

1 (2.00 pm)

2 LADY JUSTICE HALLETT: Mr Vassell-Adams, with an unfortunate
3 sense of timing, I have received a complaint about the
4 behaviour of some representatives of the press who, to
5 my amazement, obstructed the path of a parent of one of
6 the deceased victims to the extent that she said she
7 didn't expect to be treated in that fashion.

8 The representatives of the press involved were
9 intrusive, she found, and intimidating.

10 Obviously, I will not take this into account in any
11 way in hearing your submissions, but, as you are on your
12 feet, I am directing my remarks at you. I would like to
13 repeat what I said in my opening to these inquests that
14 I expect representatives of the press to treat everybody
15 involved in these inquests with sensitivity,
16 particularly the witnesses and the families, the
17 bereaved families who have come along to see what is
18 said about the deaths of their loved ones, and I do not
19 expect, even on public highways, representatives of the
20 press to act in such a way that people involved feel
21 threatened and intimidated.

22 MR VASSELL-ADAMS: My Lady, I will ensure that those views
23 are fully communicated to my clients. Obviously,
24 I don't know who those journalists were, I don't even
25 know whether they're from organisations that

1 I represent. I'm not here as general spokesman for the
2 entire British media.

3 LADY JUSTICE HALLETT: I know.

4 MR VASSELL-ADAMS: But I will ensure those views are
5 communicated.

6 LADY JUSTICE HALLETT: Thank you.

7 MR VASSELL-ADAMS: My Lady, returning to my submissions,
8 there were two issues that came up just before the
9 luncheon adjournment and I think I ought to probably
10 deal with those first before returning to my structured
11 argument, if I can put it like that.

12 The first was what does this footage add from the
13 point of view of the reporting of this story? I took an
14 opportunity in the luncheon adjournment to look at the
15 footage again in its entirety and, in my submission, the
16 footage that shows what the Tube trains actually looked
17 like after the explosions is far more powerful, far more
18 poignant and far better conveys the reality of this
19 terrible crime than the very short extracts that are
20 currently on the website.

21 It's no part of the media's application to seek
22 disclosure of the original unedited footage.

23 Your Ladyship is going to have to decide whether
24 your Ladyship accepts the submissions that I've made
25 about the impact of the footage, having viewed it, and

1 in my submission there is a real difference between the
2 footage that's withheld and the footage that has been
3 disclosed in terms of its ability to convey the horror
4 of what is a terrible crime.

5 The second issue that arose just before the luncheon
6 adjournment was effectively your Ladyship saying, well,
7 if it's disclosed to you, isn't it disclosed to the
8 media at large without limitation. That isn't strictly
9 speaking right, my Lady. My application is only on
10 behalf of the broadcasters whom I represent. They are
11 the BBC, BSkyB, ITN and one newspaper organisation,
12 The Guardian.

13 The issue of publication on the website is
14 a separate issue, but if the footage is disclosed to
15 them, the point that is being made in relation to the
16 broadcasters in particular is that they are required, as
17 matter of law, already to take into account the impact
18 on the privacy rights of the victims and their families.
19 That is a legal obligation that they have under the
20 Communications Act 2003 and under the Ofcom Code, the
21 excerpts of which are in the bundle, and I'm not going
22 to take your Ladyship to them and it's no part of my
23 submission to say the broadcasters are going to reach
24 a particular view about how that balance should be
25 struck.

1 The point is simply being made that this is
2 something they are already required, as a matter of law,
3 to do.

4 My Lady, returning to my structured submissions, I'd
5 like to take your Ladyship briefly to article -- we
6 dealt with open justice and the exceptional nature of
7 the jurisdiction to depart from it. Essentially, under
8 paragraph 10 of the European Convention of Human Rights,
9 the tests are very similar. The tests are essentially:
10 necessity and proportionality and legitimate aim, and
11 your Ladyship can see from paragraph 23 of the skeleton,
12 article 10 is set out, and then under article 10.2 you
13 have the basis on which the right may be restricted, so
14 it has to be prescribed by law, necessary in
15 a democratic society, that means necessary and
16 proportionate, and then it sets out the different
17 interests which are catered for.

18 So to my Lady's question of whether, on our
19 analysis, your Ladyship could properly take into account
20 the impact on the rights of others, our submission is,
21 yes, your Ladyship could, and it's -- the basis on which
22 your Ladyship could do it is set out there in
23 article 10.2 itself.

24 But what your Ladyship would have to do is to apply
25 those principles, and the principles derived from the

1 Observer and Guardian case are that article 10 -- you
2 can see from the passages that are quoted, it's subject
3 to a number of exceptions which must be narrowly
4 interpreted and the necessity for any restrictions must
5 be convincingly established.

6 LADY JUSTICE HALLETT: You say that, looking at your
7 paragraph 26, you're accepting for the purposes of this
8 argument, are you, that is what is necessary in
9 a democratic society, in the sense that there is
10 a pressing social need and a pursuit of a legitimate
11 aim, is the protection of the feelings of bereaved
12 families?

13 MR VASSELL-ADAMS: I'm -- to be slightly more technical
14 about it, yes, I am, my Lady, but if you look at
15 article 10.2, and it's set out in paragraph 23, if you
16 go halfway down, you can see that one of the legitimate
17 aims is for the protection of the reputation or rights
18 of others, and in and insofar as the privacy rights of
19 the families are engaged, that is a matter that your
20 Ladyship can properly take into consideration, applying
21 the principles of necessity and proportionality.
22 So, if your Ladyship were to accept that it is
23 necessary and proportionate in the interests of
24 protecting their privacy rights that this material
25 should not be disclosed, then that would be open to your

1 Ladyship as a matter of principle. That is accepted.
2 But the weight to be attached to that right
3 obviously is conditioned by the context, and the context
4 is one in which this footage is being shown in open
5 court as part of these proceedings and in circumstances
6 in which any member of the public can come and view it
7 in open court, and if your Ladyship -- and I don't have
8 the opportunity to do so today -- but essentially your
9 Ladyship will see that where the courts are required to
10 balance articles 8 and 10 in relation to the publication
11 of news stories out there in the world at large is
12 a very different situation from court reporting and that
13 both the domestic courts in some of the recent cases
14 that are in your Ladyship's files, the Supreme Court,
15 House of Lords, and Strasbourg recognise there is
16 a particular public interest to the full and open
17 disclosure of proceedings that take place in open court
18 and their publication by the media, and we do rely on
19 that in this context because this is the context that
20 we're dealing with here.
21 My Lady, the right of access to information
22 submissions are dealt with at paragraphs 27 to 30 of the
23 skeleton argument. I don't propose to take your
24 Ladyship through the Independent News & Media case
25 again. It's not a case that's very accessible, if I can

1 put it like that, and requires quite careful analysis,
2 but what it essentially amounted to on the part of the
3 Court of Appeal was an acceptance that article 10 case
4 law now includes a right of access to information.
5 If I can just draw the distinction, if your Ladyship
6 were to look at article 10.1 of the Convention,
7 paragraph 23, you can see:
8 "The right shall include freedom to hold opinions
9 and to receive and impart information and ideas without
10 interference by public authority and regardless of
11 frontiers."
12 The way that the European Court of Human Rights
13 historically interpreted that was to mean: this is about
14 not interfering with information to which the media
15 already has access. That was the traditional
16 interpretation.
17 What the Court of Appeal is effectively accepting in
18 Independent News & Media is that article 10 now goes
19 beyond that to a right of access to information as well,
20 where it's in the public interest that that information
21 should be published.
22 I would just like to take your Ladyship briefly to
23 the Binyam Mohamed case where that theme was taken up by
24 both the Lord Chief Justice and the Master of the Rolls.
25 It's at your Ladyship's tab 3.

1 If I may start on page 573, please, the passage to
2 which I draw your attention is -- you will see on
3 page 573 that I've already quoted paragraph 38 in my
4 skeleton argument about the two aspects of the open
5 justice principle.

6 Then paragraph 40 -- I apologise, paragraph 38, my
7 Lady, not paragraph 36.

8 Paragraph 40:

9 "Expressed in this way, the principle of open
10 justice ..."

11 LADY JUSTICE HALLETT: Shall I read it to myself,
12 Mr Vassell-Adams? (Pause).

13 I've read it.

14 MR VASSELL-ADAMS: Thank you, my Lady, and paragraph 180,
15 which I did refer to on the last occasion but, because
16 it was in some haste, I refer to it again now.

17 LADY JUSTICE HALLETT: 180?

18 MR VASSELL-ADAMS: 180, page 610, my Lady, which we say is
19 an express recognition, in terms of the principal
20 submission we're making to your Ladyship. Its
21 application is obviously a different matter.

22 "Courts, like any public body, have a concomitant
23 obligation to make information available. Article 10
24 carries with it a right to know."

25 LADY JUSTICE HALLETT: I have that, thank you.

1 MR VASSELL-ADAMS: Thank you, my Lady.
2 The CPS protocol is referred to in the skeleton
3 argument, and I hope your Ladyship has my submissions on
4 this. It may have been seen that on the last occasion
5 when I was in front of your Ladyship I made a concession
6 that I now am resiling from and, if that is the case,
7 then I wish it to be clear that I am resiling from it.
8 It is not accepted that this is the final word on
9 these matters because, in effect, the recent article 10
10 case law as interpreted by our domestic courts,
11 postdates the coming into force of the protocol, and so
12 we say that the case law actually goes further than the
13 protocol does.

14 LADY JUSTICE HALLETT: You mention in paragraph 34 two
15 inquests. There was recently an inquest into the sad
16 death of a barrister. Was the full footage released to
17 the public that was shown to the inquest jury in that
18 case?

19 MR VASSELL-ADAMS: I would have to take instructions on
20 that, my Lady. I'm not in a position to say.

21 LADY JUSTICE HALLETT: I think Mr Gibbs might be able to
22 help because I think you were in the case, Mr Gibbs?

23 MR GIBBS: I was, and it was at the, I think, express
24 request of the family.

25 LADY JUSTICE HALLETT: Thank you.

1 MR VASSELL-ADAMS: My instructing solicitor tells me that,
2 if there had been an issue for the media in that case,
3 they no doubt would have made a challenge.
4 My Lady, that brings me to editorial judgment in the
5 presentation of journalistic material, and we do rely
6 upon this as a very important part of the whole jigsaw.
7 The Re BBC case is really the crucial case and
8 that's in paragraph 36. The relevant extract is
9 extracted for your Ladyship.
10 In that case, the House of Lords was concerned with
11 whether they should discharge an anonymity order which
12 prevented the media from identifying a defendant who
13 faced the prospect of a re-trial for murder following
14 the abolition of the double jeopardy rule and
15 essentially Lord Pannick QC said "This is all terribly
16 straightforward, they can just publish the story without
17 identifying him", and that submission was rejected by
18 the House of Lords, and the passage there from Lord Hope
19 really sets out in crystal-clear terms where we stand on
20 the law on this issue; that where the court is being
21 asked to make these difficult balancing judgments
22 between competing rights, that there must be weight
23 allowed for editors to act as editors and to make those
24 judgments as well, and that's something that the court
25 has to factor into the analysis.

1 Briefly, my Lady, in the Re Guardian News & Media
2 case, again relied upon in this context, the
3 observations of Lord Rodger set out at paragraph 38 are
4 also relied upon, in particular the observation that it
5 isn't just a matter of deference to editorial
6 independence, judges are recognising that editors know
7 best how to present material in a way that will interest
8 the readers of their particular publication and so help
9 them to absorb the information.
10 This essentially means that the court must allow
11 editors to make those decisions about what is actually
12 going to be interesting and engaging for the public to
13 look at.
14 My Lady, I have already made my submissions in
15 relation to the Ofcom Codes and I'd now like to address
16 the first point, the propaganda point.
17 This is dealt with at paragraph 46 and thereafter of
18 my skeleton.
19 Essentially, my Lady, the submission on this is
20 somewhat different from the distress point. Our
21 submission on this is that the propaganda argument
22 doesn't in fact correspond to any recognised exception
23 to open justice and neither does it correspond to any
24 legitimate basis on which freedom of expression can be
25 limited under article 10.2 of the Convention.

1 LADY JUSTICE HALLETT: It would be relevant if I had
2 a discretion.

3 MR VASSELL-ADAMS: Well, my Lady, in our submission, on the
4 propaganda point your Ladyship doesn't have a legal
5 footing to have a discretion on.

6 LADY JUSTICE HALLETT: I appreciate you say I don't have
7 a discretion, it's a matter of judgment, but if I had
8 a discretion?

9 MR VASSELL-ADAMS: If your Ladyship had a discretion,
10 your Ladyship would be entitled to balance the legal
11 rights in favour of publication against the legal rights
12 against and, in our submission, on the propaganda point
13 there is no legal right against.

14 It's different on the distress point, but maybe
15 I can develop that so that it's clear why we say --

16 LADY JUSTICE HALLETT: Except we're running out of time.

17 MR VASSELL-ADAMS: I'm going to have to be very quick.
18 Under the common law, any departure must be
19 necessary in order not to frustrate the administration
20 of justice. If I take an analogous example, if this
21 were a criminal trial of a gang killing and members of
22 the gang were shown on CCTV footage stabbing a member of
23 a rival gang and it was argued on behalf of the
24 Metropolitan Police that that footage shouldn't be shown
25 in open court, it should be shown in a closed

1 courtroom -- traditional open justice argument -- shown
2 in a closed courtroom because there were members of
3 the -- they knew that there were going to be members of
4 the public in the back of the court, including young
5 people, and they were concerned that the showing of that
6 footage could glorify gang membership and make young
7 people more likely to join gangs, respectfully, my Lady,
8 that is not a basis on which the court could uphold the
9 open justice principle and withstand scrutiny on appeal.
10 It doesn't correspond to any recognised exception to
11 the open justice principle. Neither does it correspond
12 to any of the article 10.2 exceptions to freedom of
13 expression. There is no footing there for the
14 propaganda argument to stand on.
15 But our objection is a more fundamental one than
16 that. It is that the whole purpose of freedom of
17 expression in a democratic society is to ensure that
18 there's a free, open, democratic space for a clash of
19 ideas and that there is an acceptance that both the
20 law-abiding and sensible majority and a minority of
21 extremists both have the right to freedom of expression
22 and that in that clash of ideas the better values and
23 ideas will prevail.
24 In addition, in our submission, it's quite wrong to
25 define the scope of a human right such as freedom of

1 expression by the possibility of its abuse by a tiny
2 minority. It's really allowing the tail to wag the dog
3 and, in our submission, your Ladyship should be very
4 careful to accede to an argument which effectively is
5 that the Metropolitan Police are deciding or advocating
6 what it is and it isn't that the public should see in
7 this case.

