

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

Hearing transcripts - 19 October 2010 - Morning session

1 Tuesday, 19 October 2010

2 (10.00 am)

3 MR KEITH: Good morning, my Lady. Mr Hay will call the next  
4 witness, Cynthia Chetty, please.

5 MRS CYNTHIA CHETTY (sworn)

6 Questions by MR HAY

7 MR HAY: Good morning, Mrs Chetty. Just to confirm, you are  
8 Mrs Chetty?

9 A. Yes.

10 Q. Chetty is your married name, isn't it?

11 A. Yes, it is.

12 Q. Your maiden name -- I apologise if I pronounce it  
13 incorrectly -- is Ramsamy?

14 A. Yes, it is.

15 Q. I want to ask you some questions about 7 July, and you  
16 provided a statement to the police dated 17 July 2005.

17 A. Yes.

18 Q. On that day, you were travelling to work. I think you  
19 were running a little bit late.

20 A. Yes.

21 Q. But your journey took you from Edmonton Green station to  
22 Liverpool Street --

23 A. Yes.

24 Q. -- where you boarded the Circle Line train?

25 A. Yes.

1 Q. You boarded the second carriage?  
2 A. Yes.  
3 Q. Is that a carriage which you would normally get into?  
4 A. Yes, I normally just get on the same place all the time.  
5 Q. Okay. What I wanted to first do was just try to  
6 establish where you were sitting in the carriage. It's  
7 a little bit of a jigsaw puzzle, but we'll try to do our  
8 best to put it all together. Could I ask for INQ8333 [INQ8333-2] to  
9 be brought up, please?  
10 This is a plan, and I believe you've marked on the  
11 plan where you believe you were sitting at the time.  
12 A. Yes.  
13 Q. You're marked by A. B refers to Catherine.  
14 A. Yes.  
15 Q. And C, are those the doors which you went in?  
16 A. Yes.  
17 Q. The arrow underneath, does that indicate the direction  
18 of travel?  
19 A. Yes.  
20 Q. Is it possible we could just turn that round  
21 180 degrees, please, and again, if we could just focus  
22 on the top left-hand corner now.  
23 The person B, Catherine, I think after the events  
24 you were in the bed next to her in hospital, weren't  
25 you?

1 A. Yes.

2 Q. Do you know her to be Catherine Daniels now?

3 A. Yes.

4 Q. Are you absolutely sure you were sitting next to  
5 Catherine Daniels?

6 A. 90 per cent.

7 Q. Okay. The reason why I ask is it appears that it may be  
8 that you were sitting somewhere slightly different.  
9 I just want to explore that with you.

10 A. Okay.

11 Q. To do that, could we go to INQ10280, please, and then  
12 page 8? [INQ10280-8]

13 Now, this is a diagram which has been put together  
14 based on the evidence as the Metropolitan Police  
15 understood it before any live evidence has been heard.  
16 Just so that you've got your bearings, the left-hand  
17 side is the rear of the carriage. The right-hand side  
18 is the front of the carriage, and you would be, had you  
19 just got on from where you said you would have gone  
20 through doors -- double doors D4 and gone to the seat  
21 which is marked just in faint grey underneath at 23.  
22 Can you see that?

23 A. Yes.

24 Q. The reason why I wanted to clarify where you were is  
25 that Catherine Daniels -- and you won't have seen her

1 statement, but she believes that she was sitting next to  
2 a gentleman called Bruce Lait; okay?

3 A. Yes.

4 Q. It seems fairly clear from the evidence so far that  
5 Bruce Lait is number 18 on the diagram which would place  
6 you at number 12; okay?

7 A. Yes.

8 Q. The other reason why -- and we'll explore this in  
9 a little bit more detail -- is I think, after the  
10 explosion occurred, you were trapped by quite a bit of  
11 debris, weren't you?

12 A. Yes.

13 Q. That would maybe indicate that you were closer to the  
14 point of explosion than you otherwise thought.

15 So what I wanted to explore with you is, how sure  
16 are you that you were sitting in the seat you thought  
17 you were? Is it possible perhaps you were sitting  
18 a little bit further to the left?

19 A. Yes, it is.

20 Q. It is possible?

21 A. Yes.

22 Q. Okay. You were on the train. I think you were reading  
23 the Metro --

24 A. Yes.

25 Q. -- and the explosion occurred.

1 A. Yes.

2 Q. Is it possible you can just describe the explosion to  
3 us, what you recollect of it?

4 A. I remember, first of all, it was like a clicking sound  
5 and then there was just a bright white light that seemed  
6 to go on for quite a while and, during that white light,  
7 I thought it was only me affected, I don't know, maybe  
8 there was a power failure or something and I was being  
9 electrocuted, that's what I thought. And I could hear  
10 screaming and I could smell smoke, and I remember  
11 reaching out to try to stand up and I couldn't actually  
12 move. I was stuck in the chair, and then everything  
13 just went black straight after that, and I think I must  
14 have passed out or lost consciousness or something and,  
15 when I woke up, I remember it was just -- the carriage  
16 was full of smoke, completely dark, and it was just  
17 chaos everywhere, really. But my hearing had gone, so  
18 everything was really, really faint, and I just remember  
19 looking round and some people were sitting, some people  
20 were on the floor. It was just a shock to see what I'd  
21 seen, really.

22 Q. I think you sustained an injury to your head, is that  
23 right?

24 A. Yes, on my forehead, my cheek and both my legs as well.

25 Q. When you came to, I think you were still in your seat,

1 is that correct?

2 A. Yes.

3 Q. But had your seat been moved or dislodged in any way?

4 A. Yes, it had come away from the carriage but it was still  
5 kind of in the same place, because the doors to my left  
6 had completely gone as well, but I was still sitting in  
7 it. I hadn't moved from it. I remember there was  
8 someone right in front of me on the floor lying down and  
9 then there was loads of debris where my leg was trapped  
10 because the railings and everything had fallen on it,  
11 and behind me the window had gone as well, so there was  
12 nothing behind me.

13 Q. You referred to someone lying on the floor in front of  
14 you.

15 A. Yes.

16 Q. Are you able to say whether or not that was a man or  
17 a woman?

18 A. I can't remember.

19 Q. Are you able to -- I know it's difficult, but are you  
20 able to say what, if any, injuries there might have been  
21 to that person?

22 A. I know they was still moving, only slightly, but that's  
23 all I can remember.

24 Q. Did there come a point when they were no longer moving?

25 A. I don't know.

1 Q. At any point, did you see them move away or did they  
2 always stay in that position, or did you stop looking?

3 A. They -- I moved away, I don't know what happened.

4 Q. You mentioned that you were trapped, I think by debris.

5 A. Yes.

6 Q. Where was that? Was that across your legs?

7 A. Yes, it was literally right in front of me over my legs.

8 I think it was my left leg was trapped more, so I tried

9 to pull it out and I couldn't at first. So I had --

10 I remember there was -- somebody's arm was there and

11 I had to lift the arm, hold on to the chair and pull my

12 leg out, enable for me to move and get off the train.

13 Q. The arm which you refer to, are you able to say whether

14 or not that was related to the body which was on the

15 floor or whether or not it was Ms Daniels' arm?

16 A. It wasn't Ms Daniels' arm, it wasn't the person in

17 front, I think it was somebody else that was in the

18 debris as well.

19 Q. Beyond seeing the arm, did you see any other part of

20 that person's body?

21 A. No.

22 Q. I think in your statement you refer to that arm as being

23 limp.

24 A. Yes.

25 Q. Was it constantly limp?

1 A. Only from the time I knew when I lifted it and put it  
2 back down, that's all I knew.

3 Q. I think you became aware of events to your right next to  
4 Mrs Daniels.

5 A. Yes.

6 Q. What do you remember about that?

7 A. I remember there were a few people sitting in front of  
8 me just kind of staring blankly. There was a man --  
9 I can't remember which side of the carriage he was  
10 sitting on now, but I remember -- from what I can  
11 recall, he had no face, but he was still sitting, and  
12 that kind of urged me to get off the train really  
13 quickly.

14 Q. I know it is difficult. The man you were referring to,  
15 in your statement you seemed to think he was to your  
16 right.

17 A. Yes, yes.

18 Q. When you looked to your right, do you remember seeing  
19 whether or not there were any bodies lying across the  
20 seats, on top of the man?

21 A. No, I can't remember.

22 Q. What was said to you about that man, do you remember  
23 anyone saying anything to him?

24 A. I remember asking somebody, "Is that man dead?" And  
25 they said, "Yes", I think they said "Yes" to me, and



1 that's all I remember.

2 Q. At any point, did you look to your left?

3 A. I remember looking, but it was very foggy and dark and  
4 there was a massive hole to the left as well, so  
5 I didn't look too far in that direction. I was just  
6 concerned of really getting off the train as fast as  
7 possible, so I don't -- I don't remember seeing anyone  
8 on that side of the train.

9 Q. I think you said your concern was to try to obviously  
10 get off the train as quickly as possible, and I think  
11 you had some help doing that, didn't you?

12 A. Yes, because I couldn't really walk that well, and I was  
13 scared to actually jump on to the tracks in case they  
14 were still on or anything, so I was sitting there with  
15 Catherine on the edge of the train, and a man came along  
16 and helped us off.

17 Q. In your statement, you refer to that man as being Brian.

18 A. Yes.

19 Q. I'm wondering, do you now know him to be Mr Guy Bonwick?

20 A. Yes.

21 Q. He helped you off the train?

22 A. Yes.

23 Q. You walked down the tunnel together, is that correct?

24 A. Yes, that's correct.

25 Q. When you were walking -- before you got off the train,

1 do you remember whether or not there were any members  
2 either of London Underground or the emergency services  
3 on the carriage?

4 A. No, there wasn't.

5 Q. When you went down the tunnel, do you remember seeing  
6 either members of London Underground or the emergency  
7 services?

8 A. No, only until I got to the platform there was  
9 London Underground, I think, there, showing people where  
10 to come out. That's all I can remember.

11 Q. You say when you got to the platform. At any point when  
12 you were going up, out of the station, do you remember  
13 seeing any of the emergency services?

14 A. Faintly I do, yes.

15 Q. What do you remember seeing?

16 A. I think it was orange, orange suits, from what I can  
17 remember, that's all, really.

18 Q. Afterwards, I know you had a head injury, and Mr Bonwick  
19 referred to the fact that you were going in and out of  
20 consciousness, I'm not sure how clear any of this may be  
21 for you. But one of the things you say in your  
22 statement is that you remember waiting an hour until an  
23 ambulance arrived. Was that the ambulance which took  
24 you to hospital rather than ambulances generally?

25 A. I think that was just for me. I know we kept asking,

1 you know, "Where are the ambulances, when are they  
2 coming?" and because of all the chaos, people said  
3 "They're on their way, they're on their way, they're on  
4 their way", and that's all I can really remember about  
5 them.

6 Q. Is the hour an estimate in your mind?

7 A. Yes.

8 Q. It must have felt like ages, presumably?

9 A. Yes.

10 Q. You mentioned very early on that the first thing you  
11 thought was that it was as if you'd been electrocuted,  
12 and you thought it might have been a power surge,  
13 I think.

14 A. Yes.

15 Q. Was that something which you distinctly remember  
16 thinking at the time or something which someone may have  
17 said to you subsequently?

18 A. That is what I thought at the time.

19 MR HAY: Thank you very much, there may be some more  
20 questions for you:

21 LADY JUSTICE HALLETT: Mr Coltart?

22 Questions by MR COLTART

23 MR COLTART: Mrs Chetty, I ask questions on behalf of  
24 a young man called Richard Ellery who was one of those  
25 who died in the blast.

1 I just want to see if we can establish whether he's  
2 one of those people that you've been describing so far  
3 or whether he's someone whom, in fact, you didn't see or  
4 have any dealings with on that day.

5 Can we get the plan back up, INQ10280? [INQ10280-8] Thank you.

6 Now, I think we've established that you were sitting  
7 in seat number 12. In the aftermath of the blast,  
8 Mr Ellery was found lying on the floor where we see  
9 point number 11 marked on the same plan. Do you see  
10 that?

11 A. Yes.

12 Q. So that would have been immediately to your left and  
13 almost behind you, in a sense. He was a young, white  
14 male who was, on that day, wearing a suit and  
15 a pale-blue shirt. Do you think that you were conscious  
16 of him, as it were? Did you see him at any stage? Is  
17 he one of the people you've been describing?

18 A. I don't remember seeing him before the accident. He  
19 might have been the person lying in front of me, I'm not  
20 sure. But I don't know whether they were male or  
21 female. I just know there was someone right in front of  
22 me.

23 Q. The person -- I'm sorry to have to go over this in  
24 detail with you, and I'll make it as short as I can --  
25 but the person who was in front of you, were they

1 obscured either by other people or persons or by debris  
2 of any nature?

3 A. Not really. I know -- I don't know whether my chair was  
4 partially on them where it had moved. I don't know.

5 I know my chair wasn't stable, it was quite wobbly and  
6 I can't remember whether the person in front of me was  
7 completely lying flat or whether the chair was on them.  
8 That I can't remember.

9 Q. Mr Ellery, if it helps, was, as far as we can ascertain,  
10 almost curled up in a sort of foetal position with his  
11 back to the doors -- do you see where the double doors  
12 D8 are on the plan?

13 A. Yes.

14 Q. These are the doors which were blown out.

15 A. Yes.

16 Q. His back was right to the entrance of those doors. Does  
17 that assist you as to whether it might have been the  
18 person you're talking about, or might you be talking  
19 about someone more directly in front of you?

20 A. I think it might have been someone directly in front of  
21 me, then.

22 Q. In those circumstances, if that's right, are you able to  
23 assist us with Mr Ellery and what might have happened to  
24 him or is he someone in respect of whom you really  
25 didn't have any dealings?

1 A. I didn't, I didn't see him at all.  
2 MR COLTART: Okay, thank you very much.  
3 LADY JUSTICE HALLETT: Mr Saunders?  
4 Questions by MR SAUNDERS  
5 MR SAUNDERS: Mrs Chetty, again, I will try to keep it as  
6 short as I can.  
7 You made your statement, I think, some ten days  
8 after. I think this is the first time, is it, that  
9 you've given an account?  
10 A. Yes.  
11 Q. Can I just remind you of something, because, again, I'm  
12 trying to understand what the seating arrangements were  
13 and who the person is you're referring to. It's the  
14 lady's arm I'm going to ask you about; all right?  
15 If we could have back that last plan again. Again,  
16 as others have already asked you, Mrs Chetty, seat  
17 number 12 is where we believe you are.  
18 A. Mm-hmm.  
19 Q. You are aware that it's Catherine Daniels to your right.  
20 A. Mm-hmm.  
21 Q. What you said in your statement was -- my Lady, it's  
22 your page 2, six lines from the top -- what you said  
23 there was:  
24 "Sitting in the seat next to her on her right, I saw  
25 a white male who was looking to the front."

