described in terms of saving life, and it will be
17 different for the different agencies, depending on the
18 nature of the incident.

19 So for Ambulance Service, they would definitely be
20 focused on the medical intervention, and the difficulty
21 you've got is, if you insist that their officer always
22 come to our location, then that may detract from the
23 clinical care of patients that they might be able to
24 deal with immediately.

25 So obviously, an ambulance responder may be a single

1 person in a fast response car. So if there's a choice
2 between going to speak to the Fire Brigade officer and
3 dealing with a casualty that clearly needs clinical
4 intervention, I would argue that that officer would
5 feel, you know, professionally and morally bound to try
6 to interact with the casualty and, at some suitable
7 point, either when more resources arrive, or he or she
8 can make time, then they will come and get the
9 situational awareness.

10 I think that reflects the reality of the world we
11 live in, in terms of responding to emergencies. They
12 are uncontrolled events by definition, and our job, as
13 the three blue light services, and with partner
14 agencies, is to bring some control to that chaotic scene
15 and, obviously, the quicker you can do that, that
16 benefits the members of the public, that benefits our
17 effective operation, and I think you just have to
18 accept -- you might not like it, but I think you have to
19 accept that there is always going to be that period
20 where it is chaotic, and we do our best to bring order
21 to that chaos, and one of the ways we do that is to have
22 that joint liaison, and sometimes that will be a brief
23 discussion face-to-face, literally "What have you got?
24 What are you doing? Do you need anything?", really
25 simple stuff, because that is the period of the incident

1 you're in.

2 As it gets more structured, as we move into the kind
3 of major incident procedure, of course there is a lot
4 more structure to the Command from all agencies, and we
5 set up a joint emergency service Control Centre.

6 So I know it's not what you want me to say
7 probably --

8 Q. It's not that at all.

9 A. -- but it is the reality, and what I'm trying to convey
10 to the court is the reality of when you turn up. There
11 are huge moral obligations and professional obligations
12 on our officers making split-second decisions, which are
13 not easy decisions to make in the types of incidents
14 that we are dealing with today, and it just takes some
15 time to get that common information picture.

16 If it's a situation like the incident is below
17 ground, where there are no visual cues -- so even we
18 know from the evidence you've heard that it wasn't until
19 about 9.40 at King's Cross, when I think a British
20 Transport Police officer, Mingay, came back to the
21 platform, when actually everyone realised the scale of
22 the destruction in the tunnel and what had happened this
23 tragic day.

24 And it took that length of time, and I understand
25 British Transport Police were on-site, you know, before

1 the bomb exploded, and that is the reality.

2 So I know it is awful for the families to hear the
3 level of delay, and I can fully understand their anxiety
4 around hearing that, but it is chaotic, and I'm trying
5 to convey that as simply as I can.

6 Q. Mr Reason, may I say, for my part, I think you've
7 conveyed that admirably, and you shouldn't, please, feel
8 that there is criticism being levelled by the families,
9 some of whom I represent.

10 One of the things that the families have in mind is
11 the future, and is there anything that can be learnt by
12 this process that her Ladyship has overseen for five
13 months that may in some way assist, if ever there were
14 such an incident in the future?

15 It's simply looking at these sorts of things, and
16 it's not being critical, I promise you, but we have,
17 month after month, heard evidence how, at the four
18 different scenes, there have been difficulties, and it
19 is simply trying to establish, if there is a way, that
20 in future it would make things like a rendezvous point,
21 like the initial gathering of information, easier for
22 all the services.

23 A. Well, as we've -- as I've touched on, London Underground
24 we have that rendezvous point in place at all
25 London Underground stations, we have them at major

1 sports stadia and we have them on large shopping
2 centres, so there is definitely utility in
3 predesignating a rendezvous point for all the blue light
4 agencies where they add value and it's a static site
5 where all the agencies can attend in the first instance.
6 Of course, many of the incidents that we attend are
7 dynamic, they're not at those sites, and, therefore, it
8 would be inappropriate to try to predesignate for every
9 incident.

10 Q. All right, can I then move on to a different topic which
11 is the traction current status? And I appreciate from
12 your report, and everybody else will, the way Mr Keith
13 thoroughly went through, I think, over 50 pages. You
14 deal with it and it's been very carefully written.

15 In terms of -- I'm looking, my Lady, at
16 paragraph 45, page 14 [LFB136-14] :
17 "Confirmation that traction current is off can also
18 be obtained locally at the London Underground station,
19 but only from a recognised member of ... staff ..."

20 A. Yes.

21 Q. When you gave your evidence to her Ladyship, what you in
22 fact said was the station supervisor?

23 A. Or a liaison officer, yes.

24 Q. Or somebody specifically designated by the station
25 supervisor?

1 A. Someone who's got authority over that site. So
2 obviously, London Underground will have contractors
3 working on their site, they'll have other people
4 working. It's someone that normally works at that site
5 who knows the station and is authorised to give us the
6 information or make the call to confirm that power is
7 off. It's someone who is responsible within the
8 London Underground hierarchy.

9 Q. Because part of the problem, I'm sure you've seen
10 Mr Davies' evidence that he gave at Edgware Road where
11 he explained to the hearing that, in fact, he thought he
12 was talking to somebody who was quite senior because
13 that gentleman was wearing an orange tabard --

14 A. Yes.

15 Q. -- and he equated the tabard with somebody in
16 a responsible position.

17 Would it not be easier, from your point of view, if,
18 in fact, it was either the station supervisor or
19 somebody he has specifically delegated and made
20 responsible for passing on that information?

21 A. I think the -- I wouldn't want to answer that on behalf
22 of London Underground, because I don't know --

23 Q. I'm not asking you on their behalf. They sit behind and
24 may ask questions later. But from your point of view,
25 as your emergency service?

1 A. As a Fire Brigade officer, what we're looking for is
2 someone who has the right knowledge and the right
3 authority to be able to give us that confirmation that
4 the power is off and the trains have stopped moving, and
5 that is as simple as it is and, obviously, if you're not
6 sure who you're talking to, you can ask what their role
7 is and make an assessment of that at the time.

8 Now, I don't know if Mr Davies did that, because
9 I wasn't at, obviously, the Edgware Road incident.

10 Q. I think from the evidence and the way he gave it, he
11 assumed that the person he was talking to was somebody
12 who was in a supervisory capacity.

13 A. And did he confirm -- I haven't read his statement.

14 Q. There was nothing that was written down and noted.
15 You've gone on to describe to her Ladyship how you
16 should make a note of the name of the person. None of
17 that was done.

18 A. Okay. I accept that.

19 Q. Can I then ask you, please, about first aid?

20 A. Yes, certainly.

21 Q. I think you were here yesterday, were you, when Dr Moore
22 gave her evidence?

23 A. I did, yes.

24 Q. Thank you very much. You remember what she said about
25 the partner agencies being able to deal with triage.

1 You've dealt with training and what she was saying was
2 that the primary triage could be done by the police or
3 the Fire Brigade?

4 A. Yes, I heard that evidence.

5 Q. Are you confident, knowing as you do about training,
6 that that would be something your officers could deal
7 with: namely, primary triage in a situation such as
8 this?

9 A. It's certain, with the evidence I gave to Mr Keith in
10 terms of the enhanced first aid training, which is
11 actually accredited by the London Ambulance Service,
12 that our firefighters are now much better equipped in
13 term of their knowledge, understanding and equipment to
14 deal with more seriously injured casualties.