8 In our submission, that wouldn't support public
9 confidence in the administration of justice but would be
10 more likely, in practice, to create suspicion that the
11 public weren't being shown the whole picture.

12 As the whole open justice principle is premised on
13 the idea that the more open and transparent the process,
14 the greater the public confidence in the process will
15 be, we do rely upon that in our submissions.

16 In addition, I have to say the evidence in support
17 of the Metropolitan Police's argument really doesn't
18 support their central argument. All that it shows is
19 that there are a handful of people who have been
20 convicted of terrorism offences who had propaganda
21 materials in their possession, but it doesn't show that
22 they became terrorists because of those propaganda
23 materials, which is essentially the sort of argument
24 that is trying to be advanced here. These are two
25 completely -- it's a non sequitur.

1 Realistically, my Lady, the reality is that there's
2 far more dramatic footage available out there
3 demonstrating these terrorist atrocities, if people want
4 to misuse it, than this footage which is being made
5 available, and your Ladyship has to judge: well, really,
6 am I -- is it an appropriate way to allow this issue to
7 be determined by a speculative possibility -- and that's
8 really all that it is -- a speculative possibility that
9 some people might misuse it?

10 May I come to the distress issue?

11 LADY JUSTICE HALLETT: I should tell you, Mr Vassell-Adams,
12 that during the luncheon adjournment I was informed that
13 Mr Desborough, who has remained in court, having
14 completed his evidence yesterday -- you may have read or
15 seen what he said -- as one of the survivors, he, too,
16 objects to the further publication of this material.

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

18 LADY JUSTICE HALLETT: For the same reasons, I should say,
19 as Mr and Mrs Taylor and Mr and Mrs Hart.

20 MR VASSELL-ADAMS: I am representing a number of media
21 organisations and, in my submission, the fundamental
22 answer to the distress point, which I do accept is not
23 an answer that also applies to your website, but the
24 fundamental answer from us is that we are already
25 obliged, as a matter of law, to take this into account

1 and to act sensibly and appropriately and there are
2 legal mechanisms of redress which are available to
3 anyone who considers that we have not discharged our
4 responsibilities properly.

5 LADY JUSTICE HALLETT: Some might think that was shutting
6 the door after the horse had bolted, Mr Vassell-Adams.

7 MR VASSELL-ADAMS: That's one way of looking at it. The
8 other way of looking at it is that, if you are being
9 asked to exercise a discretion, and the law already
10 requires broadcasters to take these matters into
11 account, that's a matter that you can also take into
12 account as one of the factors in exercising that
13 judgment.

14 But the fundamental point is this: that it would
15 appear that at least the vast majority of the families
16 represented in this inquest are supportive of this
17 footage being made available to the media, and they are
18 supportive of the footage being made available for
19 precisely the same reasons that the media wishes to be
20 able to show it, and that is because it's more powerful
21 and more poignant and better tells the story of these
22 terrible events.

23 Of course, an absolutely integral part of that
24 argument -- and this is really the foundation stone of
25 all the arguments that are advanced by the media in this

1 case -- is that it has been shown in open court and has
2 been made -- and shown to the public.

3 I would return very briefly to the point that I made
4 at the very outset which is, looking at the open justice
5 principle in Scott v Scott, that it's recognised that
6 that is not -- it's not an easy position, the open
7 justice principle. It's not an easy position because it
8 has a price. But in our respectful submission, one has
9 to look at the bigger picture as well and that's the
10 bigger picture I'm asking your Ladyship to take into
11 account, that the public at large in this country should
12 not be presented with an unduly -- an overly sanitised
13 image of what this crime was about.

14 My Lady, unless there's any matter, those are my
15 submissions.

16 LADY JUSTICE HALLETT: No, thank you. That's extremely
17 helpful, Mr Vassell-Adams, and, as I say, I apologise if
18 I have interrupted you, but I had read your written
19 submissions and I was really conscious of the time and
20 the waiting survivors, trying, as it were, to get to the
21 main points. But thank you very much, that is very
22 helpful.

23 Mr Keith?

24 Submissions re video footage by MR KEITH

25 MR KEITH: My Lady, may I make a handful of submissions, if

1 I may, very shortly?
2 We would invite to you rule on the wider principles
3 engaged in this argument. My learned friend
4 Mr Vassell-Adams has sought to limit his arguments in
5 three ways but perhaps to make them a little more
6 palatable, certainly in relation to the legal argument
7 at the heart. But the arguments concern, not only the
8 footage, but the photographs. Secondly, they do engage
9 the website as well as the ability of his own clients to
10 report the footage and, thirdly, of course, as my Lady
11 has already noted, the assurances given by him on behalf
12 of his clients at paragraph 55 of his written
13 submissions could not engage other news organisations
14 and nor, of course, could they impose any restriction
15 upon access to the website.
16 Dealing with the two arguments, firstly, the legal
17 argument. In our respectful submission, the arguments
18 do not, in fact, engage the principle of open justice.
19 The footage edited to exclude pictures of the deceased
20 but including personal possessions and the
21 bloodstaining, has been played in open court. There
22 have been no restrictions on who may be in court to view
23 that material, no one has been excluded and, my Lady,
24 you have taken significant steps to ensure that as many
25 people as possible may follow these proceedings.

1 Thirdly, the footage has been commented upon in the
2 press already and described at some length.
3 Fourthly, you have not derogated in any way from the
4 application of rule 17 which gives effect to the
5 principle of open justice, and no one suggests that the
6 press will be anything other than entirely unhindered in
7 observing and following the proceedings and making
8 reference in the future to that footage.
9 The principle of open justice, my Lady, established
10 in Scott v Scott and Leveller seems to us to emphasise
11 the ability of the press to observe and follow
12 proceedings and it's for that reason that section 4.1 of
13 the Contempt of Court Act provides that a person was,
14 from the enactment, no longer guilty of the strict
15 liability offence of contempt of court in respect of
16 fair and accurate reports of proceedings published
17 contemporaneously.
18 Open justice is met by the ability of the press to
19 attend proceedings and to report entirely unhindered
20 what has happened.
21 What is instead in issue in this argument, my Lady,
22 as my Lady has already rightly, if I may say so
23 observed, is whether they are entitled to a copy of an
24 exhibit played in court so that they may adduce it yet
25 more widely.

1 That is, in our submission, in principle a different
2 issue from the issue of whether or not you are simply
3 making information available, and may I make four
4 points?

5 Firstly, it would seem to us surprising if my
6 learned friend's arguments were right, because it would
7 mean that my Lady would lose any discretion to prevent
8 publication of material such as, for example, as you
9 supposed in argument, a photograph of a dead child.

10 In the circumstances of the present case, it would
11 prevent you from preventing publication of the body
12 maps, and the body maps, as I've observed in previous
13 hearings, are deeply distressing and you have already
14 ordered that they should not be further disseminated.

15 Secondly, there are no specific statutory provisions
16 providing for the provision of exhibits to the press.
17 The media are not a properly interested person within
18 rule 20(2) and, therefore, are not entitled to material
19 under rule 57. The Freedom of Information Act does not
20 apply. There are no analogous provisions to that under
21 section 18 of the Inquiries Act and no analogous
22 provisions under the CPR or the criminal procedure
23 rules.

24 The authority that does exist, *Waterfield*, would
25 seem to suggest that there is no entitlement on the part

1 of the press, acting as members of the public, to be
2 allowed to look at exhibits, and although that was not
3 the ratio decidendi of that case, it certainly formed
4 part of the reasoning of Lord Justice Lawton.
5 Reference has been made in the written arguments to
6 other jurisprudence, in particular the case of Howell,
7 which concerned a different point as to whether or not
8 the press were entitled to copies of skeleton arguments.
9 The issue there is a different one. It is this: there
10 is plainly a good reason for providing copies of
11 skeleton arguments to the press, because skeleton
12 arguments stand as oral argument, but simply for the
13 purposes of time and other pragmatic considerations,
14 skeleton arguments are not read into the record.
15 The material in the present case, by contrast, has
16 been seen in open court.
17 Finally, the existence of the protocol, as Mr Hill
18 suggests, does also indicate perhaps that there is no
19 legal entitlement.
20 Finally, in relation to article 10, my Lady, we
21 would observe that paragraph 180 of the judgment of
22 Lord Neuberger in Mohammed v The Foreign Secretary does
23 not perhaps go as far as my learned friend would wish
24 it, because a full reading of the entire paragraph shows
25 that what was in issue of course was "the contents of

1 a judgment of the court" and it was for that reason that
2 article 10 was plainly engaged.
3 There is no comparable suggestion in the present
4 case that the court is privy to information to which the
5 press have not had full access.
6 The issue in the Independent News case similarly
7 concerned whether or not the judge was right to order
8 that the media representatives could attend the hearing.
9 The issue was whether or not, by contrast, they should
10 have been excluded, as was argued by the official
11 solicitor. That, again, has nothing to do with the
12 present case which concerns production of an exhibit.
13 In our respectful submission, article 10 does not
14 appear to provide, even by implication, for a right to
15 have an exhibit which is in the public domain provided
16 by the court itself.
17 So my Lady, for all those reasons, we respectfully
18 suggest that there is no legal entitlement for the
19 footage to be provided to the press so that it may be
20 even more widely distributed and disseminated. What,
21 instead, you have is a discretion and you have already
22 exercised that discretion because you made a general
23 direction earlier in the proceedings to the effect that
24 all documents to which reference should be made should
25 be released absent specific objection and, of course,

1 specific objection has been raised now.

2 In relation to the factors to which you may wish to
3 have regard in the exercise of your wide discretion in
4 favour of dissemination of the exhibit could be said to
5 be the following three factors:

6 One, a general presumption in favour of publication,
7 the general direction you've already made.

8 Two, it's plainly in the public interest that rumour
9 and suspicion are allayed and a wider dissemination as
10 possible would certainly contribute to that aim.

11 And thirdly, the point that my learned friend
12 Mr Vassell-Adams makes about the impact of the footage,
13 the manner in which the footage conveys the enormity of
14 the crime.

15 Against further dissemination, my Lady may be prayed
16 in aid the following:

17 Glorification, the first point made by Mr Hill. In
18 relation to that, we would respectfully suggest the
19 following. Firstly, it could be said against my learned
20 friend Mr Hill's argument that the material already
21 released could, in principle, be abused. There is no
22 limit to the way in which material already adduced into
23 the public domain could be abused.

24 Secondly, there is, of course, no necessary link
25 between playing that material and the commission of

1 further offences and it may also be said that there are
2 other terrible aspects of the scourge of terrorism which
3 represent far greater opportunity to those who would
4 wish to glorify terrorism to do so and, of course, one
5 has in mind immediately the terrible events of 9/11.
6 The heart of the argument, with respect, seems to us
7 to be of that distress. Mr Taylor has expressed
8 distress. We understand, however, that the objection
9 advanced by Ms Sheff is now withdrawn.

10 MS SHEFF: My Lady, can I just say that I'm very grateful to
11 your team who have indicated to me that, on recent
12 information they've received, the photograph that we
13 most objected to that was in the core bundle on behalf
14 of the Hart family, particularly when, during the
15 opening, it was zoomed in on and there was an area of
16 the photograph which appeared to indicate a position
17 where Mr Hart had fallen, in fact that no longer appears
18 to be an accurate representation of where he was.
19 So we withdraw our specific objection to that
20 particular photograph, but I am instructed, having just
21 taken instructions from the Hart family, that the
22 position which my learned friend is just arguing in
23 front of your Ladyship now, so far as distress, overall
24 distress is concerned, still remains a significant
25 factor for them.

1 LADY JUSTICE HALLETT: Thank you.

2 MR KEITH: So my Lady, the final position appears to be,
3 then, that concern has been expressed, quite
4 understandably, on the part of Mr and Mrs Taylor, the
5 Hart family and you have heard some submissions conveyed
6 to you via Mr Smith from Mr Desborough to like effect.

7 LADY JUSTICE HALLETT: What concerns me is that there may be
8 other survivors out there who would like to make
9 representations to me but haven't had the opportunity.
10 Mr Desborough happens to be here.

11 MR KEITH: My Lady, yes. May I make two points in that
12 regard?

13 Firstly, throughout the proceedings, you have
14 indicated that great weight would be given, naturally,
15 to the distress of the bereaved in these proceedings,
16 and of course it is in large part for the benefit of the
17 bereaved that these proceedings are engaged.

18 I think, my Lady, that it would be unwise of me to
19 stray further into expressing views in relation to the
20 exercise of that discretionary factor. Perhaps I may
21 make, however, one more point, the second point?

22 Certainly there may be other survivors who have not
23 yet had an opportunity of expressing their concerns
24 about the further dissemination of material, but on the
25 other hand, numerically speaking, the concerns that

1 you've heard expressed so far represent only a very
2 small minority of the total number of the bereaved
3 families.

4 It's not suggested, in relation to this material,
5 also, that the distress is occasioned by publication of
6 direct images of any of the deceased. I don't think
7 Mr Taylor suggests that the unedited version or the
8 further unedited version would show, of course, any part
9 of Carrie or that it would show the spillage of her
10 blood, but there is no doubt that it might show some of
11 her personal possessions, in particular a book that she
12 was holding at the time.

