

Coroner's Inquests into the London Bombings of 7 July 2005
Hearing transcripts - 21 October 2010 - Afternoon session

1 (2.00 pm)

2 LADY JUSTICE HALLETT: Mr Keith?

3 MR KEITH: Good afternoon, my Lady. May I invite you to
4 call Anis Shlewet, please?

5 MR ANIS SHLEWET (sworn)

6 Questions by MR KEITH

7 MR KEITH: Good afternoon. Could you give the court your
8 full name, please?

9 A. Anis Shlewet.

10 Q. It's a large courtroom. The microphone in front of you
11 won't amplify your voice. It just relays your evidence
12 to another place where you're seen on camera. So it's
13 important to keep your voice up so that we can all hear.

14 A. Okay.

15 Q. On 7 July 2005, unusually you took the Underground?

16 A. Yes.

17 Q. You don't normally?

18 A. No, I can't stand public transport and I hadn't taken
19 the Tube in four years, or five years.

20 Q. On that day, you travelled to Liverpool Street and
21 caught the Circle Line with a view to going to
22 Sloane Square via Tower Hill?

23 A. Knightsbridge via Tower Hill, yes.

24 Q. Knightsbridge via Tower Hill. When you made your
25 statement to the police in July 2005, they asked you to

1 draw a map, or you drew a map -- INQ8346 [INQ8346-1] , please --
2 showing them where you had boarded the carriage of the
3 train that you entered.

4 A. Yes.

5 Q. That may be your writing "second carriage", is that your
6 writing, the words "second carriage"?

7 A. I think so, yes.

8 Q. Do you recall where it was that you went in that
9 carriage?

10 A. Yes, I walked in at the beginning of the carriage and
11 then walked right the way to -- almost to the end.

12 Q. So you walked somewhere towards the left-hand side of
13 the screen as we see it and then towards the front of
14 the carriage, one end of the carriage?

15 A. Yes. I didn't walk in through the second carriage,
16 though, I walked in -- I didn't switch carriages.
17 I walked in to one carriage, at one end, so sort of
18 where "A" is, and then walked right the way to the end,
19 yes.

20 Q. As I said, you walked in on the left-hand side of the
21 screen, but still all in the same carriage?

22 A. Yes, yes.

23 Q. The arrow on the right-hand side, is that the arrow
24 indicating where you then sat?

25 A. Yes.

1 Q. You've marked the doors for us?

2 A. Yes.

3 Q. If we look, please, at INQ10280-8 [INQ10280-8] , this is a diagram,
4 Mr Shlewet, prepared by the Metropolitan Police based
5 upon the witness evidence then available, some time ago
6 in fact, and it gives their assessment of where
7 everybody may have been sitting, and you may, according
8 to them, have been around seat number 37, which you can
9 see?

10 A. It would probably have been 35.

11 Q. You think 35?

12 A. Yes.

13 Q. In the middle of that bank of seats?

14 A. Yes, because there was a woman sitting to my right.

15 Q. Right. Thank you very much. The train, I think, had
16 been moving for not very long when you heard an
17 incredibly loud bang?

18 A. Yes.

19 Q. Could you tell us something of what you recall of the
20 bang and what we know to be the explosion?

21 A. Yes, it was a really, really big bang and then all the
22 lights went out, I couldn't see anything, I couldn't
23 breathe, it was like all the oxygen had been sucked out
24 of my lungs. I couldn't hear anything, except for this
25 really acute sort of high-pitched sound. And then,

1 after a few -- sort of ten seconds or something, it was
2 sort of a moan of calm, and then, you know, I heard sort
3 of moan -- groans and screaming, and so I -- you know,
4 it was really smoky and so I got on the floor so I could
5 breathe, and I told the woman sitting next to me to get
6 on the floor as well, until the sort of smoke had
7 cleared a bit.

8 Q. In your witness statement to the police, you described
9 a blond lady next to you.

10 A. Yes.

11 Q. Was that the lady who was on your right as you just
12 indicated for us on the plan?

13 A. On my right-hand side, yes.

14 Q. She, I think, was thrown almost out of her seat as well,
15 you recalled.

16 A. Yes.

17 Q. Do you remember what happened to the doors and the
18 windows in the carriage?

19 A. Yes, the windows were shattered. Well, they were
20 shattered behind me because I had lots of bits of glass
21 in my hair and soot. So the soot made the glass stick
22 to my hair, and it was in my pockets and all over me.

23 Q. After the initial shock and the initial explosion had
24 passed, did you spend a minute or so calming people
25 around you, including the lady on your right?

1 A. Yes. Well, I mean, everybody sort of on -- you know,
2 next to me, they were all sort of up and, you know,
3 didn't really need calming. It was really only the
4 woman next to me. It was when we sort of later on, when
5 we went towards the other end of the carriage, which was
6 where people were a bit more sort of --

7 Q. Distressed?

8 A. -- distressed, yes.

9 Q. After you had taken a moment to calm the lady on your
10 right, did you try to force some doors open?

11 A. Yes.

12 Q. Could we please have on the screen again INQ10280-8? [INQ10280-8]

13 There were four sets of double doors down each side.

14 A. Mm.

15 Q. Can you tell us, please, which doors you think you tried
16 to force open?

17 A. Well, the first ones were the ones where 39 is, that
18 passenger 39.

19 Q. Yes.

20 A. I remember trying to kick those in, just to let in air,
21 I didn't think they would open, but there was like
22 a crack at the bottom, so -- but that wasn't budging,
23 and --

24 Q. Did you do that on your own or with somebody else?

25 A. No, me and one other guy, and --

1 Q. I don't suppose you caught his name, ever?

2 A. No, I didn't ask what his name was, no. Yes, and then
3 after we tried that, we tried to go into the other
4 carriage, so we walked across, and -- but it was too
5 smoky, to see if we could get out through the driver's
6 door, but it was too smoky and we couldn't actually make
7 it from -- I couldn't hold my breath long enough,
8 neither could anybody else, to actually make it to the
9 end of the carriage, and so we --

10 Q. May I pause you there?

11 A. Yes.

12 Q. Sorry to interrupt. Before you went to the first
13 carriage, did you look back towards the rear end of your
14 own carriage and see what had happened?

15 A. No, I hadn't looked that way yet. I mean, I could
16 see -- it was really smoky and so it was difficult to
17 sort of see what was happening.

18 Q. I understand.

19 A. And we just wanted to sort of get air into the carriage.

20 Q. The reason I ask, Mr Shlewet, is in your witness
21 statement, again some time ago now of course, you
22 actually describe how, before you went into the first
23 carriage, after you'd tried to open the doors by kicking
24 them open, the smoke cleared a little bit because of the
25 ingress of air --

1 A. Yes.

2 Q. -- and you had a quick look towards the back of the
3 carriage, the rear of the carriage, and you recall
4 noticing a number of people, either dead or injured, on
5 the seats and on the floor, and I want to ask you
6 whether you recall that image as occurring before you
7 went to the first carriage or after.

8 A. I don't know, I might have. I mean, I do have a very
9 clear image, because, you know, I guess we'll get to
10 that later, but I have a very clear image of what
11 exactly -- what happened there.

12 Q. When you went back later?

13 A. Yes, exactly. I guess, if I said it in my statement,
14 then I must have had a look.

15 Q. All right. At any rate, you did go to the first
16 carriage and it was extremely smoky?

17 A. Yes.

18 Q. You couldn't linger because of the smoke?

19 A. No.

20 Q. When you were in there, did you see a queue of people
21 trying to get out of the front of that first carriage?

22 A. No, there were two other people in there, I think, and
23 they both came with us back into the second carriage.

24 Q. Right. In your statement, you describe then that some
25 10 to 15 minutes passed --

1 A. Mm.

2 Q. -- after the original explosion, the bang.

3 A. Yes.

4 Q. You found yourself back in the second carriage and then

5 trying to kick another set of doors open?

6 A. Yes.

7 Q. Which doors were they?

8 A. They were these ones, I think numbers --

9 Q. Just give us the D number.

10 A. D4, yes.

11 Q. D4. Did you succeed?

12 A. No. They sort of buckled a bit to let in air, but they

13 wouldn't actually open enough for us to sort of squeeze

14 out.

15 Q. While you were doing that, or after you'd tried to open

16 the doors, did you then look down towards the rear of

17 the carriage?

18 A. I might have looked towards the rear of -- yes, I did

19 actually, because that was where I noticed the -- some

20 doors had been blown off, and that's what sort of

21 prompted us to move --

22 Q. Look down?

23 A. -- to look down, or I might have noticed there was

24 somebody else dead, yes, but the sort of attention was

25 sort of focused in that direction and we saw the doors

1 open, yes.

2 Q. On the same side of the carriage as the doors that you
3 had been trying to open, did you see someone sitting in
4 the bank of seats that you will see on the map between
5 12 and 20, 12, 15, 18 and 20?

6 A. Yes.

7 Q. Can you describe for us, please, what you saw?

8 A. Well, I mean, it's -- it was more -- I saw more the sort
9 of people from 19 to 13, and there were people on the
10 floor as well. I saw somebody on the floor with --
11 I noticed one of their legs, a portion of their legs was
12 missing. I saw people with really bad burns on --
13 between 13 and 19. That was all -- it was -- there was
14 a lot of twisted metal, and it was difficult -- it was
15 like a big mass of limbs poking out from between, you
16 know, bars that had been bent down, you know, or, you
17 know, forced across the carriage, and, yes, I mean,
18 there were bodies on the floor.

19 There was a woman that asked me for help just before
20 I got out, just as we were sort of approaching the
21 doors, and she was standing on a guy that was -- I think
22 was dead, and she was -- one of her feet was on his
23 throat, and she was holding herself up by a bar that had
24 sort of bent down, and there was something wrong with
25 her leg, it was -- there was lots of blood and, you

1 know, I couldn't exactly tell what it was, and she asked
2 me for help and so I sort of grabbed her arm and then
3 she collapsed, and, yes, and then there was these two
4 guys --

5 Q. On the seats?

6 A. No, it was straight after that happened, there were
7 these two guys standing outside, these paramedic guys
8 and they said, "No, don't worry about her, just come out
9 and we'll deal with all that", and, yes.

10 Q. You've told us how when you looked that way, there were
11 people on the floor as well.

12 A. Yes.

13 Q. In your witness statement to the police, you were able
14 to recall three bodies on the floor of the central aisle
15 and you then describe how they were twisted together
16 with the yellow metal grab rails and the debris from the
17 explosion?

18 A. And the seats, yes.

19 Q. Does that seem to you to be about right --

20 A. Yes.

21 Q. -- in terms of the number?

22 A. Yes.

23 Q. Also in your statement, though, you describe two other
24 people both of whom were sitting in their seats with
25 their heads back. The first one you describe as being

1 a man with a very burnt face.

2 A. Yes.

3 Q. He was sitting in his seat with his head back, and

4 a second person, seated again, slumped back in his seat.

5 Where were they?

6 A. I think they were on, again, 13 to sort of 19.

7 Q. On the other side of the carriage, then --

8 A. Yes.

9 Q. -- from the doors that you were trying to kick open?

10 A. Exactly, yes.

11 Q. Now, a slightly curious question for you, I appreciate,

12 but from the evidence that we've heard, there were two

13 ladies, in fact, on the other side of the carriage.

14 A. Okay.

15 Q. From the dirt and the fact that they were burnt from the

16 explosion, is it possible that they were ladies whom you

17 saw rather than men?

18 A. Well, I think it was probably 13 who was a man.

19 Q. Yes, according to this map, that's right, but in fact

20 there's other evidence to show that the man who was

21 there wasn't there by the time you were there.

22 A. They might have been women, yes. It's difficult to tell

23 because they were so badly burnt.