15 Q. That's more treatment, if I may say so.

16 A. And it is treatment. So it's not beyond, you know,
17 exploring that in terms of extending the role.

18 Of course, there would be a significant training
19 impact for London Fire Brigade to suggest that, because
20 we have over 6,000 operational staff that would need to
21 be trained to whatever the triage standard was going to
22 be, and I would defer to Dr Moore's clinical experience
23 that it could be done by someone who's not clinically
24 trained, then obviously we would accept that.

25 Q. So it's not the position, at the moment, that the

1 Brigade could deal with primary triage?

2 A. They're not trained to do that.

3 Q. So it's simply what Dr Moore told us yesterday, that she
4 feels it is a matter that could be dealt with, but would
5 obviously require significant training for those front
6 line officers?

7 A. I think if I remember correctly she did qualify it by
8 saying that the firearms officers, C019, would be better
9 placed because of the nature of training they have for
10 firearms.

11 Q. Which is why I ask you whether generally it's something
12 that the Brigade would be open to, that the whole of the
13 officers or whether it should be limited to a specific
14 group.

15 A. We've -- I can't go into too much detail because the
16 information is restricted, but we are looking and
17 working alongside colleagues from the Hazardous Area
18 Response Team, which is a London Ambulance specialist
19 response, firearms officers from C019, Metropolitan
20 Firearms Unit, to do that very specific thing you're
21 talking about, enhanced first aid capability. So there
22 will be a cadre of officers available in the near future
23 that can actually undertake enhanced first aid
24 intervention.

25 Q. Without divulging too much and getting neither you nor

1 I into trouble, how many officers are we talking about
2 from the Fire Brigade?

3 A. In the interim period, it will be a very small number,
4 probably half a dozen. In the longer -- medium- to
5 longer-term we're looking to equip six of our Fire
6 Rescue Units with that capability.

7 MR SAUNDERS: Thank you very much, Assistant Commissioner.

8 A. Thank you.

9 MR COLTART: No, thank you.

10 LADY JUSTICE HALLETT: Ms Sheff?

11 Questions by MS SHEFF

12 MS SHEFF: Just one matter, Commander. The inter-agency
13 liaison that you were talking about in your report, we
14 understand that that's not what it may appear to be on
15 the surface; in other words, it's not a member of your
16 staff liaising between all the different agencies at the
17 scene, as it were, but rather somebody who's been
18 trained to understand how the other agencies work and
19 can pass on that information to your own commanders. Is
20 that right?

21 A. That is right, they can obviously perform the more
22 general inter-agency liaison, just because they happen
23 to know lots of the other key players in the other blue
24 light services. So that is true, they can perform both,
25 but their primary function is the more specialist types

1 of liaison.

2 Q. Does that training, which you told us takes place with
3 the police and the military, only concern the workings
4 of the other blue light agencies?

5 A. Yes, it's pan-London, all the agencies that would be
6 involved in dealing with a catastrophic or major
7 incident in London.

8 Q. But if those major incidents occur on the transport
9 systems, do you have any understanding of how, for
10 example, the London Underground or the London Buses work
11 and their own structures?

12 A. I think -- and I'll stand to be corrected, I'm sure, by
13 colleagues over there if I'm wrong -- that we do certain
14 exercising, that other agencies -- category 2
15 responders, as they're termed -- are involved in some of
16 those exercises, because we do recognise that the
17 infrastructure that is sometimes targeted, particularly
18 in a terrorist situation, obviously requires -- we need
19 the knowledge and understanding of how other agencies
20 would respond so that we can complement each other in
21 terms of providing a response.

22 Q. So there is that understanding, as it were, probably
23 through what we've come to know as table-top training,
24 but it's not the same sort of perhaps more intensive
25 training that's done as the inter-agency liaison?

1 A. I think the inter-agency liaison aside, that is very
2 specialist training and will pick up other agencies as
3 and when we exercise on those infrastructures.
4 In terms of what we normally do in terms of first
5 responders, so people that are trained in this
6 specialist role, we do have a very good working
7 relationship with London Underground, our
8 Fire Rescue Unit staff, who put the short-circuiting
9 devices down, train annually with London Underground at
10 their depot over in west London, and we also run
11 a number of workshops with London Underground, which
12 allows our staff, at the junior officer level -- so
13 leading firefighter and crew manager level -- to
14 interact with station staff to get a clear understanding
15 of what both needs from each other's services.
16 So there is a programme of training that goes on
17 currently and has been before 2005. So many officers
18 are exposed to that training. Again, it's held over in
19 west London at London Underground. They have got a mock
20 station setup, so it is actually -- although it's
21 a table-top and an information sharing, they do actually
22 practise in a kind of very realistic environment.
23 So there is ongoing training between
24 London Underground and London Fire Brigade, I can
25 confirm that.

1 Q. Does the same information sharing extend to
2 London Buses? I appreciate it's obviously a different
3 setup, you don't have the Tube stations which have to be
4 understood by the emergency services as to various
5 levels, et cetera, but as far as information sharing is
6 concerned, do you have that same system with the bus
7 service?

8 A. I'm not aware that we do, actually, to be honest.
9 I could find out and obviously get that information to
10 you. But I don't know, sitting here today, whether we
11 actually train regularly with -- because there obviously
12 is a variety of bus companies that provide the service,
13 so I'm not sure we've got a single sort of group that
14 sits and talks to the bus companies, I don't know.

15 Q. If you could find that out, that would be very helpful.

16 A. I'm happy to do that.

17 MS SHEFF: Thank you very much, Commander.

18 LADY JUSTICE HALLETT: The training you were just talking
19 about, Mr Reason, do I understand from that that it's
20 really familiarisation of your staff, your officers,
21 with the structures? I'm just wondering whether it
22 would be the same -- I mean, you seem to be talking
23 about much more of how you go into a Tube station, what
24 you're going to find. I'm not quite sure whether you --

25 A. The training we do with London Underground is -- covers

1 some of that stuff, the infrastructure side, but it's
2 more about raising awareness of what each other's
3 services need to do on scenes like 7/7. So that
4 training programme's been in place since before 2005,
5 I'm reliably informed, and there is periodic training
6 that goes on in a fairly realistic environment where
7 very many of London Underground staff -- and they're
8 usually trained, as I understand it, by the line, so it
9 will be the Metropolitan Line station staff that will
10 come in and do a training day with our staff with other
11 emergency services.

12 So you get a richness of sharing of understanding
13 about what the challenges are for the different
14 Underground lines, because there are different
15 infrastructure challenges around things like the
16 Jubilee Line is separated slightly differently to other
17 lines, et cetera.

18 LADY JUSTICE HALLETT: That's what I thought you were
19 meaning. Thank you.

20 Any other questions before I go to Ms Boyd?

21 Ms Boyd?

22 Questions by MS BOYD

23 MS BOYD: Thank you, my Lady.

24 Assistant Commissioner, just one question -- or
25 several questions, but one arising out of Mr Saunders'

1 questions, as to the extent to which firefighters might
2 undertake a triage role.

3 Does one have to perhaps strike a balance so that
4 you're not distracted from the firefighting and rescue
5 role?

6 A. That would be true. Obviously, all agencies have
7 a finite resource, and obviously our statutory functions
8 revolve around firefighting, rescue, et cetera, and
9 obviously Health Service have a different set of
10 statutory responsibilities.

11 So there is a danger that you mix up the
12 requirements. So, as we've seen with the enhanced first
13 aid, we are clearly, if we are there first and we need
14 to interact with casualties, that's what we're there to
15 do, so we will perform that function.