13 The central issue is, instead, one of poignancy, and
14 the footage and the scene and the tunnels carry a very
15 high degree of poignancy indeed, hence, as my Lady has
16 observed, the great potential for the causing of
17 distress.

18 But it must be said that the footage which has
19 already been released to the press might be said to be
20 not much less poignant. It observes and it shows the
21 tunnels, the carriages and a place of death.

22 My Lady, those are all the submissions I would
23 advance.

24 LADY JUSTICE HALLETT: Thank you very much.

25 Mr Desborough, have I accurately reflected the

1 message that you sent to me?

2 MR DESBOROUGH: Yes, my Lady.

3 LADY JUSTICE HALLETT: Thank you.

4 Is there anybody else -- I'm sorry,

5 Mr Vassell-Adams, we've run out of time. I really can't

6 keep these witnesses waiting. I'm sure they're

7 distressed enough in any event to have to relive their

8 ordeal.

9 Is there anybody who's unrepresented, apart from

10 Mr and Mrs Taylor, who wanted to say anything on this

11 issue?

12 MR VASSELL-ADAMS: May I say one thing further, it's

13 literally a sentence, my Lady, which is that if --

14 obviously I didn't have an opportunity to deal and

15 I didn't know what Mr Keith was going to say -- if your

16 Ladyship, in giving judgment on this issue, considers

17 that your Ladyship requires any assistance on a point,

18 I'm very happy to provide written submissions on any

19 issue if, for example, something Mr Keith has raised,

20 which I haven't had an opportunity to address and your

21 Ladyship thinks that might be a very important point for

22 your Ladyship, I will readily provide any written

23 submissions to deal with that point.

24 LADY JUSTICE HALLETT: Thank you very much,

25 Mr Vassell-Adams.

1 (Draft ruling removed pending approval)

2 LADY JUSTICE HALLETT: Thank you all very much.

3 Ms Kenworthy, are you in court? I'm sorry to

4 address you across the courtroom, I have just received

5 a note, you were intended to be the next witness, but

6 I'm told that Mr Lait has asked if he can go first

7 because he needs to get back home for a very important

8 family occasion. Would you mind if he went first?

9 MS KENWORTHY: No.

10 LADY JUSTICE HALLETT: That's very kind. I'm sorry you have

11 both had to be kept waiting. In which case we will call

12 Bruce Lait next, please.

13 MR BRUCE LAIT (sworn)

14 Questions by MR KEITH

15 MR KEITH: Is your name Bruce Lait?

16 A. Yes, it is, yes.

17 Q. Mr Lait, on Thursday, 7 July, did you travel to London

18 with your dance partner, Crystal Main, I think to

19 rehearse, to take part in rehearsals, for your dance

20 show which was to shortly travel round the country?

21 A. Yes, I did, yes.

22 Q. Did you, therefore, travel from Ipswich to

23 Liverpool Street and then take the Circle Line in order

24 to get to the Embankment?

25 A. Yes.

1 Q. In your original statement to the police, dated
2 10 July 2005, you said that you entered the train via
3 the third carriage, but subsequently has it become plain
4 to you and, indeed, to all of us that it must have been
5 the second carriage?

6 A. Yes, it must have been.

7 Q. Of course, when you made that statement, you may not
8 have been aware which particular carriage the bomb
9 carriage was. Your concerns, understandably, were with
10 the fact of the bomb and your role in that carriage.

11 Could we look, please, at INQ10280, page 7? [INQ10280-7]

12 Mr Lait, on the screen you'll see, at the bottom of
13 the page there, enlarged, a schematic diagram of the
14 second carriage. Do you recall which seats you were on
15 bearing in mind that the red cross is the location of
16 the bomb, the upper side of the carriage was the
17 platform, in fact, at Liverpool Street and the bottom
18 side, when the train came to a halt, was the area of the
19 adjacent tracks?

20 A. Yes, I do. It was 21 was where I was sitting, and
21 22 was where Crystal was sitting.

22 Q. Thank you. Do you recall anybody standing in the open
23 area between the doors D7 and D8?

24 A. I recall there were a number of people standing there,
25 but I couldn't give you any visual descriptions.

1 Q. What about other people around you? Do you recall
2 anybody else in the seats near you?

3 A. Yes, I recall a number of people sitting opposite me and
4 I think one person sitting to my left in either 19 or
5 20, I think they were in 19.

6 Q. Do you recall whether or not it was a lady who was next
7 to you in seat 19?

8 A. No, I don't recall whether it was male or female.

9 Q. Do you recall the sex of the person in the seat next to
10 number 19, seat 20?

11 A. No.

12 Q. All right. There came the explosion. Do you remember
13 the explosion itself?

14 A. I can remember it in detail, yes.

15 Q. Could you tell us, please, something of the effect of
16 the explosion on you?

17 A. Well, initially, when I got on to the train, I sat down,
18 I opened up the Metro newspaper, reading the good news
19 about the Olympic Games, and the train pulled off, it
20 seemed like less than a minute, when, all of a sudden,
21 it felt like I wasn't on the train anymore. I was
22 obviously unconscious or -- I didn't actually know what
23 was going on. I felt like I was -- I was asking
24 questions to myself, "What's going on? I don't really
25 understand why I'm not reading this -- the paper

1 anymore", and I started to wonder what was happening to
2 me, and I just kept telling myself "Wake up, wake up,
3 you're obviously alive, you're not dead, wake up".

4 Eventually, I did come to and it took a minute or
5 two for me to kind of get my wits about me and actually
6 realise "Actually, you are still on the train", and it
7 was dark, there was --

8 Q. May I pause you there? Was there any light at all from
9 any source?

10 A. Yes, there was, and I think there was light coming from
11 either end, particularly to my left, there was light
12 coming from the carriage on my left, and I think there
13 was a light on the outside in the tunnel.

14 Q. On the tunnel wall?

15 A. On the tunnel wall, which was shining through. Other
16 than that, that was it. But I could see around me
17 relatively clearly, once the dust had settled, so to
18 speak, because there was dust, loose dust, all around.
19 My first thoughts were "Crystal, how's Crystal?" and
20 when I turned around, she was in some distress about
21 what was happening just to her left.

22 Q. You describe how she was slumped, herself, to her own
23 right-hand side?

24 A. Yes, she was.

25 Q. Was she lying back in her seat or forward towards the

1 open area in front of the seats?

2 A. She was actually lying to her right, I think. She was
3 kind of like this, slumped to her right, and she was in
4 some distress about the person that was lying kind of
5 just off to her -- to her right, sorry, not to her left,
6 to her right. This person was kind of trapped in
7 between the bar and her -- the side of her chair.

8 Q. Let's take it in stages, if we may.

9 Could you see anything about the age of the person
10 who appeared to be over your dance partner, Crystal?

11 A. Yes, she was in her early 20s.

12 Q. You described her in your police statement as a blond
13 lady --

14 A. Yes.

15 Q. -- of slim build, and you said 20 to 25.

16 A. Yes.

17 Q. Could you see anything of her clothing, what she was
18 wearing, on her upper half or on her legs?

19 A. No, no, unfortunately I can't.

20 Q. Help us please, if you can, with her position.

21 A. Yes.

22 Q. Could you see which way the lady was facing? Was she,
23 for example, lying in such a way that her head was
24 facing away from you, Crystal towards the second set of
25 doors, or whether her legs were pointing in that

1 direction?

2 A. Basically, her legs were -- if I'm sitting in Crystal's
3 seat now, her head was up here towards the door behind
4 her and her feet were lying kind of diagonally across
5 the carriage towards roughly where the bomber was
6 standing, and she was kind of on her back, facing
7 upwards, but she was slightly on her right side.

8 Q. Was she lying across Crystal's lap or across her torso
9 or her upper torso and head?

10 A. She wasn't lying on top of Crystal. She was actually --
11 I think she may have been across her right leg.

12 Q. In your police statement, you describe how the lady had
13 severe head injuries and you describe how you could see
14 that her head and face were covered in blood.

15 A. Yes.

16 Q. I don't wish to ask you to describe in terrible detail
17 the nature of the injuries that she had, but could you
18 tell us in outline form how you were able to reach the
19 view that she had head injuries?

20 A. Either she was just, for some reason, covered in quite
21 a lot of blood all over her head or she had a severe
22 injury underneath that blood, but I could see a lot of
23 blood and I'm sure I could see an open wound of some
24 kind as well.

25 Q. Do you recall which part of her head had the open wound?

1 A. Not exactly, because I didn't really want to look.

2 Q. I understand. You also described to the police her arms
3 and you made the point that her arms were limp. You
4 used the word "floppy".

5 A. Yes.

6 Q. Do we take it from that, Mr Lait, that you had an
7 opportunity of observing for some while the state and
8 the condition of the lady and whether or not she was
9 moving?

10 A. Yes, she was moving. She was in some distress. She was
11 making a lot of moaning sounds saying, I think, the word
12 "Help" a lot.

13 Q. So she was able to formulate -- to express words, you've
14 used the example "Help"?

15 A. Yes, it wasn't very clear, to be honest, at all, but
16 I could make out certain words like "Help", and she was
17 obviously in pain and distress.

18 Q. Did it seem to you from her position and from the nature
19 of her injuries that she was plainly unable to move from
20 where she was?

21 A. Yes.

22 Q. Do you remember the pole, the hand pole, which
23 passengers may hold if standing in the carriage?

24 A. Yes.

25 Q. Adjacent to the lady or in any way in the near

1 environment of where she was?

2 A. I remember exactly where it would have been before the
3 explosion, but I can't recall if she was -- I think
4 personally that she was on this side of the pole in
5 between the pole and Crystal's seat, but I'm not sure if
6 that had been moved by the explosion or bent or twisted.
7 I'm not too sure.

8 Q. It's plain, though, that the screen, the perspex screen
9 at the end of the bank of seats had gone?

10 A. Yes.

11 Q. Do you recall whether or not the lady was situated
12 anywhere near the opening left by that perspex screen?

13 A. Definitely next to it, definitely next to it. I don't
14 think she went through it.

15 Q. You had a conversation, if it can be described as such,
16 with Crystal. You asked her whether she was all right.
17 I think she said "I don't know"?

18 A. Yes.

19 Q. And very sensibly, you commenced seeing whether or not
20 you were injured by wriggling your toes and moving parts
21 of your body, and --

22 A. I had to do that because I couldn't move my own legs at
23 all, because there was somebody on top of me as well,
24 and I could also feel that there was metal and other
25 things in between me and this other person on top of me.

1 Q. I'll come to the other person in a moment. You,
2 I think, told Crystal to wriggle her toes and to see
3 whether she could move any part of her body --

4 A. Yes --

5 Q. -- to ascertain the extent of her injuries.

6 A. -- because there was other debris over her legs as well
7 as this lady, I think, that was over her right leg. The
8 lady could have been over both legs, but I think
9 definitely more so over her right leg.

10 Q. So there came a time when, having moved your own legs or
11 tried to move your own legs and to wriggle your toes,
12 you discovered that there was a second lady also in the
13 near vicinity and she was lying in part across your own
14 legs?

15 A. She was on my lap. In fact, after I had -- she was the
16 person I realised was there first, but my initial
17 response was to deal with Crystal because she's the
18 person I was there with and, you know, I was still kind
19 of getting my wits about me, and my first thing was "How
20 is Crystal, how is she?" and before I noticed the lady
21 that was on top of Crystal and before I had a look
22 there, I could see a lady that was on top of me.

23 Q. I'd like to ask you about her, if I may. Can you tell
24 the angle of her body? Which way was she lying?

25 A. Yes, her head was right down beside me, between me and

1 Crystal, and her feet were, again, pointing towards the
2 bomber.

3 Q. Can you say anything about her age, relative to the
4 other lady whom you have described for us?

5 A. Yes, she was slightly older, late 20s, maybe early
6 30s-ish. It was very, very hard to tell, considering
7 the injuries that she had.

8 Q. Of course. Given the light also and the blast damage to
9 the whole area of that end of the carriage and the soot,
10 were you able to see what colour hair she had?

11 A. I think -- like I say, it was covered in black, sooty
12 stuff, but I think she had lighter-coloured hair.

13 I can't say exactly whether it was red or blond, but it
14 was -- it certainly wasn't black hair.

15 Q. Was she moving at all, Mr Lait?

16 A. She wasn't moving as such, although -- she wasn't moving
17 around, although I did feel the muscles in her body sort
18 of tense and move, relax, tense and relax, and I felt
19 her hand move around. She was definitely still alive at
20 the time. I could hear her gurgling.

21 Q. Did it sound to you as if that was a sound of blood, for
22 example, in an airway?

23 A. Possibly, yes.

24 Q. Or of sounds of a voice trying to talk, could you tell?

25 A. Blood in an airway, I think. I think she was obviously

1 trying to breathe, yes.

2 Q. From where you were, given the location of where she
3 was, were you able to see her eyes or the front of her
4 face?

5 A. Yes, I was.

6 Q. Can you remember now whether or not her eyes opened at
7 all?

8 A. To be honest, I had a brief look at her face and the
9 injury was so horrific that I didn't want to look much
10 at all and I couldn't recall if her eyes opened or not.
11 But I do remember talking to her.

12 Q. And trying to engage her and to see whether or not she
13 would respond?

14 A. Yes. I held her hand and I tried to comfort her. I was
15 not aware if she was conscious or not, although I did
16 kind of feel her squeeze my hand and that said to me
17 that she knows there's somebody there.

18 Q. You said a moment ago that, once you'd had a brief look
19 at her face, you were able to see that her injury was so
20 horrific that you didn't want to look further.

21 A. Yes.

22 Q. May I press you, please, Mr Lait, to tell us something
23 about what you remember of the injuries that you saw?

24 A. Like I say, I looked and then I looked away, because
25 I didn't like what I saw and, as far as I could tell,

1 the front of her face was just opened up in the middle
2 and there was just a big wound here, right in the middle
3 of her face.