24 Q. Of course.

25 A. And, you know, I assumed the hair would have been burnt

1 off or, you know, and so it's really -- and everything
2 was dark, it was very black, and it was, you know, not
3 something -- it's difficult to sort of take in
4 everything, you know, because of all the debris
5 everywhere and the -- and just the -- it's difficult to
6 tell when -- where one body started and where the rest
7 of it was.

8 Q. I understand. You told us also how there were two men
9 outside the train.

10 A. Yes.

11 Q. They assisted people to leave by those doors.

12 A. Yes. They were sort of waiting by the open doors.

13 Well, the doors had been blown off, and they were
14 waiting outside.

15 Q. Can you tell us anything of them as to whether or not
16 they were, for example, London Underground or firemen,
17 or police?

18 A. They weren't London Underground, no.

19 Q. They weren't?

20 A. No.

21 Q. What makes you think that?

22 A. Because of the way they were dressed.

23 Q. Which was?

24 A. They were in, like, sort of white T-shirts and yellow
25 bibs and -- one of them had a yellow bib. I remember

1 thinking to myself -- because I remember thinking that
2 exact thing, "Are these guys from London Underground or
3 are they" -- but all they said was -- they definitely
4 didn't look like they were sort of, you know,
5 Underground workers. They looked like they were
6 paramedics, although they weren't carrying any equipment
7 or anything, so maybe they weren't.

8 Q. Did you walk along the tunnel, along the track, towards
9 Aldgate?

10 A. Yes.

11 Q. Do you recall anybody else coming in the other
12 direction?

13 A. No.

14 Q. What about on the platform before you went up to ground
15 level, do you recall the emergency services there?

16 A. I remember there were a few sort of Tube workers there,
17 but I don't remember there being any firemen or any
18 other paramedics or anything, no. It was only when
19 I got outside the station when there were lots of police
20 everywhere.

21 Q. There was, no doubt, a certain amount of chaos outside,
22 there were emergency services arriving, police, injured
23 walking around?

24 A. I was one of the first ones out. The police -- when
25 I got out, there was really only me and a couple of

1 other people, but the police were pretty -- you know,
2 they had the whole area covered and they already had
3 water and towels and all that kind of stuff, you know,
4 and I said, you know -- I said to one of them, I said
5 "You know, there's a lot of people back there who are
6 really -- I think some of them might be dead" and he said
7 "Yes, but all the emergency services are coming now".

8 Q. Do you know whether that person was a member of
9 London Underground or --

10 A. No, he was a policeman.

11 Q. Was he in plainclothes or uniform?

12 A. No, he was in a uniform and he gave me a bottle of
13 water.

14 Q. Were you taken to an office, part of the building?

15 A. Not an office, no. We were taken -- me and the blond
16 girl and a couple of other people were taken across the
17 road. There was -- I think there's like -- yes, there's
18 a big bus depot there.

19 Q. There is.

20 A. We were taken across there and sort of told to wait
21 there to be -- you know, to have statements taken and
22 then, you know, they came over and asked if, you know,
23 I -- if we wanted any sort of -- if I wanted any
24 counselling or medical treatment or anything, and I only
25 lived up the road, and so I said "Just" -- you know,

1 I gave them my details, gave them a brief statement, and
2 said, you know, "Can I go home now?" you know, because
3 I literally only lived up the road and that was it,
4 I just went home.

5 MR KEITH: Thank you very much. Will you stay there,
6 though? There may be some further questions for you.

7 A. Okay.

8 LADY JUSTICE HALLETT: Any questions?

9 MR COLTART: No, thank you.

10 LADY JUSTICE HALLETT: Mr Saunders?

11 Questions by MR SAUNDERS

12 MR SAUNDERS: Can I just ask you this, please, Mr Shlewet?
13 The time when you're coming off the Tube, the two men
14 are down on the floor.

15 A. Two men are --

16 Q. Two men are on the ground helping the passengers off.

17 A. Right, okay, yes.

18 Q. We've already heard evidence today -- I don't know
19 whether you were in when Mr Pettit gave evidence this
20 morning?

21 A. I haven't heard any of that.

22 Q. Mr Pettit described exactly what you have, being at
23 doors D2 trying to force open that door, then going down
24 into the first carriage with a number of other
25 passengers from carriage 2.

1 A. Yes, exactly, 2.
2 Q. Then coming back into carriage 2.
3 A. Exactly.
4 Q. Then moving down to D6. Two men were outside helping
5 the passengers off.
6 A. Yes.
7 Q. He thought that they were also passengers.
8 A. No, I didn't think they were passengers. Because what
9 they were saying, they were saying "Just leave that,
10 we'll sort it out. We are trained" or whatever. It was
11 something they said and the way that they looked gave me
12 the sort of impression that they were, you know,
13 paramedics or some sort of, you know --
14 Q. So you're not saying they were paramedics, but somebody
15 who was official is what you thought from what they
16 said?
17 A. Exactly, yes, someone who was official, exactly.
18 Q. Can we take it in this way, Mr Shlewet, that, as you're
19 coming to D6, you're not focusing on what's happening --
20 I think you've mentioned the seats 19 to 13?
21 A. Mm.
22 Q. But you're aware of that, as it were, from the corner of
23 your eye as you're coming to come out of D6?
24 A. As I was walking towards that area, I had a really good
25 look at everything that had sort of happened. You can't

1 help sort of, you know, having a look around, and, yes,
2 I had a good look around, because you had to sort of
3 step over things and stuff, you know, and there were
4 bodies on the floor. There was a body on the floor that
5 I had to sort of move around. So I had a pretty good
6 look at everything.

7 Q. Can I ask you whether you can help us with this -- and
8 say if you can't --

9 A. Okay.

10 Q. Opposite where you've already described for Mr Keith
11 sitting at 13 to 19, at 18 and 20, that, we understand,
12 was a man, Bruce Lait, and his dance partner,
13 Crystal Main, in seat 20.

14 A. Okay.

15 Q. Do you remember seeing them there?

16 A. I remember seeing people there, but I don't remember if
17 they were male or female or --

18 Q. At the time that you were leaving, do you remember
19 seeing anybody across either of them, in particular two
20 ladies with light or blond-coloured hair, across their
21 laps, as it were?

22 A. Across their laps? I really can't remember. The only
23 person I really remember was the woman who was hanging
24 from the top and she had dark hair.

25 Q. And I think, in fairness to you, you have given

1 a description of that in your statement. Was she the
2 red-haired lady, late 40s?

3 A. Yes, exactly, she was in her late 40s.

4 Q. But she was standing, as you say, holding on to --

5 A. She was standing holding on to it, yes.

6 MR SAUNDERS: Thank you very much, Mr Shlewet.

7 LADY JUSTICE HALLETT: Ms Sheff?

8 Questions by MS SHEFF

9 MS SHEFF: Mr Shlewet, I'm going to ask you about that same
10 area. Could we have the same plan back up, please?

11 You said that you had a good look on the floor in
12 that area and you said just now there were bodies on the
13 floor, a body.

14 Can you remember how many there were in and around
15 the area between those two sets of seating that you've
16 been asked about, 13 to 19 and 12 to 20?

17 A. On the floor, I remember there being two bodies.

18 I could see one of the bodies in front of me that was
19 a guy, and that's -- the woman that was hanging from the
20 thing was standing on him, and she was obviously so
21 distressed, you know, that she didn't realise, you know,
22 and then I remember seeing another body in the middle.

23 But it's difficult to tell. I'm not sure what end it
24 was. I just was aware of there being a body there. It
25 was literally a big -- it's a mass of bodies and it's

1 really difficult to tell where they were exactly, you
2 know, or if they were lying on someone or --
3 Q. Yes, indeed. I fully understand that.
4 A. Yes.
5 Q. I'm sorry to ask you such difficult questions.
6 A. That's fine.
7 Q. But as you say, there was a mass of bodies.
8 A. Yes.
9 Q. Could it have been that there were two females, one on
10 top of the other --
11 A. Yes.
12 Q. -- one of which was wearing a denim jacket? Do you
13 remember any clothing at all?
14 A. I don't remember, no.
15 Q. Do you remember any hair, long, brown, wavy hair?
16 A. No.
17 Q. I just wanted to ask you about the woman you said
18 standing on the man's throat, that you thought the man
19 was dead.
20 A. Yes.
21 Q. Was that also in that same area?
22 A. Yes, it was here, because we walked out --
23 Q. You're pointing now towards -- around the double doors
24 between D6 and D4, is that right?
25 A. I'm pointing right in front of the double doors. It was

1 here.

2 Q. So where 22 is on our plan?

3 A. Yes, exactly, yes.

4 Q. Yes. Again, were you able to tell whether that was
5 a man on the floor or a woman?

6 A. On the floor, it was a man.

7 Q. You had the impression that there were no signs of life?

8 A. Yes. I mean, I wasn't sure about anyone else. There
9 was one of these people as well, who was really, really
10 badly burnt, the guy that I saw sitting there and he
11 looked in really bad shape. But there was another
12 person I remember seeing when I came out of the station
13 coming out and I recognised him from the carriage and he
14 had a big head injury.

15 Q. So you were taking all this in, were you, immediately
16 after the explosion?

17 A. Well, I was thinking about it, yes.

18 Q. You didn't lose consciousness at all?

19 A. I didn't lose consciousness, no.

20 Q. As soon as the bomb went off, you were able to make your
21 way down the carriage and see the destruction and
22 devastation that had been wreaked?

23 A. Yes, I wasn't injured, I wasn't -- I managed to sort of
24 calm myself quite quickly and, yes, I mean, I've got
25 a good recollection of everything that happened.

1 Obviously it was better closer when I gave my statement
2 to the anti-terrorism guy, whatever.

3 Q. Of course.

4 A. But, yes, I've got a good recollection of this.

5 Q. So the description that you've given us effectively is
6 what took place in that carriage within a few minutes or
7 so after --

8 A. Yes.

9 Q. -- the explosion, if not --

10 A. I think we were in the carriage for about 20 minutes or
11 something, or 25 minutes.

12 Q. Yes.

13 A. So, yes.

14 Q. And before any assistance had come into the carriage?

15 A. Before any assistance, yes.

16 MS SHEFF: Thank you very much, Mr Shlewet.

17 LADY JUSTICE HALLETT: Any other questions?

18 Could I just ask you something on the question of
19 timing, Mr Shlewet? You said that you went up to the
20 first carriage and then you came back to the second
21 carriage and you said that was something like 10 to
22 15 minutes after the explosion.

23 A. No, it wouldn't have been 10 to 15 minutes. Maybe
24 actually, yes, because we were kicking those doors for
25 quite a while.

1 LADY JUSTICE HALLETT: Take your time. I mean, it's so
2 difficult to estimate time in this situation, I know --
3 A. Yes.
4 LADY JUSTICE HALLETT: -- and seconds can seem like hours.
5 But thinking back how long after the explosion, you go
6 up to the other carriage, you come back --
7 A. It was probably about ten minutes.
8 LADY JUSTICE HALLETT: About ten minutes?
9 A. Yes, because we were really just desperate for air to
10 come in, so we, you know, were bashing on that door for
11 quite a while and talking about what we were going to
12 do.
13 LADY JUSTICE HALLETT: So you are then back in the carriage
14 you started in?
15 A. Yes.
16 LADY JUSTICE HALLETT: How long is your best estimate before
17 you find yourself climbing down --
18 A. Probably sort of five or six minutes or something.
19 LADY JUSTICE HALLETT: So that's after you've come back?
20 A. After we've gone in through the other thing, yes.
21 LADY JUSTICE HALLETT: That's all I ask unless anybody has
22 any other questions?
23 Thank you very much, Mr Shlewet. We are very
24 grateful to you for coming along.
25 Mr Keith?