16 I think, if you start is saying you're going to
17 broaden the responsibility of the Fire Service to
18 encompass all front line firefighters, of course that is
19 a huge undertaking and I'm sure other colleagues from
20 the Health Service would have a view about that.

21 Certainly -- you can train firefighters to do it
22 because they already have some of the skills, I'm sure,
23 and transferable skills, but it will be a decision that
24 would be taken above my level in terms of whether that's
25 something that we would sign up to in terms of being

1 expected to provide that in the first response to an
2 emergency that may involve having to discharge our
3 statutory function in terms of firefighting, rescue,
4 dealing with hazardous materials, et cetera, which we
5 are actually -- you know, that's what we're paid for to
6 do.

7 So there would be a potential conflict at some of
8 these types of incidents where you get all of those
9 issues combining in a very difficult, you know,
10 incident, and there would be that potential challenge.
11 If we were signed up to it and we didn't do it, we could
12 be criticised because we walked past injured people or
13 people that needed triaging because we had to go and do
14 what we're actually there to do.

15 So that would be my concern, as a professional fire
16 officer, but it's -- it is -- you know, it's not
17 insurmountable.

18 LADY JUSTICE HALLETT: I think Mr Saunders was really
19 thinking about a situation where your primary role
20 wasn't required; for example, your officers on 7/7 went
21 and acted as stretcher-bearers.

22 A. Yes.

23 LADY JUSTICE HALLETT: I think that's what he meant. Either
24 your primary role is not required or it's over.

25 A. Yes.

1 LADY JUSTICE HALLETT: I suspect then the question of the
2 extent to which you could get involved would depend on
3 the amount of training required and how much it's going
4 to impact.

5 A. Yes, it's all do-able, it's just it would need to be
6 worked through as a process and a procedure.

7 MS BOYD: Thank you. Can I take you to paragraph 10 in your
8 statement?

9 You've explained the importance of the procedures
10 and policies underpinning the work that is undertaken by
11 the Fire Brigade, and in paragraph 10 you say that:
12 "Effective management and leadership, along with
13 personal responsibility, are essential aspects of
14 Command at emergency incidents."

15 Can I just ask you to elaborate on that third
16 attribute of personal responsibility in the context of
17 the application of procedures and operational notes, in
18 terms of an Incident Commander being answerable in other
19 words for his actions?

20 A. Yes, as Mr Keith mentioned earlier, we are
21 a hierarchical organisation in terms of the operational
22 response part of our service, and we equate certain
23 types of incidents, certain sizes of incidents, with an
24 equivalent role, rank, whatever you want to call it,
25 officer, and we'd expect the officer that assumes the

1 Incident Command function to have total responsibility
2 for the deployment of our crews, the development of
3 tactics, and obviously bringing the incident to a safe
4 resolution.

5 Where that doesn't happen -- thankfully, it happens
6 most often and we get a positive outcome and, as
7 I mentioned earlier when, it doesn't have a positive
8 outcome and, tragically, firefighters sometimes do get
9 seriously injured and, worse cases, they are killed in
10 the course of delivering the service -- of course, as
11 we've seen in Warwickshire this week, the Incident
12 Commanders, and the chain of command that is responsible
13 for that period of the incident are held legally
14 accountable for those deaths, and that is -- it really
15 focuses the mind in terms of that accountability issue
16 when you're wearing the white tabard that says
17 "Incident Commander", it does very much focus your mind
18 and what you are actually responsible for.

19 Q. Thank you. Can I just ask you a couple of questions in
20 relation to the scene at King's Cross and ask you to --
21 well, assist you in clarifying the time-line and the
22 state of knowledge of Mr Roche which you have referred
23 back to on a couple of occasions?

24 We know that he arrived with his three crew, so four
25 of them, at 09.13. He makes his way to the control

1 office on the ticket concourse. The information is he's
2 been called to smoke in tunnel, and he sees evidence of
3 smoke inhalation on passengers coming up the escalator.
4 The London Underground are unable to give him any
5 concrete information other than power surges.

6 A. That's correct.

7 Q. He then requests two additional appliances at 09.19, so
8 that he can commit a BA crew to investigate.

9 A. That's correct.

10 Q. So within six minutes, he has called for that additional
11 resource and, during that time, has prevented Newton and
12 Shaw going down to the platform, but that's within this
13 timeframe of six minutes?

14 A. Yes, I'm not sure what point Newton and Shaw went
15 forward from the --

16 Q. That's what I'm coming to.

17 A. Okay, thank you.

18 Q. The evidence is that Mr Newton said that he went down
19 within five to ten minutes of his arrival. What he says
20 is -- and this is, for the transcript, Day 36 in the
21 afternoon, page 4 [LFB136-4] , lines 8 to 12, for my Lady's note:
22 "After about five to ten minutes trying to get
23 information from people, myself and Firefighter Shaw
24 suggested to Leading Firefighter Roche to go down and,
25 if we can gather some information from platform level,

1 then we'll come back up and tell him, and he agreed."
2 So the sequence of events is: Roche arrives, tries
3 to get information, thinks there's a -- has reason to
4 believe there's a fire down in the platform or in the
5 tunnel. He, therefore, wants to investigate, can't
6 without backup, he therefore requests that additional
7 resource and, within a short time of asking for that
8 resource, Firefighters Newton and Shaw go down to the
9 platform, but they're told not to start up their BA sets
10 but to remain in breathable air?
11 A. That's my understanding of the sequence of events, and
12 I also think I have read somewhere, in preparing for
13 this, that Newton and Shaw actually discarded their BA
14 sets at platform once they realised that there wasn't
15 a fire situation and I think it was a BTP officer,
16 Mingay, who came and interacted with them first and gave
17 them the sad news about the scale of the incident that
18 was further in the tunnel.
19 Q. Indeed. In fact, Firefighter Newton explained that they
20 were initially stopped from going into the tunnel by
21 a police officer or member of the Underground, and we do
22 know from the evidence of Mr Mingay that he instructed
23 a London Underground employee to remain at the entrance
24 and prevent anyone going into the tunnel, because he
25 didn't know what he was facing and that there might be

1 a fire. He thought he might be overcome by smoke
2 inhalation?

3 A. That's correct.

4 Q. Newton also told the court that, in fact, whilst
5 waiting, he put a fire extinguisher on the platform
6 because he still thought there might be a fire in the
7 tunnel. It was only when -- we're not sure, in
8 fairness, whether it was Mr Mingay or Mr McGrotty -- it
9 was only when they came back, because they'd gone down
10 through the separate tunnels, when they came back, at or
11 about 9.30, that there was no fire and the state and
12 destruction of the train in the tunnel. After that,
13 Mr Newton was able to give that information to Mr Roche
14 and, of course, we know he made pumps 8 at 09.36.
15 So that's the time-line and the sequence of events?

16 A. That's my understanding, yes.

17 Q. At any stage up until 09.30, would it have been
18 appropriate for Messrs Newton and Shaw to go into that
19 tunnel on their own?

20 A. Not without backup crews being on scene.

21 Q. Having been given the information by either Mr Mingay or
22 Mr McGrotty that, in fact, there was no fire, but there
23 was this terrible destruction in the train, in the
24 tunnel, was there anything that Mr Newton and Mr Shaw
25 could do without backup?

1 A. I'm not sure what the sequence was after that. I know
2 they came back up to Roche and advised him of the
3 developing situation. They would have obviously
4 possibly committed to the tunnel, but I don't think they
5 would have got very far because they would have been
6 faced with very seriously injured casualties which they
7 would have naturally gone to help.

