

OPUS2

Manchester Arena Inquiry

Day 122

June 24, 2021

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1 Thursday, 24 June 2021

2 (9.30 am)

3 MR BEN LEVY (continued)

4 Questions from MR GREANEY (continued)

5 SIR JOHN SAUNDERS: Good morning.

6 MR GREANEY: Good morning, sir.

7 We were dealing, when we ended yesterday, with

8 things that might have been done but were not done to

9 gain situational awareness whilst you and the crews were

10 at Philips Park. We had dealt with five matters and you

11 helped with your response to those and I want to begin

12 by dealing with a sixth and we'll then move on in the

13 chronology.

14 The sixth relates to what happened in the period

15 after you arrived at G18. As you explained to us

16 yesterday, you were immediately surrounded by

17 firefighters who were desperate to tell you what they

18 knew and desperate to get to the arena?

19 A. Yes, sir.

20 Q. I'm going to give you some information and then seek

21 your assistance in relation to it. Nicholas Mottram is

22 a crew manager with GMFRS and he gave evidence to

23 the chairman on 3 March, which was Day 70 of our

24 process. He explained that on the night of the attack,

25 he was working on appliance G19 P2 from Gorton

1

1 Fire Station, although I think he told us that normally

2 he worked at Stockport.

3 He received a call from his wife, Helen, shortly

4 after 10.30. She was a paramedic and was deploying

5 towards the arena. He was then sent from his station at

6 Gorton to Philips Park, and he arrived at Philips Park

7 at 22.54. So he was part of the deployment to there.

8 Once there, he spoke again to his wife, and we'll

9 pick this up from the transcript of his evidence.

10 Mr Lopez, could we have, please, Day 70, page 12

11 {Day70/12:7}.

12 This is during the course of CTI questioning.

13 He was asked:

14 "Question: Around the time that you were arriving

15 at Philips Park, or shortly afterwards, did you receive

16 a further call on your personal mobile from Helen, your

17 wife?

18 "Answer: I did, yes.

19 "Question: At that stage what did she say to you?

20 "Answer: She said it had been confirmed that it's

21 some form of nail bomb, there was several fatalities and

22 at least 60 casualties, and that they were proceeding to

23 the scene."

24 And those are the words that I will underline:

25 "I believe she also said the injuries seem to be

2

1 shrapnel."

2 Could we go next, please, to page 14 {Day70/14:18}

3 of the same transcript?

4 "Question: What you've also been able to assist

5 with from the log is the arrival time of various other

6 units or persons. I'll just list those. An SRT

7 appliance arrived at 23.22 at Philips Park?

8 "Answer: Correct.

9 "Question: NILO Meakin arrived at 23.25?

10 "Answer: Correct.

11 "Question: A second SRT vehicle arrived at 23.31?

12 "Answer: Yes.

13 "Question: NILO Levy arrived at 23.34."

14 Then it's put that Mr Berry had arrived at 23.41,

15 which we now know to be correct.

16 "Question: Once the NILOs were present, were you

17 given any further information about what was happening

18 at the arena?

19 "Answer: Not immediately, no.

20 "Question: Do you recall that you were told there

21 wasn't much information coming back?

22 "Answer: That's correct, yes.

23 "Question: Who was it that told you that?

24 "Answer: I think it was NILO Ben Levy.

25 "Question: You, of course, did know something about

3

1 what was happening at the arena because you had spoken

2 to Helen?

3 "Answer: Yes.

4 "Question: And did you say anything about that to

5 any of the NILOs or any other person?

6 "Answer: I did, yes. I told the NILOs the

7 information I had been given and I told everybody

8 I spoke to the information that I'd been given."

9 And then finally, the bottom of page 16

10 {Day70/16:25}, please.

11 I do recognise, sir, there's a long lead into this

12 question, but I hope this is helping you, Mr Levy:

13 "Question: The sense from your statement is that at

14 Philips Park, as this information was coming to you, you

15 were really communicating it to anyone and everyone who

16 was there?

17 "Answer: That's correct, yes.

18 "Question: Again, I don't want to put words in your

19 mouth, but is the sense that you were saying to them,

20 'This is what my wife is saying to me, the

21 Ambulance Service have deployed, what are we doing still

22 here'?

23 "Answer: That's correct."

24 We won't go to it, but Mr Smith on behalf of North

25 West Fire Control picked up on the same topic at

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1 {Day70/36:1} of the transcript and he confirmed that
 2 he had given this information to the NILOs and he also,
 3 as we heard yesterday, when Mr Cooper questioned
 4 Mr Meakin, he also had the support of Mr Simister in
 5 what he was saying.
 6 So let's draw those strands together. The general
 7 thrust of what he was saying was that firefighters had
 8 approached you and the other NILOs and I know you agree
 9 with that.
 10 A. Yes, sir.
 11 Q. He was saying that Mr Mottram was there. Did you know
 12 Mr Mottram?
 13 A. No, sir.
 14 Q. He was saying that Mr Simister was there. Did you know
 15 him?
 16 A. Yes, sir.
 17 Q. Do you recall being told by firefighters that ambulances
 18 had deployed to the scene?
 19 A. No, sir.
 20 SIR JOHN SAUNDERS: Can we go back a stage from that? Were
 21 you telling them that there were difficulties getting
 22 information in, that you were having difficulty in your
 23 information gap?
 24 A. Yes, sir, I think we were in my first arrival period of
 25 maybe 10 minutes, maybe a little bit less, where I'm

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1 getting a lot of information, and rightly so, and in
 2 amongst that information was -- I started to learn that
 3 as the appliances had left Manchester Central, there was
 4 ambulances arriving.
 5 SIR JOHN SAUNDERS: What I really want to know was: as your
 6 reaction to them saying, "What's going on, why aren't we
 7 there?", were you saying, "Well, I'm having real trouble
 8 getting what we've been describing as situational
 9 awareness, but what's going on"? Did you say that to
 10 them?
 11 A. Yes, sir, but previous to Andy Berry arriving, my
 12 assumption was still that the information was vast and
 13 was just not in front of me at the moment and somebody
 14 was dealing with that.
 15 SIR JOHN SAUNDERS: I just wanted to put in the context
 16 around what Mr Mottram might have been saying.
 17 MR GREANEY: I agree, that's very helpful.
 18 I'm going to press on a little bit with this.
 19 SIR JOHN SAUNDERS: Please, do, yes.
 20 MR GREANEY: What I'm not going to ask you to do is comment
 21 on whether what Mr Mottram and Mr Simister says is right
 22 or wrong. All you can do is comment upon whether you
 23 heard them say those words to you.
 24 What I think you will be able to agree about is what
 25 they knew as a result of what Helen Mottram had said was

6

1 important?
 2 A. Yes.
 3 Q. It represented a degree of situational awareness?
 4 A. It did.
 5 Q. I think we can also agree that they recognised the
 6 importance of what they knew.
 7 A. Yes, sir.
 8 Q. And I think I can go as far as to ask you whether you
 9 can think of any reason why they wouldn't have informed
 10 you of what they knew about what was happening at the
 11 scene?
 12 A. I had no doubt that they think I was aware of that
 13 information, but I think my first recollection of
 14 a discussion around somebody's wife being there was
 15 at the hot debrief that took place at Manchester Central
 16 at the close of the incident in the early hours of the
 17 morning.
 18 Q. I hope this isn't an unfair question. Do you think that
 19 what is likely to have happened is that you were told
 20 this information, but in the midst of everything that
 21 was happening and everything you were being told you
 22 just missed it?
 23 A. Quite possible.
 24 Q. Is it also fair to suggest that the crews who were there
 25 were a potential source of situational awareness?