1 Mr Lait is going to give evidence this afternoon and  
2 we believe that's him.  
3 A. Okay.  
4 Q. All right?  
5 A. Yes.  
6 Q. "He did not move."  
7 Then you thought there was a man sitting next to  
8 him. Now, we believe that the person sitting next to  
9 Mr Lait was in fact his dance partner, Crystal Main.  
10 A. Okay.  
11 Q. Could that be right, that it's a lady, not a man who's  
12 sitting --  
13 A. It could be, yes.  
14 Q. Then you go on to describe that you asked whether or not  
15 somebody next to you was dead and it looks in the  
16 statement as if you're saying that to Mr Lait.  
17 A. Yes, that's from what I can remember I thought that  
18 person was dead.  
19 Q. But you thought that that was a man, not a woman?  
20 A. Yes.  
21 Q. Was it somebody who was seated upright or --  
22 A. Yes, it was someone --  
23 Q. -- was it somebody that was laying down?  
24 A. It was somebody seated upright.  
25 Q. I think what you then go on to describe is freeing your

1 trapped leg.

2 A. Mm-hmm.

3 Q. Mrs Daniels gets off, Catherine Daniels gets off, and  
4 then you follow, being helped by Mr Bonwick, we now know  
5 it is.

6 A. Yes.

7 Q. But you describe also the arm that you have described  
8 already as being limp.

9 A. Mm-hmm.

10 Q. Can I ask you, do you remember whether that was a lady's  
11 arm?

12 A. I don't, no.

13 Q. You can't remember?

14 A. No.

15 Q. But you thought it was close to you?

16 A. Yes, in front of me.

17 Q. Was the arm actually on you or --

18 A. It was over the debris, which was on my leg.

19 MR SAUNDERS: Thank you very much, Mrs Chetty.

20 LADY JUSTICE HALLETT: Yes, Ms Sheff?

21 Questions by MS SHEFF

22 MS SHEFF: Again, I just have a couple of questions for you  
23 just to help us in clarifying positions.

24 Did you notice, were you aware, of the positions of  
25 any of your fellow travellers other than those seated



1 next to you when you first got on the train?

2 A. No.

3 Q. Anybody standing anywhere near, around you?

4 A. I know there was a few people standing, but I didn't  
5 really pay them any attention.

6 Q. Right. I represent a gentleman by the name of  
7 Lee Baisden, who it's believed was standing at point 6  
8 next to the bomber at 5 when he was first on the train,  
9 and then he died in the bombing and was discovered at  
10 the position we see at 7, which is actually given to  
11 Richard Gray. In other words, he was found lying next  
12 to Mr Ellery, who you've just been asked about by  
13 Mr Coltart.

14 What you said just before was that you saw a hole in  
15 the floor and that you didn't see anything in there.  
16 Was that hole a sort of crater in the middle of the  
17 carriage very near to the actual site of the bomb?

18 A. Yes.

19 Q. That was to your left?

20 A. Yes.

21 Q. I think you said you became aware of that as you were  
22 led off the train, is that right?

23 A. Yes.

24 Q. So your movements out of the train involved you walking  
25 through that crater, did they, or around it, or how did

1 you manoeuvre it?

2 A. I literally came out of my seat and manoeuvred around it  
3 and then sat on the edge.

4 Q. Did you see any debris, anything which gave you any  
5 indication of anything moving in that area?

6 A. No.

7 Q. So as far as you were aware, if there was anybody there,  
8 there was no movement?

9 A. No.

10 Q. Similarly, I'm just going to ask you about another of my  
11 clients, Benedetta Ciaccia. She's shown at number 10,  
12 which would have been right by your feet. In fact, we  
13 think that she was probably found just a little further  
14 round to the right of you, more in the region of sort of  
15 14, 14 to 17ish, but you were conscious of somebody  
16 lying flat in front of you. You didn't know, you said,  
17 whether that was a male or a female.

18 A. Yes.

19 Q. Again, was there any movement at all from that person?

20 A. They were slightly moving or moaning, from what I can  
21 remember, making some kind of noise, but not a lot.

22 Q. Okay. Well, that seems to confirm, then, Mrs Chetty  
23 that that probably wasn't Ms Ciaccia, because we believe  
24 she probably died instantaneously in the bombing. So  
25 the person at your feet did appear to have some

1 movement, then?

2 A. Yes.

3 MS SHEFF: Thank you, that's very helpful. Thank you very  
4 much.

5 LADY JUSTICE HALLETT: Yes, Ms Canby?

6 Questions by MS CANBY

7 MS CANBY: Mrs Chetty I just have one question to ask you on  
8 behalf of Transport for London and it's in relation to  
9 the witness statement you gave to the police soon after  
10 the bombing. You told Mr Hay that you thought you had  
11 lost consciousness and then you woke up. It's just in  
12 relation to that moment that I'd like to ask you this  
13 question.

14 You told the police that you could see light from  
15 the tunnel shining through the carriage. Do you  
16 remember that to be the case?

17 A. Yes.

18 MS CANBY: Thank you.

19 LADY JUSTICE HALLETT: Thank you, Ms Canby, anybody else?

20 Does anybody who's unrepresented have any questions?

21 That's it, then, Mrs Chetty. Thank you very much  
22 for coming along. I hope it wasn't too much of an  
23 ordeal for you. We're very grateful for your help.

24 A. Okay, thank you.

25 LADY JUSTICE HALLETT: Thank you.

1 Yes, Mr Keith?

2 MR KEITH: May we have Andrew Brown, please?

3 MR ANDREW BROWN (sworn)

4 Questions by MR KEITH

5 MR KEITH: Could you give the court your full name, please?

6 A. My full name is Andrew Tyson Brown.

7 Q. Mr Brown, on Thursday, 7 July 2005, you were travelling

8 I think from Liverpool to London to attend a meeting in

9 Birdcage Walk?

10 A. That's correct, yes.

11 Q. Your statement shows that you were to attend a meeting

12 with an organisation whom you call the AOA. Do we

13 presume that is the acronym for the Airport Operators'

14 Association?

15 A. Yes, it is.

16 Q. Is that because at the time you were working at the

17 John Lennon Airport in Liverpool?

18 A. Yes.

19 Q. Were you intending to travel to Westminster and,

20 therefore, you caught the Tube from Liverpool Street and

21 used the Circle Line eastbound to get there?

22 A. Yes, I was, yes.

23 Q. In your statement, you recall that you didn't, in fact,

24 catch the first train that departed from the platform,

25 did you?

1 A. No, I didn't. I can't remember what the destination of  
2 the first train was, but it wasn't a Circle Line train  
3 that was going to where I wanted to go to, as  
4 I remember. So I had to wait for the second train for  
5 Westminster.

6 Q. The train that you did board, do you recall where it was  
7 that you went to on the train?

8 A. Yes, I do.

9 Q. Could you just tell us very briefly what you recall of  
10 where you sat?

11 A. Yes, there's actually an inaccuracy in my statement.  
12 I think I gave the statement on 21 July, two weeks later  
13 and, due to disorientation and just not making a clear  
14 mental note of what I was doing on the day, it was an  
15 ordinary -- I was getting on a Tube, I took no mental  
16 note of where I was.

17 Q. Of course.

18 A. And in my statement I said that I got on the train and  
19 sat on the seat immediately to my left, which is  
20 actually incorrect. I entered the train and I sat on  
21 the seat across the aisle on my right. It's the door  
22 disorientation that's the relevant thing.

23 Q. Mr Brown, that's quite understandable, if I may say so.

24 Can we have INQ8345 [INQ8345-1], please, on the screen, and could  
25 you enlarge, please, the picture.

1 We can see on the bottom right-hand corner that  
2 you've written "my seat", and plainly from the  
3 photograph you were indicating a seat right at one end  
4 of the carriage. In fact, the end nearest the camera.

5 A. Yes.

6 Q. There are two seats, were there not, right at the end of  
7 the carriage between the double door and the end of the  
8 carriage?

9 A. Yes.

10 Q. You were on the second of the seats, were you, the one  
11 nearest the door --

12 A. The one nearest the door, yes.

13 Q. -- rather than the one right at the end nearest the end  
14 of the carriage?

15 A. Yes.

16 Q. That is correct, is it not, therefore?

17 A. That is correct.

18 Q. On the picture, you've actually indicated with an arrow  
19 the direction of travel, but you were, in fact, in the  
20 rear of that second carriage, were you not?

21 A. That's correct, and that's another one of the  
22 inaccuracies in my disorientation situation where, if we  
23 were to reverse that arrow, that would be the correct  
24 indication.

25 Q. If I may say so, you have recollected extremely well,

1 done very well to remember the inaccuracies in your  
2 statement taken a very long time ago.

3 So you boarded the train, you sat down there on that  
4 seat, and do you recall that you in fact sat next to  
5 a lady?

6 A. Yes, that's correct.

7 Q. Did you subsequently discover her name?

8 A. Subsequently, I discovered her name was Martine Wright.

9 Q. Although I think at the time you might have thought --  
10 we can see from your statement -- she was called Nadine?

11 A. Yes.

12 Q. You may have misheard her name?

13 A. I think I misheard her name in the -- in the events,  
14 yes.

15 Q. In the chaos?

16 A. Yes.

17 Q. You described the explosion as taking place in a split  
18 second, as being a flash. You remember some heat and  
19 a very loud thud. Is that right?

20 A. That's correct, yes, a very distinct yellow flash and  
21 a loud, heavy thud and a flash.

22 Q. You passed out?

23 A. Yes.

24 Q. When you came to, where did you find yourself to be?

25 A. When I regained consciousness, I was actually lying

1 backwards, flat, with my back resting on the window  
2 frame through the broken window, and at the time  
3 I remember I was -- I had a sensation as if I was being  
4 electrocuted, because I was aware that I was unable to  
5 move and it was the electrocution that was making my  
6 body rigid.

7 Q. Could we have on the screen, please, INQ10280, page 8 [INQ10280-8].

8 This is a map or a diagram, Mr Brown, prepared by  
9 the Metropolitan Police which gives a putative view as  
10 to where people were seated at the moment of the  
11 explosion based on the written witness statements, but  
12 not, in fact, the evidence as we've heard it in court.  
13 It does show your position correctly as number 4 on  
14 the far left-hand corner of the carriage.

15 Could you just indicate on this map, but describe it  
16 orally, where you think the window was in which you  
17 found your body to have been propelled through?

18 A. I think the window was directly behind me. My bottom  
19 was still in the same seat and my back was through the  
20 window directly behind me.

21 Q. Were you able to move your body at all?

22 A. Not initially, but I found that, within a few seconds of  
23 me regaining consciousness, the electrocution was --  
24 seemed to reduce, and I was then gradually, over  
25 about -- it's difficult to estimate the time, but



1 I would say, over 30 seconds to a minute, I was -- the  
2 electricity diminished and I was able to move and sit  
3 up.

4 Q. Did you become aware of devastation in the carriage  
5 around you, but in particular of debris, scattered all  
6 over the carriage, sheets of metal --

7 A. Yes.

8 Q. -- pointing in every direction, but in particular ripped  
9 up from the floor?

10 A. Yes, the -- initially, and throughout, in fact,  
11 visibility was very poor, but I did become aware of what  
12 seemed to be cladding and panelling in a large pile  
13 immediately in front of me and lots of devastation and  
14 panels and so on throughout the area.

15 Q. Did you try to stand up?

16 A. I did, yes. One of the -- as soon as I was conscious,  
17 I became aware of people moaning and calling for help,  
18 and at the time I felt -- I wasn't feeling any pain,  
19 I felt as if I was fine and I tried to stand up to help  
20 them, and at that point I just fell forward into the  
21 debris.

22 I managed to regain my seat and lifted my right leg  
23 to find out why I'd fallen over, and my leg had gone,  
24 and then, inevitably then, I was just resigned to  
25 sitting there and waiting to be rescued.

1 Q. At the point that you attempted to stand up, do we  
2 presume that there was some sort of light in the  
3 carriage --

4 A. Yes --

5 Q. -- thus you were able to see roughly where you were?

6 A. -- there were some faint lights coming from what I would  
7 describe as emergency lights on the wall of the tunnel.

8 Q. As you sat back in your seat and contemplated the loss  
9 of your right foot and shin, could you hear screams  
10 coming from underneath the debris in front of you?

11 A. Yes, as I was trying to manoeuvre myself back into the  
12 seat, there was someone, who was clearly underneath the  
13 debris, who was in quite a lot of distress and was  
14 crying out in pain, specifically about an arm.

15 Q. Could we go back, please, one page in the exhibit that's  
16 on the screen, and enlarge the bottom part of the page?  
17 The seat that you were in is marked 18, in fact, on  
18 this diagram.

19 A. Yes.

20 Q. Could you tell us, please, roughly where you thought the  
21 debris was from which you heard the screams come?

22 A. I think it was below the debris which would have been in  
23 front of seats 15 and 16 and towards the centre line of  
24 the carriage.

25 Q. You said there was someone who was clearly underneath

1 the debris and was crying out in pain about an arm.

2 Were you able to tell whether the voice was that of

3 a man or a woman?

4 A. It was a woman.

5 Q. Could you see that person?

6 A. No.

7 Q. Did you then see another lady to your left with

8 a trapped leg?

9 A. No. Sorry, yes, immediately to my left was Martine,  
10 which I misheard as Nadine, yes, she was sat to my left.

11 LADY JUSTICE HALLETT: Sorry, I coughed and the equipment  
12 didn't pick up how you described the leg, I'm afraid,  
13 Mr Keith.

14 MR KEITH: Yes, a trapped leg. The lady whom you recall  
15 sitting next to you in the seat, you then appreciated  
16 was still to your left and was screaming and she had  
17 a trapped leg?

18 A. Yes.

19 Q. That was the lady you thought was Nadine, but it  
20 transpired, in fact, was Martine Wright?

21 A. That's correct, yes.

22 Q. Did you see then a third person who appeared to be  
23 sitting on the floor in front of you?

24 A. Yes, not initially. It was -- with hindsight, I believe  
25 that to be the person who was under the debris who was

1 screaming when I was trying to get into my seat.

2 Q. In your statement you refer to the voice screaming,  
3 coming from underneath the debris, but you didn't refer  
4 in fact there to the fact that she mentioned her arm.

5 A. Yes.

6 Q. But you go on to describe in your statement how there  
7 was a lady who had obviously very severe injuries to her  
8 arm, and we know that that lady was probably a lady  
9 called Kira Mason.

10 A. Yes.

11 Q. Do we take it from that that the lady you subsequently  
12 saw and you discovered had a severe injury to her arm  
13 was the same lady whose voice you had heard screaming  
14 from underneath the debris?

15 A. I believe so, yes.

16 Q. So it wasn't another person; they were the same person?

17 A. Yes.

18 Q. Thank you very much. On your diagram, if you could go  
19 back to INQ8345-1 [INQ8345-1], we can see that you have made  
20 a notation, you have indicated the position of somebody  
21 on the bottom right-hand corner of that diagram as we  
22 look at it.

23 A. Yes.

24 Q. Who was that?

25 A. I don't know who it was. It was just a person I became

1 aware of when I was conscious and, as I've drawn, that  
2 person was huddled into a sort of foetal position. They  
3 were moving slowly and moaning initially, but I didn't  
4 know who it was.