8 Q. Yes, I think, if I can help you, Mr Newton said that one
9 of the bits of information that the police officer gave
10 him was that he couldn't get through the door into the
11 bombed carriage, and Mr Newton gave evidence that the
12 cutting equipment was on the other appliance, and so he
13 didn't think there was anything they could do. Now they
14 had the information, there was nothing that they could
15 do without the further resources?

16 A. Yes, in 2005, the major cutting equipment was carried on
17 pump ladders and, of course, it was a pump that was in
18 attendance at that time. We've now put enhanced cutting
19 equipment on all our front line vehicles.

20 Q. Can I move on to another topic, and that's briefly the
21 RVPs? Everyone, I'm sure, knows what an RVP looks like,
22 but we do have a picture of the RVPs which have been put
23 on to the London Undergrounds. I think it's
24 temporary 3.

25 It might be obvious, but at least we're able to

1 picture it. And these -- I think this is Borough
2 London Underground station, but the RVP is in yellow,
3 and then we can see the LFB box which contains the plans
4 and the confirmation about the leaky feeder that you've
5 referred to?

6 A. That's correct.

7 Q. You've also explained that, although the London Fire
8 Brigade go to the RVP point, they park the first
9 appliance adjacent to it, and that becomes, effectively,
10 the incident pump or the focal point, the blue lights
11 are put on?

12 A. That's correct.

13 Q. I think that's reflected in operation note [LFB31-6] . Can
14 we have that on the screen, please? Thank you.

15 So we can see, the 8.3:

16 "The Incident Command pump will provide the
17 communications link between Brigade Control and the IC
18 and remain the incident focal point until relieved by
19 the Command Unit."

20 Then just under paragraph 10, if we scroll down

21 a bit, we can see:

22 "Note: the headlights and blue beacons of the ICP
23 are to remain on so that the ICP can be easily
24 identified."

25 Then, if one moves through 11 and over the page,

1 that's when the Command Unit takes over.

2 A. That's correct.

3 Q. So anyone attending from any other agencies would always
4 know where the command pump is by the blue lights, in
5 the same way as the London Ambulance have their blue
6 lights on?

7 A. Yes, we both share the same protocol.

8 Q. When the London Fire Brigade arrive at the
9 London Underground, does the quality of the information
10 available vary from incident to incident?

11 By that, if I can contrast, or ask you to contrast,
12 the Aldgate scene and the King's Cross scene, because at
13 Aldgate we know that Sub-Officer Clarke arrived at about
14 9.00, was met by a member of Underground staff who took
15 him down to the platform, which is, of course, very
16 close to the surface and, within five minutes, he had
17 assessed the scene and declared a major incident?

18 A. That's correct.

19 Q. He had those visual cues that you talked about. If one
20 contrasts that with King's Cross, where the information
21 was very limited because of the complexity of the
22 station itself, the depth of the tunnel -- or the
23 Piccadilly Line, I should say -- and the lack of
24 communication back in 2005?

25 A. Yes, there was -- the two scenarios are completely

1 distinct and you've described them very well. The
2 difficulty for London Underground staff and Roche at
3 King's Cross is there was no visual cue. It's not
4 surprising that one of the iconic images of 7/7 is the
5 bus bomb, and that's the one that most of the media uses
6 when they are covering 7/7 stories, because, when you
7 turn the corner and you see the bus in the state it was,
8 it immediately gives you the full sense of the scale of
9 the incident.

10 Of course, the officers that attended the
11 Underground incidents had none of that visual cue, and
12 that is always a limiting factor in terms of immediately
13 understanding the scale of the operation you are facing.

14 Q. The information-gathering, however much other agencies
15 might be able to add to that initial information at the
16 RVP, each agency, as we understand it, still has to
17 undertake their own individual assessment in the early
18 stages?

19 A. Yes, you'll gather as much information from partner
20 agencies as you can. It will be silly not to. But
21 before you actually develop your tactical deployment
22 plan -- that's the plan that we all use to start to
23 interact with the incident and bring it to
24 a resolution -- of course you have to assess the
25 situation from a fire perspective.

1 Now, as we've already talked about at King's Cross,
2 you know, Roche truly believed he may have a fire scene,
3 that could have got worse, it obviously wasn't a fire
4 scene, as we now know. That's through benefit of
5 hindsight. The officers that arrive first do not have
6 the benefit of hindsight. They go with the visual cues,
7 they go with the preplanning information, and they
8 operate within the structure of our policies and
9 procedures that I described earlier, in Mr Keith's
10 evidence, to provide a safe system of work to resolve
11 the incident.

12 So where you have no visual cue, you have to do
13 reconnaissance to get that understanding before you
14 start to develop your plan.

15 Q. Then, as you've explained, with a major incident, LESLP
16 kicks in and we have the joint Silver meetings and
17 I think you explained that now those Silver tabards are
18 provided on front line appliances?

19 A. They're white in colour and they say
20 "Incident Commander" on the front and back, but you can
21 quite easily see who's in charge, yes.

22 Q. Moving now to another topic, the question of traction
23 current.

24 Just so we're clear about the evidence -- because
25 I think it was suggested to you that, at Aldgate,

1 Sub-Officer Curnick sought confirmation through
2 Brigade Control. In fact, his evidence, and that of
3 Mr Sudbury, was that they asked a member of the
4 London Underground whether the power was off on the
5 platform and that member of the Underground was unable
6 to confirm that. He wasn't sure, and, as a result of
7 that, Sub-Officer Curnick asked him to get confirmation.
8 So it was the London Underground member of staff who got
9 confirmation from their own Control.

10 A. That's my understanding, it was done locally at scene,
11 yes.

12 Q. That's, for the transcript, Day 13, pages 69 through to
13 70.

14 Just before we leave that point, Mr Curnick, in the
15 course of his evidence, said that he was very conscious
16 of the safety of his crew and would not have taken the
17 word of a police officer standing on the track, if there
18 had been one, he had no recollection of there having
19 been a police officer.

20 But is that another illustration of the personal
21 responsibility of a crew commander?

22 A. Yes, I think when you're dealing with hazardous
23 situations that clearly can kill people, you -- if you
24 are in charge, you are going to discharge the
25 responsibility with a great deal of diligence and care,

1 and, of course, the thing that became apparent quite
2 quickly when that discussion was going on was this was
3 a major incident which actually gives the Fire Service
4 a unique responsibility in terms of inner cordon safety
5 management.

6 So I would like to think that those officers were
7 already starting to think about the longer-term issue
8 that, actually, the Fire Service would be held
9 accountable for the safety of all personnel that were
10 being deployed onto the track and on to the train, and
11 certainly it's something I would expect officers to
12 confirm, that all those hazards are mitigated as
13 reasonably as much as you can do, and obviously, the
14 power, the train movements, the livening up of the
15 train, all the things, the control measures we put in
16 place, we would actually have, under LESLP, the
17 responsibility for ensuring that all of those systems
18 are in place, so that, once that structure comes in, the
19 inner cordon, as it's described within the LESLP manual,
20 we actually manage that and we give a safety briefing to
21 other emergency responders that work inside that zone
22 and record people in and out of the hazard zone.
23 And one of the things you'd want to know, if you
24 were going onto a train track, is that the power has
25 been switched off, I would suspect, so we would provide

1 that confirmation.

2 Q. I think in fact, at Aldgate, Dr Lockey -- who was
3 a member of HEMS -- gave evidence of that; that he went
4 through the inner cordon and it was at that stage he was
5 told that the power was off.

6 A. Yes, that would be my expectation of the officers'
7 roles, yes.

8 Q. Moving on -- just two more topics -- in terms of we know
9 that the -- both prior to 2005, and still, the London
10 Fire Brigade had a predetermined attendance?