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1 A. They were my only source of situational awareness at
 2 that point.
 3 Q. And that you should have mined that source in order to
 4 find out what they knew?
 5 A. Yes, sir.
 6 Q. And it would appear to follow from what you said
 7 yesterday that had you discovered that the paramedics
 8 and not just specialist resources but non-specialist
 9 resources were at the scene, that would have been very
 10 important to your decision-making?
 11 A. Yes, sir.
 12 Q. And would likely have resulted in a deployment?
 13 A. Immediately. Can I add to that, sir, if I may?
 14 Q. Certainly.
 15 A. So one of the reasons that I'm quite confident that
 16 I did not pick up on that conversation is my reaction to
 17 that information that I would expect me to have taken.
 18 So if a firefighter and colleague of mine had said their
 19 wife is on scene or deploying, my initial comment,
 20 response to that would have been, "Get her to ask for us
 21 then", because we cannot just attend because somebody's
 22 wife who's on scene says, "We're here", because I don't
 23 know Mrs Mottram and I don't know Mr Mottram -- I know
 24 who he is now -- but I would have asked the question:
 25 has she asked anybody, through her command and control

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1 structure, for the attendance of the Fire and Rescue
 2 Service?
 3 We cannot just attend incidents because somebody's
 4 wife rings somebody, as right as the answer might be.
 5 It's a good plan B, absolutely, but that is not the
 6 structure.
 7 Q. The point is, had you heard that, it would have
 8 generated a reaction?
 9 A. Yes, absolutely. That's why I'm quite confident, sir,
 10 either I missed it or it wasn't said to me because I'm
 11 quite strong in what my reaction would have been, so
 12 desperate for information and the authority to -- or the
 13 situational awareness that there were ambulances
 14 actually in attendance, unprotected resources, not
 15 ballistic --protected resources, that would have been
 16 enough and I would have potentially said, "Where is she?
 17 We'll go where she is".
 18 Q. Certainly I am not going to suggest to you that you did
 19 hear what was said. As you say, if it was said, and
 20 indeed may I go as far as to say that all of your other
 21 actions around this time do indicate that you would have
 22 responded to that information. But what I'm going to
 23 suggest to you is that there was here a missed
 24 opportunity to secure from those who were present
 25 situational awareness.

9

1 A. I accept that, sir.
 2 SIR JOHN SAUNDERS: Let me make sure I understand. So even
 3 if you had heard it, you wouldn't have just said, "Let's
 4 all go in", you'd have needed confirmation of that
 5 information?
 6 A. Yes, sir.
 7 SIR JOHN SAUNDERS: I'm not suggesting you shouldn't.
 8 A. If I flip this on its head, if I may. If a firefighter
 9 is in attendance at a road traffic collision, they don't
 10 ring their husband or wife to say, "We need you here".
 11 There's a command and control structure, they would
 12 request the attendance of the Fire and Rescue Service.
 13 So I don't know if Mrs Mottram had also shared the same
 14 concerns with her -- I don't know what command and
 15 control responsibilities she has, but I don't know
 16 whether she had shared the same concerns within North
 17 West Ambulance Service or whether it was a conversation
 18 to her husband and nothing else.
 19 MR GREANEY: One thing, for example, that you might have
 20 done, if you had heard that a paramedic had gone to
 21 scene, would have been to ring Steve Taylor, whose
 22 number you had, and find out.
 23 A. Potentially, but if I recall my evidence yesterday, one
 24 of my biggest frustrations and anguishes of the night
 25 was that, as far as I understood, we were being kept

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1 away from the arena. I also --
 2 SIR JOHN SAUNDERS: Sorry, let's just -- so if you're
 3 told -- I mean, I know you need to confirm it about
 4 Mrs Mottram, but you have no reason to disbelieve it.
 5 So if you get that information, you would ring
 6 Steve Taylor, wouldn't you, to say -- he's your opposite
 7 number -- "Are you there"?
 8 A. I wouldn't have rung Steve Taylor, sir, because I didn't
 9 know -- because of what we discussed yesterday, I didn't
 10 that that knowledge that he was the duty NILO, but it
 11 would have been part of the conversations that -- when
 12 I discussed with North West Fire Control around -- and
 13 the command support room, "There are ambulances at
 14 Manchester Central, we're heading that way now". So
 15 it's all part of the situational awareness I was
 16 developing. So I don't specifically recall that
 17 conversation, sir, with Mrs Mottram (sic) not at all.
 18 Missed opportunity.
 19 MR GREANEY: Understood, a missed opportunity.
 20 Subject to any further questions the chairman wants
 21 to ask, let's leave that topic there.
 22 What I would like to do next and before we move on
 23 to the departure to Thompson Street is to return to the
 24 issue of the command structure. When you arrived, as we
 25 agreed yesterday, there was no one in operational

11

1 command of this incident. By 23.41, once Mr Berry had
 2 arrived, all three NILOs were present at Philips Park.
 3 And as the chairman suggested to Mr Meakin yesterday,
 4 there were now three advisers but essentially no one at
 5 that stage to advise.
 6 A. Yes, sir.
 7 Q. Did you at that point make a decision about command? I
 8 can tell you I'm now at paragraphs 73 and 74 of your
 9 statement.
 10 A. Yes, I did.
 11 Q. What decision did you make?
 12 A. In effect, in my mind, and I think I started on this
 13 yesterday, I was always going to be the incident
 14 commander of this incident on arrival, given the
 15 significance of the event and in effect at that point
 16 I dropped my NILO hat and tried to get a grip of the
 17 incident and tried to start making some moves to get us
 18 the information we needed and move there, as slow as it
 19 was, sir.
 20 Q. So you were senior in rank to Mr Berry?
 21 A. Yes, sir.
 22 Q. You were more experienced than him, certainly as a NILO?
 23 A. Yes, sir.
 24 Q. And you were a highly experienced commander?
 25 A. Yes, sir.

12

1 Q. And you decided that you were the person who was going
2 to grip the situation and become incident commander?
3 A. Yes, sir, and I think also there's another element
4 potentially. It must have been around this time
5 I realised the stresses that Mr Berry had been under
6 over the last hour. I was probably in a fresher
7 position to get a grip and to take that control. That's
8 not a slant on Andy Berry, not by one bit, but it was
9 the right thing to do.
10 Q. You may have heard that Mr Berry was challenged by
11 Mr Cooper on the basis that it might be the case that
12 you took over or you took that role as opposed to him,
13 a better way of putting it, because you had some
14 concerns about his performance. So I'll give you an
15 opportunity to say whether that is or not correct.
16 A. No, sir.
17 Q. You were just, for objective reasons, the better person
18 to perform that job?
19 A. Yes. If I'd had any concerns about Andy Berry I would
20 have directed him further. Whilst I trusted him to get
21 the information driving to scene, I had no concerns
22 about Andy Berry whatsoever. He's very competent.
23 SIR JOHN SAUNDERS: I understand that, but in reality you
24 did you have concerns because of what had gone before of
25 his capability of taking command of the situation. You