5 Q. Were you able to see their body --

6 A. Yes.

7 Q. -- or just part of their body?

8 A. All of their body.

9 Q. Are you able to tell -- I appreciate it's a long time  
10 ago -- whether or not that person was wearing clothes or  
11 whether the clothes had been blown off and, if they were  
12 wearing clothes, what colour their clothes were?

13 A. As I remember, the clothes had been blown off.

14 Q. Do you recall, for example, anything blue about their  
15 clothing, whether they were still wearing any sort of  
16 blue clothing on their upper body?

17 A. No.

18 Q. The person was moving slowly and moaning. Were you able  
19 to hear any particular words or any noise that you  
20 recognised?

21 A. No, it was just quiet moans.

22 Q. Was anybody attending to that person, as far as you  
23 could see?

24 A. No.

25 Q. You, however, took time to tell people around you that

1 rescue would be bound to be coming soon?

2 A. Yes.

3 Q. Did there indeed arrive in the carriage a lady whom you  
4 subsequently discovered was an off-duty police officer?

5 A. Yes.

6 Q. Who we now know, and you probably know also, was  
7 Elizabeth Kenworthy?

8 A. Yes, that's correct.

9 Q. Can you tell us, please, how long after the explosion  
10 you think she was able to -- or she climbed into your  
11 carriage?

12 A. I think I was unconscious for about 15 minutes  
13 immediately after the explosion and then the sequence of  
14 events that we've just discussed must have been about  
15 four or five minutes. So I would estimate about  
16 20 minutes, 18 to 20 minutes after the explosion.

17 Q. Do you recall anybody else walking or moving around the  
18 carriage and giving assistance to the injured before her  
19 arrival?

20 A. No, not at that stage or before her arrival, no.

21 LADY JUSTICE HALLETT: I'm sorry, Mr Brown, sorry to  
22 interrupt, what is it that makes you think you were  
23 unconscious for 15 minutes? Is it what you've heard  
24 since?

25 A. Yes, it was the electrocution aspect, my Lady, in that

1 the subsequent reports that I read indicated that the  
2 electricity was isolated after about 15 minutes  
3 following the explosion, and I was very aware of an  
4 electrocution experience which stopped. So putting the  
5 two together, I've assumed that it was about 15 minutes.

6 MR KEITH: May I ask you a further question about that  
7 specific point? When your body was in the window  
8 opening and you found yourself propelled through it, do  
9 you recall seeing either the tunnel wall near you or any  
10 part of the tracks near your body as you lay there?

11 A. No.

12 Q. All right. The lady, Elizabeth Kenworthy, arrived in  
13 the carriage and she helped you, did she not?

14 A. Yes, she did. She appeared in the central doors at the  
15 rear of the carriage and, because of the debris, her  
16 ability to move into the carriage was very limited, but  
17 she tended to the people in the immediate vicinity as  
18 much as she could.

19 Q. And that included you?

20 A. And that included me and Martine and, as far as I'm  
21 aware, Kira as well, although I didn't actually see any  
22 evidence of that myself.

23 Q. I think she held your hand, she spoke to you, she tried  
24 to gain your attention.

25 A. Yes.

1 Q. No doubt she repeatedly asked you for your name?

2 A. Yes, she was talking to us and engaging with us and  
3 engaging in conversation and telling us to stay awake.

4 I think at one stage -- I asked for water at one  
5 stage, but she sensibly didn't give me any water, but  
6 put some water on my lips just to ease the discomfort  
7 a bit.

8 Q. Before she gave you that small amount of water and  
9 moistened your lips, did she, in fact, try to and did,  
10 in fact, apply a tourniquet to your right leg?

11 A. Yes, I was -- obviously, as I was aware that I had lost  
12 my right leg and the amount of blood I was losing,  
13 I actually asked Liz if she had anything that we could  
14 use as a tourniquet, and she removed her jacket and  
15 passed it in and, between us, we tied it tightly around  
16 my right leg.

17 Q. Do you recall where the jacket came from, the tourniquet  
18 came from?

19 A. Well, it was a Marks & Spencer's jacket.

20 Q. She describes in her written statement, Mr Brown, you  
21 being extraordinarily calm as she tied a tourniquet  
22 around your leg. Did you see her giving medical  
23 attention to anybody else around you, for example,  
24 Kira Mason or Martine Wright?

25 A. No, I didn't see her giving any medical care. I was



1 aware that she was talking to them and engaging with  
2 them and trying to keep us awake and reassure us that  
3 the emergency services were on the way.

4 Q. Can you assess for us how long it was, you think, before  
5 the emergency services did arrive after she had applied  
6 a tourniquet to your leg?

7 A. No, it's very difficult, the section of time was very  
8 imprecise, but it was some time later and the next  
9 event, in fact, was a Neil Kemp arriving in the carriage  
10 and physically taking charge and I got the impression  
11 that that was coincident with the rest of the emergency  
12 services turning up in the area as well.

13 Q. Neil Kemp was a police officer in fact, was he not?

14 A. Yes.

15 Q. I think he's British Transport -- City of London Police,  
16 in fact.

17 A. City of London Police, I think.

18 Q. A City of London Police officer, one of the first to  
19 arrive.

20 A. Yes.

21 Q. Is it your recollection that he arrived around the same  
22 time, perhaps, as other members of the emergency  
23 services?

24 A. Yes.

25 Q. You, of course, were taken out on a stretcher, or an

1 improvised stretcher. Do you recall that at all?

2 A. Yes. I don't recall whether it was a formal stretcher  
3 or whether -- I don't think it was an improvised  
4 stretcher in terms of a ladder or so on that I've read  
5 in some of the other reports. I believe it was a proper  
6 stretcher.

7 Q. Do you recall others being taken off the carriage before  
8 you?

9 A. Yes.

10 Q. Do you remember in which order, yourself, Kira and  
11 Martine were taken out?

12 A. No.

13 Q. All right.

14 A. I know I left the carriage before Martine. I don't know  
15 about the order in terms of Kira.

16 Q. No doubt the process of carrying you to ground level was  
17 a long and difficult one, because, of course, your  
18 rescuers had to carry you down the track.

19 A. Yes.

20 Q. I think it took some time, did it not?

21 A. Yes, and they needed to rest halfway and catch their  
22 breath and then we proceeded up to the surface.

23 Q. When you reached the surface, do you recollect your  
24 clothes being removed for the purposes of giving you  
25 medical treatment and then of passing out again?

1 A. Yes, I was very weak by that stage. I do remember  
2 a paramedic or a doctor put a fluid line into my arm  
3 while I was still sat in the carriage, just before I was  
4 transferred on to the stretcher, and then the journey  
5 along the track and up the stairs out into the fresh  
6 air.

7 And I was lapsing in and out of consciousness by  
8 that stage, but I do remember some of my clothes being  
9 removed and one of the -- either an ambulance driver or  
10 a paramedic or a doctor again asking me for some details  
11 about my name and age and job, and after that, nothing  
12 at all. I don't remember getting into the ambulance  
13 after that. It was -- I was unconscious then.

14 Q. I think you received many months of treatment in the  
15 Royal London Hospital.

16 A. I was an in-patient for just over two months.

17 Q. May I ask you this: you, in fact, submitted a written  
18 submission, you sent a letter to the London Assembly  
19 when it was considering the events of 7 July 2005.

20 Did you, in your written submission, praise the  
21 quality of care at the Royal London Hospital?

22 A. Sorry, what was that submission to?

23 Q. You, I think, wrote to the London Assembly and the  
24 committee that was reviewing the events of 7 July 2005.

25 A. Yes.

1 Q. In your submission, you described what happened to you,  
2 but you took care at the end to praise the quality of  
3 medical care that you had received at the Royal London.

4 A. Yes, sir.

5 Q. Do you recall that? I should also say you took care to  
6 praise the actions of the Metropolitan Police family  
7 liaison officers who helped members of your family come  
8 and visit you in hospital and made arrangements for your  
9 missing property, carrying the investigation forward and  
10 providing information on a variety of matters?

11 A. Yes, sir.

12 MR KEITH: Thank you very much, Mr Brown. Will you stay  
13 there, please? There may be some further questions for  
14 you.

15 LADY JUSTICE HALLETT: Yes, Mr Coltart?

16 Questions by MR COLTART

17 MR COLTART: Only a very few, Mr Brown. Could we have  
18 Mr Brown's plan back on the screen, please, INQ8345?[INQ8345-1]  
19 I just want to ask you a few questions about the  
20 person whom you've depicted on the right-hand side of  
21 your diagram there. Could we put the cursor on that  
22 part of the diagram?

23 Can I clarify something in an answer you gave to  
24 Mr Keith just a few minutes ago? He asked you whether  
25 you recalled whether that person was wearing any blue

1 items of clothing, and your answer was "No". I just  
2 wanted to clarify with you, does that mean you can't now  
3 recall whether or not they were, or does it mean that  
4 your recollection is that they definitely weren't  
5 wearing anything blue?

6 A. My recollection is that that person was naked.

7 Q. I'm going to ask you one or two questions about that  
8 person in any event. Mr Ellery, just so that you are  
9 clear, was wearing a blue shirt when he was recovered,  
10 but he was lying in that very distinctive position which  
11 you have depicted on your diagram.

12 A. Yes.

13 Q. You said that, when you came to, you became conscious at  
14 some stage of this person under discussion. Are you  
15 able to estimate how long after you came to you first  
16 became conscious of that person?

17 A. Probably -- I think it was probably immediately.

18 Q. You told us that, at that time, he was plainly alive and  
19 appeared to be moaning quietly.

20 A. Yes.

21 Q. Over the course of time that you then spent on the  
22 carriage before you, yourself, were removed and taken  
23 off to hospital, were you conscious of any change in his  
24 condition?

25 A. I think gradually over time that person started to move

1 less and less and stopped moaning.

2 Q. Are you able to assist us as to whether, the point in  
3 time at which he stopped moving and making any sound,  
4 had the emergency services arrived by that point or were  
5 they still on their way?

6 A. They hadn't arrived at that stage.

7 Q. Again, if you were able to estimate -- and I know it's  
8 impossible to be precise about this -- but if you were  
9 able to estimate how long it was, after you first  
10 noticed him, to the point at which he stopped moving or  
11 making any sound, what would your best guess be?

12 A. It would be very difficult to say, sir. Five, perhaps,  
13 maybe ten minutes.

14 Q. Were you conscious, at any stage after the emergency  
15 services had arrived, of any medical intervention by  
16 them on his behalf or not?

17 A. No, I wasn't aware. By that stage, I was fairly weak  
18 myself and was -- I was virtually lying down at that  
19 stage, so I wasn't able to watch any of the -- anything  
20 that was going on inside the carriage.

21 Q. So again, just so we're clear about this, it's  
22 impossible for to you say, rather than you can say  
23 definitely not?

24 A. Yes.

25 MR COLTART: All right, thank you. I have no further

1 questions.

2 LADY JUSTICE HALLETT: Mr Saunders?

3 MR SAUNDERS: I have no questions, thank you, my Lady.

4 Questions by MS SHEFF

5 MS SHEFF: Could we have that plan back up, please?

6 That particular position you've marked on the plan  
7 to the right of you was something that you were aware of  
8 as you were coming round from your injuries and your  
9 electrocution, as I think you put it.

10 A. Yes.

11 Q. At the time, there was total devastation around you,  
12 I think it's fair to say.

13 A. Yes.

14 Q. Panels and metal railings and all sorts of debris, and  
15 I think you said also that visibility was very poor?

16 A. Yes.

17 Q. Were you able to make out anything else on the floor in  
18 the same or similar position to that figure that you've  
19 drawn that could have been another body, another person?

20 A. No.

21 Q. Are you saying that there definitely wasn't another body  
22 there or you just couldn't see whether, in all the  
23 debris, there was somebody else trapped?

24 A. The visibility into that area there in the centre of the  
25 carriage was -- I could see, but there was nothing there

1 that I was aware of that was another body.

2 Q. Is that because there was nothing else which seemed to  
3 be moving or making any sound?

4 A. Yes.

5 Q. So is it possible that, because of the state of the  
6 visibility in the carriage and the amount of debris,  
7 there might have been another deceased person who had  
8 already passed away --

9 A. Yes.

10 Q. -- that you weren't aware of?

11 A. Yes.

12 Q. That person could have been in that same vicinity?

13 A. Yes.

14 Q. Thank you, that is helpful. Just one other thing which  
15 is that, when you first got on to that train, were you  
16 conscious of people standing in the carriage in the same  
17 sort of area as you, mainly to the right of you, near  
18 those double doors and the glass screens?

19 A. Yes, I was, yes, but the carriage wasn't packed, but it  
20 was -- there were a lot of people in it.

21 Q. Did you notice anybody standing near to the glass  
22 screen, as we look at your plan, to the left of the body  
23 on the floor?

24 A. No.

25 Q. Nobody of any significance stood there?



1 A. No.

2 MS SHEFF: Thank you very much indeed.

3 LADY JUSTICE HALLETT: Are there any other questions?

4 MS BARTON: Yes, please, my Lady.

5 LADY JUSTICE HALLETT: Yes, Ms Barton?

6 Questions by MS BARTON

7 MS BARTON: Mr Brown, I just want to clarify one issue with  
8 you, if I may. You have mentioned Neil Kemp. You were  
9 conscious of him coming into your carriage, is that  
10 right?

11 A. Yes.

12 Q. Did you, at any stage whilst you were on the carriage,  
13 become aware that he was a police officer, or did you  
14 become aware of that later?

15 A. I think I became aware of that later.

16 Q. Right.

17 A. He was clearly someone -- as soon as he was in the  
18 carriage, he took charge. He had a very loud voice. He  
19 was very reassuring in what he was saying. But at that  
20 stage, I didn't realise he was a police officer.

21 Q. I wanted to clarify why that was. Was it because he was  
22 in plain clothes, ordinary clothes?

23 A. Yes, as far as I remember, I think -- I seem to remember  
24 that he had a white T-shirt on.

25 Q. And a pair of jeans?

1 A. I couldn't say, but I was aware of a white T-shirt.

2 A loud voice and a white T-shirt.

3 MS BARTON: Thank you.

4 LADY JUSTICE HALLETT: Yes, Ms Boyd?

5 Questions by MS BOYD

6 MS BOYD: Mr Brown, could I just ask you, before the police  
7 officer you've just described arrived, can you recall  
8 whether there was a fireman who arrived in the carriage  
9 who helped Elizabeth Kenworthy support Martine Wright?

10 A. No, no, I wasn't aware of any fireman in the carriage.

11 MS BOYD: So be it, thank you.

12 LADY JUSTICE HALLETT: Thank you very much. Any other  
13 questions?

14 Does anybody who's unrepresented have any questions?

15 Is that all we have for Mr Brown?

16 Mr Brown, you've spoken of the most horrific  
17 incident with extraordinarily calmness and courage and  
18 I'm extremely grateful to you. I should have said it to  
19 Mrs Chetty, but if any survivor has any questions that  
20 they think I should be asking or any lines that they  
21 feel I should be pursuing, please don't hesitate to  
22 contact the Inquest team, because obviously you were  
23 there and things may occur to you when you've left  
24 court. As I say, it applies to any other survivor who  
25 gives evidence before me, but thank you for coming along

1 to court.