1 MR KEITH: My Lady, may I invite to you call
2 Philip Duckworth, please?
3 MR PHILIP DUCKWORTH (sworn)
4 Questions by MR KEITH
5 MR KEITH: Could you give the court your full name, please?
6 A. It's Philip Charles Duckworth.
7 Q. Mr Duckworth, on Thursday, 7 July, you took a Thameslink
8 train from St Albans?
9 A. Yes.
10 Q. From your witness statement, we know that you took that
11 Thameslink train to Farringdon and the train left
12 St Albans about 7.30.
13 A. Yes.
14 Q. Was it, in fact, the usual 7.38 train from St Albans?
15 A. Yes.
16 Q. The Thameslink service to Central London?
17 A. Yes, that's one I quite regularly caught.
18 Q. Although you don't say so, was that a train that arrived
19 late, it should have got in at about 8.04 but arrived at
20 8.30?
21 A. I honestly can't remember that.
22 Q. You don't remember?
23 A. It's quite a common occurrence.
24 Q. In your statement, you say you arrived about 8.30. The
25 reason I ask, Mr Duckworth, is that we know that there

1 was a train that left Luton, went through St Albans, to
2 King's Cross and then Farringdon, that morning, that was
3 24 minutes late but left St Albans at 7.38.

4 My Lady, it would seem that that was the same train
5 that was addressed in evidence last week.

6 LADY JUSTICE HALLETT: I'm not sure Mr Duckworth
7 particularly wants to know that, Mr Keith.

8 MR KEITH: He may not. But continue with the -- your
9 account. When you arrived at Farringdon, you exited the
10 train and I think you then went to the Circle Line to
11 catch an Aldgate train?

12 A. That's correct, yes.

13 Q. Do you recall which part of the Aldgate train you
14 boarded?

15 A. Not really, no.

16 Q. In your statement, you say you thought you used the
17 middle doors.

18 A. Yes, I mean, I'd usually -- it's not there now, there's
19 a green bridge, I'd usually go over the green bridge and
20 down, so you'd approach in sort of the middle of the
21 train and I used to usually go to the back of the train,
22 but this time, I was -- I think I presume I was nearer
23 the front, so I must have run -- I probably ran across
24 the main bridge and down that way.

25 Q. We know from what subsequently happened to you,

1 Mr Duckworth, that you were in carriage 2, the carriage
2 that was bombed.

3 A. Yes.

4 Q. Could you please have a look at INQ8745? [INQ8745-2] This is a map
5 that you prepared at the time that you made your
6 statement in August of 2005. Ignore the diagram at the
7 top, which is that of the train, the whole of the
8 carriage, because it shows carriage 4, and you were
9 plainly not in carriage 4. But in the bottom half of
10 the page you've circled a middle set of seats, or
11 somebody has circled on your behalf a middle set of
12 seats. I wanted to ask you, therefore, whether you
13 recollect getting into the middle of that carriage or
14 the end of the carriage? You can't say?

15 A. I have absolutely no --

16 Q. Recollection?

17 A. Nothing at all about where I was on the train.

18 Q. Do you have any recollection of getting out of your seat
19 and standing up in the standing area somewhere in that
20 carriage just before you knew you were going to reach
21 Aldgate station?

22 A. That's correct, yes, yes, I was keen to get to the door.

23 Q. And get out?

24 A. First to the door, sort of thing.

25 Q. Do you recall standing near the doors?

1 A. Yes, I was stood at the door, yes.

2 Q. What do you remember after that, Mr Duckworth?

3 A. Then there was a very bright white flash. It wasn't
4 like a flash sort of in the normal sense. It was
5 completely -- I was sort of inside it, it was an
6 all-enveloping flash and it seemed to go on forever, and
7 then I don't really remember anything after that.

8 Q. Do you recall any effect on your ears?

9 A. Well, there was a sort of loud ringing sound as well at
10 the same time.

11 Q. Tell us, please, what your next recollection is after
12 that?

13 A. After that, I woke up, in the very loosest sense of the
14 word, on the rails of the -- and I had had the fleeting
15 thought at the time that I had fallen out of the train
16 and it was just me and the train had sort of gone and
17 I was sort of left on the rails, that's how it felt.
18 And then I sort of -- I think I couldn't breathe and
19 I couldn't -- it was very difficult to sort of come out
20 of it, I think I maybe sort of blacked out again at that
21 point.

22 Q. Did you have any conscious thought after that? Do you
23 remember waking up again or becoming conscious?

24 A. Yes, I was aware of being very uncomfortable, I had
25 a rail sort of under the back of my legs.

1 Q. You could feel the rail under the back --

2 A. I could feel the rail, yes, and I was sort of -- all

3 I could think about was I wanted to get to Aldgate

4 station, sort of, a sort of ludicrous idea, but I could

5 see the station in the distance and I could see a Tube

6 train, it seemed quite a long way away, but it was quite

7 dark and indistinct, but those were the only lights.

8 I wasn't really aware of any people around. It

9 sounded very sort of quiet and muffled and probably

10 a little bit smoky, but I was just thinking about how

11 I could get to -- on to the platform. So eventually

12 I tried to sort of get up, it was very difficult, but

13 I eventually managed to get to my knees and then I got

14 to my feet and I sort of staggered over to the wall of

15 the Tube and put my hands on the wall to sort of catch

16 my breath, I just couldn't breathe, it felt like being

17 winded, you know, really badly winded.

18 Q. Did anybody assist you to get to the wall?

19 A. Yes, as soon as I'd got up, I was vaguely aware of

20 this -- some guys in orange jackets I'd sort of seen and

21 I couldn't -- it was very hard to tell whether they were

22 near me or not, but there were some guys in orange

23 jackets, somebody who had a torch, I seem to remember,

24 there was a light moving around.

25 Q. Do you think that the torch or the light had some

1 connection with your amazing step of being able to get
2 up and then get to the tunnel wall? Did that wake you
3 up or bring you to a level of consciousness that helped
4 you to move?

5 A. Yes, it was more I think I sort of wanted to sort of --
6 because I got this bizarre idea that I had fallen out of
7 the train, and I wanted to make somebody aware that
8 I was there and, you know, I'm over here, sort of thing.
9 But it was really just a desire to sort of get on to the
10 platform and to go towards where the lights were,
11 I think.

12 Q. In your witness statement, and also in a rather
13 remarkable press interview or story in the press
14 in March 2008, you describe how, before you were able to
15 get up and stagger to the wall, you were dimly aware of
16 the torches approaching you and of hearing somebody
17 saying "He's gone", and of being outraged --

18 A. Yes, I mean --

19 Q. -- at having been dismissed in this way?

20 A. -- this was sort of before -- I remember, it was before
21 I actually sort of really tried to get up, and I was
22 sort of laid there just sort of just trying to will
23 myself -- you know, I couldn't really move, and then
24 I just remember some guys went past, I can't remember
25 how many there were, but there was a guy with a torch

1 and I think he just sort of -- they sort of looked down
2 and he said "Oh no, this one's gone" and then sort of
3 moved on, but, yes, that -- at that point, I was like,
4 "No, I'm not. Hang on a second, you know, I'm not
5 gone", I'm -- and then I sort of -- that's when I sort
6 of forced myself on to my knees and got up.

7 Q. In the same press article, there is some suggestion that
8 you may have been lying there for around 30 minutes
9 before consciousness seeped back into your head and the
10 torch and your consciousness drove you to get up.

11 A. Yes.

12 Q. Do you know what the basis was of that possibility that
13 it was 30 minutes?

14 A. I mean, I -- I've absolutely no idea of the time that
15 passed, but I guess it came from probably the Tube guys
16 who were there and they'd seen the bodies on the tracks
17 and they --

18 Q. It wasn't something that came from you --

19 A. No.

20 Q. -- if, indeed, you had been in a position to assess any
21 passage of time?

22 A. It was literally from that white explosion and then
23 I just sort of came to. I have no idea how long that
24 took.

25 Q. Do you recall a passenger from the train -- we now know

1 that a man called Colin Pettit approached a man whom he
2 describes, who appears to have been you -- came up to
3 you and talked to you and tried to keep you going after
4 you had brought yourself back to life and got to the
5 carriage wall?

6 A. I was aware somebody was helping me. I just sort of
7 assumed it was a Tube guy, but I wasn't -- I couldn't
8 see -- I knew somebody was there, but I couldn't see
9 them.

10 Q. Was there more than one person, do you recall?

11 A. Eventually, yes, I seem to remember being sort of
12 carried by the shoulders, sort of slumped. I remember
13 falling over once and some people going "Whoa, whoa,
14 whoa!" and coming to pick me up again, and then they got
15 me, my arms over their shoulders and I just remember
16 being dragged, you know, I wasn't able to really help
17 them very much, sort of staggering.

18 Q. There is an account of you also, I think, being dropped
19 after being placed on a makeshift stretcher --

20 A. Yes.

21 Q. -- and then having to be picked up again from the tunnel
22 floor and --

23 A. Really? Yes, I --

24 Q. Do you recall that?

25 A. I mean, I vaguely recall being on a ladder, I think, it

1 was -- I think maybe it was a ladder. I will be honest,
2 I was glad of anything at that point --

3 Q. Of course.

4 A. -- to help me.

5 Q. Finally, may I ask you this: some press accounts have
6 spoken of how you sustained an injury to your left eye.

7 A. Yes.

8 Q. Could you tell us, please, something about that?

9 A. Yes, I -- well, I've lost my left eye, I've got
10 a prosthetic eye in at the moment, which by all accounts
11 looks very realistic, I'm quite pleased with that, but,
12 yes, I mean I know what happened to -- do you want all
13 the details? It's --

14 Q. Could you please tell us in rough outline?

15 A. It was a fragment of the bomber's shinbone went into my
16 eye and, I mean, I wasn't aware of this at all, but,
17 yes, it's -- that's what's made me blind in that eye.

18 Q. The reason that I ask, Mr Duckworth, is this: on account
19 of your knowledge of that, of the injury you sustained
20 from that piece of bone, in hindsight, does it now seem
21 to you that you may, in fact, have been very much closer
22 to the bomber and the bomb, who happened to be located
23 at one end of the carriage rather than the middle doors
24 where you thought you entered and, indeed, you may have
25 been standing in the standing area by the doors on the

1 other side of the carriage from the bomb?

2 A. That could very possibly be the case. I mean, I am
3 personally very interested in finding that out, but,
4 yes, that's possible.

5 Q. And the act of the bomb in blowing open the doors caused
6 you to be expelled out of the train at the same time?

7 A. Yes, yes.

8 MR KEITH: Thank you very much. Will you stay there,
9 please?

10 A. Okay.

11 MR COLTART: No, thank you.

12 LADY JUSTICE HALLETT: Ms Sheff?

13 MS SHEFF: No thank you.

14 LADY JUSTICE HALLETT: Does anybody have any questions?

15 Mr Duckworth, you've reduced us all to silence.

16 It's an astonishing story. The idea that you could be
17 so close to the bomb, be blown out of the carriage and
18 still be here to tell your story is just amazing.

19 A. Very lucky.

20 LADY JUSTICE HALLETT: Thank you very much for coming along.

21 A. Okay, thank you.

22 LADY JUSTICE HALLETT: Right, who's next?

23 MR KEITH: Mr Hay will call the next witness.

24 MR HAY: My Lady, may I invite you to call John Simpson,
25 please?

1 MR JOHN ERIC SIMPSON (sworn)
2 Questions by MR HAY
3 MR HAY: You're John Eric Simpson?
4 A. Correct.
5 Q. You provided two statements to the police concerning
6 your recollection of 7 July 2005, the first statement on
7 that day and the second statement on 9 July. Is that
8 right?
9 A. Yes.
10 Q. On that day I think you left from your home station of
11 Stonehouse to go to Paddington?
12 A. Correct.
13 Q. You were attending a meeting, is that right?
14 A. Yes.
15 Q. Where was that meeting?
16 A. I think it was going to be at Moorgate.
17 Q. You boarded the Central Line (sic) train travelling
18 eastbound, is that right?
19 A. Yes.
20 Q. Can we go to [INQ8417-1] , please? I think this is a sketch
21 plan which you've drawn, is that right?
22 A. Yes.
23 Q. I think initially you weren't able to get a seat on the
24 carriage. Is that correct?
25 A. Yes, on the one I've labelled here as the bombed

1 carriage, at Paddington that morning, fortunately for
2 me, in hindsight, I couldn't get on that carriage
3 because there were a lot of people pushing to get on it
4 and I decided I just wasn't in the mood for the push, so
5 I boarded the other carriage, probably towards the rear
6 of that picture, but I ended up, through other people
7 departing at other stations, at position A.