13

1 did have those concerns.
2 A. It's not concerns, sir. You've helped us identify --
3 one of the learning areas is the lack of the incident
4 command structure. This is a large incident,
5 notwithstanding the requirement, easily it needs to
6 have -- in our command structure there will be a group
7 manager responsible, at least, for that incident at this
8 stage --
9 SIR JOHN SAUNDERS: I was just referring to what you said
10 were the stresses he'd been under in trying to get
11 there, and things like that, had affected his ability to
12 actually command the situation.
13 A. Yes, but I probably wouldn't have used the word
14 "concerned". I wasn't concerned at his capabilities,
15 no.
16 MR GREANEY: You weren't concerned about his basic
17 abilities?
18 A. Not at all.
19 Q. You were concerned about how those had translated into
20 actual action?
21 A. Yes, to some extent.
22 Q. So you are now incident commander and this is some time
23 probably around 23.45?
24 A. Yes, sir. Can I just clarify that I didn't formally
25 assume command, it's not recorded in any log, until

14

1 about 00.15.
2 Q. Until, as you say, 00.15. But whether it was formally
3 recorded this was the point at which you had decided,
4 I'm in command?
5 A. Yes.
6 Q. And we know from Mr Berry, and you agree, that you
7 communicated to him at that stage?
8 A. Yes, sir.
9 Q. Let's look at what you did or at any rate attempted to
10 do from that point in time and for my part I'm certainly
11 not going to try to suggest that you didn't try to
12 achieve progress.
13 We know at 23.46 you had asked NWFC to ascertain
14 an FCP. Do you recall we listened to that call
15 yesterday?
16 A. Yes, sir.
17 Q. It's the one you intervene in. They called you back at
18 23.52. We'll listen to that recording and have the
19 transcript on the scene. The recording is
20 {INQ004401/1}, and Mr Lopez, the transcript is
21 {INQ001233/1}.
22 (Audio played)
23 So you had been told something that I think you had
24 gathered from the firefighters in any event that there
25 were ambulances massing at Thompson Street. That was

15

1 a significant piece of information to have confirmed,
2 was it not?
3 A. Yes, sir.
4 Q. The phone records show that you made a call to the chief
5 fire officer, Mr O'Reilly, at 23.53, lasting for
6 1 minute 3 seconds. So you must have called him almost
7 as soon as you came off the phone to NWFC?
8 A. Yes, sir.
9 Q. I'm going to ask you why you made that call and what
10 happened in a moment, but first, I want to ask you some
11 questions about Mr O'Reilly and I'm confident you'll be
12 frank in answering them.
13 What was Mr O'Reilly's management style?
14 A. I'm not quite sure how to describe that, sir. An
15 experienced senior officer. An experienced strategic
16 commander. He'd been chief fire officer and a principal
17 officer for many years. Quite strong in his leadership.
18 Very confident and, as I understood him to be, capable,
19 sir.
20 Q. You've identified a series of what might be thought to
21 be positive characteristics of leadership in answering
22 that question. Was there a downside to how he
23 approached his decision-making and his relationship with
24 his subordinates?
25 A. He was quite authoritative, sir, I suppose.

16

1 Q. May I put it this way and I do understand that you want
2 to be fair about this, but was he a leader who was
3 inclusive and concerned to understand and take into
4 account the views of others?
5 A. In many environments, yes, sir he was.
6 Q. Some environments he wasn't?
7 A. I suppose in a situation like this, he would have had
8 similar stresses to me, also frustrated at this point of
9 an evening, that he didn't have information --
10 MR COOPER: I wonder if the witness can slow down a little.
11 I really am trying to take notes. This is a matter that
12 interests us intensely.
13 A. Sorry, sir. He would have had similar stresses to I at
14 this time of the evening and maybe that's affected --
15 will affect the way he controls and commands the
16 organisation.
17 MR GREANEY: I'm not going to press you in relation to that
18 answer, which might be thought to have been diplomatic,
19 at the moment, but we will, as you will appreciate, come
20 back to it when we look at some further discussions you
21 had with him.
22 A. Can I pick up on the call we just discussed, sir?
23 Q. I was just about to ask you about it, but if there is
24 something you want to say before we deal with it --
25 A. Okay, I will let you, sir.

17

1 Q. Really, what I wanted to know was: you were now in
2 command of this incident, were you not?
3 A. Yes, sir.
4 Q. Why did you call the CFO?
5 A. So with regard to that call -- so in my mind I called
6 the CFO because he was in the command support room, had
7 he -- I may have just as easily called the command
8 support room and spoken to the assistant principal
9 officer, who was an area manager, if they were the
10 person was in attendance, because in effect I am now
11 going to -- and some of the conversation was around
12 policy, procedure, the day before yesterday. I'm about
13 to break policy. My understanding is still there is an
14 emerging or developing, ongoing marauding terrorist
15 firearms incident, to which we have not been requested
16 to attend.
17 I think it's the right thing to do, we don't
18 normally attend incidents without being mobilised to an
19 incident. So in effect, I'm about to break the policy
20 and that conversation with the chief fire officer was
21 along the lines of: I am heading towards
22 Manchester Central and from there we are going to deploy
23 into the city centre.
24 Q. (Overspeaking).
25 A. It's a decision recording. It's, quite frankly, a cover

18

1 for me because one of the roles of the command support
2 room is decision logging. And that's quite
3 a significant decision that I have just made.
4 Q. That we can understand and I just want to make certain
5 that we have clarity in relation to this. Do you mean
6 that, following that conversation with NWFC at 23.52,
7 you had decided: we are going to go to
8 Manchester Central, co-locate with the
9 Ambulance Service, and from there we're going to deploy
10 to the scene?
11 A. Yes, sir. It wasn't a request to the chief fire
12 officer, I don't believe. I think it was: this is my
13 decision, I'm going now.
14 Q. So that is exactly the point that I was concerned to
15 understand. Were you calling to inform the chief fire
16 officer, "I am in command and this is what we are
17 doing", or were you calling to say, "Boss, is it all
18 right if I do this"?
19 A. I don't know how I would have phrased it, but any
20 recipient of that call would have known this is my
21 decision and this is what we are doing. I don't think
22 I rang the chief fire officer because he is the chief
23 fire officer. I rang him as the most senior officer in
24 attendance at the command support room. I could have
25 easily have rung the landline to the command support

19

1 room but I knew he was there and the most appropriate
2 person to ring was the chief. Paul Etches was the
3 assistant principal officer and I could quite easily
4 have rung him if the chief fire officer wasn't there and
5 had exactly the same conversation.
6 SIR JOHN SAUNDERS: It's a problem, isn't it? So you're the
7 guy running the incident but the chief fire officer is
8 somewhere around, a very experienced man in this sort of
9 situation, as you said, probably feeling your
10 frustrations. If you are just recording your decision,
11 there are other ways of recording it: you could simply
12 tell Control, you could have perhaps told them at the
13 end of the conversation that you had with NWFC. If
14 you're telling the chief fire officer, it's actually
15 really inviting comment one way or the other from him,
16 isn't it?
17 A. Potentially, sir.
18 SIR JOHN SAUNDERS: And if he'd said, "No, you're not"?
19 A. I didn't expect him to say that.
20 SIR JOHN SAUNDERS: Suppose he had.
21 A. I'm not sure, sir. I'm not sure. I would -- we would
22 have then had similar conversations that we had later on
23 in the evening, there would have been some challenge,
24 because the only reason you would say that is if you
25 know something I don't know.