11 A. That's correct. Is that in the context of a major
12 incident, sorry?

13 Q. Just in terms of there is a predetermined attendance,
14 whether or not it's a routine -- in fact, the
15 operational response is determined by the incident type
16 and the location, as we understand?

17 A. Yes, it's a combination of the location and incident
18 type that determines the number of fire engines that are
19 sent.

20 Q. As soon as a certain number of appliances attend, more
21 senior officers attend?

22 A. That's correct.

23 Q. The court has heard that, in addition to analogue
24 handheld radios, Airwave radios are provided to station
25 managers upwards, and a station manager is the old ADO?

1 A. That is correct.

2 Q. From an analysis of the mobilising policy, it would
3 appear that the station manager attends all but the most
4 routine incidents. Is that right?

5 A. That's correct.

6 Q. So the Airwave radio would be available to the Silver
7 Tactical Commander very early on in the incident?

8 A. Yes, and in addition to the first senior officer, most
9 of the incidents that attract the attendance of
10 a station manager also attract the attendance of one of
11 our eight Command Units, and they also have Airwave
12 capability on those vehicles.

13 Q. We've heard considerable evidence about the use of the
14 inter-operability function of the Airwave radio, and do
15 you concur that, from an operational point of view, the
16 focus should be of using that function at Silver level?

17 A. Yes, as I've said earlier, the best form of
18 communication in the early stages is face-to-face. If
19 you switch to the inter-operability channel which exists
20 within Airwave, you have to put in some controls around
21 not losing communications with your own Command
22 structure, because they are channels that are unique and
23 you have to physically switch into a different
24 talkgroup.

25 When you make the decision to use the

1 inter-operability channel, you also have to make
2 arrangements to make sure you still retain contact with
3 your own Command structure.

4 So the vast majority of incidents are geographically
5 laid out so that the best form of inter-operability is
6 to have a meeting face-to-face, to be honest, and that's
7 my experience over many years.

8 Q. Just two more brief topics.

9 Can I ask you, firstly, about an issue which was
10 raised in evidence on Monday concerning the switching
11 off of radios where there is, or may be, an IED?

12 My Lady, I should say that, when I referred to the
13 evidence of Tavistock Square and the police officer
14 being admonished over the use of the radio,
15 your Ladyship was, of course, quite right that, at that
16 stage, it was believed there was a secondary device and,
17 having checked the transcript, I stand corrected.

18 LADY JUSTICE HALLETT: Thank you.

19 MS BOYD: It was suggested on Monday that there may be
20 a policy contradiction because of
21 Divisional Officer Rigby's actions at Aldgate in
22 ordering radios to be switched off when LESLP recommends
23 radios should be kept on, save where there is located an
24 IED and then there's a ten-metre withdrawal.

25 Can I just refer you to your policy, the Brigade

1 policy, which is [LFB42-4] .

2 I think in paragraph 5, that, in fact, reflects the
3 LESLP policy. Is that correct?

4 A. Yes, I'm familiar with both policies and they are
5 consistent.

6 Q. It would appear, therefore, that
7 Divisional Officer Rigby deviated from that policy. His
8 evidence was that he considered there was a high risk of
9 a secondary device based on the Madrid bombings the year
10 before. So although it wasn't known where it was, or to
11 be one, he considered there was a high risk and, for
12 that reason, knowing the layout of Aldgate, he said he
13 gave that instruction to switch off radios.

14 A. Yes, all of our policies, as I've tried to express in
15 the court, are framework guidance and, of course, that
16 doesn't prevent officers to show discretion in applying
17 them in different situations, because it's not -- the
18 situations we arrive at are uncontrolled by definition,
19 and, therefore, it's a judgment of the officer who is in
20 attendance, using their knowledge, using their
21 experience and their discretion to apply these either
22 rigidly to the letter of -- as they're written or to
23 deviate from them where they can justify there is a good
24 reason to do so.

25 Q. Thank you. Finally, you were also asked questions about

1 the deployment of the leaky feeder at King's Cross on
2 Monday by Mr Coltart, I think it was. You were, of
3 course, at King's Cross, and I'm not sure that Mr Adams
4 was questioned about the issue, but can you help us as
5 to the decision -- whether a decision was made not to
6 deploy the leaky feeder from the Command Unit or whether
7 it was -- or no decision was made?

8 A. I can help you with that. The decision was discussed at
9 one of the Silver meetings and, in fact, one of our own
10 Command meetings. As Mr Keith said, I arrived actually
11 just before 10.00, but I arrived at the Command Unit
12 just after 10.00, and the issue of communications was
13 a focus of an issue that needed to be resolved.

14 How the Incident Command team resolved it in the
15 early stages was by using the analogue radio system
16 using what we call direct line of sight. So we had
17 a station manager in the tunnel dealing with the
18 carriage and the rescue of the casualties, speaking to
19 an officer on the platform because the train was about
20 150 metres inside the tunnel, but direct line of sight
21 from the platform. So that communication was not
22 inhibited and didn't rely on leaky feeder because it was
23 in direct line of sight.

24 We then positioned an officer at the head of the
25 Piccadilly Line escalators, so we had direct line of

1 sight between the officer on the platform and the
2 officer at the head of the escalator, and communication
3 from the concourse was not a problem back to the Command
4 vehicle.

5 So we discussed the merits of laying out the leaky
6 feeder. We recognised that, in order to lay that piece
7 of equipment out, would have taken some time because of
8 the significant distance to the train, and we knew that
9 the position, in terms of casualties, was that there was
10 very few casualties still to be extricated from the
11 bombed carriage and, therefore, the utility of running
12 that communications would have diminished quite quickly
13 once the last casualty came out, because we'd already
14 had a discussion with the police about the imperative to
15 preserve the crime scene and, therefore, they didn't
16 want additional firefighters traipsing on their crime
17 scene, in short, simple terms, and we obviously
18 acknowledged that.

19 And it would have added no benefit at that point in
20 the incident, because we'd already established
21 communications to the points of the incident where we
22 needed to talk to our officers.

23 Q. Thank you for that clarification. Just leading on from
24 that, of course, you now have leaky feeders extended
25 into the tunnel?

1 A. That's correct.

2 Q. Is it right that they extend from the RVP up top at
3 adjacent stations to the mid-point, but do not connect
4 in the tunnel?

5 A. That's my understanding. The base station repeater at
6 the rendezvous point extends into the tunnel
7 approximately midway to the next station, and then
8 London Underground have laid the similar infrastructure
9 from the station back to the mid-point, but they're not
10 joined.

11 Q. Does that mean, if, in fact, the cable is damaged on one
12 side it will still be possible to transmit and receive
13 from the other side because of that break mid-point?

14 A. If, for example, an explosion in the tunnel damages
15 a part of the cable -- it's unlikely to damage the whole
16 length, but it will damage part of the cable -- of
17 course, it is just a very basic cable with holes drilled
18 in it to pick the signal up. So you can either move
19 back towards the platform from which it's being fed, the
20 base station is fed to the leaky feeder, and you will
21 pick up a signal again, or you can go towards the other
22 station and, of course, you'll pick up the undamaged
23 part of the leaky feeder, so you actually -- it's just
24 moving your resources probably a very short distance,
25 and you will recover the communications link.

1 MS BOYD: Thank you very much, Assistant Commissioner, thank
2 you, my Lady.

3 LADY JUSTICE HALLETT: Mr Coltart?

4 MR COLTART: My Lady, forgive me for rising, but can I just
5 address one issue arising out of the questions that have
6 been asked by Ms Boyd which returns to the IED radios
7 issue which we canvassed in evidence on Monday?