8 Q. I think we know that the bombed carriage was the second
9 carriage, so that would place you in the third carriage?

10 A. Correct.

11 Q. I think you managed to get a seat at Barbican?

12 A. I can't remember. If that's what my --

13 Q. That's what your police statement says.

14 A. Yes, that'll be true.

15 Q. I think, at Barbican, you sat down and, like many of us
16 have done, no doubt, you dozed off?

17 A. Yes, I did.

18 Q. Then the explosion occurred?

19 A. Yes.

20 Q. What do you recollect of that?

21 A. Yes, so I sort of had my hand, I was dozing off with my
22 hand on the side of my head, unfortunately, because
23 I had a sort of palm print on my face for a few days
24 after that, what I recall is what I would describe as
25 a whooshing sensation, some heat, some bright light.

1 I think I initially felt that the train must have hit,
2 I guess, the side of the tunnel. That's how -- that's
3 kind of what I thought it felt like, and I also felt
4 that my face was on fire, so I think one of the first
5 things I asked other people on that carriage was, "Am
6 I on fire?"

7 Q. That would suggest there was an awful lot of heat.

8 A. Yes.

9 Q. Did you hear a bang?

10 A. Strangely enough, I didn't, no.

11 Q. I think initially, for a period, you were temporarily
12 blinded, is that right?

13 A. Yes, couldn't really see, I think -- I guess that could
14 have been the flash or it could have been the smoke.

15 I guess it's just difficult to tell in those
16 circumstances what might have caused that.

17 Q. When your sight came back, what do you remember seeing
18 around you?

19 A. The door had fallen inwards. There was -- I think there
20 was -- the four seats that were in that area, those were
21 the people that I guess had similar injuries to myself,
22 which tended to be a sort of a burning impression on
23 their face and lots of cuts from the glass. But the
24 people to my sort of far right, they were less injured
25 but obviously shocked by the whole incident.

1 As usual on the Tube, there were a number of people
2 standing up. I just had -- could see what I would
3 describe as almost lumps of blood coming off me, I don't
4 know whether they were -- that was blood from the other
5 carriage coming inwards or whether it was my own,
6 I hadn't really assessed that properly at that time and
7 I was just trying to get someone to describe my injuries
8 because I was worried that it might be, you know,
9 a severe cut to the neck.

10 And then people -- people became really calm quite
11 quickly, which kind of surprised me. There were people
12 trying to open doors, but without any success, and then
13 people started to help one another.

14 Q. Can I pause you there?

15 A. Yes.

16 Q. One of the things we can see today is you were wearing
17 glasses. What happened to your glasses in the
18 explosion?

19 A. I don't know. I lost that pair, they were blown off my
20 face, so --

21 Q. You mention that the atmosphere in the carriage appeared
22 to be quite calm. Is that right?

23 A. It became surprisingly calm, and then I think one
24 gentleman looked into the carriage that had obviously
25 taken the main blast and I guess he was prompted to do

1 that by the sort of screaming noises that were coming
2 from there, and he sort of said to us all, you know,
3 "Don't look in there", basically.

4 Q. And did you not look in there?

5 A. No.

6 Q. Was that the same man you refer to in your statement as
7 telling everyone to keep calm and asking anyone if they
8 had a mobile phone?

9 A. Yes.

10 Q. Do you know who that man was?

11 A. I can't recall his name now. It's in my statement, and
12 he was on TV quite a lot subsequently, but I can't
13 remember --

14 Q. In your statement, you have the name Michael Henning.

15 A. Yes, I don't know whether I provided that name. Maybe
16 I did because I saw him on the TV and I just registered
17 it in that way. I wouldn't have been able to recall it
18 right now, but I'm happy to say that that's my statement
19 at that time, yes.

20 Q. We've also heard evidence from Mr Henning and he was
21 located in a similar part of the first carriage to you.

22 A. Yes.

23 Q. How much time passed before a decision was made by
24 someone to try to leave the train?

25 A. Well, I think we were all trying to figure out how we

1 were going to get off the train, I mean, I think the
2 only thing that I was pleased about at the time was that
3 there was no fire, because that would have been a real
4 disaster. But people were trying to open the doors with
5 absolutely no success.

6 It felt like an eternity, but I think in reality it
7 was probably ten to fifteen minutes before I saw
8 somebody outside and I've never been so pleased to see
9 somebody. I think that was the Tube driver of the train
10 that was coming towards us. He later told me, because
11 I saw him in the hospital, that he'd seen the big -- the
12 explosion, pulled up his train, got out of his train,
13 after he'd, I guess, made the track secure, and then
14 came towards our train and went all the way back to the
15 end of that train and opened up the driver's door there.

16 Q. Was he carrying a torch?

17 A. I don't recall. I guess he would have been, but I don't
18 recall.

19 Q. In your carriage, were there any lights on after the
20 explosion?

21 A. No, I think it was dark.

22 Q. Were there any emergency lights on in the tunnel which
23 may have infiltrated into your carriage?

24 A. I don't recall any.

25 Q. So you remember what you believe to be the train driver

1 of another train walking along the side of the carriage?

2 A. Yes.

3 Q. How did you then know to try to evacuate through the
4 rear of the train?

5 A. That's a good question, that. I don't know the answer
6 to that, but I think maybe, whether that sort of
7 communication came up through the carriages I don't
8 know, but what was amazing was that everybody stood
9 aside and let, you know, I guess what I would describe
10 as the walking wounded get off first, so that's a credit
11 to everybody who was on that Tube train at that time.

12 Q. When you walked through the carriage to the rear, the
13 people in the fourth, fifth and sixth carriages all
14 allowed to you pass?

15 A. Correct.

16 Q. When you got to the driver's cab at the rear, who was
17 there?

18 A. I'm pretty sure that the same driver was there then, and
19 was helping us, because it's quite a big drop, so
20 I think he was helping us, assisting us getting down
21 from that drop.

22 Q. Was there a ladder there for you to climb down?

23 A. I don't recall a ladder.

24 Q. Can we have [INQ10280-6] up, please?

25 Mr Simpson, this is a diagram of Aldgate station and

1 it also shows the train line, and you can see in the top
2 left-hand corner carriages 6 through to 1.

3 A. Yes.

4 Q. If we could perhaps just enlarge that top left-hand
5 corner, please, you came out of the rear of carriage 6.
6 Did you come right out the back or -- and then turn
7 round to what would have been your left or was the cab
8 door on the side of the train?

9 A. I think I had some recollection of coming out on the
10 right-hand side as I'm looking at that picture and then
11 going round the rear of it and then on to the track.

12 Q. When you say -- so away from the tunnel wall side, is
13 that what you mean?

14 The tunnel wall would be on the right?

15 A. I think I may have come out that -- I can't remember
16 that well, to be honest. I have some recollection of
17 going behind sort of walking behind the train, but I'm
18 not entirely sure.

19 Q. When you walked along the track to Aldgate station, what
20 did you see on the tracks in front of you?

21 A. I still -- I think -- well, as I walked towards
22 carriage 4 as you've got it here, it was quite clear
23 that there had been an explosion at that point because
24 I guess we were clear about that before then, but you
25 could see the top of the train was off and you could see

1 the doors were blown out and I saw -- I have
2 a recollection of at least two what I thought were
3 bodies. The first was quite close to the carriage that
4 had been bombed, and it was almost like a trunk of
5 a person with a head moving from side to side.
6 I mean, to this day, I kind of go "Well, why didn't
7 I stop to do anything about that?" but I think we were
8 all so just dazed by the whole thing, you kind of just
9 didn't think about that, you just thought, "Well, what
10 are my own injuries?"
11 And then the other person I think I have probably
12 now seen, it could have been Mr Duckworth, because I saw
13 somebody who was lying across the rails and wearing --
14 they were just in their underpants at that point, so
15 that's how I think Mr Duckworth has described himself to
16 me earlier today.
17 So -- and I thought he was dead also.
18 Q. The first person you described seeing, which you said
19 was near the bombed carriage, by that do you mean
20 carriage 2 on this plan or do you mean the red area?
21 A. What's the red area? I'm not quite sure what you --
22 Q. Sorry, I should explain, the red area is where it's
23 believed the explosion occurred in carriage 2 before the
24 train actually then came to a rest in its final
25 position.

1 A. I mean, where I saw those bodies was at carriage 2 where
2 the roof had blown off.

3 Q. The first person that you saw, just going back to that,
4 was that by carriage 2 or by the red area?

5 A. That other picture is probably easier for me to show you
6 it on.

7 Q. Sorry, which other picture?

8 A. The other picture that you had been showing earlier.

9 Q. Can we go back to [INQ10280-8]? Do you mean this picture?

10 A. Yes. My recollection is that that carriage there,
11 double doors D8, that's -- it was near there that I saw
12 those bodies, that would be my recollection of it.

13 Q. The first body you saw, which you've described, what
14 made you think that they were dead?

15 A. Because it just looked like a torso. I couldn't
16 reconcile that in my own mind with why they were moving,
17 but I couldn't reconcile much of anything on that day,
18 to be honest.

19 Q. Which bit of them appeared to be moving?

20 A. Their head.

21 Q. Do you recall seeing a third person on the tracks at
22 all?

23 A. No, just that sort of what looked like a torso and then
24 the gentleman who was laying across the track with just
25 underpants on.

1 Q. The gentleman who was lying across the tracks with his
2 underpants on, at any point did you see him get up?

3 A. No, I didn't expect him to get up, so one thing from
4 today is maybe I did see --

5 Q. Was there anyone either from London Underground or the
6 emergency services on the tracks helping those people?

7 A. No, I think that's what I can't get in my own mind right
8 because, when I got to the Aldgate station, there seemed
9 to be fire crews putting out hoses and I couldn't
10 reconcile why they weren't down there helping people.
11 I don't recall seeing people come towards me as I was
12 getting off -- going along the track to get to the
13 station.

14 Q. Do you recall any London Underground employees
15 effectively forming a sort of human chain --

16 A. Not at that time.

17 Q. -- directing you towards Aldgate station at that point?

18 A. I don't recall it, no.

19 Q. Eventually, you made your way to Aldgate station to the
20 platforms. Can we have [INQ10280-3], please? So page 3
21 of this exhibit. This is a 3-dimensional plan of
22 Aldgate station. Platform 1 is probably the platform
23 that you would have made your way up on to.

24 A. Right.

25 Q. Then there are the stairs and then the mezzanine level

1 and then the ticket office.

2 A. Yes.

3 Q. You've referred to seeing members of the Fire Brigade.

4 Where were they located?

5 A. I've no idea. I mean, that doesn't mean anything to me,

6 that picture. I just can't remember much about -- I can

7 remember just that impression that I have, it's the only

8 impression that I do have, of firemen and hoses.

9 Q. How many firemen do you remember seeing?

10 A. No idea.

11 Q. You remember hoses. Were they laying out the hoses? We

12 know that the Fire Brigade have been told that there was

13 a fire and explosion at St Botolph Street, which is by

14 Aldgate, and we also know that they were told that there

15 was smoke coming out of the tunnels.

16 A. Right.

17 Q. No doubt, in those circumstances, there's very, very

18 good reasons for them getting out the hoses.

19 A. Yes.

20 Q. But you've walked the whole length of the train and

21 you've told us earlier there was no fire and thinking

22 "Thank God there was no fire"?