2 A. Thank you, my Lady.

3 LADY JUSTICE HALLETT: I think it would be best if we took  
4 a break now, Mr Keith, because the next witness may have  
5 trouble getting into the box. Thank you.

6 (10.55 am)

7 (A short break)

8 (11.10 am)

9 MR KEITH: Could the witness be sworn, please?

10 MRS MARTINE WILTSHIRE (sworn)

11 Questions by MR KEITH

12 MR KEITH: Madam, when you wrote a witness statement  
13 in October 2005 you gave yourself the name  
14 Martine Wright, but since then you have married and  
15 you're now Martine Wiltshire. Is Martine Wright,  
16 however, the name that you still adopt for the purposes  
17 of your sporting achievements to which we'll come later?

18 A. Yes, that's fine. Yes.

19 Q. I'll call you, if I may, Mrs Wiltshire, but you were  
20 then Martine Wright.

21 On 7 July, I think you were a little late leaving to  
22 go to work, is that right?

23 A. That's right, yes, I got up a bit late.

24 Q. You took a train to Moorgate where you changed to get  
25 the Circle Line to Tower Hill?

1 A. Yes.

2 Q. I think when you go to work, you usually, when you  
3 change on to the Circle line, walk down the platform to  
4 ensure that you go into the sixth carriage so that, when  
5 you arrive at Tower Hill, you are directly adjacent to  
6 the exit from the platform?

7 A. Yes, that's right.

8 Q. But on this ill-fated day, you didn't, in fact, go into  
9 the sixth carriage; you went into the carriage with the  
10 bomb?

11 A. Yes, the train was just pulling in, so ...

12 Q. Could we have, please, on the screen, INQ8370?[INQ8370-1] When the  
13 police took a statement from you in October 2005, they  
14 asked you to mark on a plan where you thought you had  
15 entered the carriage, and we can see there in the bottom  
16 left-hand corner the words "enter", you entered, in  
17 fact, on the last set of doors that we can see there,  
18 door D7?

19 A. Yes.

20 Q. You then went across the carriage and sat down on the  
21 end seat, which is ringed there as seat 17?

22 A. That's right.

23 Q. Therefore, if we look, please, now, at INQ10280, page 8 [INQ10280-8],  
24 we can see in the bottom left-hand corner of the diagram  
25 number 2, and at the bottom of the page, the list of

1 passengers, and number 2 is yourself, Martine Wright.  
2 So that's correct?  
3 A. That's right, yes.  
4 Q. Did you see anybody around you as you sat down?  
5 A. No, I just got on the Tube and read my paper.  
6 Q. Do you recall anything of the explosion?  
7 A. I recall a white light in front of my eyes and a feeling  
8 of being thrown from side to side, but I don't remember  
9 a loud bang or anything like that, but it was just the  
10 light and the sensation of being thrown from side to  
11 side.  
12 Q. Did you pass out at all?  
13 A. Well, my recollection is I didn't pass out. I assumed  
14 that I was just thrown 90 degrees and then opened my  
15 eyes, and then that was it.  
16 Q. When you stopped moving, when you stopped being thrown  
17 back and forth, were you still in the same seat?  
18 A. Yes, but I'd been swung round 90 degrees to my left, so  
19 I was actually facing the end of the carriage where the  
20 door that you're not supposed to go through, the  
21 emergency exit door, that was to my right.  
22 Q. So you were facing back, if we could see on the screen  
23 again, if the door was on your right to the next  
24 carriage which is carriage 3, you perhaps were facing  
25 diagonally down between the side of the carriage and the

1 end of the carriage, would that be right?

2 A. Yes.

3 Q. But, of course, towards the rear. Do you recall whether  
4 it was pitch black or whether there was any light?

5 A. No, it was -- I couldn't see a lot, so I just remember  
6 looking up and seeing the metal from the end of the  
7 carriage being over my legs, so, no, I don't remember it  
8 being really bright or -- it was quite dark, yes.

9 Q. Do you recall smoke or soot at the end of the carriage?

10 A. It just seemed everything was black, everything -- you  
11 know, everything just looked very dark.

12 Q. The debris at the end of the carriage, it was obviously  
13 from the carriage. Could you see whether it was metal  
14 from the floor or from the side of the carriage or  
15 padding or seats? What was it?

16 A. Well, because I'd been swung round 90 degrees, all  
17 I could really see was immediately to my right, and  
18 there looked like there was just sort of metal on the  
19 floor. I thought it might have been a door or something  
20 like that, but there was lots of metal to the right, and  
21 then I couldn't see behind me because I'd been swung  
22 round 90 degrees. And then to the left, what I thought  
23 was a window I think was just a big hole to the left of  
24 me.

25 Q. On the other side of that hole was, what?

1 A. Was the tracks.

2 Q. Your legs were caught in the debris, weren't they?

3 A. Yes.

4 Q. That mean that you were unable to move?

5 A. Yes, I was, I was trying to move and I couldn't get my  
6 legs out.

7 Q. Did you become aware of somebody behind you against whom  
8 you might then have been leaning?

9 A. Yes. There was a gentleman behind me, who I know now is  
10 Andy Brown, and I felt like I was sort of on him, my  
11 head was on him, and, yes, he was being electrocuted at  
12 the time, he was saying, you know, something about being  
13 electrocuted, you know. But I don't know whether it was  
14 the seat or I was on him, really.

15 Q. Were you able to see him or could you merely hear him?

16 A. No, I only heard him.

17 Q. Did there come a time when he started talking to you and  
18 asking whether you were all right?

19 A. Yes.

20 Q. Could you hear screaming from around you?

21 A. Yes.

22 Q. Were you able to see where the screaming was coming  
23 from?

24 A. I could hear lots of screaming behind me and then a lady  
25 was on the right-hand side of me where some of the

1 debris was, and she was shouting "My arm, my arm".

2 Q. Was that a lady whom you subsequently met in the

3 Royal London --

4 A. Yes.

5 Q. -- and whose name you subsequently discovered was

6 Kira Mason?

7 A. Yes.

8 Q. Were you able to see her?

9 A. No, I could just hear her under the debris and hear her

10 voice and all she just kept shouting was "My arm, my

11 arm".

12 Q. Could you see anybody else who appeared to you to be

13 screaming?

14 A. No, because I'd been swung 90 degrees, I -- that was it.

15 I just heard screaming and Andy behind me.

16 Q. Were you able, therefore, to see any of the area behind

17 you where you now realised the bomb was located and

18 where --

19 A. No.

20 Q. -- there were people dead and dying?

21 A. No, no, I didn't.

22 Q. Were you able to detect any other individual person

23 screaming by hearing them coming from that area?

24 A. No, it was just the immediate people.

25 Q. Because of your location and your inability to move and



1 where your body was lying, were you, therefore, only  
2 able to see through the hole in the side of the carriage  
3 but, therefore, able to see staff or London Underground  
4 staff as they arrived?

5 A. Yes, all I could see was the left.

6 Q. Who do you first recollect arriving?

7 A. It's quite hard to say who arrived, but it was someone,  
8 I'm sure, to do with the underground, and it was a man,  
9 he was talking to me through the hole, and obviously we  
10 were all screaming and I think, at that point, I just  
11 kept saying "My name is Martine Wright", you know, "Tell  
12 my family I'm okay".

13 Q. Do you remember what he was wearing; for example, one of  
14 the high visibility jackets that they customarily wear?

15 A. Yes, I think he might have been wearing one of those  
16 jackets, maybe an orangey colour sort of thing, but he  
17 just, you know, kept saying "Help will come, help will  
18 come".

19 Q. Did he stay to help, or did he move away?

20 A. No, he moved away.

21 Q. I appreciate it's very difficult to assess time in those  
22 circumstances and after the elapse of so much time  
23 since, but can you give us any idea as to how much time  
24 passed after the explosion until the man in the high  
25 visibility jacket appeared?

1 A. Yes, I mean, it is very, very difficult to sort of  
2 estimate a time. I mean, I'm really picking something  
3 out of the air if I said something, but maybe 10 minutes  
4 or 15 minutes or something like that.

5 Q. Do you recall passengers walking down the track as well?

6 A. Yes, I do. I saw what I couldn't understand as  
7 passengers, yes, with their bags being evacuated going  
8 backwards, behind me, sort of thing.

9 Q. Was it a constant stream?

10 A. There was a lot of them. I remember there was a lot of  
11 them. There was -- I saw, you know, that was when there  
12 was a light from the tunnel and I could see them. There  
13 was just quite a lot of them. I don't know how long it  
14 went on for.

15 Q. They, presumably, would have been able to see you  
16 because the upper half of your body was near the  
17 shattered side of the carriage and, therefore, visible  
18 to them?

19 A. Yes, yes, I assume so.

20 Q. You were surprised, I think you told the police, as to  
21 why there was nothing wrong with them, and no doubt  
22 confused as to why they were able to walk down the track  
23 towards the platform. Did you also see some firemen  
24 arrive?

25 A. Yes, I think that there was someone again next to me

1 through this hole. Someone else come along -- again,  
2 going back, I can't remember who it was now, but someone  
3 else coming along and speaking to me.

4 Q. No doubt they asked you your name and whether you were  
5 all right?

6 A. Yes.

7 Q. And to keep going?

8 A. Yes.

9 Q. Did they stay?

10 A. I can't remember now. I think -- I don't know, I think  
11 someone stayed but I can't remember if they went or they  
12 stayed, really.

13 Q. You do recall, though, a time, I think you told the  
14 police, when a lady with long, blond hair, whom you  
15 subsequently discovered was an off-duty police officer,  
16 and we now know that person to be Elizabeth Kenworthy,  
17 came into the carriage?

18 A. Yes.

19 Q. She did stay, didn't she?

20 A. Yes, I saw her coming through. Because the next  
21 carriage was all okay, I saw her coming through.

22 Q. She tended to you, didn't she?

23 A. Yes, she gave me a tourniquet and she told me to wrap it  
24 round my left leg, I think it was.

25 Q. She held your hand, I think?

1 A. Yes.

2 Q. She may have also provided you with some water to  
3 moisten your lips because you were thirsty. Did she put  
4 the tourniquet on the leg -- on your leg with you or did  
5 you do it?

6 A. My recollection is that I -- she gave me something and  
7 I think it was a belt or something and I put it on. She  
8 might have been there sort of telling me what to do,  
9 because I think it was my left leg, so she was here  
10 and ...

11 Q. Do you recall her shouting out to anybody else in the  
12 carriage for equipment, for articles of clothing to use  
13 as tourniquets? Do you recall anybody shouting about  
14 the need for medical equipment at that time?

15 A. I think that there was a couple of other people, yes, in  
16 the next carriage up and I think she was saying she  
17 needed something, I don't know whether it was her or --  
18 no one in the carriage.

19 Q. I think in a later press article, perhaps in The Times,  
20 about a year later, certainly under a year,  
21 in April 2006, you spoke of her act in giving you  
22 a tourniquet to apply to your left leg and you said you  
23 thought that that act may have saved your life because  
24 it stemmed the blood loss.

25 Was that something that you were told by the

1 doctors, or your own assessment of the extent of your  
2 extremely severe injuries, that you might not have  
3 survived had it not been for that tourniquet?

4 A. Yes, that was my assumption. The doctors told me how  
5 much blood I lost.

6 Q. How much had you lost?

7 A. I think it was about three-quarters of my blood,  
8 basically, and they -- so I assumed -- I assumed and  
9 I know in my head that she saved my life, yes.

10 Q. Do you recall how long she stayed with you for?

11 A. No, again, it's very difficult to assess time. I just  
12 remember her coming through and being there and helping  
13 me and Andy.

14 Q. During that time that she was tending to you, did you,  
15 to your horror, look up and see one of your new  
16 trainers, I think you had bought a new pair of trainers?

17 A. Yes.

18 Q. -- placed on a piece of metal at eye level?

19 A. It actually wasn't at eye level, it was -- I think,  
20 maybe because the seat wasn't there anymore, I might  
21 have been lower, it was actually up here and it was on  
22 metal that had come over on top of it, and there was  
23 blood on it.

24 Q. It took some time, I think, for you to be cut loose out  
25 of the debris and for your legs to be moved, is that

1 right?

2 A. Yes, I mean, I think I went unconscious, but after  
3 I think I subsequently know that I didn't -- I wasn't  
4 unconscious, but I felt someone come behind me and put  
5 something in my arm, a paramedic, and then I can't  
6 really remember anything after that.

7 Q. Do you recall Kira Mason being taken out of the carriage  
8 before you?

9 A. I don't now recall.

10 Q. Do you recall whether you were removed before the man,  
11 Andy Brown, against whom you were leaning?

12 A. No, no, I was aware that everyone -- not everyone, but  
13 I was aware that it went very quiet and --

14 Q. So did you presume that he had been, in fact, removed  
15 from the carriage before you --

16 A. Yes, yes.

17 Q. -- and you may, therefore, have been perhaps one of the  
18 last persons taken out of the carriage who was alive?

19 A. Yes.

20 Q. Do we take it you've no recollection of being removed,  
21 therefore, out of the carriage itself or down the tracks  
22 and no recollection of what, if anything, the position  
23 was on the track next to the carriage?

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

25 Q. Did you, Mrs Wiltshire, spend, I think, in fact, nine

1 months in hospital at the Queen Mary's in Roehampton and  
2 you underwent some ten major operations?

3 A. Not at Queen Mary's, and also ten major -- I don't know  
4 whether it was ten, I don't know where this ten come  
5 from, I didn't say ten. But it was quite a few at  
6 Royal London.

7 Q. You were at the Royal London?

8 A. Yes.

9 Q. Were you at Queen Mary's in Roehampton at all?

10 A. Yes, but that was to learn to walk. I had no major  
11 operations there. It was all with the team at  
12 Royal London.

13 Q. So you were treated obviously at a number of different  
14 hospitals and institutions?

15 A. Yes.

16 Q. Finally, if I may ask you this: press reports  
17 in April 2006 described how you had taught yourself or  
18 been taught to fly, I think in Lincolnshire, and is it  
19 right that you are a member of the Great Britain Women's  
20 Sitting Volleyball Squad, and I think the press report  
21 that you are hoping to compete in the London 2012  
22 Paralympics?

23 A. That's right, yes.

24 MR KEITH: Will you stay there, please, Mrs Wiltshire?

25 There may be some questions for you.

1 MR COLTART: No questions, thank you.

2 MR SAUNDERS: None from me, my Lady.

3 MS SHEFF: No thank you.

4 LADY JUSTICE HALLETT: Does anybody else have any questions?

5 Questions by MS CANBY

6 MS CANBY: Mrs Wiltshire, just one on behalf of Transport  
7 for London. Mr Keith was asking you about your  
8 recollection in relation to seeing a London Underground  
9 member of staff and you said that it was very difficult  
10 for to you give any sort of time estimate now, given  
11 that it was so long after the event.

12 Just to assist you, you did give a statement to the  
13 police much closer to the event, on 17 July 2005, and in  
14 that statement you said you estimated that you thought  
15 you first saw that London Underground member of staff  
16 about five minutes after the explosion. Does that now  
17 help you with your recollection?