4 Q. The nature of her injuries were such that -- was it your
5 impression, as you told the police in your statement,
6 that she died very quickly thereafter?

7 A. Yes, I almost felt her completely relax and disappear.
8 I almost felt her go, but I held her hand right the way
9 through.

10 Q. Did you have the ability to look around at the rest of
11 the carriage and see what had befallen those that were
12 opposite?

13 A. Yes, I did. I had a look around a number of times just
14 to see if there's anything I could have -- I couldn't
15 move, but just to see if there's anything I could do,
16 anybody I could talk to, anyone that might be able to
17 help or anyone I could help, and down to my left again
18 around about seats 19 and 20, the two people that
19 were -- or the person that I thought was sitting there
20 was not there anymore, but there were parts of somebody,
21 which, again, I didn't want to look at again, and
22 I can't recall what part of a person it was, but it was
23 fleshy and not very pleasant.

24 Q. Of course. Were you able to see further towards the
25 location of what we now know to be the bomb and to see

1 whether there was anybody alive or moving in the near
2 vicinity of the crater under the debris that was
3 scattered around it?

4 A. I had a look and I could hear a moan or a voice and
5 I could see movement, but I couldn't make out what it
6 was. I mean, the thing is my eyes were -- I had
7 something in my left eye and my eyes were swollen and it
8 had some sort of soot or debris in it, and I couldn't
9 see that clearly out of my left eye. My right eye was
10 fine, but my left eye was -- and it was to my left side,
11 I could make things out, but I couldn't tell you exactly
12 what they were. But I think there was definitely
13 somebody alive over there, over in that vicinity, but
14 I couldn't tell you if they survived or not.

15 Q. Did you see anybody coming into the carriage and
16 attending to whoever was located nearer the bomb at that
17 further end away from you?

18 A. I was aware, after a period of being alone, when the
19 emergency services or paramedics -- I was aware of when
20 they came in. I mean, I was aware, to my right, in the
21 doors next to Crystal, when they came along, and shortly
22 after I was aware of -- that there were people to my
23 left, but I couldn't -- I wasn't so aware of people to
24 my left as I was to my right because that's where
25 everything was for me.

1 Q. Let's concentrate then on what happened on your right.

2 Do you recall a lady entering the carriage and

3 talking to Crystal and comforting her and also talking

4 to and comforting the lady whom you first described to

5 us this afternoon as being on top of Crystal?

6 A. Yes, I do, yes, I do.

7 Q. Did you later discover anything about the name or the

8 occupation of that person? It's not in your statement,

9 but it may be you know you subsequently discovered who

10 it was.

11 A. I did actually, but I can't recall that right now.

12 Q. Gerardine Quaghebeur?

13 A. Yes.

14 Q. A doctor, a neurologist. Do you remember that?

15 A. Yes.

16 Q. Right.

17 A. I remember reading about it in the press.

18 Q. Do you recall in detail what she was able to do for the

19 lady who was partially on top of Crystal and for

20 Crystal?

21 A. No, no, not entirely, but I know she was talking and she

22 was trying to comfort her, trying to make her feel,

23 well, as best as you can in that situation, really. She

24 was trying to calm the situation down, and I think she

25 was quite successful with calming Crystal down, but I'm

1 not sure about the lady on top.

2 Q. Did you then also see a man who you subsequently
3 discovered was called Steven Desborough --

4 A. Yes.

5 Q. -- coming into the carriage, and he also helped some of
6 the people on your right --

7 A. Yes.

8 Q. -- including the lady who was on Crystal and Crystal
9 herself?

10 A. Yes.

11 Q. It's difficult, of course, after the elapse of so much
12 time to remember and in the extraordinarily difficult
13 circumstances, but you hazarded to the police your
14 estimate that some 20 to 25 minutes elapsed before you
15 recall paramedics and the police getting into the
16 carriage?

17 A. Yes, time seemed to go very slowly and that was my
18 estimate, that was my guess at how long it took before
19 people arrived.

20 Q. Did a paramedic approach you?

21 A. Yes, but I think they dealt with the more serious cases
22 first, because I actually said to -- he approached me
23 and he said, "How are you, are you okay?" I said, "Yes,
24 I'm fine, I can move all my limbs, deal with the other
25 people first".

1 Q. Did he then move away to look after others, or did he
2 stay in the near vicinity to you?

3 A. He moved away to look after others that were -- well, in
4 the vicinity, but, well, people that he could see were
5 in a worse situation than me.

6 Q. When the paramedic approached, presumably he was able to
7 see that there was not only Crystal on your right, but
8 a lady lying partially in Crystal's lap?

9 A. Yes.

10 Q. And, of course, the second lady, whom you've described,
11 who was lying across your legs?

12 A. Yes.

13 Q. Did the paramedic attend to the lady who was lying
14 across your legs when he first approached or did he go
15 somewhere else?

16 A. He came across and he had a quick check-over and said,
17 "No, she's gone", and then he moved away, or something
18 to that effect. I don't know if those were his exact
19 words. But I took it as that she was gone.

20 Q. May I press you again to tell us a little bit more about
21 the quick check-over. Do you recall him doing anything;
22 for example, lifting her wrist and checking for a pulse
23 or applying fingers to her neck to see whether he could
24 find a pulse there?

25 A. Yes, he did both.

1 Q. So he ascertained whether or not she was demonstrating
2 showing a pulse --

3 A. Yes.

4 Q. -- and then he said what you have described for us?

5 A. Yes.

6 Q. Did he attach any sort of label or indicate to any of
7 his colleagues that this lady was tragically dead and,
8 therefore, there was no purpose in any other paramedic
9 checking her over?

10 A. Not that I can recall. He may have turned around and
11 spoke to his colleague. Yes, I think he turned around
12 and spoke to his colleague, but I can't recall a label
13 or anything like that.

14 Q. As a result of what he discovered, did he move the lady
15 gently off you and place her down on the floor, so as to
16 assist you to get out of your seat to start to move your
17 legs?

18 A. No. I wasn't -- I was a little bit shocked, to be
19 honest, at how quickly he moved the lady. He didn't
20 gently put her down, so to speak. It was rougher than
21 I expected, and, okay, I assume they have to get to the
22 living and the people who they can save as quickly as
23 possible, but that kind of disturbed me slightly, the
24 way he just picked her up and moved her to one side. It
25 wasn't as gentle as I thought it would be.

1 Q. In your police statement, you describe how there may in
2 fact have been two paramedics --

3 A. Yes, I think --

4 Q. -- and you describe how the second paramedic was the one
5 who carried out the task of ascertaining whether she was
6 alive, but an earlier paramedic may have appeared
7 briefly and you asked him, in fact, whether the lady was
8 dead and he said he wasn't sure but then moved away.

9 Do you recall that first person at all?

10 A. Yes, actually, now you've mentioned it, yes, I do.

11 I think that first person -- I recall saying that, and

12 I recall a person coming along and checking her over --

13 having a quick -- a quick look, and saying he wasn't

14 sure, and then the other guy coming along afterwards and

15 then giving her the proper -- like I said earlier,

16 checking her wrist, then her pulse, and I don't know,

17 actually, if the first guy was a paramedic actually.

18 I just assumed so at the time. I think he was just

19 somebody who was helping. I'm not really sure.

20 Q. Was it the absence of some formal uniform or a paramedic

21 jacket or a bag or equipment that made you think that?

22 A. I'm not -- I really am not sure. I really am not sure.

23 Q. How did you come to get out of your seat?

24 A. Well, after they moved the lady off of me and they

25 removed some of the wreckage that was around me, he

1 assisted -- firstly assisted Crystal and then he
2 assisted me up, just to see if we were okay and if we
3 could walk, and then they escorted us off the train and
4 we stood outside for a few minutes, and then we walked,
5 we walked out with the assistance of a -- I think one of
6 the paramedics, and I think someone from one of the
7 other passengers was passing by and we walked with them
8 and we walked all the way out, struggling to breathe
9 because I think we had this toxic smoke inhalation, both
10 me and Crystal, Crystal had it quite bad when she got
11 out of the train station.

12 Q. Whilst you were in the carriage and before you left, do
13 you recall any of the paramedics applying any kind of
14 equipment or cardiographical devices or any sort of
15 breathing apparatus or oxygen to any of the people whom
16 you could see were injured around you?

17 A. I can recall equipment being there, but I can't for
18 certain say that they had the mask over the face and
19 they were doing -- but I just assumed they were, because
20 I did see them with a small amount of equipment. There
21 wasn't lots there, but I did see some equipment there,
22 yes.

23 Q. As you walked out along the tunnel towards the platform,
24 did you see anybody on the track next to the bombed
25 train?

1 A. I think I was aware, whilst I stood there, just for
2 a minute or two, a guy to my -- somebody to my left
3 lying on the tracks or lying on -- I think it was -- was
4 it gravel or stones in between the tracks? But I didn't
5 want to look, I didn't really pay that much attention
6 because you don't want to, do you? You don't want to
7 look at these things. So I was just happy that I was
8 okay and Crystal was okay and we left.

9 Q. As you reached the platform, did it seem to you that you
10 were among the last of the passengers to leave or were
11 there other passengers still coming from the train and
12 along the track towards the platform?

13 A. I actually felt that we were probably one of the first
14 passengers to leave from the main carriage, you know,
15 where the main blast was. I think passengers from the
16 carriages left and right, they were ferried off quite
17 quickly. But I think we were one of the first from our
18 carriage, and I don't think there were actually that
19 many that walked away quite as easily as us, I think.

20 Q. So we can presume from your answer, can we, that the
21 walking wounded from the other carriages -- carriages 3,
22 for example and 1 -- had left by the time that you were
23 removed from carriage 2?

24 A. I think so.

25 Q. There weren't crowds of passengers streaming along the

1 platform up to ground level when you came out?

2 A. No, no, there wasn't. I think, whilst we walked --
3 whilst I was sitting in the train, I remember hearing
4 people walking past and talking and saying -- you know,
5 I just remember hearing voices, so I assumed that was
6 people escaping and getting away.

7 Q. You were seen by paramedics, I think, at ground level.

8 A. Yes.

9 Q. You were treated for minor burns and cuts, lacerations,
10 I think you had a great deal of glass embedded in you in
11 various places --

12 A. Yes.

13 Q. -- as well as burst ear drums.

14 A. Yes, I'm still partially deaf now.

15 Q. You attended, therefore, the hospital, I think, for
16 a while?

17 A. Mm-hmm.

18 Q. And you were released the following day?

19 A. Yes.

20 MR KEITH: Thank you, Mr Lait. Will you wait there? There
21 may be some further questions for you.

22 LADY JUSTICE HALLETT: Mr Saunders?

23 Questions by MR SAUNDERS

24 MR SAUNDERS: Mr Lait, you've described two ladies, one
25 principally across Crystal and another across your lap.

1 A. Yes.

2 Q. I don't know whether you're aware of either of their
3 names?

4 A. A long time ago I did try to find out and I did,
5 I think, find out the name of the lady who was on top of
6 me, but since then, I haven't actually taken my mind
7 back there and I've purposely kind of, well, forgotten
8 about it, really.

9 Q. Can I tell you, I represent the family of
10 Fiona Stevenson, who we believe was the lady across your
11 lap.

12 A. Yes.

13 Q. All right? And the lady next to you, who was across
14 Crystal Main, we also believe was Carrie Taylor.

15 A. Yes.

16 Q. I don't represent the Taylor family, but they're here,
17 as are the Stevensons. All right?

18 I would just like, if I can, to go back, because
19 your statement, your principal statement, was within
20 three days of this incident.

21 A. Yes.

22 Q. I want to see if I can understand the chronology of what
23 you can recall with the help of that statement.

24 A. Okay.

25 Q. You described the explosion, I'm not going to go into

1 that, I'm going to go straight to the position where
2 these two ladies were across you and Crystal's lap. All
3 right?

4 You're aware of Fiona Stevenson on your lap and
5 making signs that you believed she was alive.

6 A. Yes, not for long, but --

7 Q. That's what I want to ask you about, because what you,
8 in fact, later on in your statement recall is that it
9 was some 20 to 25 minutes before you see the paramedics.

10 A. Yes.

11 Q. When the first person that you thought was a paramedic
12 went to Fiona, you asked, not surprisingly, "Is she
13 alive?"

14 A. Mm-hmm.

15 Q. To which he was saying, "I'm not sure". Now, before
16 that person had come along, do you remember
17 Dr Quaghebeur had been in your part of the carriage?

18 A. Dr Quaghebeur, as in one of the paramedics you mean?

19 Q. No, as in a female passenger --

20 A. A lady.

21 Q. -- who was a neurologist, I think we're going to hear,
22 who was tending to some of those injured --

23 A. Yes.

24 Q. -- trying to move across the carriage as best she could.

25 A. Yes.

1 Q. Do you remember that she, in fact, felt for a pulse in
2 the neck and thought that she'd found or discovered
3 a pulse?

4 A. Possibly. The initial person that came up and had
5 a little look and said "I'm not sure", I think that
6 might have been the -- Quaghebeur.

7 Q. Dr Quaghebeur, Geraldine. So she is a female doctor.
8 All right?

9 A. Yes.

10 Q. So I don't know what the sex is you recall of the people
11 that you thought were paramedics.

12 A. The sex of the person in front of me didn't really
13 register at all, to be honest. They were just someone
14 to help.

15 Q. So you think you may have a recalled somebody, the
16 doctor possibly, or a paramedic?

17 A. Yes.

18 Q. But that that would be some 20 minutes after --

19 A. Yes, by which time I thought that she had already gone.
20 Again, I'm no expert, I don't know how to take pulses
21 and things like that, but I think I felt her life, her
22 hands relax, every muscle in her body just relax, it
23 must have been within ten minutes of me waking up
24 and coming to.