20

1 MR GREANEY: I think we do know, would you forgive me, what
2 you would have done if he'd said no because when he said
3 no later, you did what he told you to.
4 A. Yes, sir.
5 Q. But we'll get to that.
6 In the result --
7 SIR JOHN SAUNDERS: Can I say, I'm not blaming you, I'm
8 saying this may be a failing in the system, but we'll
9 talk about that later.
10 MR GREANEY: Can I be clear, nor am I blaming you for what
11 happened from this point in time. As I've made plain,
12 it's clear that you attempted to move things forward.
13 A. Sorry, sir, as I said before about the call -- can I
14 just pick something up on the call --
15 Q. Yes, do, please.
16 A. -- forgive me, before we go on and it might help and
17 just to be candid: the call with North West Fire
18 Control, where I'm informed about Thompson Street, I'll
19 be honest, I have no recollection of that call. It
20 doesn't feature in my statement. I was surprised when
21 I read that in the evidence proposal. I have no
22 knowledge of that call. I didn't record it on the
23 night. So -- but it doesn't surprise me and I think
24 listening to myself on there, I can hear the surprise
25 that it's not as I pictured. So I have heard,

21

1 "Ambulances have arrived at Thompson Street". It's very
2 different to: North West Ambulance Service are using
3 Thompson Street as a holding area. That's a different
4 picture. An ambulance turning up parked on the front of
5 Thompson Street is not unusual at any time of the day or
6 night. They are using it as a holding area and I think
7 my reaction there is, "By a fire station? Right", and
8 I pretty much put the phone down and made an immediate
9 telephone call to say, "I have got enough now, I'm
10 going".
11 Q. You are right about certainly two things: first, that
12 there is a sense of surprise about your reaction to
13 being told and, secondly, you are right that that call
14 doesn't feature in your statement, which I'm not
15 criticising you for.
16 In your statement, your view is that you made
17 a decision: I am here now, I've been here for 5 minutes,
18 10 minutes, we are now deploying to the scene via
19 Central.
20 A. Correct.
21 Q. But it would seem that having heard that call, that
22 played some, maybe even a little part, in your
23 decision-making?
24 A. Yes, sir. And there was another element to the call
25 with the chief fire officer. There was an instruction

22

1 on the end of that call of: yes, of course, to some
2 extent, but wait at Manchester Central.
3 Q. I was in fact going to make sure we had adduced that
4 from you because it becomes important later. Although
5 you were not calling for approval, the reality is that
6 the chief fire officer did approve the course that you
7 proposed to take?
8 A. Yes, sir.
9 Q. But subject to one matter which was you're going to wait
10 at G16?
11 A. Yes, sir. That didn't surprise me because, like I say,
12 I am not seeking -- I'm informing of a decision I have
13 just made, which is quite significant, I'm moving
14 towards potentially a hot zone, I'm breaking a policy
15 and procedure, I'm taking additional risk, we will take
16 significant risk to save saveable life, that's our
17 firefighter maxim, I'm walking -- I'm going further
18 towards an unassessed -- against a lack of joint
19 understanding of that risk, I'm moving towards it,
20 informing the chief fire officer, and for him to say,
21 "Okay, just hang fire when you get there", I could have
22 easily have taken that to mean, "Okay and let me know
23 before you take the next step right into the arena",
24 which is not unusual.
25 Q. We know that at the time that you were engaged in those

23

1 calls with NWFC and with the chief fire officer,
2 Mr Berry was on the phone to the FDO line, speaking to
3 Mr Myerscough. I hope that makes sense to you.
4 A. Yes, sir.
5 Q. At 23.50 he finally gets through to that line and speaks
6 to Mr Myerscough and he is on that call for a period of
7 time. Mr Myerscough wasn't speaking for the whole of
8 that period and, as Mr Berry explained, he was able to
9 overhear parts of your conversation, which he thought
10 were with the CFO and he may well have been right.
11 We listened to that recording on Monday or
12 Tuesday -- Tuesday, I think -- but if it would help you
13 we can listen to it again. Do you have that recording
14 in mind?
15 A. Yes, sir, I think so.
16 MR GREANEY: Sir, do you require that to be played again?
17 SIR JOHN SAUNDERS: No, thank you.
18 MR GREANEY: We know, don't we, that during the course of
19 that call, he was seeking an FCP. He was first given
20 an RVP of cathedral car park and then given an FCP of
21 the old Boddington's car park, which is near the arena.
22 He was told it was near the arena. Were you told by
23 Mr Berry or anyone else that he had been given those
24 RVPs and FCPs?
25 A. Yes, sir, but not for about 2.5 years after that

24

1 evening.
 2 Q. Obviously, therefore you didn't know at the time?
 3 A. Not at the time, sir.
 4 Q. If at that stage at which you are getting ready to
 5 mobilise to Thompson Street, Mr Berry had told you of
 6 those facts, would they have made any difference?
 7 A. We'd have sent appliances and officers to that forward
 8 control point or rendezvous point, however it was
 9 termed. I would have probably still put something back
 10 to Manchester Central but we would have proceeded to the
 11 arena at that point.
 12 Q. So what was to become an additional stage of going to
 13 Manchester Central, certainly so far as some appliances
 14 were concerned, would have been removed?
 15 A. Yes, sir.
 16 Q. Did you, having spoken to the CFO, direct all
 17 appliances, including the SRT, to deploy on blue lights
 18 to Thompson Street?
 19 A. Yes, sir.
 20 Q. We know that at about that time, at 23.59, Janine Carden
 21 made contact with you on your phone and that
 22 conversation lasted for nearly 3 minutes. Do you have
 23 any recollection of that call?
 24 A. No, sir.
 25 Q. The log records the arrival of the first appliance which

25

1 as it happens was Mr Mottram's appliance, at
 2 Thompson Street at 00.02, which very much accords with
 3 your own recollection that it was at about midnight.
 4 What I'm going to do now is to pick up your account
 5 of events from page 81 of your witness statement.
 6 When you arrived at G16, what did you see?
 7 A. More ambulances than I imagined to see. There was a lot
 8 of ambulances there. They appeared to -- it takes
 9 a long time to get so many ambulances on scene. As we
 10 pulled up on the front apron, the front forecourt of the
 11 fire station, there were ambulances leaving to head
 12 obviously into the city centre, I assumed the arena. So
 13 we pulled up and quite soon after that, I tasked
 14 Andy Berry to go and speak to somebody from NWSA, find
 15 out who was in charge and who was deploying those
 16 ambulances and to where they were being deployed.
 17 Q. Pause for one moment. I know that Mr Cooper and his
 18 clients and others will be concerned to make sure they
 19 fully understand all of this and obviously the
 20 stenographers need to make a note as well.
 21 Did you get any information back from Mr Berry that
 22 was of value to you?
 23 A. In summary, the ambulances, I will just phrase it, they
 24 were just following each other to the scene, there was
 25 nobody, it appeared, to be deploying them. There

26

1 probably was, because I don't expect ambulance personnel
 2 to work without any command and control arrangements,
 3 but I don't think Andy Berry found anybody who had any
 4 authority on scene who could say, "This is where they've
 5 been asked to go". I think the phrase was, "We're just
 6 following each other and heading down there".
 7 SIR JOHN SAUNDERS: But you did get the information they
 8 were heading down to the scene?
 9 A. Somewhere, yes, sir.
 10 MR GREANEY: So whilst, obviously, your information was not
 11 complete at that stage, did you know enough to conclude
 12 that your decision made at Philips Park to get
 13 yourselves down there was the right one?
 14 A. Yes, sir, and there's another element now. So what
 15 I could see was ambulances attending, they were not the
 16 HART team, they were not specialist responder
 17 capability, they were not additionally protected against
 18 any further threat. I had with me four fire engines
 19 with highly trained firefighters, and an SRT team, also
 20 highly trained. I had enough of a risk assessment at
 21 that point to move forward. I needed nothing else.
 22 I would have just followed the ambulance.
 23 Q. And indeed the SRT crews were in their full ballistic
 24 gear?
 25 A. Yes.