8 As I understand it, the issue is not one of distance
9 to which one should withdraw if the radios are to be
10 switched off, it's the basis upon which the decision
11 should be taken, and that's where the conflict appears
12 to lie, because the decision taken by the firefighter at
13 Aldgate was based on suspicion --

14 A. Yes.

15 MR COLTART: -- that there might be an IED, whereas the
16 LESLP manual tends to suggest that it should be based
17 only on knowledge of an actual IED?

18 A. That's correct.

19 MR COLTART: So can I just ask the Assistant Commissioner,
20 please, to clarify?

21 LADY JUSTICE HALLETT: Please.

22 Questions by MR COLTART

23 MR COLTART: How do you reconcile those apparently different
24 approaches to the issue of radios and IEDs?

25 A. What, in terms of Mr Rigby's switching the radios off

1 or --

2 Q. Yes, or more generally in terms of, what is your policy?

3 Is it based on suspicion or is it based on knowledge?

4 A. The policy is consistent with our -- our London Fire
5 Brigade policy, the one that Ms Boyd has just put up on
6 the screen, is consistent with LESLP. So it is, as it's
7 written there, it's when there is a suspected secondary
8 device, then those controls need to be considered, and
9 Mr Rigby didn't apply that because he took the decision
10 to switch all the radios off, for whatever reason --

11 I wasn't at Aldgate, so I don't know what he was
12 thinking -- but he took that decision and, as I've said,
13 there is a degree of flexibility with our policies and
14 he probably did it for the right reason, but obviously,
15 there wasn't a secondary device at Aldgate, as we now
16 know.

17 LADY JUSTICE HALLETT: I wonder if we could put -- could we
18 split screen the Fire Brigade policy and the LESLP
19 policy, is that possible?

20 MR COLTART: I'm sure it is, if I can remember the numbers.
21 I think LFB44 might be LESLP and, if it is, I undertake
22 to get out more often.

23 MS BOYD: I think it's [LFB44-29] and [LFB42-4]. I hope.

24 MR COLTART: Thank you.

25 LESLP is the document on the left-hand side. Can we

1 just enlarge the middle of the page under the heading
2 "Terrorism":
3 "At known or suspected terrorist incidents, radios
4 should be kept on. The obvious benefits in being able
5 to communicate at a major incident far outweigh the
6 remote risk of activating a device through radio
7 transmission. Only when an unexploded suspect device
8 has been located should personnel withdraw to at least
9 ten metres ..."

10 Now, that appears to suggest, on its face, that not
11 until you've actually identified an IED --

12 A. That's correct.

13 Q. -- rather than suspecting that there may be one or
14 apprehending the possibility of one.

15 A. That's correct.

16 Q. They are two different things. Now, which is your
17 policy? Is it the one has been located or is it there
18 may be one?

19 A. It's one that has been located or believed to be
20 a secondary device, and that information would usually
21 come from the explosives officer from the
22 Metropolitan Police who has intelligence about
23 a potential secondary device, so I can only suggest that
24 Mr Rigby was being ultracautious when he asked for
25 radios to be switched off at Aldgate.

1 LADY JUSTICE HALLETT: I don't think, in fact, it's going to
2 be suggested it had any effect, Mr Reason, but looking
3 at the two, I thought, when Ms Boyd put it up -- that's
4 why I understood why Mr Coltart wanted to make the
5 point -- they don't seem to be the same because your
6 officers don't seem to be trained or told in the policy
7 that the obvious benefits of being able to communicate
8 outweigh the remote risk of activating and, therefore,
9 only when an unexploded device has been located, do you
10 turn radios off. That's the point Mr Coltart is making.

11 MR COLTART: It is, thank you.

12 A. Yes, there is a distinction there that there's less
13 information in our policy than there is in LESLP.

14 MR COLTART: That's perhaps something which ought to be
15 looked at?

16 A. Although obviously all our officers are aware of LESLP
17 policy because we refer to it in our own -- we
18 cross-reference policies to LESLP where it's
19 appropriate. So they would -- they have access to the
20 LESLP document as well.

21 MR COLTART: Thank you.

22 LADY JUSTICE HALLETT: Thank you, Mr Coltart.

23 Ms Boyd, you look as if you want to have another go
24 now?

25 MS BOYD: My Lady, just the one clarification.

1 Further questions by MS BOYD

2 MS BOYD: DO Rigby I think had returned from -- my
3 recollection -- about two years at a training CBRN and
4 terrorist --

5 A. He would have had a heightened awareness of the terror
6 threat, given his previous two years at a specialist
7 training college, which was the Metropolitan Police
8 College at Ryton in Leicestershire.

9 MS BOYD: Thank you.

10 LADY JUSTICE HALLETT: Right, I think those are now all the
11 questions that we have for you, Mr Reason. Thank you
12 very much for all your help, and thank you for enduring,
13 as I have to call myself, the Assistant Deputy Coroner
14 in anti-jargon mode. Thank you very much.

15 A. Thank you, my Lady.

16 MR KEITH: I think you're Gold Inquest, my Lady.

17 Thank you, Assistant Commissioner.

18 Could I call now, please, Detective Chief
19 Superintendent Douglas McKenna?

20 DETECTIVE CHIEF SUPERINTENDENT DOUGLAS MCKENNA (sworn)

21 A. Douglas McKenna, Detective Chief Superintendent attached
22 to the Metropolitan Police Counter-terrorist Command.

23 Questions by MR KEITH

24 MR KEITH: Detective Chief Superintendent, you have
25 performed over the last few years, but in particular the

1 last year, two functions, have you not? You were the
2 senior investigating officer in charge of
3 Operation Theseus, the investigation of the 7 July
4 bombs, and you have also been, of course, my Lady's
5 coroner's officer responsible for the team of
6 Metropolitan Police officers who have assisted these
7 proceedings in assembling the evidence and material and
8 the documents at which we have spent some time looking.

9 A. That is correct, my Lady.

10 Q. My Lady commissioned you, as part of your role as
11 coroner's officer, to address some of the issues that
12 have arisen in the course of these proceedings insofar
13 as they arise out of the investigation into the 7 July
14 bombings and, in particular, the alleged conspirators.

15 A. That is correct, my Lady.

16 Q. Although the nature and efficacy of the investigation
17 into the 7 July bombs is outside the scope of these
18 proceedings, have you been permitted to look at some of
19 the ancillary points that have arisen?

20 A. I have done, my Lady.

21 Q. All right. Well, can we just address some of them,
22 please? You've set them out in a helpful and detailed
23 report at INQ11410.

24 Could you start, please, with page 10 [INQ11410-10] of that
25 report, with a broad outline of the investigation which

1 was codenamed Operation Theseus into the events of
2 7 July?

3 Was it, at that stage, an enormous investigation?

4 A. I think it's fair to say that the investigation into the
5 events of 7 July have probably been the largest ever
6 criminal investigation that's been conducted by the
7 Metropolitan Police.

8 Q. Some indication of the scale can be gleaned from
9 paragraph 3.3, can it not? You've set out there some
10 indication of the amount of documents generated by the
11 enquiry, by way of general documents, exhibits, police
12 actions -- that's to say, internal documented decisions
13 to take certain steps -- and statements?

14 A. That's correct. The raw statistics that are in the
15 document probably don't do justice to the effort that
16 was required, as they are merely quantitative rather
17 than qualitative.