25 Q. Again, it's one of these very difficult things to know

1 how long somebody has been unconscious for.

2 A. Yes.

3 Q. Are you able in any way to assist us as to how long you

4 think you may have been unconscious?

5 A. A couple of minutes, not very long at all.

6 Q. So you believed that there were, as you described in

7 your statement, two paramedics. Was the second

8 gentleman, the one who took Fiona off your lap, was he

9 clearly a paramedic because of his uniform?

10 A. Yes.

11 Q. I've used the male gender.

12 A. Yes.

13 Q. Do you recall him being a man?

14 A. Yes, I recall him being a man. I'm not too sure about

15 the first person. I think I was still kind of a little

16 bit dizzy, coming to still. I was still -- it took

17 a long time for me to actually --

18 Q. Orientate yourself?

19 A. Make sense of things, yes.

20 Q. I'm sure we all understand.

21 A. Although I was aware of what was going on, things were

22 still a bit hazy.

23 Q. So you think it could have been as little as ten

24 minutes, but it could be a longer period until somebody

25 you thought was medical was able to assist?

1 A. It was definitely longer than ten minutes before
2 somebody came along. Definitely longer than ten
3 minutes.

4 MR SAUNDERS: Thank you very much indeed, Mr Lait.

5 LADY JUSTICE HALLETT: Ms Sheff?

6 Questions by MS SHEFF

7 MS SHEFF: May it please my Lady. Just one thing I want to
8 ask you about in relation to Benedetta Ciaccia whose
9 family I represent.

10 You were aware, and you described, these two women
11 who were, you've been told, Fiona Stevenson and
12 Carrie Taylor --

13 A. Yes.

14 Q. -- who were lying effectively across you, and across
15 Crystal. Almost directly in front of you, perhaps
16 slightly to your left, were other bodies.

17 A. Yes.

18 Q. I think to summarise what you've said effectively is
19 that you were very hazy about things, you were very
20 confused and, when you did look in that direction, what
21 you saw were fleshy bits, body parts. Is that fair to
22 say?

23 A. Yes. Directly down to my left, yes. But across in
24 front of me to my left, if you're talking about
25 literally the four seats opposite me -- is that where

1 you're talking about?

2 Q. Yes, but I'm talking about bodies on the floor as
3 opposed to people sitting in those seats.

4 A. Yes, there were definitely body parts on the floor and
5 maybe whole bodies, I don't know, but there were
6 definitely --

7 Q. So you were conscious of that?

8 A. Yes.

9 Q. Were you conscious of any sound or movement from any of
10 those body parts?

11 A. Yes, I could not tell where exactly it was coming from,
12 but there was movement down on the floor to my left.

13 Q. Do you remember any lady around 30 or so wearing a denim
14 jacket with brown hair, long, brown, wavy hair?

15 A. No.

16 Q. That didn't register?

17 A. I can't recall it in that detail, no.

18 Q. You can't say whether that was somebody you saw move or
19 not?

20 A. No.

21 MS SHEFF: Thank you. That's all I have to ask.

22 LADY JUSTICE HALLETT: Any more questions for Mr Lait?

23 Ms Boyd?

24 Questions by MS BOYD

25 MS BOYD: Mr Lait, just a couple of questions to clarify.

1 You described someone whom you thought wasn't a medic
2 checking over the lady who was lying across Crystal.

3 A. Yes.

4 Q. Mr Desborough yesterday in his evidence described two
5 firemen coming on to the bombed carriage before the
6 paramedics and helping him with the lady who was over
7 Crystal.

8 A. Yes.

9 Q. Do you think the person you then thought wasn't a medic
10 was, in fact, a fireman?

11 A. Possibly, yes, possibly.

12 MS BOYD: Thank you.

13 LADY JUSTICE HALLETT: Yes?

14 Questions by MS SIMCOCK

15 MS SIMCOCK: Thank you, my Lady.

16 Just three questions, Mr Lait. The woman who was
17 lying across you, Fiona Stevenson, when the male
18 paramedic, the second person, checked her pulse, did he
19 also check her pupils, her eyes?

20 A. I can't recall. I really can't remember on that one,
21 but he did spend -- he did spend a while looking at her
22 face and I was just like this trying not to interfere.

23 Q. In your police statement, if it helps you, you said he
24 checked her pulse and then her eyelids. Do you remember
25 that now?

1 A. Yes. Again, it was a long time ago, but he was looking
2 at her face, so I presume when I say he checked her eyes
3 then, yes, he must have done.

4 Q. Thank you. And all this happened some time after you
5 described feeling her completely relax when you thought
6 she had died. Is that right?

7 A. Yes, that was at least five, ten minutes afterwards.

8 MS SIMCOCK: Thank you very much.

9 LADY JUSTICE HALLETT: Thank you, Ms Simcock. Anybody else?
10 Does anybody who's unrepresented have any questions for
11 Mr Lait? Thank you, Mrs Taylor.

12 In which case that's all we need to detain you for,
13 Mr Lait. I hope you get back in time for your family
14 occasion.

15 A. Thank you very much.

16 LADY JUSTICE HALLETT: I appreciate people deal with things
17 in different ways and you have obviously tried to forget
18 about it and we've asked you to relive it, so I do
19 appreciate your coming along here to tell us what
20 happened as far as you're concerned.

21 A. Thank you. I hope I've helped in some way. Thank you.

22 LADY JUSTICE HALLETT: Thank you, Mr Lait.

23 We're now turning to Ms Kenworthy.

24 MR KEITH: Yes, please, my Lady.

25 LADY JUSTICE HALLETT: I've had a plaintive request for

1 a short break for those who have to keep transcribing at
2 all times everything we say, even when we speak quickly.
3 MR KEITH: My Lady, yes.
4 LADY JUSTICE HALLETT: Ms Kenworthy, I appreciate you have
5 been waiting patiently. Do you mind if we have a break?
6 If you would want me to, I will sit until your evidence
7 is completed, if that helps?
8 MS KENWORTHY: Not at all, have a break.
9 LADY JUSTICE HALLETT: Thank you. Fifteen minutes.
10 (3.47 pm)
11 (A short break)
12 (4.02 pm)
13 MR KEITH: Elizabeth Kenworthy, please.
14 MRS ELIZABETH KENWORTHY (sworn)
15 Questions by MR KEITH
16 MR KEITH: We know that your name is Elizabeth Kenworthy, is
17 that right?
18 A. Yes, sir, that's correct, I'm Elizabeth Kenworthy,
19 police constable 603P, based at the Palace of
20 Westminster.
21 Q. Is it Ms Kenworthy or Mrs Kenworthy?
22 A. Mrs Kenworthy.
23 Q. Mrs Kenworthy, in July of 2005 I think you were attached
24 to the Haringey Safer Schools Partnership, I think from
25 press reports you were attached to a particular school,

1 Gladesmore school, but on that morning, you were
2 travelling to a meeting in Westminster?

3 A. Yes, sir.

4 Q. You went to Liverpool Street from home and then sought
5 to take the Circle Line eastbound to Westminster?

6 A. Yes, that's correct.

7 Q. You boarded a train, and can you now recall which
8 carriage you boarded?

9 A. Yes, I believe I was on the fourth carriage. I got on
10 to the train by the croissant vendor, by the entrance to
11 Liverpool Street station and I got on there.

12 Q. After the train left Liverpool Street, but before it
13 started to move very fast, was there a loud bang?

14 A. Yes, that's right, yes, I was standing in the middle of
15 the carriage with my bag between my feet. We hadn't
16 been going for hardly any time, really and, suddenly,
17 there was a loud bang and the train came to a stop.

18 Q. Even in that carriage, the fourth carriage, was there
19 any appreciable smoke or debris that you could see?

20 A. No, there was no damage. I didn't fall over, nobody
21 else seemed to be hurt. It just came to a very abrupt
22 stop and there was the bang. But people were grumbling
23 to begin with, and then we noticed that there was a sort
24 of dust or smoke coming in through the door, and I said
25 to my fellow passengers around me, you know, "Keep calm,

1 you know, we'll be all right, but we mustn't go out on
2 the track because it might be live, or it will be live".

3 Q. Were people generally quite calm or were they distressed
4 by the train having stopped and the appearance of smoke
5 through the door?

6 A. Well, initially, people were grumbling more than
7 distressed, but as a couple of minutes had passed and we
8 had no announcement, we didn't know what was going on,
9 I looked at the doors to see whether we could open the
10 doors, but we couldn't do it, all I'd got was
11 a newspaper in my hand and my rucksack and I had nothing
12 that I could use on the doors or breaking the windows or
13 anything.

14 Q. At any stage whilst you were in that carriage, was there
15 an announcement?

16 A. No.

17 Q. Did you try sending a text message and perhaps try to
18 make a call?

19 A. Yes, I immediately tried my phone, but I guessed that it
20 wouldn't work underground, and I was right, but I sent
21 a text message because I thought it might work, because
22 I know at home sometimes I can't phone but I can send
23 a text, so I thought it was worth a try, and my text
24 said "Accident Circle Line. I'm okay".

25 Q. You've mentioned the doors. Did anybody try to get out

1 of the carriage on to the track?

2 A. No, because we couldn't open the doors, so we stayed
3 where we were for a minute or two until the smoke
4 started to get worse.

5 Q. Did there come a time when you started to hear noises
6 from the adjacent carriage?

7 A. Yes, that's right. I could hear --

8 Q. What could you hear?

9 A. I could hear people shouting and I heard something like
10 doctors, nurses, and I thought "This is going to be
11 something much more serious", and that's when I got my
12 warrant card out.

13 Q. Did you say "I'm a police officer, I might be able to
14 help", and you went forward?

15 A. Yes, that's right, I got my warrant card out and I said
16 "I'm a police officer, let me through", and I walked up
17 through the carriage towards the doors in the middle of
18 the carriage going through to the next carriage.

19 Q. Now, did you then walk through a number of carriages
20 and, is it from the number of carriages that you walked
21 through before you got to the bombed carriage that you
22 have been able subsequently to work out which carriage
23 you were in at the start?

24 A. Yes, it seemed a bit like a very long walk, and I wasn't
25 exactly sure whether I walked through one carriage or

1 two carriages because of the nature of what I was going
2 into, you see. People were coming towards me. It was
3 very dark, and so I just kept walking in the opposite
4 direction.

5 Q. So starting in your carriage, you walked through to the
6 next carriage?

7 A. Yes.

8 Q. Were there any injured people in the next carriage?

9 A. Yes, people were coming -- well, people were coming
10 towards me with cuts and, you know, dazed, really, and
11 very dirty.

12 Q. Could you tell whether they were people who were always
13 in that carriage or whether they'd come through from
14 another carriage?

15 A. I had no idea.

16 Q. Then did you walk to the next carriage after that?

17 A. Yes.

18 Q. Was that the carriage before the bombed carriage?

19 A. I think so. I just kept walking. The train just seemed
20 to be open and I just kept walking through.

21 Q. Did you get to the end of a carriage which, as you
22 described to the police in your statement, appeared to
23 have been torn apart at the far end?

24 A. Yes, sir.

25 Q. Was there twisted metal?

1 A. Yes.

2 Q. Could you see that the metal at the end of that carriage
3 and the metal on the door at the beginning of the next
4 carriage, the bombed carriage, had been torn apart?

5 A. Yes, as I approached it, I could see that, although the
6 side walls of the carriage seemed to be there, the door
7 was twisted and something had obviously happened to the
8 door.

9 Q. Could you see down to the rails and outside the carriage
10 to the adjacent track?

11 A. Not until I entered the carriage, I couldn't see that,
12 no. On my approach, obviously I couldn't see that.

13 Q. So you went in?

14 A. Yes, I did.

15 Q. When you went in, you were no doubt confronted by
16 a scene of complete carnage?

17 A. Yes, sir.

18 Q. Shattered metal, destroyed seats, the debris from the
19 explosion, all round the end of that carriage, is that
20 right?

21 A. Yes. There was a fair amount of light from the Tube in
22 the tunnel, but obviously no light in the carriage
23 itself. But I could see it fairly clearly.

24 Q. Now, I want to just ask you, please, about the numbers
25 of people that you saw, because you saw a number of

1 people, did you not?
2 A. Yes.
3 Q. And you cared and attended for quite a number of people
4 at the end of the carriage.
5 A. Yes.
6 Q. The first person you saw was a lady inside the carriage
7 to your left, is that right?
8 A. Yes.
9 Q. Was she a lady who was lying on her back and screaming
10 about her arm?
11 A. That's right.
12 Q. She was trapped, I think, by a large piece of metal, is
13 that right?
14 A. She was. She was underneath some metal, it seemed to
15 have fallen on top of her, but she was shouting very
16 loudly "My arm, my arm".
17 Q. Were you able to reach her because of the metal or not?
18 A. Well, to start with I couldn't reach her, no, so -- and
19 by that time I was doing, you know, what I thought was
20 the right thing to do, surveying the carriage, having
21 a look to see what was actually happening there, so at
22 that stage I didn't do anything with that lady.
23 Q. Afterwards, did you write up, as might be expected of
24 a serving police officer, your recollection of what had
25 happened to you in notes?

1 A. I did.

2 Q. In the course of those notes, did you, in fact, sketch
3 out a rough diagram of where everybody was whom you'd
4 seen?

5 A. Yes.

6 Q. Then, subsequently, did your fellow officers speak to
7 you and you prepared a further diagram showing what you
8 could recall?

9 A. Yes.

10 Q. Can we look at the first note, please, which is INQ10427
11 at page 10? [INQ10427-10] It will appear on the screen,
12 Mrs Kenworthy, in just a moment.

13 This is a note that you prepared as part of your --
14 a diagram you prepared in the course of making some
15 lengthy notes, some ten or eleven pages of notes, very
16 soon after 7 July, and we can see in the bottom
17 left-hand corner you've written the words "Unconscious
18 woman. Hand injury"?