27

1 Q. So was it your view at that stage that you would deploy
 2 specialist resources, non-specialist resources or both
 3 to the scene?
 4 A. I probably would have initially deployed specialist
 5 resources with me, because if I could have done that
 6 straightaway, again we are 2 minutes from the city
 7 centre now, a minute from the arena on blue lights, from
 8 the arena, so I could have taken an SRT team with me and
 9 another officer so they could have been of immediate use
 10 inside any warm zone, had that been the case or
 11 otherwise, and you have additional dressings. I have
 12 heard the account of the explosion, the injuries that
 13 come with that, we could have treated people at that
 14 point. We are now 00.05. I could have taken some
 15 resources down there straightaway. I needed nothing
 16 else. I had got nothing from the police at this point,
 17 but my own experience, my own recognition, prime
 18 decision-making, I had enough information, without any
 19 shared understanding of risk, to lead them into
 20 Manchester city centre.
 21 Q. In a moment we'll listen to the call that you make to
 22 NWFC at 00.15. First, I want to ask you about a call
 23 that the records show you made to Mr O'Reilly at 00.08,
 24 which lasted for 1 minute and 20 seconds. Do you recall
 25 that call?

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1 A. Not in detail, sir, but it would probably be -- it would
2 be a summary of what I have just said to you there, sir,
3 that I'm ready to go.

4 Q. I know that 8 minutes later, at 00.16, there is a call
5 that you do remember better --

6 A. Yes, sir.

7 Q. -- but we'll get to that in a moment.

8 As I indicated, at 00.15 there was a call between
9 you and North West Fire Control. Shall we listen to
10 that and then I'll ask you what the purpose of it was.

11 Mr Lopez, the recording is {INQ004388/1}. The
12 transcript is {INQ001204/1}.

13 Sir, for your note, this is paragraphs 90 and 91 of
14 the witness statement.

15 SIR JOHN SAUNDERS: Thank you.
16 (Audio played)

17 MR GREANEY: So just two things to confirm.

18 The first you have mentioned already: at 00.15,
19 you're asking that there be formally recorded the
20 decision you made at about quarter to that you were in
21 command. Secondly, you're asking North West Fire
22 Control if they had been told Operation Plato has been
23 declared. Why were you doing that?

24 A. There was non-specialist ambulance responders attending
25 the scene. Until this point, I'd considered it was

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1 a Plato-style incident, clearly it wasn't, and actually,
2 at this point still, in a conversation about moving my
3 resources into the arena, there was still an element of:
4 no, wait there until we've got more information from the
5 command support room. That was my authority now: it's
6 not Plato, I've seen non-specialist ambulances attending
7 the scene, I'm ready to go with all the fire trucks I've
8 got available to me.

9 Q. At what must have been immediately or almost immediately
10 after the end of that conversation with North West Fire
11 Control, you called Mr O'Reilly and there was a call
12 lasting for 1 minute. Why -- let me put it this way: we
13 know that you had been told, "Okay, deploy to
14 Manchester Central but wait there". At 00.16, why was
15 it that you were calling Mr O'Reilly?

16 A. It's a really significant event, really significant
17 incident, it's not gone well so far, the command support
18 room is open with the strategic command team in place.
19 I was in effect letting them know that's what we were
20 doing, we're going down there, I've got enough to go on.
21 I probably didn't phrase it like that, I can't remember
22 my exact words, but that would make perfect sense, sir.

23 Q. Was it of any relevance to you when you made that call
24 that you had been effectively given an instruction, wait
25 at Manchester Central, or was this again just ensuring

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1 that your decision was logged?

2 A. I think part of the, "Wait there, wait until we've got
3 some more information" -- but I had that more
4 information there now. I had that information: it
5 wasn't Plato, the fact that the police -- that North
6 West Fire Control have confirmed to me now it's not been
7 declared Operation Plato. Had it been declared
8 Operation Plato, the police would have told them. So it
9 was categorically in my mind no longer to be considered
10 an Operation Plato. And I needed more information,
11 I now had that, I could see non-specialist ambulance
12 responders attending. I had non-specialist and
13 specialist responders with me, I had enough to go.
14 In the absence of any further situational awareness and
15 the significant absence of a joint understanding of the
16 risk that was presented, I was prepared to take the risk
17 that was -- I imagined it to be and off we go.

18 Q. What risk did you think at that stage, having been told
19 that North West Fire Control had not been informed of
20 a declaration of Plato, what risk did you think you were
21 taking?

22 A. It's a post-bomb scene, it's quite capable to deal with
23 that. When we use risk, hazard -- you can't understand
24 risk until you have identified the hazards and we've got
25 generic hazards that I would expect at a post-bomb scene

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1 and we are well-prepared to deal with those.

2 Q. Have I understood correctly then that at that stage, as
3 you made that call at 00.16, you intended to deploy both
4 your non-specialist and specialist resources to the
5 scene?

6 A. Yes, sir.

7 Q. Did you tell Mr O'Reilly that that was your intention?

8 A. I would imagine I did, sir, yes.

9 Q. And can you help us with what his response was?

10 A. Well, we didn't deploy at that point, so it must have
11 been no, sir.

12 Q. At 00.19, you passed a message to North West Fire
13 Control, and we will listen to that, just because it may
14 help you with what you were told in the 00.16 call. In
15 simple terms, the message you passed to North West Fire
16 Control was that Mr Berry was proceeding to an RVP.

17 So can we play that recording, please, and have the
18 transcript on the screen. The recording is
19 {INQ004446/1}, and the transcript is {INQ001156/1}.

20 If it helps you while that's being done, I'm asking
21 you in general terms about paragraphs 92, really,
22 through to 100 of your witness statement.

23 In your statement, you recall a call from the chief
24 at 00.20. I'd thought that was probably the call at
25 00.16, but you may be going to tell me that I'm wrong

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1 about that.

2 Could you play that recording, please?

3 (Audio played)

4 I may have misunderstood the chronology. At 00.19,
5 you're on the phone to North West Fire Control and you
6 are informing them, so that it is logged, of
7 a deployment of some type, not involving you but
8 involving Mr Berry. Were you describing a deployment of
9 specialist, non-specialist or both?

10 A. Non-specialist responders, sir.

11 Q. Let's just try and pick this up and work out what has
12 happened then. Your intention when you came off the
13 phone with North West Fire Control at 00.15 was: I know
14 enough to deploy specialist and non-specialist resources
15 to the scene. By 00.19, you are deploying only
16 non-specialist resources to the scene?

17 A. Yes, sir.

18 Q. In between times, you have spoken to the chief fire
19 officer. Does that help you to understand --

20 A. Yes, I may have got my own chronology wrong. I'd had
21 a telephone call with the chief, the chief had
22 instructed me to send three fire engines and Andy Berry.

23 Q. Would you have expected, first of all, that you would
24 mobilise to the scene?

25 A. Yes, sir, I was the incident commander.

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1 Q. Did Mr O'Reilly explain to you why you were not going
2 but Mr Berry was?

3 A. No, sir.

4 Q. Your intention was to mobilise both non-specialist and
5 specialist resources. Did the chief explain to you why
6 he wished you to deploy only non-specialist resources?

7 A. He had spoken to Mr Hynes from North West Ambulance
8 Service, which was good initiative, to gain some
9 situational awareness and Mr Hynes had asked him for
10 12 firefighters who are trauma trained.

11 Q. There are at least two aspects of that that I want to
12 unpick. First of all, 12 firefighters. I think I heard
13 from Mr Meakin yesterday, when he was questioned on
14 behalf of the families, that that is the number that
15 would be deployed to a domestic house fire.