23 A. Yes.

24 Q. Do you remember at any point any of the firemen asking

25 you whether or not there was a fire or asking anyone

1 else you were with whether there was a fire?
2 A. No.
3 Q. You don't remember or they didn't ask you?
4 A. I wasn't asked.
5 Q. Do you recall anyone speaking to the firemen, other
6 passengers, perhaps Mr Henning whom you remember?
7 A. I don't, no.
8 Q. Do you know how long it took you to be evacuated from
9 the train to make your way up to the station foyer?
10 A. Well, I think we waited 10 or 15 minutes, as I've said
11 earlier, before someone arrived. I think getting off
12 the train as I described for me personally was quite
13 quick because everyone moved aside to let us off. It
14 just seemed like a few minutes to get to the train
15 station. So I think, if I added that all up, I'd say
16 half an hour or so.
17 MR HAY: Thank you very much. I have no more questions for
18 you. There may be some more.
19 LADY JUSTICE HALLETT: Any questions for Mr Simpson? Yes,
20 Ms Canby?
21 Questions by MS CANBY
22 MS CANBY: Mr Simpson, I just have a couple of questions to
23 ask you on behalf of Transport for London. You told
24 Mr Hay that you walked through at least three or four
25 carriages to get to the back of the train --

1 A. Yes.

2 Q. -- in order to be evacuated from the back, and it was,
3 you believed, the Tube driver of the train coming in the
4 other direction that was assisting you to do that?

5 A. Yes.

6 Q. Did you later find out that his name was Mark Williams?

7 A. I can't recall his name.

8 Q. You were asked questions this afternoon about how you
9 actually came out from the end of the train. I don't
10 think you were able to remember.

11 To assist you, you told the police, when you gave
12 your statement, that the Tube driver had opened the side
13 door of the driver's cabin and was helping people on to
14 a ladder so that they could climb down.

15 A. Right.

16 Q. Does that help you with your recollection?

17 A. Yes, I think, if that's what I said at the time --
18 I mean, my recollection of events at the time was a lot
19 clearer than it is now, as you might imagine, so if
20 that's what I said, then I'm fairly confident that is
21 the case.

22 Q. You also told the police at the same time that you made
23 your statement that the man who was helping you, the
24 Tube driver, was very helpful and brave.

25 A. Yes, he was indeed.

1 MS CANBY: Thank you. That's all I wanted to ask.

2 LADY JUSTICE HALLETT: Any other questions for Mr Simpson?

3 A. Am I allowed to say anything about what happened when
4 I got out of the station, because I would like you to
5 hear it, if that's okay?

6 LADY JUSTICE HALLETT: If it's relevant to the matters
7 I have to --

8 A. I think it's relevant to the support that I felt I had
9 when I got out, because, when I did get out of the
10 station, I did get on to one of these double decker
11 buses, so I was quite surprised that all that was there,
12 and, you know, from that point on, to getting me to the
13 hospital, where this double decker bus is driving
14 down -- the wrong way down the street with a policeman
15 in front of it getting all of the cars out of the way,
16 and the treatment at the hospital, and an ambulance that
17 took me all the way home in Gloucester, I think it's
18 a credit to them, to be honest.

19 I just wanted -- I think I've read some things in
20 the press that perhaps is giving an opposite view and
21 I just wanted to say that.

22 LADY JUSTICE HALLETT: I'm glad you did, Mr Simpson, thank
23 you very much.

24 A. Thank you.

25 LADY JUSTICE HALLETT: I understand the next witness is very

1 nervous. Unless she asks me to the contrary, I think
2 it's probably better if she does come in and we try to
3 get her evidence over with.

4 My experience of nervous witnesses is, very often,
5 it's the waiting that is the -- we'll see. If she
6 really does want to go out again, then of course I'll
7 break.

8 MR KEITH: Of course, my Lady. The witness is Laura Morris.

9 LADY JUSTICE HALLETT: Ms Morris, don't be nervous, it's not
10 going to be very long and no one is going to be in any
11 way unpleasant to you. Obviously you have to relive
12 certain matters, but we'll keep it as short as we
13 possibly can. All right?

14 A. Thank you.

15 MS LAURA MORRIS (affirmed)

16 Questions by MR KEITH

17 MR KEITH: Good afternoon.

18 A. Good afternoon.

19 Q. Is your name Laura Morris?

20 A. It is, sir.

21 Q. Ms Morris, there's some water there in front of you.

22 A. Thank you.

23 Q. So if at any time you want to take a pause or a break
24 and help yourself to some water, please do so.

25 A. Thank you.

1 Q. I won't be very long. In July of 2005, we understand
2 that you had just left university. You were in your
3 first job, I think, in London?

4 A. I was, yes.

5 Q. Therefore, on that day, you were working in Tower Hill
6 and your journey had taken you from Royston, north
7 London, of course, to King's Cross and then you changed
8 for a Circle Line or a Hammersmith & City Line to go to
9 Tower Hill.

10 A. Yes.

11 Q. We believe that you were travelling with your mother?

12 A. I was.

13 Q. The first train I think was a Metropolitan Line train,
14 so you let it go?

15 A. We did because it wasn't helpful to us.

16 Q. But the second one was more helpful?

17 A. Yes.

18 Q. It took you to where you hoped you were going?

19 A. I believe, unusually, it was a Circle Line train, yes.

20 Q. Do you recall which of the carriages of that train you
21 boarded?

22 A. The third. I think, normally, if we were going to get
23 on a train, it would have been the second, but that
24 morning had been a little difficult, mum was very tired,
25 so we'd sat down, or mum had sat down on one of the

1 benches at King's Cross station, and I didn't want her
2 to move too far, so we ended up trying to board the
3 third carriage rather than the second because of where
4 the bench was.

5 Q. As you boarded the carriage, did somebody else try to
6 board through the same doors as you and your mother?

7 A. I believe so. I mean, it's difficult to remember now.

8 Q. Of course.

9 A. My statement certainly says that, and I believe the
10 first statement I gave did too, and as far as
11 I remember, I got in the way.

12 Q. So the other person went into the second carriage and
13 you carried on going into the third carriage?

14 A. Yes.

15 Q. The train departed from King's Cross, and a few minutes
16 later after Liverpool Street can you just tell us what
17 you recollect after that?

18 A. We'd just left Liverpool Street station and someone had
19 got off the seat next to my mum, which was a seat right
20 by the partition to the second door on the right-hand
21 side, and I went to go and sit in the seat because I had
22 been hanging on to the pole in the middle of the
23 carriage, actually standing on the vent there, and
24 I went to sit down and, as I was trying to sit down,
25 I had a bag over my shoulder, I was trying to take the

1 bag off my shoulder and suddenly there was a blinding
2 white light and the whole carriage felt as if it was
3 rocking underneath me, and a very loud bang. I was
4 wearing my iPod, so the bang was slightly muffled.

5 Q. In your statement to the police -- your second
6 statement, because I know the first one was mislaid and
7 you weren't to see it again --

8 A. Yes.

9 Q. -- but in your second statement you describe how there
10 was a vent, perhaps in the floor of the carriage of the
11 third carriage?

12 A. It was the one I had been standing on.

13 Q. And you recollect seeing flames or light or something
14 coming through that vent. Is that right?

15 A. My recollection is flames. I mean, I know that not many
16 people, as far as I can tell, seem to have spoken, but
17 my recollection is flames.

18 Q. Did you fall to the floor?

19 A. No, I was thrown against the partition.

20 Q. Do you remember the carriages concertina-ing in any way?

21 A. They literally -- it felt like dodgem cars hitting
22 together and kind of rolling over on their sides
23 slightly.

24 Q. From the noise and what you describe as a metallic sound
25 and, no doubt, the dust and the debris and the smoke,

1 did you immediately presume that there had been a bomb?
2 A. I'm afraid I did. As a young child, my parents had gone
3 out one evening and left me in the care of my
4 grandfather in a London flat and an IRA bomb had gone
5 off that night and, okay, I was a long way away, but
6 it's quite a distinctive, almost a sonic boom, I guess
7 you'd call it, and so it's quite distinctive, and I've
8 studied physics like anybody else, there was nothing
9 else, really, in my head, that could have done that.
10 Q. Your first concern, not unnaturally, was, of course,
11 your mother with whom you were travelling --
12 A. Indeed.
13 Q. -- and no doubt you took a moment or two to make sure
14 that she was all right.
15 A. (Witness nods).
16 Q. I want to ask you, though, about whether or not you had
17 a chance to either look outside through the carriage
18 windows or into the next door carriage. I appreciate
19 it's very difficult, so take your time. Did you look
20 outside the windows or through the windows?
21 A. I did. It's difficult to remember now, I've shut a lot
22 of it out, as I'm sure many people will say the same
23 thing.
24 Q. Of course.
25 A. I did look out the windows and I -- I'm afraid the

1 timings now are completely screwed in my head, I don't
2 remember them, but there were people moving outside on
3 the tracks, I could see people on the tracks, and
4 sparks, I think, and I remember trying to get people not
5 to look out the window, particularly mum not to look out
6 the window. I'm afraid it was clear from looking
7 through the door window into the other carriage that
8 something really bad was going on in there, you could
9 see the metal, and you could hear things going on in
10 there.

11 Q. And a terrible noise of screaming?

12 A. Eventually, it wasn't immediate. People were
13 obviously -- it was very British, a British incident,
14 everybody was quite polite and silent and chatting in a,
15 "Oh, we don't talk to each other until something
16 happens" kind of way, and eventually you heard a noise
17 and I tried to shut everybody up and I was quite vocal
18 about it because I wanted to hear whether it was sirens
19 or whether it was something being shouted or -- and it
20 became very apparent, very quickly, that that was not
21 what it was, it was a woman, I believe, screaming.

22 Q. I understand. May I just ask you a little bit more
23 about the movement that you thought you saw outside the
24 carriage?

25 A. Indeed.

1 Q. Do we take it that the movement you saw was not somebody
2 walking up and down the track, for example, a member of
3 London Underground staff, because the train had only
4 just then come to a halt?

5 A. (Witness nods).

6 Q. Do we take it, Ms Morris, that what you saw was possibly
7 one of the persons from the next door carriage being
8 blown out of the carriage?

9 A. That's what I had assumed, sir.

10 Q. Yes. Now, let me ask you just a little bit more. Was
11 it one or more persons that you recall seeing?

12 A. I'm really sorry, when I started to see things, when it
13 became quite apparent I wasn't going to get out there,
14 there were more immediate issues within my train
15 carriage, I'm afraid.

16 Q. Of course, it's no criticism whatsoever, Ms Morris, of
17 what you can recall. You mustn't think that.

18 You took control of your end of the carriage and you
19 told people to shut up so that you could hear the noise
20 and just see whether it was a siren or, subsequently, as
21 you discovered, somebody calling for help.

22 During that time, could you hear any announcement
23 over the PA system?

24 A. There was an attempt, clearly, to get an announcement of
25 some description. There was a crackle on the

1 overhead -- the announcement system, the PA system. It
2 was very abortive, you certainly couldn't hear any kind
3 of message, it was just a crackle. I'm afraid now,
4 again, the timings are gone, but it was fairly shortly
5 after the bomb had gone off and certainly before we
6 started to try and open the doors.

7 Q. Was that something that you did or something that you
8 did together with other people?

9 A. I believe there was another woman trying to help me open
10 them, we were using our fingernails to try and open the
11 doors.

12 Q. Was that the set of doors at the end of the third
13 carriage nearest to where you had been seated or just
14 about to sit down?

15 A. Yes, but the ones that were nearest the scene, and one
16 of the things, I'm afraid, that we were struggling with
17 was we had some guys who were saying "Don't panic, don't
18 panic" and we tried to explain we weren't, but that we
19 were getting concerned that the air quality was quite
20 bad in the carriage.

21 Q. Was there some debate in your part of the carriage as to
22 whether the emergency services would come and, if so,
23 why they had not yet arrived?