19 A. Yes, it was actually her arm, her arm was trapped, that
20 was what I meant by that.

21 Q. Yes, and she wasn't, of course, unconscious because she
22 was screaming out "My arm"?

23 A. She was, she was.

24 Q. When you came to do the diagram later, could we please
25 have on the screen INQ9759, page 2?[INQ9759-2]

1 A. Yes, this is a more accurate version.

2 Q. You plainly had more time to think about this and just
3 put it together?

4 A. Yes, I did my original notes when I was in quite
5 considerable distress myself and quite shocked, but
6 I knew it was important to get it down, but when my
7 colleague helped, I had a chance to think about it and
8 this was the best that I could do.

9 Q. Of course. Now, we can see if we look at the screen
10 sideways -- I'm sorry, I should start by saying, right
11 at the bottom of the picture, you've drawn two pieces of
12 jagged metal. That's the entrance to the second
13 carriage, isn't it?

14 A. Here?

15 Q. Yes.

16 A. That's what it seemed to be like.

17 Q. We couldn't decipher the wording right on the bottom, it
18 looks like "door twisted" or something twisted? "Door
19 twisted", was that what it was?

20 A. Something like that.

21 Q. If we look to one side, we can see that, if you go left
22 from there, there is the diagram of a person lying on
23 the floor next to the words "buckled sheet metal" and on
24 the side of the diagram you've written "Unknown woman.
25 Left arm injury. Amputation. Lying on her back on

1 floor. Metal [something] on left".

2 A. Yes, that's it.

3 Q. That is the lady?

4 A. Yes. She did have the metal on her, although later

5 I did try to pull some of the metal off her, but because

6 I thought that, if I moved her arm and I released the

7 arm, she might start to bleed from her shoulder and

8 I wouldn't be able to do anything about it, so my first

9 aid training taught me to leave her, although she was in

10 pain.

11 Q. Had you had a basic form of first aid training?

12 A. I've had very basic first aid training, but I know that

13 we don't pull out a knife if somebody has a knife

14 embedded or is impaled with anything, so I figured the

15 same principle applied to this.

16 Q. That was the first lady whom you saw. Then, to the

17 right, did you see another lady?

18 A. Yes, sir.

19 Q. Can you identify for us, please, on the screen, but

20 describe it orally, where that lady was?

21 A. Yes, this was this person here, this is a lady I now

22 know to be Martine Wright.

23 Q. Is she the lady against whom we can see an arrow saying

24 "Martine"?

25 A. Yes, that's right.

1 Q. The arrow is pointing to her head, and she's lying
2 lengthways across those seats?
3 A. That's right.
4 Q. Was she on the seats or on the floor?
5 A. She was -- well --
6 Q. What remained of the seats?
7 A. She was on what remained of the seats, but her leg, up
8 the side of the window, was more or less welded into the
9 side of the carriage and her other leg, the leg that you
10 see bent, was in a very bizarre position, it was on the
11 sill of the side of the carriage, and with her trainer
12 on her foot, but her leg had been blown off -- well, the
13 flesh of her leg had been blown away, so it was really
14 just a bone of her leg and her foot, and her other
15 trainer I think was on the sill. Her other leg was
16 crushed into the side of the carriage beneath the
17 window.
18 Q. You subsequently described in your statement how you
19 came across the trainer that she'd been wearing --
20 A. Yes.
21 Q. -- constituting the remains of her right foot on the
22 pieces of metal above eye level.
23 Do we see that you wrote on the diagram there
24 "broken window"?
25 A. Yes.

1 Q. It was through that broken window that part of her body,
2 in fact, one of her legs, was protruding?

3 A. Well, I don't think it was sticking out of the window.
4 It was welded into the side of the train.

5 Q. Next to her, there was a man who you've described as
6 Andy, we know him of course as Andrew Brown. He was
7 sitting next to her, was he?

8 A. Yes, he was.

9 Q. Could you see what injuries he had?

10 A. Yes, his trousers were torn and this leg here, he'd lost
11 it below the knee, it was blown away.

12 Q. Was he conscious?

13 A. He was.

14 Q. Beyond him, we can see on the diagram that you've drawn
15 a human with an arrow saying "Young man moving about"
16 can you tell us something more, please, of that young
17 man?

18 Can you remember what colour hair he had, for
19 example?

20 A. I think he was -- I think he was dark-haired, but it's
21 very difficult to say because everybody was very, very
22 dirty.

23 Q. Of course.

24 A. And his clothes were, I think, partly torn off or in
25 disarray and he had blood on him, but his legs -- arms

1 and legs were intact and his head was intact.

2 Q. Of his clothes, do you remember anything about the
3 colour of any of the clothes?

4 A. No.

5 Q. Was he moving at all?

6 A. Oh, yes, he was.

7 Q. Could you see in what way he was moving?

8 A. Well, he -- I think he was lying -- he was spreadeagled
9 out, he was more or less as I've drawn him, I think,
10 I think with his head towards the middle of the carriage
11 and his feet downwards, and he was on a big sheet of
12 metal, and he was moving about on it and moaning and
13 writhing.

14 Q. Do you recall whether he was able, to use a technical
15 expression, to verbalise, to form any recognisable
16 words?

17 A. No, no.

18 Q. You were unable to get to him, you presume, because of
19 the twisted, moving metal in the middle of the floor
20 between you and him?

21 A. Well, yes, I considered it, I considered going to him.
22 I spoke to him, I said, you know, "Stay calm, help is
23 coming, you know, help is coming, you're going to be all
24 right", but I weighed up the situation and between me
25 and him there seemed to be like a ravine of metal, well,

1 a dip, and I decided that, if I went to him, I would
2 have to leave these people here and I didn't know if
3 I could get back to them, so I decided -- he seemed to
4 be the least injured, as far as I could see, so I had to
5 leave him.

6 Q. You say you spoke to him --

7 A. I did.

8 Q. -- but do we take it from your earlier answer that he
9 said nothing recognisable, that he didn't, in fact,
10 directly respond to you?

11 A. No.

12 Q. On the floor in front of you -- and we can see that
13 you've drawn the lower part of a torso and legs -- did
14 you also see a further person, the lower part of a male
15 body?

16 A. Yes.

17 Q. In your witness statement to the police, you describe
18 how that person had also had their clothes partially or
19 wholly blown off, but, more importantly, that they
20 appeared to be seriously injured or lifeless. May I ask
21 you about that? You've described in your diagram there
22 a dead male person, and in your witness statement you've
23 used the word "lifeless". Do we take it that, although
24 you left open the possibility that he was seriously
25 injured, there was nothing about him that led you to

1 believe that he was still alive?

2 A. No, I was sure that he was dead.

3 Q. Because there was no movement?

4 A. Because I could see -- all I could see was a trunk and
5 I couldn't see a head or anything else, and I do
6 remember seeing genitals, male genitals, but I can't
7 remember in what context it was.

8 Q. So the awful position is that it wasn't a question of
9 the upper part of his body being concealed by the metal
10 or the floor; the lack of movement and the state in
11 which he was in led you to believe that he was dead?

12 A. Yes.

13 Q. Further away from you, on the left-hand side of the
14 diagram, you've indicated two women, one with a head
15 injury, but both sitting up and appeared to be awake but
16 not communicating?

17 A. Yes, I say "women", I think they were women by the shape
18 of them. All I could see was I could see two figures,
19 black faces, and whites of their eyes, looking at me,
20 and I -- again, I shouted to them, you know, "Help is
21 coming", but they didn't respond to me at all. I just
22 saw their eyes and their bodies sitting there, sitting
23 upright. And they were quite a long way from me, you
24 see, they were across the other side of the carriage.

25 Q. So for all the reasons that you've described, you

1 decided to attend to the two people on your right, Andy
2 and Martine, because they were the two who could most
3 easily be reached?

4 A. Yes, sir.

5 Q. In relation to them, were you able to move any of the
6 metal that was around them?

7 A. I didn't really have to do very much with them because
8 I think with Mr Brown's legs I think I had to probably
9 push stuff out of the way, but I can't really remember.
10 I don't think it was a problem around them. The problem
11 really was this lady here and this hole, I was standing
12 on this very slippery surface, really.

13 Q. In relation to both of them, they had very severe
14 injuries to the lower parts of their body.

15 A. Yes.

16 Q. In both cases, could you see very severe injuries to
17 their legs?

18 A. Yes.

19 Q. Did you start, therefore, by applying a tourniquet to
20 the stump of the man's left leg?

21 A. Yes, I was talking to him, and he told me his name and
22 he said -- I said, you know, I told him who I was,
23 I said I was a police officer, and he said "I've lost my
24 leg, haven't I?" and I said "Yes, you have, but you're
25 going to be all right", and all I had was my jacket, so

1 I took it off, and I tied it round his leg. He was
2 talking to me, I told him what to do, he thought it was
3 an idea, you know, we discussed it, and that's what
4 I did. It wasn't very good, but it was the best thing
5 I could do. I wouldn't even really describe it as
6 a tourniquet, it was more of a dressing or a binding
7 just to stop him from bleeding to death.

8 Q. Were you able to detect whether or not it had worked as
9 you had hoped?

10 A. Well, he didn't seem --

11 Q. Did it seem to stem the bleeding?

12 A. He didn't seem to bleed any more and I was standing with
13 him for a good -- quite a long time, you see, and he
14 didn't -- it wasn't gushing out more, so I think it was
15 as effective as -- well, as best I could do.

16 Q. You immediately used your own jacket?

17 A. Yes.

18 Q. We presume from that that you had no other means
19 available to use as tourniquets. Did you, therefore,
20 then have to call out to see whether others could
21 provide you with items such as belts or shirts that you
22 could then use with the lady?

23 A. Well, a young man came down and he was standing outside
24 the doors, and he said, "What shall I do? What can
25 I do?" and I said, "Can I trust you?" and he said "Yes",

1 and I gave him my goods, I had my rucksack and my mobile
2 phone and my warrant card, and I'd lost my pockets
3 because I'd lost my jacket, so I gave them to him and
4 I told him to look after them and I said, "Go and get me
5 some T-shirts and some stuff from the other passengers"
6 and I sent him off down the train and he went away, and
7 after a little while he came back with some T-shirts and
8 things and ties, and Ms Wright, she had -- she said her
9 guts were hanging out, she was complaining about her
10 abdomen and her leg, and she helped hold -- I gave her
11 something to do, I told her to clutch this to her chest
12 and I tightened this thing round her leg, and that's
13 what we did.

14 Q. Likewise, in relation to her, did it seem to you that
15 the application of the tourniquet, the belt to her left
16 leg, assisted in stemming the flow of blood from her
17 leg?

18 A. Well, yes, but her leg was very badly damaged, very
19 badly damaged. I'm not a doctor, I don't know whether
20 it would have made any difference or not.

21 Q. She was, as you've described, conscious, like Mr Brown.
22 But for some reason, it seemed to you, in much greater
23 pain and was screaming out aloud, whereas Mr Brown,
24 I think, had been quieter. Is that right?

25 A. Mr Brown was very calm, he was stoic, he knew what was

1 going on, he wasn't panicking, but he must have been in
2 a great deal of pain. I tried to loosen his tie for
3 him, and he told me he'd been going to a conference, and
4 he kept -- you know, I kept talking to him, but
5 Ms Wright was in a great deal of pain, as was the lady
6 who was trapped by the arm, because she was shouting all
7 the time, which I took to be a good sign, because we're
8 taught in first aid that the more people shout, probably
9 the less help they need. When they lose the energy to
10 shout, then they're in trouble. So while she was
11 shouting, I knew that she was, you know, going to be all
12 right for the time being.

13 Q. You describe in your statement how you held the hands of
14 whom we now know to be Mr Brown and Ms Wright and you
15 spoke to them, you kept them awake and you reassured
16 them. In relation to the woman on your left, with the
17 arm injury, what were you able to do for her?

18 A. Nothing. I had my back to her.

19 Q. Did there come a time when you were able to concentrate
20 on her and to leave Mr Brown and Mrs Wright, or did they
21 engage your attention throughout?

22 A. No, they engaged my attention throughout. I made that
23 decision that I had two people who were close, who
24 I could help, who had the -- what I thought were perhaps
25 the most serious injuries, so I stuck with them.

1 Q. Now, I appreciate it's extremely difficult, in those
2 circumstances, and due to the elapse of time, to say
3 with certainty, but can you give us any idea of how much
4 time elapsed whilst you were looking after Mr Brown and
5 Mrs Wright?

6 A. Yes, I think I spent -- I must have spent about five
7 minutes in the carriage before I went down, by the time
8 I'd done my text and I'd assessed -- you know, waited,
9 really, and I think I got into the carriage by about
10 8.55 or 9.00. I looked at my watch, after I'd done the
11 initial first aid, I looked at 9.05, then I looked at
12 9.10, and by 9.20 I was starting to think, you know,
13 where are they? I was starting to worry by that time.

14 Q. Where were you at that point?

15 A. Still with Mr Brown and --

16 Q. Still there?

17 A. Yes, and I was looking at my watch, because by that time
18 I had nothing else to do apart from comfort them and
19 wonder when help was going to arrive.

20 Q. Is that why you said in your statement to the police on
21 8 July, the following day, that although you were aware
22 of London Underground staff on the track outside, there
23 were no paramedics, police or Fire Brigade and you
24 started shouting out of the carriage for first aid, in
25 order to see who was there and what was going on?

1 A. Well, I saw fellow passengers getting out and walking
2 along the tracks to walk past the carriage I was in,
3 going up towards Aldgate, they were walking in
4 a crocodile, and I didn't see anybody with them, and,
5 behind me, I heard a voice, a doctor, a woman doctor,
6 I think, saying -- she said "Don't give them anything to
7 drink" because by that time Mr Brown was asking for
8 a drink, I think we were all covered in very thick dust
9 and it was very hard to breathe.