16 A. Yes, sir, three fire engines.

17 Q. Did you experience any surprise that you were being told
18 at 00.16 to deploy to the scene of a bombing, of which
19 they were multiple fatalities and many people had been
20 injured, the same number of firefighters that would go
21 to a fire at a house?

22 A. Yes, sir. It's not enough resources to deal with the
23 scene there. I pictured an explosion scene with
24 post-bomb hazards that would be supported by the Fire
25 and Rescue Service to make the scene safe, to create

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1 safe systems of work and three fire engines and one
2 station manager may not be enough for that. I wouldn't
3 know that until I arrived. As it happens, we didn't
4 need much more than that because it was so late,
5 regrettably. But I would have expected to send more or
6 different resources or at least send Andy Berry, if not
7 me, to go and assess.

8 Q. The second issue is: did it strike you that what seemed
9 to be happening here was that the NWAS Bronze was
10 determining the level of your deployment, whereas that
11 was really an issue for the Fire and Rescue Service?

12 A. Yes, sir. It's normal to describe the assistance that
13 an agency requires and that they are providing agency
14 resource at. For example, I would expect north west
15 Ambulance Service to say, "We've got", for argument's
16 sake, "an injury of a worker at height", then we would
17 provide our own resources to resource that. We know
18 what we would send to that, a number of appliances,
19 high-reach appliances. They don't say, "We need 12 fire
20 engines or 12 firefighters", that's just a very unusual
21 request. And the fact that it was trauma trained or
22 trauma technicians, I had some of the most highly
23 experienced trauma-trained firefighters in the
24 organisation stood next to me who were members of the
25 SRT and trained for this very type of injury that

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1 I expected.

2 Q. I said there were at least two aspects of this I wanted
3 to unpick, I'm glad I did because there are two more.
4 The third is: you were the commander, deployment was
5 a matter for you?

6 A. Yes, sir.

7 Q. Is what was happening here that command decisions were
8 being taken out of your hands by the chief?

9 A. Yes, sir. I challenged that decision.

10 Q. The fourth issue: what was happening here was that,
11 contrary to your wishes, your specialist resources were
12 not to be sent to the scene, and when you say that you
13 challenged that decision, is that one part of it that
14 you challenged?

15 A. Yes, sir. And I think in the call we've just heard, you
16 can hear -- at the beginning of that call, you can hear
17 part of that where I think what you hear in the
18 background is the SRT teams are as disappointed as I am
19 that we are not sending them to the scene to assist.

20 Q. The simple fact of the matter is that you just couldn't
21 understand why SRT were going to be held back, could
22 you?

23 A. And me.

24 Q. And you. You have chosen your words very carefully and
25 said that you challenged the decision of the CFO. And

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1 "challenge" doesn't really do it justice, does it?
 2 A. I was probably quite vocal, sir, I challenged it quite
 3 strongly. I was clear I thought it was the wrong
 4 decision, but the outcome was the same: we sent three
 5 fire engines and Andy Berry.
 6 Q. Just so that we can get a flavour of the extent to which
 7 you were pushing back against this decision, I'm going
 8 to remind you of two things that you said during
 9 Kerslake. We don't, I think, need them on the screen,
 10 but I will give the INQ references. It's
 11 {INQ023508T/24} and {INQ023508T/48}.
 12 You explained during the Kerslake discussion:
 13 "I had firefighters saying to me, 'You're going to
 14 get -- be careful you're not going to get sacked, Ben',
 15 because I was providing that level of challenge to the
 16 chief."
 17 Then at {INQ023508T48}:
 18 "John Nolan I think it was said, 'You be careful,
 19 Ben, you're going to get sacked'. "
 20 So is it the position that others who were listening
 21 to the extent of your challenge to the chief were saying
 22 to you, "Watch yourself, you're going to get sacked"?
 23 A. Yes, it'd probably be too strong to suggest that that
 24 would be a likely outcome of the level of challenge
 25 I provided, but yes, that was the type of feedback I was

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1 getting.
 2 Q. It gives us a flavour, doesn't it, of what people
 3 (overspeaking) --
 4 A. Of my level of challenge, I suppose.
 5 Q. And that was what I was really interested in.
 6 A. And potentially also maybe, you, know remaining
 7 professional, maybe not to the chief, but as I've come
 8 off the phone, I've probably been quite clear in my
 9 frustration.
 10 Q. That, I'm going to suggest, was your first battle with
 11 the chief that night.
 12 SIR JOHN SAUNDERS: Are we going on?
 13 MR GREANEY: I am, yes.
 14 SIR JOHN SAUNDERS: In theory, and we may need to discuss in
 15 practice, did you have to follow the direction of the
 16 chief?
 17 A. No, sir. It would be unusual not to.
 18 SIR JOHN SAUNDERS: I'm sure, but you didn't have to --
 19 A. There's nothing stopping me (inaudible: distorted) --
 20 SIR JOHN SAUNDERS: You're or the man in charge of the
 21 incident?
 22 A. Absolutely, and had I ignored it and gone then and
 23 everything worked out, we'd have been there earlier with
 24 more resources and we'd have been saying, "What a well
 25 -- good job, Ben". But if I'd have disagreed --

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1 SIR JOHN SAUNDERS: (Overspeaking) --
 2 A. -- disobeyed the chief, gone, and something terrible had
 3 happened --
 4 SIR JOHN SAUNDERS: I understand the risks. I'm just trying
 5 to work out what people may think is quite a convoluted
 6 command structure where you're the man in charge but
 7 actually somebody else remote from the scene is actually
 8 giving you instructions.
 9 A. It's unusual. It doesn't normally work like that, sir.
 10 SIR JOHN SAUNDERS: Right, thank you.
 11 MR GREANEY: And you were very unhappy about it?
 12 A. Yes, sir. I still am.
 13 Q. I'm now going to what subsequently happened. As I have
 14 said, I'm going to characterise that as your first
 15 battle with the chief.
 16 At page 21 of your witness statement, paragraph 98,
 17 you describe the agitation of the SRT crews. They
 18 expressed to you that they were trained to deal with an
 19 incident like this and they wanted to know why they
 20 weren't proceeding. I'll quote from your statement:
 21 "We were prevented from attending for some unknown
 22 reason. I confirmed the instruction of the chief that
 23 we were not considered as needed but I expected that
 24 we would proceed soon and with me as the incident
 25 commander."

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1 So at that stage was that your hope, if not
 2 expectation?
 3 A. Yes, sir.
 4 Q. But as you say, in fact that did not materialise because
 5 at 00.25, the assistant chief fire officer, Mr Harris
 6 called you and there was a conversation lasting a sharp
 7 30 seconds. What happened in that conversation?
 8 A. I was surprised to hear from Mr Harris. My
 9 understanding was he was not in work for some personal
 10 reasons. He rang me, so I was surprised to get a phone
 11 message or a phone call from him. The substance of the
 12 conversation was: I've heard you on the radio, Ben,
 13 I know you're only trying to be helpful, but we don't
 14 need anything else from you now.
 15 Q. So effectively, did you feel that you were being
 16 relieved of your command responsibility?
 17 A. Yes, sir.
 18 Q. And was that appropriate?
 19 A. No, sir.
 20 Q. In the result, did Mr Berry and those three
 21 non-specialist appliances get ready to proceed as the
 22 chief had instructed?
 23 A. They were ready to proceed, yes, sir. They were still
 24 there at this point.
 25 Q. But did you discover, via Mr Lawlor, over the radio,