24 A. There was quite a bit of debate. I'm afraid I was quite
25 firm. I'm a bossy so-and-so at the best of times,

1 I think. And certainly there was one particular person
2 who was asking "Why haven't they come for us?" and I'm
3 afraid I took a calm view and said, "Well, you know,
4 first of all, they've got to figure out we're down here,
5 and then they have to figure out what's happened
6 because, you know, if we're not certain, I doubt on the
7 ground they'll know, and then they've got to figure out
8 whether it's safe for them to come down".

9 Q. Having dealt with that, I think you moved people away
10 from your end of the carriage so that they wouldn't be
11 in a position to see through into the second carriage
12 where you had seen the devastation.

13 A. Gentle prodding.

14 Q. Got them away?

15 A. Got them to some degree. I think we managed to clear
16 a bit of space, if nothing else. It was later on,
17 really, we really managed to clear a space for the
18 walking wounded to come through.

19 Q. Somebody came into your carriage, I think, asking
20 whether there were any first aiders amongst you.

21 A. Mm-hmm.

22 Q. And although you have a first aid certificate, you
23 properly stayed with your mother and, no doubt, she and
24 other people in the end of the carriage needed your help
25 and your assistance. Did you ever catch the name of the

1 person who came through?

2 A. I want to say it's Nigel Butterworth, that's certainly
3 again what my statement says. I'm afraid the most
4 memorable things about him were the colour of his shirt
5 and the smell he brought with him -- he was wearing
6 a very strong aftershave which was pleasant -- with
7 everything else.

8 Q. Your powers of recollection do you great credit.

9 Obviously, a certain amount of time passed,
10 Ms Morris, before you could see lights or any kind of
11 movement outside the train. Can you help us with how
12 much time you think elapsed?

13 A. I'm really sorry now, no. It was quite some time,
14 however.

15 Q. People started coming through the carriage, did they
16 not?

17 A. Eventually, yes. I have to admit that was when people
18 had been seen outside.

19 Q. After there was some movement outside?

20 A. After there was some movement outside, I don't know
21 quite what that was about, but we were trying to -- when
22 Mr Butterworth, I think his name was, came through, his
23 message was that we needed to make space for walking
24 wounded to come through and could we have some first
25 aiders. There was an off-duty policeman stood next to

1 me, and she offered to go through. My mum wouldn't let
2 me go, and after that, he said to me, "Well, we need to
3 get this message down the train". I said "I think you
4 should go down", and there was a guy opposite me who
5 I think was saying the same thing, that Chinese whispers
6 would be the effect if we just passed messages down.
7 I felt he should walk down.
8 So I understand that he went down there, and a short
9 while later, we did eventually make enough space for
10 these guys to come through, walk through us.
11 Q. You described very vividly in your statements to the
12 police the dirt, soot-stained noses and eyes and the
13 blackened lips of the people who walked through in front
14 of you.
15 A. Yes, black lips.
16 Q. Did there come a time when you all had to leave the
17 train?
18 A. Eventually.
19 Q. Do you know or do you recollect how you left the train?
20 A. Yes.
21 Q. How did you get off?
22 A. We followed -- eventually, we followed the walking
23 wounded, but a long time passed, so we were pretty much
24 some of the last off, being closest to the blast.
25 Q. Because, of course, you'd all gone down from the end of

1 your carriage, carriage 3, which was immediately next to
2 the blast point, all the way down to the back of the
3 train?

4 A. Back of the train, carriage 6, I guess.

5 Q. Yes.

6 A. We walked through the train, which -- some of the
7 carriages were in light, some of them were in darkness.
8 I have to admit, I was slightly concerned by the fact
9 that they were still lit, I was worried about the
10 electricity, and all the vents were blown out, and all
11 the things, so you were having to walk around the vents
12 and people were telling you to be careful of the vents
13 as you were kind of walking through, there were kind of
14 messages being passed back and, eventually, you got to
15 end of the train, and you had two options: to go
16 straight down the back and come down steps or to be
17 lifted off one of the sides.

18 I passed mum -- because mum was clinging on to my
19 hand, I passed mum to be lifted down, and I went down
20 the steps.

21 Q. There were either one or two people from Transport for
22 London or London Underground at the end of the carriage
23 helping people off?

24 A. I don't know the one on mum's side, but the one on my
25 side, I could tell you, is pretty definitely, in my

1 head, a TfL guy, a very young guy, as far as I remember,
2 because I spoke to him.

3 Q. Now, the way in which it worked was that you were then
4 told to go back up the length of the train, of course,
5 on the outside, by turning left and round and up the
6 track towards Aldgate.

7 A. Yes, sir.

8 Q. I want to ask you, please, about what you saw as you
9 walked back up the track towards Aldgate. I think you
10 had taken some care -- because you knew from your
11 earlier experience what might appear outside the train,
12 you took some care to tell people not to look and you
13 accompanied some people who needed help down past the
14 train?

15 A. When we were leaving the train -- our carriage, I had
16 assigned people to other people to try to get them off
17 because there were clearly some people who were more
18 mentally --

19 Q. Distressed?

20 A. -- aware than others, and I had got two young girls --
21 I call them young, I think they were probably older than
22 me -- but I had two girls who were also kind of with me
23 and mum, and I was quite aware of the fact that we were
24 wearing high heels on quite rocky ground, and I knew
25 that pretty much, whichever way you looked, you weren't

1 going to be doing very well, but there were people
2 further up the tracks saying "Look this way", "Look that
3 way", but there was such conflicting advice, that you
4 didn't know where to look.

5 Q. During your journey along the track, you did see a body
6 lying face down on the track, did you not?

7 A. (Witness nods).

8 Q. Can you just tell us, please, did it seem to you that
9 the body belonged to a man or a woman?

10 A. A man.

11 Q. Could you tell us, Ms Morris, whether or not anybody was
12 with that body, either bending over the body or looking
13 after it?

14 A. No.

15 Q. Was the body covered --

16 A. Yes.

17 Q. -- with an article of clothing or a blanket, can you
18 tell?

19 A. I'm really sorry, at this stage -- it looked -- my
20 recollection is of a hessian-type material, sack-type
21 thing over the top, it looked as if the body might not
22 have a head.

23 Q. There was a second man nearby, was there not?

24 A. There was a guy alive, yes.

25 Q. Was he standing up?

1 A. Yes.

2 Q. Quite near the wall?

3 A. Yes.

4 Q. His clothes had been completely shredded, had they not,
5 except for his underwear?

6 A. Yes.

7 Q. Was anybody tending to him as far as you recall?

8 A. There was, again, I think, a TfL guy shouting at him to
9 look at the wall. He was on his own, and I tried --
10 sorry.

11 Q. It's all right.

12 LADY JUSTICE HALLETT: Don't worry.

13 A. I did try and stop, but mum kept hold of me and the
14 girls were obviously with us, and I didn't want to leave
15 them down there, and my assumption was that, if I had
16 to, I'd come back down again.

17 MR KEITH: The gentleman whose clothes were shredded and was
18 standing up facing the wall happily is in court today
19 and has just given evidence as you probably know.

20 A. Yes.

21 Q. As you went down the track, having seen those two
22 people, did you encounter any members of the police or
23 the emergency services in the tunnel?

24 A. Eventually. We'd passed the end of the train before we
25 saw any -- as far as I remember anyway, any emergency

1 services and the first ones were firemen carrying
2 cutting equipment, and I'm afraid I didn't stop them,
3 they were busy and I wanted them to be busy, and the
4 next set were, again, I think, TfL guys helping people
5 on to the station, but there was a woman that was
6 wondering off further down the tunnel and I grabbed her
7 back and we all got on to the station, and then the next
8 one was, as we were going up the stairs, there was
9 a policeman and I did talk to him, probably quite
10 rudely, I'm afraid.

11 Q. Whether you recall the exact words or not, Ms Morris,
12 could you just give us a flavour of the message that you
13 were trying to get across?

14 A. "Where the hell were you and why weren't you down
15 there?" Pretty much I said "What took you so long?"
16 basically.

17 Q. Right. From what you described of the reaction of your
18 fellow passengers a little earlier in these events, the
19 general reaction on your part, as well as those around
20 you, had been surprise that so much time had elapsed
21 before you saw the emergency services arrive.

22 A. It was. I guess I wasn't necessarily as surprised as
23 some of the others, but, yes, they were.

24 Q. You reached the ground level and you describe in your
25 statement how there were cordons everywhere, ambulances,

1 flashing lights, buses and the like, and I think you
2 provided your details to one of the policemen who was
3 outside the station.

4 A. Eventually, yes.

5 Q. You were directed to a bus but, because you didn't want
6 to go to hospital, you managed to find your way back off
7 the bus with your mother and I think together you went
8 to her workplace where you were both comforted and
9 looked after to a certain extent?

10 A. Very well.

11 MR KEITH: Thank you very much. Those are all the questions
12 I have for you, but stay there for the moment, there may
13 be a few more.

14 LADY JUSTICE HALLETT: Does anybody have any questions for
15 Ms Morris? There you are, Ms Morris, it's finished,
16 I hope it wasn't too awful for you, and if it's any
17 consolation, you are the kind of person I'd like to have
18 around me in a crisis.

19 A. Thank you, ma'am.

20 LADY JUSTICE HALLETT: Thank you very much. Is that all the
21 witnesses for this afternoon, Mr Keith?

22 MR KEITH: My Lady, yes.

23 LADY JUSTICE HALLETT: So we have Mr O'Connor, I see. Who
24 are we expecting for the directions hearing?

25 MR KEITH: We are expecting Mr O'Connor and I believe we're

1 expecting counsel on behalf of the Secretary of State.

2 LADY JUSTICE HALLETT: In which case it looks as if I'd
3 better rise, unless you see Mr Hall outside,
4 Mr O'Connor?

5 MR PATRICK O'CONNOR: We haven't, my Lady, no.

6 LADY JUSTICE HALLETT: I'll rise and we'll come back in.

7 MS SHEFF: My Lady, before my Lady rises, may I just say
8 very briefly that there appears to be some
9 misunderstanding regarding my line of questioning this
10 morning of DI Baker, and I want to just correct that, if
11 I may.

12 I think your Ladyship was quite properly keen to
13 ensure that there be no undue criticism of that officer
14 without proper foundation, and can I say that at this
15 stage, of course, we've heard virtually no evidence from
16 any of the other witnesses concerning the emergency
17 response which, as your Ladyship quite rightly says,
18 would lay that proper foundation.

19 We hopefully will be hearing those at a much later
20 stage of the proceedings so that those issues can be
21 fully explored, so I would like to apologise if my line
22 of questioning did in any way suggest a criticism of him
23 which was not properly made in the circumstances of the
24 evidence we now have.

25 My intention was only to explore his role in the

1 police hierarchy and I apologise if it had the effect of
2 being critical. I wonder if I might just ask if the
3 team could discover his availability around the time
4 when the issues concerning the Aldgate generic matters
5 will be dealt with.

6 LADY JUSTICE HALLETT: Certainly, Ms Sheff. If he has to
7 come back once you've had a chance to explore the other
8 matters with people in other roles, then of course we'll
9 ask him to return.