10 Q. Is that why you gave him water to moisten his lips, but
11 not enough to drink?

12 A. Well, yes, the young man -- I sent him off again and
13 said "Go and get me water" and he went and got it and
14 I just wet their mouths out because of this dust, but
15 I did what the doctor said. I didn't see her, but
16 I heard her.

17 Q. During this time, were you able to see what had happened
18 to the young man, whom you described for us initially,
19 who had been moving around in the door area on the far
20 side of the seats?

21 A. He was still there.

22 Q. Could you see what he was doing?

23 A. He was just lying there.

24 Q. Do you recall there ever being a time when the movement
25 that you initially saw ceased?

1 A. No, I don't remember that he -- you know, I didn't get
2 the idea that he had -- that he was dead. I thought he
3 was -- I thought perhaps he was -- you know, he was
4 breathing and he was just lying there.

5 Q. In relation to the male person whom you described in the
6 middle of the carriage in the immediate vicinity of the
7 twisted metal, we take it there was no movement of any
8 kind throughout that whole time that you were there?

9 A. No.

10 Q. Who was the first to arrive in the carriage, as far as
11 you were able to see?

12 A. The first person to arrive in the carriage was
13 Sergeant Neil Kemp. He climbed on, through the doors at
14 the side of the track, not through the doors that I'd
15 come through, he came through off the track, and he
16 said, "I'm a police officer" and I don't think I've ever
17 been so glad to see anyone in my life, and he started to
18 work -- I told him -- I think I said "This is" -- you
19 know, "This is Mr Andy Brown, this is Andy, this is
20 Martine", you know, what their injuries were, and then
21 he started -- you know, he started to take control,
22 really, and help with Mr Brown, I think he did something
23 to his jacket, I think, you know, he assessed the
24 situation anyway.

25 Q. You talk in your statement how Fire Brigade officers

1 arrived, at the same place in your statement. Did they
2 arrive at the same time as Sergeant Kemp or did they
3 arrive before or after?

4 A. Well, as far as I'm aware, Sergeant Kemp was first to
5 get on. I didn't -- the Fire Brigade followed, but he
6 was first to climb on board.

7 Q. Did paramedics arrive around the same time?

8 A. They did.

9 Q. Together, did the Fire Brigade and the paramedics give
10 assistance to, firstly, the lady with the severed arm?

11 A. Yes.

12 Q. Kira Mason, the lady on the left, and then also to
13 Mr Brown and Ms Wright, who I've been calling Mrs Wright
14 but is, in fact, Ms Wright?

15 A. Yes.

16 Q. Were you there when they were removed from the carriage?

17 A. No.

18 Q. Did you leave of your own accord or did they ask you to
19 leave, or how did that work?

20 A. Well, once they arrived, I felt that I'd done all
21 I could, I was beginning to flag, my -- you know, I'd
22 breathed in a lot of dirt myself, and I thought, well,
23 they're the experts, they have the equipment, they can
24 deal with it now, although I didn't really want to leave
25 Mr Brown and Ms Wright because, you know, I wanted to

1 make sure that they were all right, but I felt that
2 I would be in the way by that time, so the fireman said,
3 "Shall I put you out of the window?" and I said "No,
4 it's all right, I'll walk off the train", and the young
5 man, he'd given me my bag back and he said "Good luck"
6 and he went, and the fireman walked me down the carriage
7 and put me on to the tracks.

8 Q. As you walked along the tracks, did you see somebody
9 lying on the track?

10 A. Yes.

11 Q. Could we please have on the screen INQ10280, page 10? [INQ10280-10]
12 There is a diagram showing the six carriages at
13 Aldgate. You came out of the second carriage?

14 A. Yes.

15 Q. Can we, sorry, please go back out again? We can see
16 that Aldgate and Aldgate East is to the right. Can you
17 tell us, please, where you think you saw somebody lying
18 on the track?

19 A. Well, I thought that, as I got out, he was behind me
20 towards Liverpool Street, but ...

21 Q. Don't worry about where there is a reference to Mr Gray,
22 because --

23 A. I thought -- well, you know, you see, I didn't get out
24 through the blown-off doors, I got out back in the next
25 carriage doors, so I've gone back into the carriage that

1 was intact, got out there. So I thought that the person
2 was -- as I got down, the person was behind me towards
3 Liverpool Street.

4 Q. We were concerned to understand how, if you had left the
5 bombed carriage and walked straightaway to Aldgate, you
6 had been able to see any of the deceased behind you, but
7 your evidence is that, in fact, you walked back down,
8 therefore, to the third carriage and out?

9 A. Yes, that's right.

10 Q. So you were closer to the point where the explosion had
11 actually occurred before the train had reached its final
12 stop?

13 A. Sorry, I don't understand.

14 Q. When you got out of the third carriage and you walked
15 towards Aldgate, was the person whom you saw on the
16 tracks in front of you or behind you?

17 A. I think he was behind -- I think he was behind me
18 because I didn't walk past him, I didn't walk past him
19 and someone was bending over him, and perhaps I should
20 have stopped and done something, but I didn't, I just
21 kept walking.

22 Q. How far behind you would you say he was?

23 A. Not far, not far.

24 Q. From your witness statement, you say you saw someone who
25 appeared to be a human body. Do we take it from that

1 that you were not close enough to be able to say --

2 A. I didn't --

3 Q. -- whether the person was male or female?

4 A. I didn't really look.

5 Q. Or what state they were in?

6 A. But somebody was lying on the tracks, but they were

7 being dealt with.

8 Q. There was somebody there helping them?

9 A. Yes.

10 Q. To the extent that was possible, right. Were you able

11 to see what they were doing?

12 A. (Witness shakes head).

13 Q. By the time you reached the platform, there were, you

14 recount, many policemen and a substantial number of

15 members of the Fire Brigade. Is that right?

16 A. Yes, as I walked up the track, policemen in yellow

17 jackets were walking down it, and I just walked past

18 them and someone directed me out of the station when

19 I got to Aldgate and told --

20 Q. You were offered, I think, medical assistance but, not

21 being injured yourself, you declined?

22 A. Yes.

23 Q. Although, no doubt, you were extremely dishevelled and

24 distressed by what you had seen. You walked away from

25 the scene, I think?

1 A. Yes.

2 Q. Subsequently, may I ask finally, were you honoured with
3 the award of an MBE for what you did?

4 A. Yes, sir.

5 MR KEITH: Thank you very much. Will you stay there,
6 please?

7 LADY JUSTICE HALLETT: Mr Coltart?

8 Questions by MR COLTART

9 MR COLTART: I have only a few questions, if I may.
10 Mrs Kenworthy, I represent the interests of
11 Richard Ellery, who was the young man in the doorway.
12 I wonder whether we could just get the diagram, your
13 sketch map, back up on the screen? It's INQ9759-2 [INQ9759-2] . So,
14 on the right-hand side, the young man moving about as
15 you've described him.

16 You said to us earlier that when you first entered
17 onto that carriage, one of the decisions which you had
18 to make was to leave him where he was. Can I just make
19 it absolutely plain that there is no criticism
20 whatsoever of that decision, which was one, no doubt, of
21 a number of very difficult decisions you had to make on
22 that day.

23 A. Thank you, sir. I would like to say I'm very, very
24 sorry about Mr Ellery. When I heard that he had died,
25 I was very shocked. I didn't know his name at the time,

1 in fact, I've only discovered it very recently, but when
2 I heard that young man had died, I was very, very upset
3 because I thought that he would be all right, you know,
4 perhaps, you know, I had a false hope, but he seemed the
5 least injured to me, but I had to make my decision, and
6 I made my decision and I have to live with that.

7 Q. Well, if my Lady will permit me to say so, you were one
8 of a number of people who performed heroically on that
9 day and, as I say, there is no criticism whatsoever of
10 the decisions which you made.

11 I would like to ask you a little more about the
12 timings which you've referred to. You mentioned to us
13 that at one point you looked at your watch and it was
14 9.20 and there was no sign still, at that point, of the
15 emergency services.

16 A. Not in the carriage, no. I don't think so, no.

17 Q. Were you aware of anyone from the emergency services
18 outside the carriage on the tracks at that point?

19 A. There was a man on the tracks in a brightly coloured
20 jacket, and he was underneath the window, and I started
21 to shout at him, I said "Get a first aid kit. Hurry
22 up", you know, and he said -- he was a bit -- well, he
23 was very -- you know, he was worried, very -- you know,
24 he was concerned, he said, you know, "Help, it's coming,
25 it's coming". I said "Hurry up", I was getting angry by

1 that time.

2 Q. We might be assisted in this exercise with a quick look
3 at your witness statement, which I hope is available.

4 It's document INQ1097, page 3.

5 LADY JUSTICE HALLETT: Well, this is not a document that is
6 becoming an exhibit just because it's appearing on the
7 screen, just so everybody understands.

8 MR COLTART: I'm grateful.

9 LADY JUSTICE HALLETT: You're merely using it as
10 a memory-refreshing document.

11 MR COLTART: I am. I haven't, of course, been here for all
12 of these rulings. Am I permitted to use it in this way?

13 LADY JUSTICE HALLETT: Of course. I'm just making it plain
14 for the media, because this is in a different category
15 from the documents that are put on the website.

16 MR COLTART: I'm grateful.

17 If you see the paragraph towards the bottom of the
18 page that starts:

19 "I tried talking to the young man who was on the
20 floor ..."

21 Do you see about four or five lines down beneath
22 that:

23 "I was aware that there were lone underground staff
24 on the track outside in orange jackets, but no
25 paramedics, police or Fire Brigade."

1 Is that the man that you're referring to who was
2 outside in the orange jacket?

3 A. Yes, the sequence of events here, you know, this was
4 towards the end of everything happening and I can't
5 exactly remember. I know that Sergeant Kemp came on to
6 the train and I know that there was a man outside, and
7 that was when it all started -- you know, action started
8 to happen.

9 Q. Yes.

10 A. But it wasn't -- it wasn't until after 9.20, as far as
11 I was aware.

12 Q. Well, it might be less confusing -- and it's my fault if
13 it is confusing -- if we stick with Sergeant Kemp's
14 arrival onto the train, the first emergency responder
15 onto the carriage. How long after 9.20 do you think it
16 was that Sergeant Kemp arrived into the carriage?

17 A. I don't think it was long after, because I think by half
18 past 9 everybody was -- you know, it was starting to --
19 people were coming and, you know, people were moving
20 along and it was -- help was there. I think so.

21 Q. From what you've just told us, does it follow that the
22 arrival of the London Fire Brigade, and then the
23 paramedics, was shortly after the arrival of
24 Sergeant Kemp?

25 A. Yes.

1 Q. So it all happened quite quickly --

2 A. Yes.

3 Q. -- after he had arrived, some time shortly after 9.20?

4 A. I think so, yes.

5 LADY JUSTICE HALLETT: Do you need the statement anymore,

6 Mr Coltart? It's just that I'd rather that everybody

7 focused on the evidence as given, but if you need it to

8 refresh memory, please keep it up.

9 MR COLTART: We can remove it from the screen. There's one

10 further short passage. I can read it out, perhaps.

11 There's no need for it to remain on the screen.

12 LADY JUSTICE HALLETT: Thank you.

13 MR COLTART: You say at the bottom of that page -- and I'm

14 just going to read it out to you; if you do need to look

15 at it again, then please just say so -- you talked about

16 Sergeant Kemp climbing into the carriage:

17 "... who was able to look at the boy on the floor

18 and the two women I could not reach. He was very calm

19 and remained with me helping the casualties until the

20 paramedic and Fire Brigade came into the carriage. The

21 fireman gave the woman with the severed arm oxygen and

22 then a paramedic came to assist Martine and Andy."

23 We know from your earlier evidence that you left

24 some time shortly after that.

25 By the time that you left, were you conscious of any

1 medical intervention, as far as Richard Ellery was
2 concerned, the young man?

3 A. No, I don't recall at all what happened to Mr Ellery I'm
4 afraid. I know that Sergeant Kemp was helping with
5 Mr Brown and, once the Fire Brigade were there, I was
6 concentrating on Mr Brown and Ms Wright and I didn't see
7 what happened to Mr Ellery.

8 Q. After you had left the carriage, you obviously made your
9 way along the tracks to the platform and up and out of
10 the station with everybody else. I'm just going to ask
11 you to describe for us briefly, if you could, the scene
12 as you came out through the ticket hall and exited the
13 Tube station.

14 We know at some point that a triage system was put
15 in place by the London Ambulance Service in the ticket
16 hall and immediately outside the station. Was that up
17 and running by the time you came out of the carriage?

18 A. Well, it was rather eerily quiet when I came out. There
19 was a policeman on the stairs and I said, you know,
20 "What happened, what happened, what was the explosion,
21 what was it?" He said "We don't know, we don't know",
22 and he said "Go over there and speak to that policeman",
23 who was somewhere out in the middle of the road,
24 I think.

25 Q. Pausing there for a moment, I think, so we can take this

1 in stages a little. Do we understand that it was at
2 probably about 9.30 or shortly after 9.30 that you came
3 out of the tunnel and --

4 A. I think it was about -- in my notes, I put down 9.50,
5 I think it was about a quarter to 10, it was about an
6 hour later. And I did look at my watch at a quarter to
7 10 and I was out by that time.

8 Q. Were you conscious of members of the emergency services
9 in and around the ticket hall area and outside when you
10 came out, other than the police officer you've just
11 mentioned?

12 A. I didn't -- I don't remember anybody in the ticket hall.
13 I may have walked past them. But somebody was certainly
14 being treated on the street. They were dealing with
15 somebody on the floor on the street, and there were
16 buses, there was like a double decker bus pulled up over
17 on the other side of the road, which was where I was
18 told to go by the policeman.

19 Q. Were you conscious of paramedics outside the entrance to
20 the Tube station?

21 A. I can't remember.

22 Q. As far as other emergency services, either police or
23 London Fire Brigade, again, are you able to recall
24 whether they were there and, if so, in what numbers?