18 Q. The outcome of the investigation was, of course, a trial
19 of certain persons who were accused of conspiring with
20 the four dead bombers. There were two trials, were
21 there not, and the outcome of those proceedings, three
22 people were acquitted of the general allegation of
23 conspiring with the four dead bombers, but two of them
24 were convicted of ancillary offences of conspiring to
25 attend a terrorist training camp and another man,

1 Khalid Khaliq, was convicted of one offence of
2 possession of material for a terrorist purpose,
3 resulting from a search of premises some time after
4 7 July 2005?

5 A. That's correct, my Lady.

6 Q. The process by which the bombers themselves came to be
7 identified is set out at page 12 [INQ11410-12].

8 In essence, was the position this, that as soon as
9 the forensic officers, from whom my Lady has heard,
10 began to investigate the terrible aftermath of the
11 explosions, they began to find property connected to the
12 bombers in the tunnels?

13 A. That is correct, my Lady.

14 Q. Do we see there that, initially, property was found
15 relating to Mohammed Sidique Khan and Shehzad Tanweer on
16 the evening of 7 July. On the following day, on 8 July,
17 a Barclaycard in the name of Khan was found at
18 Edgware Road, and, therefore, there was a link between
19 the two scenes because of that property?

20 A. That's correct, my Lady.

21 Q. Further property was found, and then, on 9 July,
22 records -- and we've heard a great deal, of course,
23 about the records kept in relation to
24 Operation Crevice -- were checked and there was a link
25 established between Mohammed Sidique Khan whose property

1 was found in one of the tunnels -- in fact, two of the
2 tunnels -- and Khan, whose name had appeared in the
3 course of Operation Crevice?

4 A. That also is correct, my Lady.

5 Q. You've set out there in broad terms the primary concern
6 in the investigation at that stage. Was it known
7 immediately that these bombs were detonated through the
8 use of suicide bombers as opposed to remotely?

9 A. No, it was not. It was a suspicion. It was
10 a possibility that was raised at the time that the
11 scenes were initially examined on 7 July. However, it
12 was not known for certain for several days that those
13 who had detonated the devices had died themselves in the
14 incident.

15 Q. That necessarily took a few days to establish?

16 A. It did, and it's fair to say that, in those few days, we
17 weren't clear whether we were dealing with suicide
18 attacks or whether we were still in a position of where
19 we were looking for suspects who had fled from the scene
20 in a position to be able to carry out further attacks.

21 Q. Of course. We heard from Detective Sergeant Kindness,
22 who was responsible for giving evidence in relation to
23 the CCTV evidence, that King's Cross was quickly
24 identified as a possible point through which the people
25 who had -- or whom it was suspected, by that stage, had

1 detonated the bombs might have passed. Was a comparison
2 carried out or examination carried out of CCTV relating
3 to King's Cross?

4 A. It was. All the CCTV literally for the whole of the
5 network of London and a number of other locations was
6 seized on 7 July, and then the painstaking job of
7 reviewing the material commenced, and at a very early
8 stage it was considered from the actual locations of
9 each individual explosion that a common point of
10 departure could have been King's Cross.

11 Q. At the same time, the brother of Hasib Hussain,
12 Imran Hussain, reported his brother missing, and did he
13 also, in addition to reporting his brother missing,
14 inform the police that, when he had found one of
15 Hasib Hussain's earlier operational phones, as it turned
16 out, he had discovered a number or a contact on it that
17 turned out to be associated with what was then
18 discovered to be the bomb factory at 18 Alexandra Grove?

19 A. That is correct, my Lady.

20 Q. Then was a comparison conducted between images of the
21 men contained at DVLA Swansea and the CCTV?

22 A. That is correct.

23 Q. As we also know from the evidence, there was then a link
24 traced back via the CCTV to the remaining car at Luton
25 railway station, which was the Nissan Micra discovered

1 on 12 July?

2 A. That also is correct.

3 Q. Finally, to put it all in its context, my Lady heard, of
4 course, evidence read from forensic pathologists and
5 also heard evidence from an anthropologist,
6 Julie Roberts. The remains of the bombers were examined
7 and further conclusions were drawn in relation to the
8 likely proximity of those bodies to the bombs as well
9 as, of course, in relation to who they were?

10 A. That's correct. It was a developing picture over the
11 first few days with a number of different specific
12 pieces of information coming together that led us to
13 believe that those who had detonated the devices had
14 died in the attacks.

15 Q. Hydrogen peroxide. We have, of course, heard evidence
16 from, in particular, the forensic expert, Clifford Todd,
17 in relation to how the main explosive devices were
18 constructed in part from concentrated use of
19 hydrogen peroxide.

20 Your statement sets out at -- or your report sets
21 out at page 16 [INQ11410-16] how the police discovered that the
22 bombers had gone to a number of hydroponic outlets
23 from February onwards, in fact, quite a -- a very
24 substantial number of outlets were visited, some 45, and
25 that process had continued through March, April and May.

1 You've been asked to examine what regulations and
2 procedures are currently in place that govern purchases
3 of hydrogen peroxide, and have you been able to answer
4 that query?

5 A. Yes. I mean, hydrogen peroxide is a commonly used
6 chemical compound. It has utility in a number of
7 different processes. It is sold to the general public
8 at relatively reduced levels of concentration for
9 a number of over-the-counter applications. It's also
10 widely used in the chemical industry and other
11 manufacturing industry.

12 Q. It is not itself subject to regulation in terms its
13 purchase, therefore, there is no prohibition on the
14 purchase of hydrogen peroxide. But have there been
15 a number of campaigns conducted by the authorities in
16 order to make outlets -- persons who sell
17 hydrogen peroxide -- aware of the potential dangers and
18 the associations with that particular chemical?

19 A. There have. The tragic events of 7 July, as everyone
20 will be aware, was followed up two weeks later by an
21 unsuccessful bombing attempt in London as well, where
22 hydrogen peroxide was also the basis of the explosive
23 that was attempted to be used. The airline plot the
24 following year also was hydrogen peroxide-based.
25 So there was extensive work done to raise awareness

1 across manufacturers, suppliers, retailers and first
2 responders of the potential application of
3 hydrogen peroxide in a terrorist context, and there was
4 significant effort and endeavour put in to producing
5 documentation to alert those involved in the retail of
6 hydrogen peroxide, together with manufacturers and
7 police officers and other emergency service staff.

8 Q. There is detailed in your report a campaign first
9 introduced in 2005 called "Know Your Customer" campaign,
10 which appears to have involved the distribution of some
11 90,000 leaflets and posters through the industry.

12 A. That is correct.

13 Q. There is a joint industry code of conduct promoted by
14 counter-terrorism security advisers, and does that
15 entail briefings, workshops, presentations, training
16 events and the like, in order to inform the industry
17 that they must be aware of potentially suspect purchases
18 of this chemical and inform the appropriate authorities
19 if they have concerns?

20 A. That is correct.

21 Q. I think that campaign is reflected in other EU member
22 states, is that correct?

23 A. It is. I think, as a result of our own experience and
24 those of some of our international partners, the
25 campaigns that have been run here in the United Kingdom

1 have been taken up by the European Union, who are trying
2 to encourage all member states and a wider international
3 community to adopt similar campaigns of awareness.

4 Q. Is the campaign also reflected in other approaches taken
5 by the Canadian, United States and Australian police and
6 governments?

7 A. Yes, it is.

8 LADY JUSTICE HALLETT: I'm sorry, is one of the problems
9 that, if you raise awareness of the potential for this
10 particular material, they just are afraid terrorists may
11 move on to another?