18 A. Yes, probably, I mean, you know, that was back  
19 in October, you know, a few months after, so if I said  
20 that, then that was definitely right.

21 Q. More accurate than the evidence you've given today?

22 A. Yes.

23 Q. You also, at that stage, were able to give a description  
24 of him and your description was that he was of a medium  
25 build, white, about 40 years of age with short hair?



1 A. Mm-hmm, yes, that sounds like, yes.

2 MS CANBY: Thank you very much. That's all I wanted to ask.

3 LADY JUSTICE HALLETT: Does anybody else have any questions,  
4 anybody who's unrepresented?

5 Mrs Wiltshire, thank you very much indeed. Your  
6 story is truly inspirational. The triumph of human  
7 spirit over dreadful adversity. I wish you every  
8 success in the Paralympics. It's very strange for you  
9 when we got the decision on the Wednesday, to be  
10 competing in 2012. Anyway, the very best of luck and  
11 thank you for coming, and please don't forget what  
12 I said about, if anything occurs to you and you want me  
13 to pursue a line of questioning, let me know.

14 A. Brilliant, thank you.

15 LADY JUSTICE HALLETT: Thank you.

16 I understand we don't have any more witnesses. Are  
17 there any statements to be read? Obviously we need to  
18 allow Mrs Wiltshire to leave the witness-box. Would you  
19 like me to rise now?

20 MR KEITH: My Lady, I'm afraid we've reached the end of the  
21 list for this morning's oral witnesses. There are two  
22 witnesses who I was intending to read this afternoon and  
23 two further witnesses I was intending to call. I could  
24 use a short time to read the two I was intending to read  
25 this afternoon, but after that, I'm afraid we will come

1 to a halt.

2 LADY JUSTICE HALLETT: I understand. It's very difficult to  
3 make sure we schedule witnesses without causing them too  
4 much inconvenience.

5 Mrs Wiltshire, you may want to know one of the  
6 witnesses this afternoon is Elizabeth Kenworthy.

7 A. Yes.

8 LADY JUSTICE HALLETT: I will rise now, then, and shall  
9 I return at, say, 11.55 for to you read those  
10 statements?

11 MR KEITH: Thank you.

12 LADY JUSTICE HALLETT: Then we'll have the argument in  
13 relation to the publication of the video footage?

14 MR KEITH: I think Mr Suter, conscientious as ever, may have  
15 relayed a message to Mr Vassell-Adams to be here  
16 a little earlier than you ordered, so it may be that  
17 we'll be able to start a little bit before his  
18 anticipated arrival time of 12.00.

19 LADY JUSTICE HALLETT: Right. Let me know when we're all  
20 ready for me to hear the video footage argument and  
21 I shall come in five minutes before for the statements  
22 to be read. That's something we can do.

23 MR KEITH: Thank you, my Lady.

24 LADY JUSTICE HALLETT: Is there anything else I can deal  
25 with before I retire now?

1 MR KEITH: My Lady, no.

2 LADY JUSTICE HALLETT: Mr Coltart?

3 MR COLTART: For those who aren't involved in the argument  
4 and who may be working at present on other matters, to  
5 do with this case, of course, may we be excused now?  
6 We've obviously got the statements which are to be read  
7 out by Mr Keith when you come back, but we could  
8 productively use that time --

9 LADY JUSTICE HALLETT: Mr Coltart, for future reference,  
10 I appreciate the courtesy you're displaying in asking  
11 for my permission, but I won't consider it in any way  
12 a discourtesy if you are not here. I will leave it to  
13 counsel and solicitors to decide when it's appropriate  
14 to come and go.

15 (11.35 am)

16 (A short break)

17 (11.55 am)

18 LADY JUSTICE HALLETT: Mr Keith?

19 MR KEITH: My Lady, the first of the three statements that  
20 I propose to read is that of Camilla Wills, dated  
21 23 July 2005. It contains the usual declaration of  
22 truth and it reads as follows.

23 Statement of MS CAMILLA WILLS read

24 "On Thursday, 7 July, I left my house at

25 approximately 7.15 and caught the 7.30 train from

1 Colchester North to Liverpool Street station. This was  
2 a journey that I travelled for approximately four days  
3 of the week. I arrived at approximately 8.35 at  
4 Liverpool Street and then went down on to the  
5 underground system getting on to the Circle Line with my  
6 final destination being Victoria, where I work.  
7 "I walked on to the eastbound Circle Line.  
8 I noticed the platform was as busy as it is normally  
9 with rush hour commuters. I stood in the middle of the  
10 platform underneath the electronic clock towards the  
11 edge of the platform. As the train arrived, I would say  
12 at approximately 8.45, I got on to the third carriage  
13 entering through one of the middle doors. Once on this  
14 carriage I moved to my right and stood by one of the  
15 central pillars. There were no spare seats and there  
16 were a number of people standing. I stood on this  
17 carriage and began to read my newspaper.  
18 "The train then pulled out from Liverpool Street  
19 heading towards Aldgate station. Approximately two  
20 minutes into this journey, I then heard a very loud  
21 bang/explosion and a flash that appeared brighter than  
22 the lights that were illuminated in the carriage. The  
23 train then almost immediately abruptly stopped, making  
24 me stumble forward slightly. I cannot remember if the  
25 lights went out or not, but I remember that I could see

1 people reasonably easily. I looked around and saw  
2 people around me were okay, but I could smell an  
3 unfamiliar burning smell and the carriage I was in then  
4 began to fill with smoke getting thicker as time went  
5 on.

6 "The atmosphere inside the carriage was that of  
7 concern but not panic. I waited in this carriage for  
8 a while and then I heard people shouting to other people  
9 to move down the carriage because of the smoke, thus  
10 giving an indication of fire. People were also asking  
11 for doctors and first aiders. I still had no indication  
12 of what had happened and there was no announcement over  
13 the PA system from the driver.

14 "I moved up towards the second carriage in an effort  
15 to assist other people. As did I so, I saw broken glass  
16 and people with injuries to their head and upper body.  
17 I also saw a pair of legs in between the door to the  
18 right-hand side of the third carriage. I do not know  
19 how this person came to be there and I could not see the  
20 rest of the connecting torso.

21 "As I got to the connecting doors to the second and  
22 third carriages, I noticed that the door frame to the  
23 third carriage was intact, but I believe the frame to  
24 the second carriage was destroyed as I cannot recall it  
25 being there.

1 "As I crouched down to assist people, I noticed  
2 a female also trying to assist people as well. I was  
3 informed by herself that she was a police officer,  
4 wearing trousers and a dark top. I crouched down. As  
5 I did so, I noticed through into the second carriage  
6 a hole like a crater, but I could not see through.  
7 There was lots of twisted metal and debris. There was  
8 a lady to my left-hand side who was semi-lying down.  
9 She was, I think, a white woman, wearing a short skirt  
10 and smart clothing, aged approximately 30 to 40 years'  
11 old. She gave her name as Kira, or Ira. She appeared  
12 to be trapped with her left arm trapped under some  
13 debris. She appeared to be in immense pain. I spoke to  
14 her, reassuring her and making sure she kept awake.  
15 "Opposite her was another male and female. The male  
16 appeared to be in a bad way and kept going in and out of  
17 consciousness. I believe the WPC had treated him and  
18 had put a bandage on his leg. He also appeared to be  
19 trapped by the same piece of debris that was trapping  
20 the lady opposite. The woman sitting next to him also  
21 appeared to be trapped by her legs. Beyond them was  
22 another male who was rolling on the floor back and  
23 forward in a curled position. He appeared to be quite  
24 badly injured and lost a few of his clothes. He was  
25 clutching his abdomen.

1 "I was also aware that there was a lifeless body in  
2 the middle of the carriage near the crater. I also saw  
3 an elderly couple on the left-hand side. They appeared  
4 seriously injured but were alive. I was shouting to  
5 them but they did not respond to my requests. I stayed  
6 helping people for over what appeared to be 15 minutes.  
7 I saw people walking on the line past me heading out  
8 towards Aldgate station. I saw, I think, was a member  
9 of London Underground staff who appeared to be saying  
10 what damage and injuries had been caused. Eventually  
11 I saw people from the emergency services. I saw one  
12 fireman enter the carriage, assess the situation, leave  
13 and then come back in a short while. More emergency  
14 services then joined me and began assisting the injured.  
15 I then left the paramedics to treat the injured.  
16 "I left towards the back of the train, then walked  
17 back towards Aldgate station along the line and back up  
18 on to the platform. I walked through out on to the road  
19 outside the station and went through a holding area by  
20 the bus garage and gave my details to a police officer.  
21 I still was not aware what happened and believed it was  
22 an electrical fault. I was not physically injured by  
23 the incident and made my way to work arriving at  
24 approximately midday. It was not until I spoke to other  
25 people later in the day that I realised what had

1 happened involving suicide bombers."  
2 The second statement, my Lady, is that of  
3 Kira Mason, dated 11 September 2005. It contains the  
4 usual declaration of truth.  
5 Statement of MS KIRA MASON read  
6 "I am the above-named and worked for St Paul  
7 Travellers Management Limited as a company secretary.  
8 I live in Peterborough and travel down to London to my  
9 workplace at Gracechurch Street off Bishopsgate. The  
10 journey involves leaving home at 7.00 am to Peterborough  
11 railway station. I then catch a train to King's Cross,  
12 which arrives at 8.30, before walking to the underground  
13 and joining a Circle Line Tube train to Moorgate."  
14 My Lady, picking it up at the bottom of the page:  
15 "I cannot recall any of the events of the journey  
16 home in the evening before or the journey back the  
17 following morning, Thursday 7 July. I do not know what  
18 I was wearing on that day, but had determined it would  
19 have been a dark-grey suit comprising a jacket and  
20 skirt."  
21 Halfway down the page:  
22 "My first recollection of that day is waking up on  
23 a Tube train."  
24 My Lady, if we could have on the screen INQ10280-8 [INQ10280-8],  
25 Kira Mason is set out there as being possibly passenger



1 number 1 on the map on the far left-hand corner.

2 "I remember that I was lying down and could not move

3 my left side of my body, for I believe it was being held

4 down by something, although I cannot say what this was.

5 As I regained consciousness, it was dark and I thought

6 I must have been having a nightmare. I do not like this

7 and wanted to pinch myself, but was physically unable to

8 do so. I realised what I was experiencing was real and

9 wanted to get out, both to help myself and others.

10 I distinctly remember a male voice asking for my name.

11 I replied 'Kira'. I sensed that this male was either

12 a paramedic or firefighter who had been sent to rescue

13 me, although I do not have a recollection of his

14 description.

15 "This male said at one point 'Stay with me' and then

16 'She's fading', at which point I can't remember anything

17 further and believe I became unconscious. My next

18 conscious thought was about two weeks later within the

19 Intensive Care Department of the Royal London in

20 Whitechapel. I was in a critical condition suffering

21 from injuries from a bomb blast."

22 My Lady, over the page:

23 "I subsequently spent eight weeks and four days at

24 the Royal London Hospital being treated for serious

25 injuries resulting from a bomb blast on the Circle Line.

1 Both my ear drums were perforated and I have some  
2 difficulty hearing. When I am lying down, I have sounds  
3 in my ears that resemble those made by the swishing of  
4 a washing machine."  
5 She then describes numerous small scars to the left  
6 side of her forehead, glass fragments. She describes  
7 how she received a tracheotomy to prevent pneumonia:  
8 "My right forearm was broken and damaged, causing  
9 the surgeon to implant a metal plate. My right thumb  
10 was also broken ... Due to the severe crush injuries to  
11 my left hand, it was amputated. As this operation did  
12 not result in the healing of the scar tissue, poison was  
13 produced that necessitated a series of further  
14 operations removing increasing amounts of this arm. The  
15 final operation amputated bone and tissue to my elbow.  
16 I also have a broken bone between this elbow and my left  
17 shoulder which has been pinned with an X-Fix either side  
18 of the break."  
19 She describes scars on her chest and continues:  
20 "My right leg has had skin tissue removed from my  
21 thighs for grafting on to the other areas of my body.  
22 I also have scarring and tissue damage to this leg. My  
23 left leg suffered from extensive damage from the blast.  
24 I am expecting further surgery and grafts. In all,  
25 I have had numerous surgical operations and am

1 anticipating more in the future. My sleeping pattern  
2 has been dramatically diminished because of the pinning  
3 of my left upper arm and my other injuries. It is  
4 difficult to remain comfortable for any real period."  
5 Finally, my Lady, Crystal Main. She produces two  
6 statements. The first is that of 7 July 2005. The  
7 second of 27 July 2005. But since the second one  
8 incorporates completely the first one, subject to your  
9 leave, we'll read out only that of 27 July.  
10 It contains the usual declaration of truth and reads  
11 as follows.  
12 Statement of MS CRYSTAL MAIN read  
13 "I made an unsigned statement to the police on  
14 7 July. In that statement I said:  
15 "I am the above-named person. On Thursday 7 July  
16 I was at Liverpool Street underground station where  
17 I boarded a Circle Line underground train on my way to  
18 Embankment station. I was travelling with my dance  
19 partner, Bruce Lait. I got on to the second carriage in  
20 the front of the train and I entered the carriage at the  
21 centre of the carriage through the double doors. There  
22 were two older ladies sitting opposite me, aged 60 plus.  
23 There was a girl with blond, curly hair standing up next  
24 to me, blue jeans, standing in the middle."  
25 My Lady, the evidence suggests that that lady was

1 Fiona Stevenson.

2 "Bruce was sitting next to me on my left. About  
3 a minute into the journey, there was a bang. I do not  
4 remember hearing anything. I was sitting next to the  
5 glass screen of the double doors. I remember falling  
6 sideways and I felt as if I was having a fit or an  
7 electric shock."

8 My Lady, I think I said Fiona Stevenson, I'm so  
9 sorry, the reference to blue jeans indicated that that  
10 was a reference to Carrie Taylor, not Fiona Stevenson.  
11 I'm so sorry. Fiona Stevenson was wearing a black skirt  
12 because she was on her way to West London Magistrates'  
13 Court:

14 "I do not remember hearing anything. I was sitting  
15 next to the glass screen of the double doors.  
16 I remember falling sideways and I felt as if I was  
17 having a fit or an electric shock. I do not know how  
18 long it lasted, but it felt like ages. I tried to pull  
19 myself up. I could feel that my face was sore.  
20 I opened my eyes slowly. There was a lady backwards  
21 over my knee. Beside me, there was lady dressed in  
22 black. She had fallen on my dance partner. I do not  
23 think she made it. There was rubble and dust  
24 everywhere. I was told that there was a hole in the  
25 middle of the carriage. Some people opposite me were

1 able to walk off. There was a man in a suit and  
2 light-coloured tie trying to get out. People arrived to  
3 help about ten minutes later. I required assistance to  
4 walk to the platform at Aldgate.

5 "Further to the above, I can now give more detail of  
6 what happened on 7 July."

7 My Lady, she then describes her profession as  
8 a dancer, she was going to a dance workshop in south  
9 London over the course of the week and she picked her  
10 dance partner, Bruce, up by car from his home.