25 A. I saw fire officers were there, and I think they were

1 treating the person on the floor, but that was on --
2 that was some way away from the entrance to the station.
3 And none of them approached me at all.

4 Q. You provided your details to a police officer?

5 A. Yes, I did, and I also provided details of Mr Wright
6 and -- Ms Wright and Mr Brown because I knew that they
7 were alive, and Ms Wright had begged me to make sure her
8 parents -- you know, her family knew that she was all
9 right, that she was alive, and I stressed it to the
10 officer, I said "These people are alive, this is their
11 injury, these are their injuries", you know, "I'm
12 a police officer", I gave him my details and their
13 details.

14 Q. Would my Lady forgive me for one moment?

15 I can't immediately find it on the transcript, but
16 I think you told us a few minutes ago about a police
17 officer asking you if there had been an explosion or --

18 A. Well, no, I was going up the stairs, and I said "What is
19 it, what was it, what was it?" I knew it was an
20 explosion, I knew it was -- I think I probably -- I did
21 know it was a bomb, but I think I must have been going
22 into -- I don't know, a bit of shock, I suppose.

23 Q. Here it is. Sorry, it's my fault, you said:

24 "Answer: There was a policeman on the stairs and
25 I said 'What happened, what was it?' and he said 'We

1 don't know, we don't know'."

2 So from the answer which you were given at that
3 stage, did it appear as if that officer, at least, was
4 not aware that there had been an explosion on the
5 carriage?

6 A. Yes.

7 Q. But of course, you can't speak for what other officers
8 may or may not have known by that time?

9 A. No.

10 MR COLTART: Thank you very much.

11 LADY JUSTICE HALLETT: Mr Saunders?

12 Questions by MR SAUNDERS

13 MR SAUNDERS: Mrs Kenworthy, I'm going to keep you a very
14 short time, but one of the questions her Ladyship will
15 be considering at the end is the medical equipment and
16 supplies that arrived with the first responders. All
17 right?

18 I'm going to ask you, because clearly you were there
19 calling out for equipment such as jackets or belts or
20 ties or T-shirts. From your training, you knew that was
21 the sort of equipment that was required?

22 A. Yes, sir.

23 Q. When you describe, at about 9.20, when you are aware of
24 paramedics, police, Fire Brigade, turning up, did
25 anybody appear to you to have medical equipment with

1 them?

2 A. I don't remember seeing any boxes or anything like that
3 at all. I -- whoever went behind me to Mrs Mason,
4 I think they were giving her -- she went quiet, she all
5 of a sudden went quiet and I thought, either she's died
6 or they're giving her oxygen. But I didn't see any
7 dressings applied or anything like that, but, you know,
8 very swiftly, I was moved from the train by the firemen,
9 you know, and I was willing to go.

10 Q. At that point, you'd seen, as it were, the first
11 responders attending --

12 A. Yes.

13 Q. -- and hadn't seen anything other than, you think, from
14 Mrs Mason?

15 A. No.

16 Q. Can I ask you this: in what you did for Mr Brown,
17 Andy Brown, in applying your jacket, was that part of
18 the basic training you'd had, applying a tourniquet?

19 A. Well, yes, I'm aware that with tourniquets you have to
20 let the pressure off. The idea of a tourniquet is to
21 stop the bleeding, it's to stem the bleeding, but you
22 see, in his case, his leg was actually, you know, it was
23 blown away, so it was of limited effect, but it was the
24 best that -- you know, it was staunching it more than
25 tourniqueting it, if you see -- can you understand what

1 I'm saying?

2 Q. I see exactly what you mean. I think you went on to add
3 earlier that it had the effect that it did stem the flow
4 of blood?

5 A. Yes.

6 MR SAUNDERS: I have nothing else. Thank you very much
7 indeed.

8 LADY JUSTICE HALLETT: Ms Sheff?

9 Questions by MS SHEFF

10 MS SHEFF: I just have one issue to ask you about. Could we
11 have your more detailed plan up, INQ10427-2?

12 No, not the statement. Sorry, I must have got the
13 reference wrong. It's the sketch plan, thank you very
14 much.

15 I want to ask you about the lower half of "dead male
16 person" that you've pointed the arrow towards.

17 I represent Mr Baisden, who died in that carriage
18 and lost his lower limbs. I just want to ask you where,
19 if at all, you saw the upper part of his body?

20 A. Yes, he was -- there was metal twisted, it was like a --
21 almost like a ravine, a sort of sharp furrow.

22 Q. Which was the debris from the rails, the poles, the
23 doors?

24 A. Yes, it wasn't -- it was down sort of a hole, but it
25 wasn't a hole in the floor, I don't think, it was like

1 a trench --

2 Q. A crater?

3 A. Like a trench or a crater, and I saw what looked like
4 a male, you know, like a torso, a trunk, but no head or
5 legs. I just saw -- I think it was a back, a naked
6 back.

7 Q. So in the section that you have drawn a sort of curly
8 rectangle around the words "twisted moving metal
9 floor/sheet metal, that was where you saw the upper part
10 of -- because you haven't drawn it on, you've just drawn
11 the lower limbs, so was it all part of that twisted
12 metal or was it in that hole in the floor further behind
13 the twisted metal to the left?

14 A. I think I can't remember it very accurately. I saw it
15 and I thought "I've got to ignore this, I can't do
16 anything about it, I've got to ignore it".

17 Q. Yes, that's really what I wanted to clarify with you.
18 As far as you were concerned from your -- well,
19 semi-professional assessment, as an experienced police
20 officer, of his medical condition, there was nothing you
21 felt you could do for him?

22 A. He was beyond rescue, and, as there was nothing I could
23 do for him, I had to deal with the people that I could
24 do something for, so I had to -- I'm afraid I had to
25 ignore him.

1 Q. Yes. We know it's difficult to estimate timings, but
2 you moved off from your carriage and made your way
3 straight through into the second carriage virtually
4 after the explosion took place, so would it have been
5 just a matter of a few minutes or so before you got to
6 that carriage?

7 A. Yes, it was a few minutes. The dust was still -- it was
8 still very smoky when I arrived, and there was a lot of
9 blood in the air and, you know, dust and smoke, very,
10 very thick dust, black dust, almost like tar, soot, in
11 the air, so it must have been -- you know, it wasn't
12 a very long time.

13 MS SHEFF: No, indeed. Thank you very much indeed, that's
14 all I have to ask.

15 LADY JUSTICE HALLETT: Does anybody else have any questions?
16 Mr Gibbs?

17 Questions by MR GIBBS

18 MR GIBBS: May I ask a question on behalf of the British
19 Transport Police?

20 Officer, you have told us before the paramedics and
21 the ambulance staff arrived, and before the Fire Brigade
22 was there, there were people in high visibility jackets
23 on the track?

24 LADY JUSTICE HALLETT: Sorry, would you like to start again?

25 MR GIBBS: Certainly.

1 Officer, before the paramedics arrived, and before
2 the Fire Brigade arrived, there were people on the
3 tracks in high visibility jackets, were there?

4 A. I saw one person. He was underneath the window.

5 Q. Did you take that person to be a member of the
6 London Underground staff?

7 A. I guessed he was.

8 Q. Because he wasn't wearing police uniform?

9 A. He wasn't a policeman. He didn't look like a policeman,
10 he wasn't wearing a hat. He had a yellow jacket on and
11 I guessed, from what he said, he didn't have the
12 demeanour of a policeman either.

13 Q. Was he treating somebody?

14 A. No, he was standing there.

15 Q. I see. When the medics turned up, were they wearing
16 obviously medical uniform?

17 A. Well, I remember the Fire Brigade. The Fire Brigade
18 were very obvious, it was obvious what they were --
19 I think they had breathing apparatus, they were in full
20 gear, and I dealt with them mainly more than the medics.
21 I think the Fire Brigade came on first, and the medics
22 may have come on and were dealing with the other end of
23 the carriage, but the firemen were first with me, after
24 Sergeant Kemp.

25 Q. Did you then later see what were obviously police

1 officers wearing police uniform?

2 A. Yes.

3 MR GIBBS: Thank you very much.

4 LADY JUSTICE HALLETT: Mr Hill?

5 Questions by MR HILL

6 MR HILL: Just two or three minutes, I'm conscious of the
7 time, my Lady. The fact is you are now, and were then,
8 a serving officer with the Metropolitan Police Service?

9 A. Yes, sir.

10 Q. On 7 July 2005, you were off-duty but you were en route
11 to a meeting in connection with your job?

12 A. Yes.

13 Q. You were unaffected immediately by the blast by virtue
14 of the fact that you were two or so carriages away from
15 the blast site?

16 A. Yes.

17 Q. Therefore, you weren't physically injured, nor were you
18 immediately affected, for example, by smoke and dust
19 inhalation and the other effects of the blast?

20 A. No, I was fine. I breathed in quite a lot of smoke and
21 dirt, but I wasn't ill at all.

22 Q. Notwithstanding that, you made a positive decision to
23 come forward and you went through one or possibly two
24 carriages in order to reach the blast site.

25 A. Yes.

1 Q. We've heard about the assistance that you gave over
2 a period of time, in particular to two very seriously
3 injured passengers, one of whom was Mr Andrew Brown and,
4 just to help you -- I don't know whether you were
5 physically in court when he gave his evidence -- his
6 account at page 32 of today's transcript, my Lady, was
7 that it was he who asked you, because he knows you as
8 "Liz", if you had anything which could be used as
9 a tourniquet.

10 Now, you've said a few moments ago there was
11 a conversation before you did what you could by the use
12 of your jacket. Do you agree with him that he asked you
13 for something to apply to the appalling wound?

14 A. I don't remember him asking me, but it was agreed that
15 that's what we were going to do, you know, and I was
16 doing my best, because he was so calm and so switched
17 on, that, you know, I said we'd do it, and, you know,
18 that's what I did. That was all I had, you see.

19 Q. Right. The word "tourniquet" has been used by Mr Keith,
20 by Mr Coltart, and as I've just indicated to you, by
21 Mr Brown, but in fact, is this right, that you didn't
22 refer to what you did as applying a tourniquet to either
23 Mr Brown or Ms Wright's injuries? Let me remind you
24 what you said in your statement which you made on
25 8 July.

1 You described "taking off my corduroy jacket and
2 bound it as tightly as possible around the stump of the
3 leg of the man who was sitting upright."

4 A. Yes.

5 Q. That must be Mr Brown. You then said that you gave the
6 woman -- that must be Ms Wright -- a shirt to hold on to
7 the wound and her stomach and a belt to put round her
8 left leg to try to stop the bleeding.

9 Now, that accurately describes what you did in both
10 cases.

11 A. Rudimentary, rudimentary first aid.

12 Q. In fact, you provided a description in your own terms
13 today, which may be a better description for what you
14 were doing. You used the phrase, page 194 this
15 afternoon, "This was a dressing or a binding to stop
16 bleeding".

17 The question of the use of a tourniquet is something
18 you're aware of, because you have had, in common with
19 other Metropolitan Police officers, a number of training
20 courses during your duty, which are what's known as ELS
21 training, emergency life support training, is that
22 right?

23 A. That's right.

24 Q. For the record, I think this is right, you were trained
25 in December 2002, the course being "On scene and

1 dealing", in quotation marks, "critical incident
2 training and in relation to bombs"?

3 A. Yes.

4 Q. In May of 2004, critical incident training, and
5 in December of 2004, so some seven or eight months
6 before these events, an emergency life support course?

7 A. Yes, sir.

8 Q. Is that right? You are aware, are you, that the
9 question of whether to apply a tourniquet as such is --
10 if I use the word "debatable", please don't take it that
11 this is any measure of criticism for what you did in
12 lending such valuable assistance on the day, but it is
13 not a generally recommended first aid intervention in
14 the same way that the use of pressure points on wound
15 sites or near wound sites is a recommended first aid
16 intervention. Do you know about that?

17 A. I do. I know that a wound can be stopped with even
18 something like a credit card. I did know that. But
19 Mr Brown's leg, it wasn't something that I could
20 stick -- it wasn't like sticking a finger into a hole.
21 It was a question of, you know, a lot worse than that,
22 as from what I could see --

23 Q. Yes.

24 A. -- and I just did the best I could. You know, I'm
25 afraid I have only got a basic first aid certificate,

1 I'm not a paramedic.

2 Q. What you were doing, whatever the level of your
3 training, was doing everything you could physically,
4 there and then in the moment, just to stop the flow of
5 blood --

6 A. Yes.

7 Q. -- as best you could? Yes.

8 My Lady, for your note, if and when we return to
9 this issue, there is a statement which the
10 Metropolitan Police have provided by the senior adviser
11 within the Metropolitan Police for first aid policy and
12 training. Her name is Warner, Sue Warner, the inquiry
13 reference is INQ10181. That's all I ask.

14 LADY JUSTICE HALLETT: Thank you. Does anybody else have
15 any questions? Anybody who's unrepresented?

16 Ms Kenworthy, thank you very much for coming to give
17 your evidence. I know you've been trained, and I know
18 you've been trained to deal with difficult situations on
19 duty, and on guard, as it were, but you were off-duty,
20 you were off guard, and you, yourself, were a victim.

21 To respond in the way that you did takes a very
22 exceptional person, and I'm sure that there are at least
23 two people, if not more, who have every reason to be
24 grateful to you, and I'm sure you thoroughly deserved
25 the MBE.

1 A. Thank you, my Lady.
2 LADY JUSTICE HALLETT: So thank you very much.
3 A. Thank you.
4 LADY JUSTICE HALLETT: I think probably we have to stop
5 there anyway, Mr Keith, because my voice is going to go.
6 MR KEITH: My Lady, yes.
7 LADY JUSTICE HALLETT: It's probably a relief to everybody.
8 Very well. What time do we wish to start tomorrow?
9 10.00?
10 Thank you all very much.
11 (5.00 pm)
12 (The inquest adjourned until 10.00 am the following day)
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