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1 that GMP had declared Operation Plato?
 2 A. Yes, sir. I discovered that they had declared it at
 3 around 22.47.
 4 Q. What difference did that make to the situation to your
 5 mind?
 6 A. Again, I'd previously got the assessment from the
 7 various information sources I had that it was not Plato
 8 and that was: okay, we'll send non—specialist resources
 9 as the chief had requested. Now I'm told it is Plato
 10 and again I'm about to send non—specialist resources to
 11 the scene. So I just called Andy, he was still there
 12 ready with the crews, ready to go, and of course the SRT
 13 team could hear my radio, so they have heard the same
 14 message. So without me having to brief them, they have
 15 started to get ready to deploy, which is absolutely the
 16 right thing to do, and the conversation, "We'll be going
 17 in a minute". And I just told Andy, "Just hang on
 18 a minute", and I rang the command support room to say --
 19 Q. Let's just pause there for a moment. We heard from
 20 Mr Berry that his recollection was that you literally,
 21 I think, put a hand on the bonnet of the vehicle and
 22 said, "You're not going yet".
 23 A. I don't think so. I don't think I -- my visual
 24 recollection is that he was on the road outside
 25 Thompson Street and I was still on the forecourt and it

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1 was a warm evening, he'd have had his windows open, he
 2 would have heard me shout at him.
 3 Q. At all events, to your mind, this new information called
 4 for a reassessment?
 5 A. Yes, sir, a quick reassessment.
 6 Q. And the records show there was a call by you to Group
 7 Manager Nankivell at 00.26, lasting for 30 seconds, and
 8 so it would seem, unless I've misunderstood, that
 9 that is your reaction to what you have been told about
 10 Plato?
 11 A. Yes, sir.
 12 Q. And what happened in that call?
 13 A. My recollection is that I said, "Have you heard the
 14 Plato declaration?" "Yes", "We'll send the SRT teams
 15 then". And my recollection is Dean Nankivell agreed
 16 with that and then he said, "No, send just the three
 17 appliances", so I think he would have been overruled
 18 there. His immediate response to me was: yes, it's the
 19 right thing to do.
 20 Q. But then that was overruled by the chief?
 21 A. That's my understanding.
 22 Q. So in the result, is it the position that those
 23 non—specialist resources deployed to the scene and that
 24 the specialist resources never deployed to the scene?
 25 A. No, they didn't, sir.

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1 Q. We know from Mr Berry, and I don't believe we need to go
 2 over this with you, that there was some confusion over
 3 the precise location at which he should meet up with the
 4 ambulances.
 5 A. Yes, sir.
 6 Q. Did you hear his evidence about that?
 7 A. No, sir, but I have got my own recollection of that
 8 evidence because I sent him to the rendezvous point.
 9 Q. Do you recall that once he had arrived at the scene, he
 10 made contact with you again to say that he had found the
 11 NWS Bronze and co—located with other officers?
 12 A. Yes, sir.
 13 Q. Did he make a particular request of you at that stage?
 14 A. He asked for additional resources, quite soon, after
 15 having arrived. I think his actual phrase was along --
 16 "send everything". That's not something we do and it's
 17 not a phrase we use, but I did have plenty of resources
 18 available to me and actually potentially what he
 19 probably needed was additional command support as well.
 20 He was one station manager at a very significant
 21 incident and he probably needed additional support.
 22 Q. The way in which you describe it in your statement at
 23 paragraph 106 is this:
 24 "Station Manager Berry then asked for the SRT teams
 25 and the available pumps to deploy forward as well."

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1 A. Yes, sir. I think he became -- was made aware there was
 2 zoning in place and that SRT would be responsible to
 3 deploy into those zones.
 4 Q. "However, this request was refused by the CSR despite it
 5 being a request from Station Manager Berry who was
 6 at the scene. Instead, I was told by CSR to mobilise
 7 two further appliances and Group Manager Meakin at
 8 00.46."
 9 And you add this:
 10 "Once again, I was prevented from proceeding with or
 11 mobilising specialist responders to the scene."
 12 A. Yes, sir.
 13 Q. So am I right, I characterised the first as a battle,
 14 there were three occasions upon which you made clear
 15 that you considered that specialist resources should be
 16 deployed to the scene, and on each occasion you were
 17 prevented from achieving that?
 18 A. Specialist resources and me, sir.
 19 Q. You, over the course of the remainder of that night,
 20 continued to do what you could to help, did you not?
 21 A. Yes, sir.
 22 Q. And indeed, in the following days?
 23 A. Yes, sir.
 24 Q. The next morning, the morning of the 23rd, at 05.27, you
 25 had a conversation with Janine Carden, and I know that

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1 this morning you have seen a transcript of that call .
 2 A. Yes, sir .
 3 Q. I'm not going to go through all of it , but I think one
 4 of the things that you have said may capture the way you
 5 felt at the time and the way you feel now, as will be
 6 apparent to anyone watching your evidence.
 7 Effectively , you were being asked whether anything
 8 was going to be put out, and I think — does that mean
 9 put out to the media?
 10 A. No, sir . I don't remember this telephone call, but I've
 11 got the transcript here. Nothing in this call surprises
 12 me. It would be quite unusual for a significant event
 13 to circulate to the senior leaders of the organisation
 14 it would be the Fire Authority or the combined
 15 authority, the deputy mayor. In the sense of North West
 16 Fire Control, they have a board of directors . So this
 17 putting out to the board of directors , that would have
 18 been, I imagine, internal communications of, "Here's an
 19 update of what happened last night", and clearly there's
 20 already lessons to be learned.
 21 Q. I'm certain you'll have noticed the way in which you put
 22 it to her. You said:
 23 "I'm not putting anything out because it's just
 24 embarrassing what we've done."
 25 A. Yes, sir .

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1 Q. Did that capture how you felt at the time?
 2 A. Yes, sir .
 3 Q. I said at the very beginning of my questions — are you
 4 all right , Mr Levy?
 5 A. Yes, sir .
 6 Q. I said at the very beginning of my questions that
 7 I would return to ask you about the role that you have
 8 now within the Fire and Rescue Service. Will you tell
 9 us in a few sentences what your job is now?
 10 A. My role is twofold. I'm leading on Greater Manchester
 11 Fire and Rescue Service's response to the Grenfell Tower
 12 Inquiry, so that's basically focusing on high rises ,
 13 operational preparedness to high rises . I also lead on
 14 behalf of the National Fire Chiefs Council — I
 15 represent the National Fire Chiefs Council at government
 16 level with regard to supporting the government in some
 17 of the recommendations made to the chairman of the
 18 Grenfell Tower Inquiry for them to progress their own
 19 recommendations. The government have groups for that
 20 and I lead on behalf of the Fire and Rescue Service for
 21 that nationally .
 22 Also, I am responsible for some innovation and
 23 special projects . I'm looking at a number of
 24 policies — sorry, projects, large-scale projects as
 25 part of our annual delivery plan. One of them is around

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1 blue light collaboration at strategic level . One is
 2 around our special appliances capability and other areas
 3 of work. So quite varied, the role .
 4 SIR JOHN SAUNDERS: So inquiries are taking up quite a lot
 5 of your time?
 6 A. Yes, sir .
 7 MR GREANEY: And moreover, part of your job, and something
 8 which you have experience of, is learning lessons from
 9 terrible events?
 10 A. Yes, sir .
 11 Q. And I know from what you said to me yesterday that you
 12 do have a view about how what was a failure by the Fire
 13 and Rescue Service that night can be avoided in future.
 14 We didn't discuss the detail of that but what I'll ask
 15 you is this: do you feel comfortable telling us now what
 16 recommendations you have for the chairman to consider or
 17 would you rather go away and put them in writing?
 18 A. May I put them in writing?
 19 SIR JOHN SAUNDERS: It would be much easier for me if you
 20 did, in fact, do that. It'd also be much easier for you
 21 to remember. Maybe people will want to ask you in
 22 general terms about your thinking, but that's up to
 23 them. But for me a considered response rather than —
 24 I'm sure you've considered it, don't get me wrong, but
 25 those sort of details , it's often easier for you to put