11 My Lady, I don't propose to read out the detailed  
12 description of her clothing. Continuing with her  
13 account around the first hole-punch:

14 "We got to the underground station at about 8.45 am  
15 and waited for no more than five minutes for a train.  
16 The train had 'Circle Line via Tower Hill' on the front.  
17 The platform was packed so we went to the end of the  
18 platform; in other words, towards the driver's end of  
19 the train. The trains were running fine. When the  
20 train came, Bruce and I got into the second carriage by  
21 the second set of double doors. I have made a sketch  
22 plan of the second carriage with my position prior to  
23 the explosion, which I produce as exhibit CLM1."

24 Could we have on the screen, please, INQ8348 [INQ8348-1], and  
25 rotate it? We can see there, my Lady, she's indicated

1 "Bruce and me" and in the middle of the diagram at the  
2 bottom of the page two poles and adjacent to the  
3 right-hand pole "lady with blond hair" and opposite "two  
4 older ladies".

5 "To explain, the carriage has two single sliding  
6 doors at each end and two sets of double doors in  
7 between."

8 We know, in fact, my Lady, that there are double  
9 doors all the way down.

10 "Bruce and I sat diagonally opposite the doors we  
11 entered by. I was in the first seat adjacent to the  
12 perspex screen towards the driver's compartment and  
13 Bruce sat next to me on my left. I put my bags between  
14 my feet. I remember that there was a blond-haired lady  
15 standing up about two feet away from me. I think she  
16 was reading a book. She was wearing a white, plain top  
17 with a black cardigan over the top of it. She had on  
18 blue hipster jeans, quite baggy. I remember I liked  
19 them."

20 My Lady, the evidence suggests that that was  
21 Carrie Taylor.

22 "When Bruce sat down ..."

23 LADY JUSTICE HALLETT: Pause there, if you would, I'm sorry  
24 to interrupt you, Mr Keith, there is some detail  
25 contained later in the statement, I don't know if Mr and

1 Mrs Taylor are aware of the extent to which -- I'm not  
2 sure the extent to which you intend to read out the  
3 detail.

4 MR KEITH: My Lady, there is some detail. The statement has  
5 been made available to them, of course. In line with  
6 reading out many of the other witness statements, I have  
7 paraphrased places where the evidence is particularly  
8 distressing, but there is plainly a limit to how far  
9 I can paraphrase, I'm afraid some of the statement will  
10 be, inevitably, very distressing indeed.

11 LADY JUSTICE HALLETT: Mr and Mrs Taylor, I'm sure you've  
12 been alerted anyway, and I know how distressing the  
13 whole process is, but this might be a particularly  
14 distressing statement for you, I just thought I'd pause  
15 there to give you a chance to consider if you wanted to  
16 stay and hear it or not.

17 Thank you, Mr Keith.

18 MR KEITH: Thank you, my Lady.

19 "When Bruce sat down, he picked up the free paper  
20 which was on his seat and started to read it. I looked  
21 at him and then I remember I felt tired and leant my  
22 head against the perspex screen. The next thing  
23 I remember is that I felt as if I was having a fit and  
24 I thought that it was probably because I had been  
25 overdoing things. I did not hear a bang or anything.

1 I wondered why nobody was coming to help me. They must  
2 be able to see me having a fit. I felt as if I was  
3 being electrocuted, electricity seemed to be passing  
4 through me. I slowly opened my eyes and it was almost  
5 pitch black in the carriage. It seemed like I could not  
6 see or hear anything. I had no idea what was going on  
7 or what had happened. I looked around me and saw the  
8 perspex screen had completely gone. Somehow, I had  
9 toppled off my seat and the top of my body was below the  
10 level of the seat. I was trying to control myself and  
11 now I could hear shouting and people calling out for  
12 help.

13 "I pulled myself up straight and felt that my face  
14 was very sore. It was dusty and smoky, and it took  
15 a while for my eyes to properly focus. I became aware  
16 that a white lady was lying across Bruce and her head  
17 was against my left shoulder. I did not really get  
18 a good look at her face. Bruce was holding my hand,  
19 asking if I was all right. I looked at him and saw that  
20 he had a completely black face. He had blood running  
21 down the left side of his face. His hand was shaking.  
22 I put my arm out to touch his hand and told him I was  
23 all right. He said 'Can you wriggle your toes?' and  
24 I said 'Yes'. He again said that we were going to be  
25 all right. I could hear people shouting and screaming.



1 The woman lying across Bruce and I was gurgling as if  
2 she had blood in her throat. I could see that she was  
3 in her 30s. She had flesh and bone hanging off her face  
4 and her skin had the appearance of gel. After a couple  
5 of minutes, she stopped gurgling and I assumed that she  
6 had died."

7 My Lady, the evidence suggests that that lady was  
8 Fiona Stevenson, both from her location and because the  
9 witness distinguishes her from the earlier lady of whom  
10 she had spoken who we assess to have been Carrie Taylor.

11 "The blond girl who had been standing up [therefore,  
12 Carrie Taylor] had fallen backwards through the gap  
13 between the perspex shield and the metal pole which was  
14 usually upright between the floor and the ceiling of the  
15 carriage. Her face was down at my feet. I could see  
16 that her face was black and there was a lot of blood on  
17 her face. I was aware that there was a hole in the  
18 floor of the carriage about two feet away from me  
19 directly in front of me. Other people were warning  
20 people not to fall down it.

21 "I could not move because of the person lying on me.  
22 I remember Bruce saying 'There's pieces of people beside  
23 me'. He kept facing in my direction. The other set of  
24 double doors towards the compartment, I saw a man lying  
25 on the floor. He tried to get up but he could not

1 manage it. I also remember that a man picked up  
2 a suitcase and moved away some rubble and debris and  
3 walked out of the carriage not caring about anybody  
4 else. I did not see any injuries on him. He was  
5 wearing a light-coloured top, possibly a shirt. The  
6 emergency services arrived. I remember several people  
7 in yellow suits. One of them tried to talk to the woman  
8 on my lap. Another lady came from the back of the  
9 carriage to help. I think she was a nurse. She said  
10 that the woman who was now on my lap had abdominal  
11 injuries. She tried to help her by holding her head and  
12 holding her still.

13 "Another man, who I now know to be Steve Desborough,  
14 was also trying to help the woman and other people in  
15 the carriage. People were now becoming frantic. People  
16 were shouting out 'Help me, help me'. Ten minutes after  
17 they arrived, they started to get people out of the  
18 carriage. The lady straddled across me was laid to one  
19 side. There were pieces of metal pole from the carriage  
20 all around us. Bruce went out first but he did not want  
21 to leave me. He said he would wait in the station for  
22 me. I was one of the last out of the carriage.

23 Steve Desborough walked with me. We went along the  
24 track towards the lights in the station. Another person  
25 in a yellow suit helped me as well. I met Bruce on the

1 platform. Steve went back to help others. I saw fire  
2 engines, ambulances and could hear sirens everywhere.  
3 I crossed the street and sat down on the floor. I began  
4 to lose consciousness. Some ambulance people helped my  
5 with oxygen to try to keep me conscious.  
6 "I cannot remember going to hospital but now know  
7 that I was in the Royal London. When I came round in  
8 hospital, some of my clothes had been cut off and I was  
9 being given oxygen. I remember giving the police  
10 a statement. They told me that there was something  
11 wrong with my hearing and that I was suffering from  
12 smoke inhalation."  
13 She then describes, my Lady, how she attends her  
14 doctor and she describes how she suffers from earaches,  
15 she finds glass in her ears and suffered in one or two  
16 other ways, and she then gives a description of the  
17 treatment she received.  
18 "I have two perforated ear drums and may have to  
19 receive skin grafts to my left ear, which may never  
20 recover full hearing. I have also been suffering from  
21 chest and back pains, which the doctor has said may  
22 indicate internal bruising. I remember [she says  
23 finally] that after the explosion I was aware of two  
24 elderly ladies sitting directly opposite me who were  
25 both bleeding from the face. They were both in their

1 60s, one being older than the other. They were both  
2 moving but were very quiet and looked as if they had  
3 facial injuries. I did not see them go."

4 My Lady, those two ladies will be spoken of in the  
5 evidence of one of the witnesses this afternoon,  
6 Bruce Lait.

7 LADY JUSTICE HALLETT: I think the position is that we're  
8 now ready to proceed with the submissions on the video  
9 footage, Mr Keith.

10 MR KEITH: My Lady, yes. I understand that there's been  
11 some discussion, subject to your leave, between Mr Hill  
12 and my learned friend Mr Vassell-Adams and I think they  
13 may have agreed between them that Mr Hill would make his  
14 submissions first, in order to set out for your Ladyship  
15 the nature of the objections, if I may describe them as  
16 such, to the release of the CCTV material to the press,  
17 not for the purposes of viewing it in court, of course,  
18 but for the purposes of its republication and further  
19 dissemination via the public website.

20 LADY JUSTICE HALLETT: Right, Mr Hill, just before you  
21 inform me of the objections the Metropolitan Police,  
22 have, may I just confirm that the only objections  
23 pursued on behalf of the families of which we're now  
24 aware, Mr Taylor and Mrs Taylor expressed objection  
25 yesterday, and I understand that you have expressed that

1 objection again today, Mr Taylor, is that right?

2 MR TAYLOR: That's correct.

3 LADY JUSTICE HALLETT: Otherwise, other families represented  
4 by Mr Tibber have withdrawn their objections because  
5 they have received assurances from the press that they  
6 will be editing where they indicate they would like  
7 matters edited?

8 MR TIBBER: My Lady, that's right.

9 LADY JUSTICE HALLETT: Thank you.

10 MS SHEFF: My Lady, there is also an objection on behalf of  
11 the family of Giles Hart to anything other than the  
12 closely edited, the final edited versions being used, on  
13 the basis that they are needlessly distressing to the  
14 family.

15 I should say, however, that that relates only to  
16 Tavistock Square, Mr Hart having been discovered by the  
17 taxi and can be seen in some of the photographs which  
18 have been pixelated, but it's still obvious that he is  
19 there in that position with some people around him and  
20 it is that which is upsetting to his wife and also to  
21 his daughter.

22 LADY JUSTICE HALLETT: Thank you very much, Ms Sheff.

23 Right, Mr Hill, I'm sorry to have kept you.

24 Submissions re video footage by MR HILL

25 MR HILL: Not at all.

1 As I state, my Lady, we must avoid a mental block by  
2 reference to CCTV when this application is not concerned  
3 with CCTV footage. Entirely understandable, Mr Keith  
4 keeps referring to CCTV, there's no issue about that.  
5 My Lady will recall that there was some earlier  
6 discussion about the pixelation of members of the public  
7 who might otherwise be identified on CCTV footage, but  
8 with the kind assistance of the media organisations,  
9 I think principally ITN and BSkyB, the task of  
10 pixelation was undertaken. We have absolutely no  
11 concern about that and we have every assurance that CCTV  
12 footage, when it arrives, either on website or in media  
13 reporting, will have been tailored to avoid unnecessary  
14 identification of members of the public.  
15 So what my Lady is considering, therefore, is not  
16 CCTV but is the video footage of the four scenes and, as  
17 an adjunct to that, I have taken objection to a small  
18 number of the still photographs which appear in the core  
19 bundle and have suggested, submitted, that they should  
20 not reach the website either.  
21 We've made written submissions twice on 8 October  
22 and then 18 October and, on the assumption that my Lady  
23 has those submissions and has had an opportunity to  
24 consider them, however briefly --  
25 LADY JUSTICE HALLETT: Would you just give me a moment to

1 clear the decks a little? So I need the core bundle?

2 MR HILL: Yes, my Lady.

3 LADY JUSTICE HALLETT: Right.

4 MR HILL: Without in any sense laboriously going through the  
5 arguments -- I'm not going to do that in writing -- can  
6 I say that there is no issue whatsoever between the  
7 Metropolitan Police and anybody else in these  
8 proceedings as to the right and ability of the media to  
9 report and, indeed, to comment upon all of the evidence  
10 that is relied upon in these open proceedings. That  
11 issue is simply not engaged.

12 Our submission, however, is that there is a residual  
13 discretion which you enjoy as to the wider dissemination  
14 of some of the exhibits that are used within these  
15 proceedings, and that is why, just to give a citation,  
16 at paragraph 14, the concluding -- the penultimate  
17 paragraph of my submission of 8 October, we submitted  
18 that the pool of images available from an unrestricted  
19 and uncontrolled public website should be limited to  
20 a necessary minimum. That is ultimately where the  
21 Metropolitan Police are coming from in making these  
22 submissions.

23 In order to make that good, we would simply refer  
24 my Lady to tab 4 of Mr Vassell-Adams' bundle, in which  
25 he's kindly compiled relevant authorities and, as I'm

1 going to it now, the CPS protocol entitled "Publicity  
2 and the Criminal Justice System", at tab 4 of  
3 Mr Vassell-Adams.

4 It is right that this protocol, dated, I think,  
5 October 2005, and drawn up under the predecessor to the  
6 current Director of Public Prosecution's time is a joint  
7 agreement between chief police officers, chief Crown  
8 prosecutors and the media, and the relevant part, one  
9 can go to page 3 of 4, top right, under paragraph 2  
10 "Media Access to Prosecution Materials", there are two  
11 relevant parts.

12 Firstly, under 2(ii):

13 "Prosecution material which has been relied upon by  
14 the Crown in court and which should normally be released  
15 to the media includes ..."

16 Second bullet:

17 "Videos showing scenes of crime as recorded by  
18 police after the event."

19 We invite my Lady to take note of that. But also

20 (iii):

21 "Prosecution material which may be released after  
22 consideration by the CPS in consultation with the police  
23 and relevant victims, witnesses and family members,  
24 includes ..."