12 A. There is a concern with that. There are many different
13 components and many different products that can be
14 utilised to construct improvised explosive devices.
15 The ones that were used to such devastating effect
16 on 7 July, again attempted two weeks later and the
17 following year, were hydrogen peroxide-based. That is
18 a change from the situation that we encountered in the
19 1970s and 1980s, where it was predominantly ammonium
20 nitrate fertiliser-based devices, and no doubt, if the
21 door was closed on the availability of hydrogen
22 peroxide, another compound would be found and would
23 become the product of choice.

24 LADY JUSTICE HALLETT: I was just wondering, your campaign,
25 was it to highlight awareness of this particular

1 hydrogen peroxide or is it generally that people who
2 deal in these kind of chemicals or substances should be
3 alert to unusually large orders from people who don't
4 seem to have any business ordering it?

5 So in other words, here, if these four men had
6 walked in to buy some fertiliser when they didn't run
7 a garden business or they didn't do whatever, that
8 somebody would say, "Wait a minute, this seems a bit
9 odd"? That, in other words, we're not just focusing on
10 the known substances but on substances that might
11 come --

12 A. No, that -- the latter point is the case, that it's
13 a case of raising awareness of people in general that
14 suspicious transactions of material that could
15 potentially be utilised as precursors in explosives
16 should -- they should be more alert to who their
17 customers are, new customers ordering substantial
18 amounts in relatively strange circumstances, should at
19 least make them think, and we would encourage that they
20 contact the authorities in those circumstances.

21 MR KEITH: As you've touched upon, the campaign has extended
22 past commercial outlets to academic laboratories, to
23 schools, secondary education, and also to members of the
24 emergency services.

25 So, if they come across potential chemical

1 precursors, they will be alert to the risks and alert to
2 the potential concerns that they will give rise to?
3 A. That is correct. As well as hydrogen peroxide, there's
4 a list of about 20, 25 different compounds that could
5 potentially be precursors to explosives, and the
6 awareness campaign to all first responders -- police and
7 other emergency services -- is to alert them to the
8 potential significance of finding those items at any
9 scene that they arrive at.

10 LADY JUSTICE HALLETT: The campaign began? Very roughly.

11 A. The campaign began after 2005 and has been ongoing
12 since.

13 LADY JUSTICE HALLETT: It is still going on?

14 A. It is. There are efforts now being made across Europe
15 to make the campaign truly European-wide, and, as
16 Mr Keith has alluded to, some of our international
17 partners are undertaking similar campaigns.

18 LADY JUSTICE HALLETT: Thank you.

19 MR KEITH: Those campaigns, of course, are concerned with
20 raising general awareness and in hopefully leading to
21 the reporting of concerns to the police.

22 Is there a case to be made for encouraging outlets
23 to reduce the concentration of potential chemical
24 precursors, but, in particular, hydrogen peroxide, so
25 that it is made even more difficult to use them in the

1 nefarious ways of which we've heard?

2 A. That has been part of the ongoing negotiation that has
3 taken place with the manufacturing industry, those who
4 manufacture hydrogen peroxide and those who are
5 responsible for point of sale to the public to try to
6 reduce the concentration of hydrogen peroxide-based
7 products that are available over the counter, and that
8 has had some success.

9 Q. Would it be assisted by further impetus?

10 A. It may well do, but it already has had some success.

11 Q. Due to the hard work and industry of Mr Hay, we are
12 aware that some national legislation is in the process
13 of being considered in relation to the marketing and use
14 of explosive precursors. Is that correct?

15 A. That is correct.

16 Q. I think the position is this: that there is already
17 existing legislation concerning the sale of ammonium
18 nitrate by way of the Ammonium Nitrate Materials High
19 Nitrogen Content Safety Regulations. In essence, there
20 is an absolute restriction on the sale of ammonium
21 nitrate if it is above a certain percentage in strength?

22 A. That is correct.

23 Q. Following a programme promulgated by the European
24 council called the Stockholm programme, and an EU-wide
25 action plan on explosives, was there brought into effect

1 in Europe a regulation on the marketing and use of
2 explosive precursors?

3 A. Yes, that is correct.

4 Q. Is that now under consideration by the House of Commons
5 European Scrutiny Committee, but I think it has not yet
6 passed into local domestic law?

7 A. That is my understanding.

8 Q. So --

9 LADY JUSTICE HALLETT: Sorry, are explosive precursors
10 defined as in particular ones, or is it a generic for
11 any substance that might be used in an explosive?

12 Because we all know from the drugs world that the minute
13 we ban one drug, they find another composition.

14 A. Yes, human ingenuity sometimes works against us. No, it
15 does -- I believe -- my understanding is it specifies
16 individual chemical compounds as explosive precursors
17 rather than a general catch-all.

18 MR KEITH: My Lady, they include substances of particular
19 concentration such as hydrogen peroxide, nitric acid,
20 potassium chlorate, potassium chloride, sodium chloride
21 and so on, and ammonium nitrate as well. So there is
22 obviously a list of specific compounds of a certain
23 concentration, and they would be caught by the
24 regulation, if and when it passes into domestic law.

25 LADY JUSTICE HALLETT: So that means that that would be good

1 for the time being until some --

2 MR KEITH: It looks like a fairly comprehensive list and, of
3 course, it will be of greater advantage than the
4 existing campaigns because it would provide for an
5 absolute prohibition on the purchase or sale of such
6 products without a licence, and I think it builds,
7 therefore, on the existing position.

8 A. That's correct.

9 LADY JUSTICE HALLETT: Thank you.

10 MR KEITH: The next topic, please, if I may, is the
11 inception of the plot.

12 One of the issues which has been explored in the
13 course of these proceedings is when it is likely that
14 the bombers conceived their plan to detonate explosive
15 devices in the London Transport system.

16 The view of the Metropolitan Police, consistent with
17 the way in which the indictment was drafted in the
18 Operation Theseus trials, is that there is nothing to
19 suggest that the plot was conceived before the winter of
20 2004 when, of course, Khan was in Pakistan.

21 A. That is correct and, of course, it needs to be pointed
22 out that that indictment would only have been drawn in
23 consultation with the Crown Prosecution Service, having
24 regard to all the evidence in the case, that the
25 earliest possible point that any evidence indicated that

1 this plot may have been formulated was in the latter
2 stages of 2004.

3 Q. You point to certain aspects of the evidence that
4 my Lady's heard in these proceedings: namely, the
5 absence of anything relating to the travel of Khan and
6 Shakil to Pakistan in July of 2003 to suggest that there
7 was a plot at that stage, the absence of any reference
8 in the course of Crevice in February or March 2004 to
9 suggest that Khan was considering a plot at that stage
10 and, of course, to the home video dated 15 November 2004
11 which appeared to indicate that he was going abroad
12 forever because he says goodbye on the video to his
13 daughter?

14 A. That is correct and I think, much as, I think, in
15 evidence, much of the material from the transcript of
16 the audio probe from Operation Crevice tends to indicate
17 that Khan's intention was to travel overseas later that
18 year to fight Jihad abroad, in his words, which seems to
19 be consistent with his travel patterns later in 2004.

20 Q. But the plan changed because, according to his wife's
21 diary, he contacted her on a number of occasions
22 in November 2004 and January 2005 and the possibility of
23 his return arose, and then, in January, it was confirmed
24 that he was coming back to the United Kingdom?

25 A. That's correct, my Lady.

1 MR KEITH: My Lady, is that a convenient point?
2 LADY JUSTICE HALLETT: It is, thank you. 2.05.
3 (12.58 pm)
4 (The short adjournment)
5