10 MS SHEFF: I'm very grateful, my Lady.

11 LADY JUSTICE HALLETT: And thank you for your other remarks.
12 Right, I shall return when we're ready.

13 (3.25 pm)

14 (A short break)

15 (3.38 pm)

16 Directions hearing

17 LADY JUSTICE HALLETT: Yes, Mr Keith?

18 MR KEITH: My Lady, you ordered that the relevant parties
19 attend before you for the purposes of the further
20 directions in relation to the legal argument which is
21 due to be heard next Thursday, and that followed two
22 observations made by my learned friend Mr Paddy
23 O'Connor, who is in court this afternoon, in his written
24 submissions of last Monday. He asked for a further
25 direction that the Secretary of State put into writing

1 and served her reply to his submissions by tomorrow,
2 4.00 pm and also making observation to the effect that
3 he doubted whether or not the arguments could be
4 concluded in one working day.
5 My Lady knows that, of course, Mr Eadie has filed
6 written submissions.
7 Since Mr O'Connor's submissions were received,
8 my Lady has received written submissions from Mr Skelt
9 on behalf of West Yorkshire Police. Mr Gibbs has been
10 good enough to indicate that the British Transport
11 Police would not be filing written submissions and would
12 be unlikely to make oral submissions.
13 The Metropolitan Police, through Mr Dixey, have
14 indicated that they will not be filing written
15 submissions or are unlikely to add to oral submissions,
16 and we have, in addition, this morning received from
17 Messrs Coltart, Saunders and Patterson and Ms Sheff
18 submissions on behalf of the remainder of the
19 represented families in contradistinction to those
20 represented by Mr Paddy O'Connor.
21 So, my Lady, in the light of all that, there are two
22 matters for you to rule upon: one, whether or not these
23 arguments can properly be concluded next Thursday; and,
24 secondly, if they are to be concluded in a day, whether
25 or not you should impose a timetable on the parties who

1 may be advancing oral submissions, and I should say --
2 I'm sorry, there is a third matter, which is whether or
3 not you should order that the Treasury Solicitor reply
4 to Mr O'Connor's submissions. He indicated perhaps
5 Friday, but I will have something to say on that in
6 a moment, if I may.

7 LADY JUSTICE HALLETT: Just before we do, as far as we can
8 tell, the submissions remain on two topics. I think,
9 logically, the first one is whether or not I have the
10 power to conduct closed hearings.

11 MR KEITH: Well, my Lady, it's a very good point, if I may
12 say so. The RIPA point is a point of statutory
13 construction and revolves around whether or not these
14 proceedings may be said to be a case in which you act as
15 a relevant judge.

16 That argument is largely going to be resolved, as
17 I say, by statutory interpretation, because there is
18 a statutory prohibition in sections 18.7 and 18.11 when
19 read together with section 17.1 as to whether or not
20 there is any way in which RIPA material may be adduced.
21 The prohibition is absolute.

22 That argument of statutory construction will
23 determine the RIPA point, but the arguments in relation
24 to the closed material procedure are perhaps a little
25 wider, ranging, as they do, through the common law,

1 including the case of Al Rawi.

2 LADY JUSTICE HALLETT: Which at the moment, as we know --

3 I don't know whether everyone has been here -- my

4 enquiries reveal it will be heard in the Supreme Court,

5 I think it was 24 January for four days.

6 MR KEITH: My Lady has the better of me.

7 LADY JUSTICE HALLETT: Already at least one other, if not

8 two other cases listed with it.

9 MR KEITH: There are.

10 LADY JUSTICE HALLETT: Therefore, there's no way essentially

11 we could piggyback onto it, I'm afraid. I've checked.

12 MR KEITH: My Lady, no, but my Lady is quite right, there

13 are two main issues to be resolved, yes.

14 LADY JUSTICE HALLETT: So we still have the same two issues.

15 We still have the problem with Al Rawi, on one argument,

16 is binding, others say it can be distinguished.

17 MR KEITH: Yes.

18 LADY JUSTICE HALLETT: So those are the arguments, and there

19 is one possible argument for saying that, if I were to

20 find Al Rawi is binding, and I can't hold closed

21 hearings, then the question of RIPA material doesn't

22 even arise.

23 I don't suppose anybody would welcome my finding

24 that way or not decide the RIPA point in case Al Rawi

25 then decides the other way.

1 MR KEITH: My Lady, yes. The two arguments are intertwined
2 in the way I have indicated. It would plainly be highly
3 undesirable if you were to reach the view that you could
4 not consider closed material on account of Al Rawi, but
5 that the RIPA Act could be interpreted in a way that did
6 allow you to receive RIPA material and, of course, there
7 are other difficulties associated with the fact that, on
8 one argument, you could receive material but your
9 counsel could not, but under the closed material
10 procedure argument, if you were to find in favour of
11 Mr Eadie, then both you and your team could receive
12 closed material.

13 So the two are certainly intertwined.

14 LADY JUSTICE HALLETT: Right, I mean, at some stage I would
15 like everyone to consider the practical consequences of
16 one possible line of ruling. Just supposing I was
17 persuaded by Mr O'Connor that I don't have the power to
18 have a closed hearing and I don't have the power to
19 consider RIPA material.

20 Meantime, Al Rawi goes to the Supreme Court and,
21 let's say, a judgment comes out in February which said
22 I was wrong.

23 So a decision comes out in February which says I was
24 wrong, and there we are, coming towards the end of the
25 hearings, and we've apparently proceeded on the basis

1 I didn't have the authority to consider the material or
2 the power to consider the material that those whom
3 Mr Hall represents wanted me to.

4 Question: given that we have such a strict
5 timetable, given that we have so many difficulties and
6 "what ifs" in our path, is there any way we could think
7 of a course, a de bene esse course, which is that I did
8 consider the kind of material that Mr Eadie and Mr Hall
9 wish me to consider in closed hearing, but that I didn't
10 take it into account unless and until I was overruled on
11 the closed hearing point? Does that make sense?

12 MR KEITH: It does, my Lady. We will certainly give
13 consideration to that. It may be that there will be too
14 many imponderables because, of course, we cannot say at
15 this stage whether or not a losing party, if I may use
16 that expression, will appeal and whether, if they do
17 appeal, they'll get the necessary leave to take it all
18 the way and, indeed, if they do seek to appeal, whether
19 or not they will activate the leapfrog.

20 Moreover, it seems to me, at any rate, that the
21 decision in Al Rawi and the co-joined appeals will not
22 necessarily be determinative on my Lady's prospective
23 ruling because Al Rawi, of course, is concerned with
24 a civil claim of damages and the reliance placed upon
25 Al Rawi is analogous. It's not directly in point

1 because, of course, we are concerned, not merely with
2 public interest proceedings, but with proceedings that
3 are arguably sui generis: namely, inquests.

4 So whatever their ruling, their Lordships in the
5 Supreme Court are unlikely, I would have thought, to
6 reach a view that would be entirely determinative of
7 my Lady's ruling, and there is, of course, no end to my
8 learned friend's ingenuity in distinguishing
9 authorities.

10 So --

11 LADY JUSTICE HALLETT: Is that Mr Eadie to whom you're
12 referring rather than Mr Hall who's come along today?

13 MR KEITH: No, my Lady, that was a generic insult.

14 So for those reasons, my Lady, certainly we will
15 consider that suggestion which, if I may say so, is
16 a very valuable one, but I express some doubt whether or
17 not we will ever get a complete answer from the appeal
18 in Al Rawi.

19 LADY JUSTICE HALLETT: The trouble is that you're saying
20 that we're not sufficiently similar to Al Rawi, but we
21 are sufficiently similar to Al Rawi that I wouldn't
22 manage to get this case on, if it were to go to the
23 Supreme Court before, because otherwise I'm told that
24 there are procedures whereby you can get on urgent
25 cases, but we are sufficiently similar that I couldn't.

1 MR KEITH: My Lady, yes.

2 LADY JUSTICE HALLETT: I've raised the point. People can
3 consider it. Right, back to the question of timing.

4 On the question of one day, I've seen what

5 Mr O'Connor and his instructing solicitor have to say.

6 What do the Inquest team say about whether there is more
7 than one day available?

8 MR KEITH: My Lady, we struggle to find any time in your
9 timetable to allow a second day of argument.

10 LADY JUSTICE HALLETT: As simple as that. The witnesses are
11 lined up.

12 MR KEITH: My Lady, yes. But may I say that, as is already
13 apparent from my Lady's observations, the arguments,
14 whilst of far-reaching importance, are relatively
15 constrained. The RIPA point is one essentially of
16 statutory construction and the common law argument
17 revolves not around article 6, which of course has no
18 application to those proceedings, but about the common
19 law in Al Rawi, and certainly I don't think my Lady
20 would be assisted in any way at all by me opening the
21 argument next week. It seems to us the arguments are
22 sufficiently clear to allow Mr Eadie to commence, for
23 Mr O'Connor to respond and for Mr Eadie to have the
24 final word and with the other parties interposing
25 somewhere in the middle.

1 They are interesting and moderately complex
2 arguments, but they're not wide-ranging arguments and we
3 feel that the teams can do justice to them within one
4 day.

5 LADY JUSTICE HALLETT: Right, well, let's deal with that
6 point first of all, Mr O'Connor. You're arguing that
7 I can only do justice to the arguments in two. I have
8 to say that if this was in the Court of Appeal Civil
9 Division and I were the judge looking to see whether or
10 not I'd give permission and, if so, the timing, I would
11 have thought it was an argument or arguments we could
12 deal with in a day.

13 MR PATRICK O'CONNOR: Madam, we weren't arguing that it
14 should take two days. We sent across, in a spirit of
15 cooperation, a warning message. That's all we did.

16 LADY JUSTICE HALLETT: Oh, I see, right.

17 MR PATRICK O'CONNOR: Madam, as you will almost certainly
18 well know, in the United States Supreme Court there is
19 a 20-minute time limit on all submissions.

20 LADY JUSTICE HALLETT: And traffic lights.

21 MR PATRICK O'CONNOR: There is a green and red light, and
22 I have no doubt that there are many of my Lady's
23 brethren and sisters on the bench who would rather like
24 to adopt that position.

25 If we have to complete it in a day, we complete it

1 in a day. So please don't misunderstand, we're not
2 asking for an indulgent timespan. We sent, last Friday,
3 in the interests of everyone, a warning. That's all.

4 LADY JUSTICE HALLETT: Right.

5 MR PATRICK O'CONNOR: Madam, our second comment really
6 relates to a potential benefit that we may get from the
7 Al Rawi decision in the Supreme Court. We did allude to
8 this in our skeleton, and the problem is the delay that
9 normally ensues between the close of a hearing,
10 particularly a highly controversial one, and the day of
11 judgment, and I did point out I am now three months from
12 a hearing in the Supreme Court in a very urgent criminal
13 appeal marked for expedition and we have no sign of the
14 judgment. So the chances of actually getting a judgment
15 in Al Rawi within a helpful time limit for everyone is
16 very, very slim.

17 Madam, may I just add, thirdly, that there are two
18 occasions on which I'm called Patrick. One is by my
19 mother when she is disapproving of me and the other one
20 is in court. Everyone else calls me Paddy, I prefer to
21 be called Patrick in court and in the law reports. I'm
22 sorry about that, but may I just indicate that.

23 MR KEITH: I am so sorry.

24 MR PATRICK O'CONNOR: Not at all.

25 MR KEITH: One of my insults was deliberate, that was an

1 entirely inadvertent one.

2 MR PATRICK O'CONNOR: It wasn't an insult.

3 LADY JUSTICE HALLETT: Right. So one day. Does anybody
4 else wish to make any submissions? At the moment, I'm
5 inclined to say we just have to do it in a day somehow.
6 Does anybody -- Mr Hall, do you wish to argue --

7 MR HALL: I agree with one day, but can I suggest you take
8 the RIPA point first? Because the de bene esse idea
9 won't work with RIPA, because you simply wouldn't have
10 the power unless our construction of RIPA is right, so
11 it may be convenient to take that first in any event,
12 but I agree with one day.

13 LADY JUSTICE HALLETT: Right. Very well. That's the first
14 point decided. The arguments will be heard in one day.
15 Now, how do we divide up that day?