25 Second bullet:



1 "Video and audio tapes of police interviews with  
2 defendants, victims and witnesses."  
3 And although in the first bullet it refers to CCTV  
4 footage, I'll read it:  
5 "CCTV footage or photographs showing the defendant  
6 and victim or the victim alone that has been viewed by  
7 jury and public in court, subject to any copyright  
8 issues here."  
9 So the rhetorical question that we pose is: what is  
10 the need for this protocol if there is a universal  
11 regime under which, with very few exceptions, the media  
12 have the right to all of this material?  
13 If that were really an unfettered right, we would  
14 submit there would be no need for this protocol and,  
15 moreover, no need for the protocol to split the  
16 recommendations as to the availability of materials in  
17 two in the way that the protocol does in 2(ii) and  
18 (iii).  
19 Put that another way, we submit that, although  
20 helpfully compiled, none of the authorities relied upon  
21 by Mr Vassell-Adams establishes a principle as to the  
22 right of the media to copies of material displayed in  
23 court. He does accurately identify the right of the  
24 media to report what is relied on in court. This is  
25 another matter. He now seeks copies of the material,

1 and so, for the avoidance of any lack of clarity, which  
2 would be my fault, we entirely accept and understand,  
3 and suggest, that the media, whether represented here  
4 today or more widely, should report these important  
5 proceedings and should, in making those reports, be in  
6 a position to describe the footage that has been viewed  
7 on the systems within this courtroom.  
8 Our issue is with that material being provided more  
9 widely and, in particular, to the public website, and we  
10 submit that would not be right.  
11 Can I, without, as I said, going through my skeleton  
12 arguments, go to the statement that we've provided in  
13 support of that which has been made by Detective Chief  
14 Inspector Sworn, who is, as my Lady will probably know,  
15 the deputy to Detective Chief Superintendent McKenna,  
16 who heads the Operation Ramus team, although he also, as  
17 it were, in a former life, was one of the investigating  
18 officers for one of the very significant terrorist cases  
19 which he refers to in his statement: namely, the  
20 Transatlantic Airline bomb plot known as  
21 Operation Overt.  
22 I'm not proposing to call the DCI, although of  
23 course he's available should that prove necessary and he  
24 sits in court. The purpose for his statement is simply  
25 to produce as it were on behalf of the Counter-terrorism

1 Command a number of references to what I've previously  
2 called propaganda abuse of materials.  
3 Can I come straight to the point, because I'm not  
4 going to seek to read out what Mr Sworn has said?  
5 There are some good examples, or I should use the  
6 word bad examples of the misuse of this material, and  
7 I'm going to go to only one of them, but I'm going to do  
8 it acutely conscious of the fact that Mr and Mrs Taylor  
9 sit behind me and, I hope, upon the understanding that  
10 it is no part of the Metropolitan Police submissions to  
11 sensationalise the submission that we make, still less  
12 to seek to heighten concerns properly expressed to you.  
13 The last paragraph I think of DCI Sworn's statement  
14 refers to a police case known as Operation Octameter.  
15 It's in fact in paragraph 5, the penultimate paragraph  
16 of his statement.  
17 He, Mr Sworn that is, produces copies of images  
18 exhibited to a report prepared by a professor of  
19 forensic computing in the context of that case now  
20 concluded, and so his exhibit AJS1 comprises, to use  
21 computer language, screen shots produced by  
22 a Professor Sammes in the context of that case.  
23 My Lady, I hope, attached to Mr Sworn's statement,  
24 sees these colour screen shots described at the top of  
25 the page as "attachment 2 to appendix 4 of AJS1".

1     What this is is a sample of screen shots  
2     demonstrating the content of an extremist website or web  
3     storage facility which goes by the name Nemo. The name  
4     Nemo derives from the fish of that name in the popular  
5     children's film, but that's the only friendly thing  
6     about it, in our submission.

7     What we see, looking through successive pages of  
8     this document, is, in effect, a glorification of those  
9     who operate under the guise of Al-Qaeda, which is why,  
10    on the first page of these Nemo documents, if I can call  
11    them that, we see a photomontage in very clear terms  
12    eulogising Bin Laden in three images and then the  
13    individual known as his worldwide deputy, Al-Zawahiri,  
14    in three further images.

15    We then see at the top of the second page  
16    a military-style photograph of the now deceased but said  
17    to have been former leader of Al-Qaeda in Iraq, Zarqawi  
18    being his name, dressed all in black, and then, without  
19    going laboriously through it, if my Lady turns, please,  
20    to page 5 of the Nemo documents, bottom right, the point  
21    of including this is immediately apparent.

22    What we see on this page -- and this, for the  
23    record, is what's called the Nemo 3 document -- is  
24    a photomontage including an image of the Twin Towers,  
25    including, above that and to the left, what appears to

1 be an image of an upturned jeep with an injured  
2 serviceman, perhaps American, on the ground, perhaps  
3 emanating from Iraq or some other battle zone, and then,  
4 top right, a montage of nine photographic images which  
5 somebody has gone to the trouble of compiling for the  
6 obvious and sole purpose of eulogising those who carried  
7 out the atrocity on 7 July 2005.

8 Although we've been unable to identify her, the  
9 middle image appears to be a traumatised survivor of  
10 that attack wrapped in a blanket, carrying a bottle of  
11 water and, understandably, looking decidedly shocked by  
12 what she, that young lady, had just undergone.

13 That image is surrounded by still images, overground  
14 images, therefore predominantly taken from  
15 Tavistock Square, and bottom left is a single image  
16 which we take to be hitherto the only images of moving  
17 footage which have ever been seen publicly and emanating  
18 from the underground. We think what we're looking at  
19 there is a mobile telephone image from one survivor  
20 making his or her way out of the wreckage, and it is  
21 a singular feature of this particular atrocity that,  
22 with the exception of Tavistock Square, what happened  
23 happened underground, which is why we say there is an  
24 opportunity, if you enjoy a discretion -- which we say  
25 you do -- to restrict the availability worldwide of

1 underground footage without in any way restricting the  
2 ability of the press to describe what happened  
3 underground or, still less, restricting all the  
4 participants in these proceedings on the screens in  
5 court from seeing whatever it is necessary that they  
6 see.

7 Our submission, therefore, is that it's quite plain,  
8 when you look at extremist material on websites such as  
9 this, that those with only ill intentions at heart do  
10 take the trouble, if that's the right word, to find  
11 images to suit their own ends and it would follow, I'm  
12 afraid, as night follows day that, if that store of  
13 imagery is to be added to in an unrestricted fashion,  
14 it's entirely foreseeable that, in future, websites such  
15 as this might contain images which are being used in  
16 these proceedings but which should not be allowed to  
17 find their way on to such sites.

18 Can I just say in a sentence that we, of course,  
19 understand what Mr Vassell-Adams has rightly pointed  
20 out, namely, the reach of the law in this regard, and  
21 the fact that it may or may not be the case that an  
22 offence is committed by those individuals who compile  
23 these images. That's right, but --

24 LADY JUSTICE HALLETT: I don't think that's his best  
25 argument, Mr Hill.

1 MR HILL: I'm grateful. The point that we make, of course,  
2 is that the worldwide web is what the name suggests:  
3 worldwide. The way in which websites are hosted, the  
4 jurisdictions in which they are hosted makes them  
5 extremely difficult to either identify or take down and  
6 often they are simply beyond the reach of any domestic  
7 investigating force such as the Metropolitan Police, for  
8 example.

9 We therefore submit -- and I'm turning away from  
10 this material, although I could go further through it  
11 and I could demonstrate that there are --

12 LADY JUSTICE HALLETT: I've been through it.

13 MR HILL: -- suicide bomb-making videos contained within  
14 Nemo and other items.

15 Moving away from it, we simply make this submission,  
16 that there are two possible bases on which you might  
17 choose to exercise your discretion against the further  
18 publication of this material. One is for the reason  
19 that we've identified, what I call the propaganda  
20 reason, which is, we submit, a proper reason in the  
21 realms of discretion, provided that it does not restrict  
22 the ability of the press to report, and we submit it  
23 doesn't.

24 The other reason is, of course, to represent the  
25 wishes of the families in this case, and I repeat,

1 without seeking to sensationalise or to make this any  
2 worse than it need be for Mr and Mrs Taylor, we can only  
3 point out, having heard Mr Taylor yesterday expressing,  
4 if we may say it, very rightly, his concern, that there  
5 is a real concern on the part of the Metropolitan Police  
6 that images that, if he maintains this view, he wouldn't  
7 wish to be published, would not only be published, if  
8 Mr Vassell-Adams' submissions are right, but would find  
9 their way on to these sort of sites.

10 Which takes me to really the end point of our  
11 submission, which is, with every well-intentioned  
12 thought in his mind, Mr Vassell-Adams, in writing, and  
13 I'm sure he will repeat it orally, seeks to give  
14 assurances about the responsibility of the reporters in  
15 this case, but that leads us to be slightly confused as  
16 to what actually is being applied for here.

17 If it were the case that he was applying on behalf  
18 of those clients who instruct him for more by way of  
19 footage and was then expressing in any number of ways  
20 assurance to the families as to how it would be  
21 reported, that is one thing. Whether it would satisfy  
22 you, my Lady, that it's a correct exercise of your  
23 discretion to disseminate in that closed way only to the  
24 represented media, we're not sure. But that doesn't  
25 appear to be what he's here for.



1     What he's here for is to suggest that the inquest  
2     website should include and contain more by way of video  
3     footage, and if that is what he's submitting, then any  
4     assurance that he gives is only good for the clients  
5     that he represents and the obvious point we make is, as  
6     soon as this material reaches the website, whatever  
7     blandishments you may receive from those represented in  
8     these proceedings would not restrict any others here or  
9     worldwide in terms of their access to this material.  
10    So whether it's on the propaganda reason alone or  
11    whether it is because of the views expressed by the  
12    family -- and we've heard what Ms Sheff has just said --  
13    we submit that this is plumb within the territory  
14    identified in the CPS protocol, and that protocol  
15    clearly has a measured approach to the release of  
16    material which is nothing to do with restricting the  
17    ability of the press to report.  
18    On that basis, we submit that it would be an  
19    appropriate exercise of your discretion not to release  
20    more video footage and, if we're wrong about that, and  
21    if there is an overwhelming right which is engaged and  
22    which is not being accorded proper attention in these  
23    proceedings, then I'm afraid we can only go on to  
24    observe that the discretion you have very rightly  
25    exercised against the publication of body maps on the

1 website would appear to be wrong or ultra vires, and  
2 that's another means, we say, of demonstrating why you  
3 do enjoy a discretion and we invite you to use that  
4 discretion again in this small fashion.

5 It is an unusual feature of this case that there is  
6 underground footage which the general public have not  
7 seen hitherto, but to come back to the penultimate  
8 paragraph of our first submission, we say this is  
9 a proper opportunity, for the reasons we have  
10 identified, to restrict it, and certainly, if there are  
11 now the views expressed by two families in the terms  
12 that are presented to you, whatever your view on our  
13 propaganda submission, we would submit that's more than  
14 enough to say that this video footage should not find  
15 its way on to the website.

16 LADY JUSTICE HALLETT: Mr Hill, perhaps we ought to make it  
17 plain that you say I should pay obvious attention to the  
18 distress that would be caused to the families. I think  
19 that not all the families are of one mind.

20 MR HILL: No.

21 LADY JUSTICE HALLETT: I think I received a message that --  
22 was it Mrs Nicholson, I don't know, she felt that there  
23 should be publication. So I don't think there's  
24 necessarily unanimity of view amongst the bereaved  
25 families.

1 MR HILL: No.

2 LADY JUSTICE HALLETT: As far as the footage that has been  
3 shown is concerned, when I compared the footage that we  
4 saw in open court with the footage that Mr Vassell-Adams  
5 is seeking to have put on to the public website and  
6 disclosed to or copied to his lay clients, it seemed to  
7 me that the difference between the two, apart from the  
8 obvious distress to people like Mr and Mrs Taylor, is  
9 the poignancy. It is the presence of the personal  
10 belongings, it is the bloodstains, it is the poignancy.  
11 At first blush, I wasn't sure why you were drawing  
12 a distinction between one set of footage and the other,  
13 but do I take it from the material that you have put  
14 before me and, for example, the website that Mr Sworn  
15 has produced, that it is the very poignancy that you say  
16 is going to be abused by those who would wish to use  
17 this as propaganda?

18 MR HILL: It is, I'm afraid. I repeat, without wishing to  
19 sensationalise, that the clue is in the word  
20 "terrorism". It is the ability to demonstrate the  
21 terror that these atrocities cause in the innocent that  
22 is the lifeblood to those who operate websites such as  
23 the one I've demonstrated, and that's what we're  
24 concerned about.

25 Can I just make a final observation? In paragraph 2

1 of Mr Vassell-Adams' substantive submission, he refers  
2 to video footage comprising images of the four bombsites  
3 after the explosions but following the removal of  
4 bodies. That's not strictly accurate. I'm not  
5 criticising him. It's not strictly accurate.

6 LADY JUSTICE HALLETT: No, unfortunately the bodies of the  
7 deceased are still present. They've been, as it were,  
8 obliterated by pixelation or some other method.

9 MR HILL: That's right. As an adjunct to that, I think we  
10 would just invite you to remember, as we are sure you  
11 do, that if there is anything in the poignancy, as  
12 you've called it, my Lady, that applies both to the  
13 represented bereaved, who may be of more than one mind  
14 on this footage, but it also applies to the survivors,  
15 some of whom we've heard from today, who are, if  
16 affected by poignancy, undoubtedly affected by this  
17 issue.

18 LADY JUSTICE HALLETT: And I have not had any  
19 representations from them.

20 MR HILL: No. My Lady, unless we can help further, that's  
21 our submission.

22 LADY JUSTICE HALLETT: Thank you very much.

23 Now, who's going next? Mr Tibber, did you want to  
24 add something before Mr Vassell-Adams?

25 MR TIBBER: My Lady, forgive me, there's been a slight

1 misunderstanding. I had thought that this argument now  
2 concentrated solely on the CCTV footage from which, as  
3 I understood it, the press might take stills. I'm wrong  
4 on that, quite clearly. There is one matter that  
5 I would like to bring to your attention that I raised  
6 with the Inquest team. I have no brief to make it at  
7 all, but I hope, my Lady, that you will take it into  
8 account, and that is, in particular, the photograph that  
9 appears in your core bundle at D13, because within --  
10 and it's precisely on the point that my Lady has just  
11 raised.

12 We can see there images of people who have not been  
13 asked at all what their views would be and, in  
14 particular, the gentleman by the lamp post from whom  
15 my Lady has heard. I've got no brief, but I hope  
16 my Lady will forgive me for raising it again.

17 LADY JUSTICE HALLETT: Just so long as we're clear, when,  
18 therefore, you said that you withdrew the objections  
19 from the bereaved families whom you represented to the  
20 video footage, the, as it were, not so heavily edited  
21 footage, that still stands, does it?

22 MR TIBBER: My Lady, yes.

23 LADY JUSTICE HALLETT: Thank you. Right, Mr Vassell-Adams?  
24 Submissions re video footage by MR VASELL-ADAMS

25 MR VASELL-ADAMS: I hope your Ladyship will bear with me

1 a little bit. As your Ladyship is aware, when I was  
2 last instructed and made submissions to your Ladyship  
3 I did so on virtually no notice, and I think it is  
4 important that I take some care with my submissions  
5 today, and I do doubt that I am going to get through  
6 them in 15 minutes. So I will need to take your lady  
7 through it quite carefully.

8 LADY JUSTICE HALLETT: You can certainly have longer than  
9 15 minutes, Mr Vassell-Adams, but I suspect I can't give  
10 you longer than half an hour in all. I have two more  
11 survivors coming this afternoon and I cannot keep them  
12 waiting for too long. So I suspect half an hour is all  
13 I can allow you, so if you want to do 15 minutes before  
14 lunch and then 15 minutes after lunch.

15 MR VASSELL-ADAMS: Thank you, my Lady.

16 My Lady, may I start with my skeleton argument?

17 LADY JUSTICE HALLETT: Of course.

18 MR VASSELL-ADAMS: We'll start with the open justice  
19 principle itself because the open justice principle is  
20 described at paragraph 6 of the skeleton and there's  
21 a recognition there in the quote at paragraph 7 from  
22 Lord Atkinson that open justice comes at a price:  
23 "The hearing of a case may be and often is no doubt  
24 painful, humiliating or deterrent both to parties and  
25 witnesses and in many cases, especially those of

1 a criminal nature, the details may be so indecent as to  
2 tend to injure public morals, but all this is tolerated  
3 and endured because it is felt that in public trial is  
4 to be found, on the whole, the best security for the  
5 pure, impartial and efficient administration of justice,  
6 the best means for winning for it public confidence and  
7 support."

8 There's a recognition by the House of Lords in the  
9 seminal case of Scott v Scott that the open justice  
10 principle comes at a price but it's a price that's worth  
11 it because the public interest in open justice is so  
12 strong, the need for the fair and open and efficient  
13 administration of justice, the need to maintain public  
14 confidence in the administration of justice, that it  
15 overrides those effects.

16 Those effects you can see described there relate to  
17 the parties and the witnesses and to the public as  
18 a whole. Indeed, it was suggested there by  
19 Lord Atkinson that the details of a case may be so  
20 indecent as to injure public morals and, by analogy with  
21 the propaganda argument in this case, you can see that  
22 effectively it's being suggested that one of the effects  
23 of showing this video footage is that it may have -- it  
24 may play into the hands of extremists.

25 Well, there's a recognition there at the heart of

1 the open justice principle that this principle is so  
2 important and it comes at a price that is recognised and  
3 that is understood.

4 My Lady, at paragraph 10 of the skeleton argument  
5 I deal with the two dimensions of open justice and  
6 I referred your lady briefly to this passage from  
7 Attorney General v Leveller on the last occasion. That  
8 describes the two aspects of open justice in that quote.  
9 The first is that it requires that proceedings should be  
10 held in open court to which the press and public are  
11 admitted, and that in criminal cases, at any rate, all  
12 evidence communicated to the court is communicated  
13 publicly, and then it says:

14 "As respects the publication to a wider public of  
15 fair and accurate reports of proceedings that have taken  
16 place in court, the principle requires that nothing  
17 should be done to discourage this."

18 That classic statement of principle has been taken  
19 up by the Lord Chief Justice in the Binyam Mohamed case  
20 and the case there is set out for your Ladyship. It's  
21 effectively the modern restatement of the open justice  
22 principle which has these two different dimensions.

23 In relation to the media, it says:

24 "In reality, very few citizens can scrutinise the  
25 judicial process. That scrutiny is performed by the



1 media, whether newspapers or television, acting on  
2 behalf of the body of citizens. Without the commitment  
3 of an independent media, the operation of the principle  
4 of open justice would be irredeemably diminished."  
5 At the following section of my skeleton, I deal with  
6 exceptions to open justice, and the fundamental  
7 principle is that at common law the only exception to  
8 open justice that is permitted is where the departure is  
9 strictly necessary because hearing the case in public  
10 would frustrate or render impractical the administration  
11 of justice, and the need for the departure to satisfy  
12 the test of necessity has been emphasised since  
13 Scott v Scott. It says:  
14 "As the paramount objective must always be to do  
15 justice, the general rule as to publicity, after all,  
16 only the means to an end, must accordingly yield, but  
17 the burden lies on those seeking to displace its  
18 application in the particular case to make out that the  
19 ordinary rule must as of necessity be superseded by this  
20 paramount consideration. The question is by no means  
21 one which, consistently with the spirit of our  
22 jurisprudence, can be dealt with by the judge as resting  
23 in his mere discretion as to what is expedient. The  
24 latter must be treated as one of principle and as  
25 turning, not on convenience, but on necessity."

1 That is the test. The test is one of necessity, and  
2 it's not the exercise of a discretion.

3 In paragraph 15 --

4 LADY JUSTICE HALLETT: So the test is one of necessity,  
5 necessity to ensure a fair trial, for example?

6 MR VASSELL-ADAMS: Necessity to ensure a fair trial. That  
7 would be a classic instance of a situation in which it  
8 would be appropriate to exercise the exception.

9 LADY JUSTICE HALLETT: What about necessity to avoid  
10 distress to witnesses or victims?

11 MR VASSELL-ADAMS: In my submission, that doesn't fall  
12 within the traditional common law principles at all.

13 There could potentially be a basis for that under  
14 article 8 of the European Convention of Human Rights and  
15 the right to privacy, and I'm going to come to that  
16 later in my submissions.

17 But in terms of traditional, common law exceptions  
18 to open justice, that doesn't correspond to a recognised  
19 exception.

20 LADY JUSTICE HALLETT: So you would say there is no power in  
21 a Crown Court judge, for example, keeping from the press  
22 and from publication to the wider public photographs of  
23 a murder trial?

24 MR VASSELL-ADAMS: Well, my Lady, my submission is -- in  
25 essence, my submission is that, where material has been

1 shown in open court and can be fully described by the  
2 media, the current understanding in criminal cases is  
3 that, with the protocol, that material would be  
4 disclosed to the media, but --

5 LADY JUSTICE HALLETT: I think it's highly unlikely,  
6 Mr Vassell-Adams -- forgive me for interrupting.

7 I think it is highly unlikely that the protocol would be  
8 used to allow the publication of photographs of a dead  
9 child.

10 MR VASSELL-ADAMS: That may be, my Lady, and I did accept  
11 that under the European Convention of Human Rights  
12 potentially under the article 8 right to privacy, that  
13 could be a factor that would weigh with the court to  
14 allow the court to decide, "No, we're not going to make  
15 this available". I do accept that.

16 What I was saying was a slightly narrower point at  
17 that moment, which was that, according to the --  
18 Scott v Scott, photographs weren't relevant in the same  
19 way at that time in history, and so we're dealing with  
20 a new terrain here of how you apply the open justice  
21 principle to video footage and to photographs, which has  
22 not come up for -- which doesn't often come up for  
23 determination.

24 LADY JUSTICE HALLETT: I'm just trying to pursue -- you say  
25 this isn't a question of discretion; it's judgment. And

1 you say that the only exception is one of necessity and  
2 I'm just trying to establish necessity for what? If  
3 we're only talking about, say, for example, a fair trial  
4 in a criminal trial, what other cases of necessity do  
5 you envisage?

6 MR VASSELL-ADAMS: The other cases of necessity would be  
7 those that correspond to exceptions to freedom of  
8 expression under article 10.2 of the European Convention  
9 of Human Rights, and that could include protection of  
10 the rights and reputations of others, for example. That  
11 would also embrace the right to privacy. It could  
12 include the protection of national security. It could  
13 include the prevention of disorder and crime. I'm going  
14 to come to this.

15 LADY JUSTICE HALLETT: Does it involve protecting the  
16 feelings of people like Mr and Mrs Taylor?

17 MR VASSELL-ADAMS: I accept that the court is entitled to  
18 take into account the privacy -- the impact on the  
19 privacy rights of the people who were engaged in the  
20 process. I accept that there's a balancing exercise  
21 that the court is carrying out between the freedom --  
22 open justice and freedom of expression, on the one hand,  
23 and other human rights. That I do accept, and so I do  
24 accept that the court can take those matters into  
25 account. The weight that is to be -- the weight that is

1 to be placed on those matters is going to be  
2 context-specific, but as a matter of principle, I accept  
3 your Ladyship can take that into account and I was  
4 hoping to make that clear later in my submissions.

5 LADY JUSTICE HALLETT: I just want to press you because  
6 I need to consider where we're going here. Is your  
7 argument, therefore, that in any criminal trial, for  
8 example, where there wouldn't be a public website, the  
9 press are entitled to demand copies of any photographs  
10 shown to the jury?

11 MR VASSELL-ADAMS: My submission is that the argument that  
12 I'm making to your Ladyship, which has not arisen for  
13 consideration previously because, as your Ladyship will  
14 have seen, the cases that say there is a right of access  
15 to information under article 10 are very, very recent,  
16 and it hasn't arisen -- it hasn't, insofar as I am  
17 aware, been argued before. But my primary submission  
18 is, yes, indeed, whatever is shown in open court,  
19 whether that's a criminal court or whether that's an  
20 inquest, if it's shown to the public and seen by the  
21 public, in principle the media have a right of access to  
22 that information.

23 LADY JUSTICE HALLETT: No, you're saying they have a right  
24 to copies. Let's get this absolutely clear. You are  
25 saying they have a right to copies.

1 MR VASSELL-ADAMS: I am saying they have a right to copies.

2 LADY JUSTICE HALLETT: Rather than a right to describe and  
3 report upon?

4 MR VASSELL-ADAMS: That's right, my Lady.

5 LADY JUSTICE HALLETT: The media have a right in law,  
6 subject only to the exception of necessity, to a copy of  
7 any photograph in any open proceedings?

8 MR VASSELL-ADAMS: I didn't say subject only to an exception  
9 of necessity. I said subject to -- I said necessity was  
10 the test at common law and I said that subject to human  
11 rights considerations as well.

12 LADY JUSTICE HALLETT: Subject to necessity and article 8?

13 MR VASSELL-ADAMS: Not only article 8. Other human rights  
14 considerations could equally well apply. For example,  
15 Article 2, the right to life, if disclosure of certain  
16 information was going to place someone's life in danger,  
17 for example. But subject to that, my primary submission  
18 is there is a right.

19 I do accept that the secondary position to that, if  
20 there is not a right, is that it's a matter for your  
21 Ladyship's -- it's a discretion.

22 LADY JUSTICE HALLETT: Just before we move to discretion,  
23 and I appreciate I'm interrupting your submissions, but  
24 I think I have to because of the shortage of time, do  
25 you have any authority for your proposition that the

1 media have a right in principle in law to copies in the  
2 circumstances that you have described? Any authority in  
3 Europe or in the UK?

4 MR VASSELL-ADAMS: I don't have any authority that deals  
5 directly with the question of video footage and  
6 photographs shown in open court. I don't. And I make  
7 no apologies for that because, as your Ladyship will  
8 have seen, it was only in 2009 that the European Court  
9 of Human Rights gave the judgment in *Tarsasag v Hungary*,  
10 which is referred to at paragraph 28 of my skeleton, in  
11 which they held that article 10 encompasses a right of  
12 access to information.

13 And it's only in 2010 that that theme has been taken  
14 up by the Court of Appeal in this country, in both the  
15 *Independent News & Media* case and in the *Binyam Mohamed*  
16 case, both of which -- to both of which I referred your  
17 Ladyship on the last occasion.

18 So these are very recent developments, and of course  
19 they postdate the CPS protocol. The CPS protocol isn't  
20 the last word on the matter. No doubt the CPS protocol  
21 was designed in part to give effect to freedom of  
22 expression and article 10 of the European Convention of  
23 Human Rights, and it makes express reference to  
24 article 10 at paragraph 3 of the protocol, but it isn't  
25 the last word on the matter because, since then, the law

1 has moved on and the European Court of Human Rights has  
2 gone further than it was prepared to do previously, and  
3 the domestic courts have taken up that theme, and in my  
4 submission that -- and that is where I -- and that is  
5 what I base my assertion that there is a right of access  
6 to it, because the court is not only required not to  
7 place obstacles in the way of reporting by the media, in  
8 my submission it should be seeking to facilitate public  
9 access to information.

10 If it's being shown in open court and any member of  
11 the public can come in and view it for themselves in  
12 open court, the general public should also be given the  
13 opportunity to view it.

14 That is not asserted as an absolute entitlement,  
15 absolutely not. There's a -- the presumption should be  
16 in favour of disclosure and then anyone who's affected  
17 by it should have an opportunity to make submissions,  
18 and it may well be that for human rights considerations,  
19 for example, the court would decide, no, it's not  
20 appropriate to make disclosure. The example that your  
21 Ladyship gave of the dead baby is the most kind of  
22 compelling example that one could give, and I would  
23 accept that, completely accept it.

24 What I am saying is the starting point has to be one  
25 in favour of disclosure because if the general public



1 can come to court and can see it for themselves here, in  
2 principle this courtroom, my Lady, has probably room for  
3 55 people at the back of it, but there are 55 million  
4 people in this country, and many of them will be very  
5 interested to know what's been happening in these  
6 proceedings.

7 LADY JUSTICE HALLETT: How many people do we take in the  
8 media annex? We can find out, Mr Vassell-Adams, but  
9 I think you'll find there's room for rather more than  
10 55. 100.

11 MR VASSELL-ADAMS: 100. So approximately 25 million people  
12 in this country -- we're talking in those kinds of  
13 comparisons.

14 LADY JUSTICE HALLETT: I think we'll break there. Before  
15 I leave, could you summarise for me, please, in  
16 a sentence or two what it is about the -- let's call it  
17 the second version, which we have not yet put on the  
18 public website that your lay clients wish to publish,  
19 what it is about that footage that you say adds to the  
20 access to information and the freedom to report fully  
21 and fairly.

22 MR VASSELL-ADAMS: Certainly, my Lady. In my submission,  
23 the version 2 is more powerful and it is more poignant  
24 and it does have a heightened sense of drama when you  
25 look inside the Tube carriages, there's no doubt that it

1 is more powerful and more dramatic than the shots that  
2 have been disclosed so far, and of course, that's an  
3 argument that cuts both ways.

4 LADY JUSTICE HALLETT: I appreciate Mr Hill is relying upon  
5 the very poignancy to say that is what will be abused  
6 and you wish -- I don't mean this pejoratively, but it  
7 makes for a better story.

8 MR VASSELL-ADAMS: It does, and as I indicated in my  
9 skeleton argument, reasonable people can properly  
10 disagree about where the line should be drawn between  
11 trying to convey the reality of what is a truly horrific  
12 crime, on the one hand, and sensitivity towards the  
13 feelings of viewers and of affected people on the other.  
14 But my essential submission on that is that that  
15 really is a judgment for the broadcasters. I know it's  
16 somewhat complicated in this case because there's the  
17 website issue as well, and I'm actually not here to  
18 argue about what should go on the website. That really  
19 is a matter for your Ladyship. My arguments are on  
20 behalf of my clients who wish to publish this as part of  
21 the news where they're going to use excerpts and are not  
22 going to show one hour and 15 minutes' worth of footage.  
23 They're going to use excerpts as part of their news  
24 stories.

25 LADY JUSTICE HALLETT: Do I not have to take the two

1 together, Mr Vassell-Adams? I appreciate you're only  
2 asking that you wish to use the material, or your lay  
3 clients wish to use the material, but don't I have to  
4 approach the matter that, therefore, that means any  
5 media organisation, or any organisation anywhere, could  
6 come along and demand copies of the material as well?

7 MR VASSELL-ADAMS: Yes, that is right.

8 LADY JUSTICE HALLETT: I can't really, can I, rely on the  
9 assurances of sensitive editing, because I can't be sure  
10 that any broadcaster is going to receive  
11 representations? There are people, for example, in  
12 New Zealand who would be affected by the footage or  
13 anywhere else in the world.

14 MR VASSELL-ADAMS: If the footage is put up on the public  
15 website, I accept then it's published to the world at  
16 large, there's no control over it.

17 LADY JUSTICE HALLETT: If I released it or allowed it to be  
18 copied to the organisations you represent, don't I have  
19 to operate on the basis undertakings are irrelevant and  
20 it would be copied to anybody?

21 MR VASSELL-ADAMS: I don't think that that is quite right  
22 because it's not a point about undertakings. I think  
23 it's just important to be clear about what the point is  
24 here.

25 LADY JUSTICE HALLETT: We'll come back this afternoon.

1 MR VASSELL-ADAMS: We'll come back to that.

2 (1.05 pm)

3 (The short adjournment)

4