16 MR KEITH: Well, my Lady, we venture, perhaps unwisely, to
17 put together a possible timetable, which I know will end
18 up suiting nobody and defending everybody, but perhaps
19 Mr Eadie would consider restricting himself to one hour
20 on the basis that it is his application that you
21 interpret RIPA in the way that he advocates and that you
22 do adopt the closed material procedure that he advances.
23 Mr Patrick O'Connor responds within an hour and
24 a half. Mr Hill has indicated that he may not advance
25 any submissions at all, but Mr Beggs, on behalf of

1 West Yorkshire Police, might be afforded quarter of an
2 hour to add to the arguments.
3 One of Messrs Coltart, Saunders, Patterson --
4 LADY JUSTICE HALLETT: Just a minute, sorry, before you go
5 on, do we have any idea -- I'm afraid I don't think I've
6 seen the skeleton from West Yorkshire yet, have I? No.
7 MR KEITH: It's about eleven pages long.
8 LADY JUSTICE HALLETT: To what end?
9 MR KEITH: It supports, in broad generic terms, the
10 submissions advanced on behalf of the Secretary of State
11 by Mr Eadie.
12 LADY JUSTICE HALLETT: Right.
13 MR KEITH: So I think fairly short submissions could be
14 anticipated there.
15 LADY JUSTICE HALLETT: Thank you, so 15 minutes you suggest,
16 yes?
17 MR KEITH: In relation to the families other than those
18 represented by Mr Patrick O'Connor, the submissions are
19 about 15 pages long, and they adopt the end result
20 advocated by Mr Eadie but develop some of the points
21 that he's raised and address in greater detail, perhaps,
22 the position and the wishes of the families whom they
23 represent.
24 LADY JUSTICE HALLETT: So essentially saying I do have the
25 power to have a closed hearing?

1 MR KEITH: Yes.

2 LADY JUSTICE HALLETT: Right.

3 MR KEITH: Then there are the unrepresented families.

4 LADY JUSTICE HALLETT: We have no idea at the moment if they
5 wish to make any submissions. Right.

6 MR KEITH: Then there is Counsel to the Inquest and our
7 arguments are likely to raise further points in addition
8 to those already traversed by the written submissions on
9 behalf of Mr Eadie and Mr Patrick O'Connor, and I would
10 therefore limit myself to those additional points and,
11 therefore, could do so within three-quarters of an hour.
12 Then my learned friend Mr Eadie could, if you
13 approved, close the argument on the basis that it's his
14 application and he must have an opportunity to respond
15 to all the other points made against him.

16 LADY JUSTICE HALLETT: Right, Mr O'Connor, how do you feel
17 about that proposed timetable, given that everything is
18 done in writing beforehand as best we can?

19 MR PATRICK O'CONNOR: We entirely agree, thank you.

20 LADY JUSTICE HALLETT: Very good. Thank you. Mr Hall?

21 MR HALL: I didn't catch how much time was allowed for --

22 LADY JUSTICE HALLETT: At the end?

23 MR HALL: Yes, for the other families and --

24 LADY JUSTICE HALLETT: I think you've got roughly about half
25 an hour, possibly three-quarters, depending on how late

1 I sit.

2 MR HALL: Yes, thank you.

3 LADY JUSTICE HALLETT: Right. Any of the families -- who's
4 actually going to be speaking on behalf -- Mr Coltart,
5 is it you?

6 MR COLTART: I suspect it will be me and I would have
7 thought that half an hour will be more than sufficient
8 and it may be subject to a discussion, which I'll have
9 with Mr Hall and perhaps with Mr Keith, about one of the
10 legal issues which we take in our document, we might be
11 able to make that a little shorter.

12 LADY JUSTICE HALLETT: Right. Well, as long as I have all
13 the written submissions and all the authorities to read
14 beforehand, we can save an awful lot of time in court.

15 MR COLTART: Yes.

16 I don't know whether my Lady has had an opportunity
17 to see our skeleton argument yet?

18 LADY JUSTICE HALLETT: No, I don't think any of them have
19 come -- I've seen Mr Eadie's, that's why I was
20 questioning which ones I had seen. Mr Eadie's I have
21 seen, haven't I?

22 MR COLTART: It's probably best not to say anything further
23 at this stage and give my Lady an opportunity to read
24 the document first.

25 LADY JUSTICE HALLETT: Are you making submissions on the

1 RIPA point as well?

2 MR COLTART: Yes, we are. We will be submitting in short
3 that you do have the power to review that material.

4 We will also say in relation to an observation which
5 my Lady made a few minutes ago about the interaction
6 between RIPA and closed process that, whilst, of course,
7 to an extent they are interrelated, even if you were
8 eventually persuaded by Mr O'Connor that you didn't have
9 the power to sit in closed session, that wouldn't
10 necessarily prevent you from reviewing the RIPA material
11 on a disclosure basis rather than on an evidential
12 basis.

13 Now, we expand upon the reasons for that in our
14 document and it's probably best not to engage in the
15 argument now, but there is a clear distinction to be
16 made between the PII process to be embarked upon from
17 the disclosure perspective and whether or not you can
18 actually take that material into account from an
19 evidential perspective and form part of your reasoned
20 judgment in the end.

21 On that point, if I may just add, then, on the de
22 bene esse suggestion as to whether you could be
23 reviewing the material now but only make a decision
24 later following any judgment from the Supreme Court as
25 to whether you can take it into account, again that

1 process should be undertaken in any event as a result of
2 the PII, and we do urge the Secretary of State to engage
3 with that process as quickly as possible.

4 We heard Mr Eadie's undertakings in court last week
5 about the endeavours at Thames House as far as that's
6 concerned. But of course, the quicker that process is
7 now got on with, the better placed we will be whatever
8 the outcome of these arguments in the new year.

9 Again, these are things -- we expand upon all of
10 these in our document, but 30 minutes should be
11 sufficient, I hope.

12 LADY JUSTICE HALLETT: Thank you.

13 Mr Hall, it seems your instructing solicitor didn't
14 get the message that we were sitting earlier. If so,
15 I apologise.

16 MR HALL: I apologise from us.

17 LADY JUSTICE HALLETT: No apologies are due from you. We
18 moved it forward when we realised the witnesses weren't
19 going to take as long, so I'm sorry if the message
20 didn't get through.

21 MR HALL: Thank you. Can I just make one point? Because
22 this is a public hearing and the transcripts are going
23 to be published, the RIPA argument has to take place on
24 the hypothetical basis.

25 LADY JUSTICE HALLETT: Indeed.

1 MR HALL: Mr Coltart naturally referred to written material,
2 but I think one has to say it's purely hypothetical and
3 one can neither confirm nor deny --

4 LADY JUSTICE HALLETT: Quite right, Mr Hall, point well
5 made.

6 Do you wish to say anything, having agreed the
7 timetable, you're content that you don't wish to consult
8 with anyone?

9 MR HALL: I think I ought to, just for one second, thank
10 you. (Pause).

11 My Lady, I have no further observations. We have
12 got bundles now with the authorities, both Mr O'Connor's
13 and ours, so we'll distribute those and I'll hand one up
14 to your team so that you can, if you want to have a look
15 at the authorities --

16 LADY JUSTICE HALLETT: Indeed. That's very helpful,
17 Mr Hall, thank you.

18 I wonder if you could also -- I'm not asking for any
19 further comment from you in open court, but if you
20 could, just pursuing the point made by Mr Coltart,
21 ensure that there aren't any problems, Mr Eadie promised
22 me that the process of disclosure will continue,
23 notwithstanding this argument. So I hope you will just
24 ensure that the pressure is kept on.

25 MR HALL: I will speak to him.

1 LADY JUSTICE HALLETT: That's very kind, thank you.

2 Mr O'Connor, one other question for you. I know
3 that you haven't always had the advantage of unanimous
4 instructions. Are your instructions all one way, you
5 are arguing --

6 MR PATRICK O'CONNOR: Well, there are two separate things,
7 my Lady. It is apparent that others approach the matter
8 in a rather different way. We seek to assist you with
9 our objective view of the law and we feel that that's
10 the best way in which you can be assisted.

11 LADY JUSTICE HALLETT: Right.

12 MR PATRICK O'CONNOR: Frankly, if one peers behind the
13 curtain, theoretically, of one's relationship with one's
14 client in terms of what the law is, one advises what the
15 law is and one doesn't change one's view of the law --

16 LADY JUSTICE HALLETT: Quite right.

17 MR PATRICK O'CONNOR: -- because of one's clients' wishes.
18 It may be others have a different view about the role of
19 counsel, but that's the view we stick to.

20 But since you ask, madam, we do indicate that, so
21 far as we have instructions, the unanimous view is in
22 support of our position.

23 LADY JUSTICE HALLETT: I just wanted to make -- because you
24 have had, or you or Ms Gallagher, I can't remember
25 which, have had to advance on behalf of Mr and Mrs X "We

1 say this" and -- so I wanted to check that you wouldn't
2 be doing that because that would affect the timetable,
3 that's all.

4 MR PATRICK O'CONNOR: Yes. No, I quite understand.

5 LADY JUSTICE HALLETT: Right.

6 So the timetable is set. You had one other matter
7 you say, Mr Keith, which is Mr O'Connor was asking about
8 the Treasury Solicitor's reply or Mr Eadie's reply.

9 MR KEITH: Yes. Before I turn to that, my Lady, Mr Hay, who
10 is as observant as ever, wonders whether or not
11 Mr Patrick O'Connor might, in fact, wish to go after the
12 submissions from West Yorkshire Police and the
13 represented families on the part of Messrs Coltart et al
14 so that he can incorporate any submissions that he
15 wishes to make --

16 LADY JUSTICE HALLETT: At the moment, the list is going --
17 as I understand it -- everybody in favour of Mr Eadie's
18 argument followed by -- we don't know about the
19 unrepresented families -- followed by Mr O'Connor.

20 MR KEITH: Yes.

21 LADY JUSTICE HALLETT: I assume that's how it's going, which
22 I think is probably what Mr O'Connor would prefer,
23 wouldn't he, so he can deal with all the arguments?

24 MR PATRICK O'CONNOR: And also perhaps benefit genuinely
25 from the exchanges that take place before we launch our

1 submissions. So we would be grateful for that.

2 MR KEITH: I apologise, it wasn't the way I read it out.

3 LADY JUSTICE HALLETT: I will move Mr O'Connor then --

4 MR KEITH: To before Counsel to the Inquest.

5 LADY JUSTICE HALLETT: Yes. So then he'll have the

6 advantage of knowing, also, whether any of the

7 unrepresented families say anything.

8 MR KEITH: And he will know what our position is from our

9 written submissions.

10 LADY JUSTICE HALLETT: Yes.

11 MR KEITH: But we would, I think, wish to address anything

12 that he raises.

13 LADY JUSTICE HALLETT: Quite right. Thank you.

14 MR KEITH: My Lady, in relation to Mr O'Connor's second

15 invitation to invite the Secretary of State to respond

16 in writing further submissions to his own, I think there

17 was a suggestion in Mr O'Connor's written submissions

18 that the Treasury Solicitor respond by 4.00 Friday.

19 May we venture to suggest that that is perhaps

20 a little unrealistic and we wonder whether or not the

21 Secretary of State, if you deem it appropriate, could

22 respond by 4.00 pm on Tuesday? The advantage of putting

23 that date back from Friday to Tuesday is that it would

24 allow us to file our written submissions by 1.00 pm on

25 Monday, which would then allow the Secretary of State to

1 have regard to what we have to say in her final written
2 submissions.
3 So your counsel to respond by 1.00 pm on Monday and
4 the Treasury Solicitor to respond by 4.00 pm on Tuesday.
5 LADY JUSTICE HALLETT: Right. Mr O'Connor? Any problems
6 with that timetable?
7 MR PATRICK O'CONNOR: Not at all, thank you very much.
8 LADY JUSTICE HALLETT: Mr Hall, any problems?
9 MR HALL: No.
10 LADY JUSTICE HALLETT: Very well. I so direct.
11 Anything else for me to deal with? Thank you all
12 very much.
13 (4.03 pm)
14 (The inquests adjourned until 10.00 am on Monday,
15 25 October 2010)
16