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1 them in writing and easier for me to take them fully on
 2 board when I can re-read them and consider the detail.
 3 That does not mean I'm stopping anybody else from asking
 4 about it, but that seems to me to be the most helpful.
 5 MR COOPER: Of course there's nothing I want to submit
 6 contrary to that but I wonder whether an open mind could
 7 be kept as a result of reading any observations the
 8 officer makes, he may be recalled for questioning.
 9 SIR JOHN SAUNDERS: If you are willing to come.
 10 A. Of course, sir .
 11 SIR JOHN SAUNDERS: And if necessary we could do it in
 12 writing in any event for further clarification , but if
 13 need be, we could ask you whether you are willing to
 14 come back to us to deal with that.
 15 A. Of course I'll come back, sir .
 16 MR COOPER: We're very grateful.
 17 MR GREANEY: Thank you, Mr Cooper.
 18 A. Can I verbalise one aspect though, sir?
 19 SIR JOHN SAUNDERS: Yes.
 20 A. I suppose a lot of the conversations have been around
 21 how JESIP fell down, et cetera, and you yourself said,
 22 chairman, throw it out and start again and I think I
 23 said yesterday —
 24 SIR JOHN SAUNDERS: That's not my recommendation. I'm
 25 saying, are people saying it should be thrown out?

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1 A. No, I'm not, sir. I think I tried to verbalise this
 2 yesterday, if we started again we'd come up with the
 3 same principles. The principles are sound.
 4 SIR JOHN SAUNDERS: I don't have a problem with that. What
 5 I have a problem with ---
 6 A. People not following them.
 7 SIR JOHN SAUNDERS: --- is a lack of plan B. Because they
 8 won't always work. We've seen that.
 9 A. Yes.
 10 SIR JOHN SAUNDERS: So, put it down in writing and we'll
 11 obviously consider it very carefully.
 12 A. Yes, sir.
 13 MR GREANEY: In those circumstances, those are my questions
 14 at this stage for Mr Levy. Thank you very much for the
 15 care that you have taken ---
 16 SIR JOHN SAUNDERS: Before you stop there, I suspect that
 17 some of what has been said will be disagreed with by
 18 Mr O'Reilly, and he will be coming later, and that's his
 19 option. No doubt people know from his statements in
 20 general terms where there may be disagreement.
 21 I certainly do not want to adopt an adversarial position
 22 but it may be helpful if at some stage, just in general
 23 terms, if Mr O'Reilly is disagreeing from what has been
 24 said here, that at least that is put to the witness to
 25 get his response.

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1 MR GREANEY: Rather than stopping, shall I aim to do that
 2 after we have a short break, sir?
 3 SIR JOHN SAUNDERS: Absolutely, or you can do it at the end
 4 when we can see whether those things have been covered
 5 or not.
 6 MR GREANEY: That is probably a better idea.
 7 SIR JOHN SAUNDERS: I don't want it done in any great detail
 8 done and I'm not encouraging adversarial advocacy at an
 9 inquiry, but it just does seem to me that when someone
 10 comes along later and says something entirely different
 11 I may be thinking to myself, I would quite like to have
 12 known what the response would have been had it been put
 13 to him.
 14 MR GREANEY: It may be the issue is not in the
 15 decision-making but the reasoning and whether it was
 16 sound. Can I suggest that we have a break so Mr Smith's
 17 questioning isn't interrupted in 10 minutes?
 18 SIR JOHN SAUNDERS: A quarter of an hour's break. Is that
 19 enough for you?
 20 A. Absolutely, sir.
 21 SIR JOHN SAUNDERS: Thank you.
 22 (10.43 am)
 23 (A short break)
 24 (11.02 am)
 25 MR GREANEY: Sir, Mr Smith first of all.

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1 Questions from MR SMITH
 2 MR SMITH: Mr Levy, first of all I would like to ask you
 3 some questions about your general experience, please.
 4 Even bearing in mind the experience of your colleagues,
 5 do you have particular experience in relation to the
 6 issue of multi-agency communications, particularly
 7 in the context of MTFA situations and CBRN responses and
 8 matters of that sort?
 9 A. Sorry, sir, I don't know what you mean by
 10 communications. Do you mean in the broader sense of
 11 command and control or ---
 12 Q. Yes, I do.
 13 A. We have heard a lot about the role of a tactical adviser
 14 as well as a group manager incident commander, as I was
 15 at that time. I've also held a number of other tactical
 16 advisers roles. One of those was --- I was a CBRN
 17 commander, a chemical biological radiological ...
 18 tactical adviser --- it was a national position, role.
 19 I was a command support officer, logistics officer,
 20 a wildfire tactical adviser, water incident manager.
 21 There was a number of additional specialist skills that
 22 I'd picked up and significantly also I was a detection,
 23 identification and monitoring adviser, which is again is
 24 a national role, the DIM capability.
 25 Q. So with all that background, together with the NILO

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1 course itself at the Fire Service College, do you
 2 consider that you were particularly well equipped to
 3 fulfil the role that you did on the night?
 4 A. Yes.
 5 Q. As incident commander in this particular situation?
 6 A. Yes, sir, I had the skills, qualifications and
 7 experience to be incident commander that night.
 8 Q. Is that why, for example, you assumed that when you did
 9 arrive and engage with the incident, you would become
 10 the incident commander on scene?
 11 A. Yes, as part of that reasoning, but that doesn't detract
 12 from the fact that Andy Berry was also capable and
 13 competent, sir.
 14 Q. I think you would be one of the first to say that
 15 Andy Berry, Station Manager Berry, was a particularly
 16 experienced and well-qualified NILO on the night?
 17 A. He had less experience than others, but he had been ---
 18 he had received training, he was on the course and
 19 he had been a NILO for some time.
 20 Q. With that in mind, I would like to turn to the issue
 21 that I want to begin with, and that is your position as
 22 the specific point of contact for GMFRS with North West
 23 Fire Control. That's the issue I want to come to.
 24 Could you help the inquiry, please, with some detail
 25 about the way in which the specific point of contact, at

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1 the time when you were fulfilling that role, engaged
2 with the control room staff at North West Fire Control
3 to provide them, in particular, with support and
4 understanding of what the Fire and Rescue Service wanted
5 from the control room?

6 A. Yes, sir. So single point of contact was made from
7 around — I couldn't tell you the exact month, I think
8 it was around 2015/2016, and I held that role for
9 a number of years. It wasn't a dedicated role with
10 a job title, it was just an additional element of
11 somebody's day job, and it was a line to the person
12 probably most suitable with the experience or the
13 capability and credibility. So as the single point of
14 contact — and it was part of, I believe, the agreement
15 for services with North West Fire Control we would
16 provide such, so I was a single point of contact on
17 behalf of Greater Manchester Fire and Rescue Service and
18 one of the operations managers at North West Fire
19 Control was assigned as in effect my counterpart. That
20 was Janine Carden in that sense.

21 And because of the size and complexity of
22 Greater Manchester Fire and Rescue Service, not the
23 geographical size, the number of calls and the demand
24 from Greater Manchester, she was singularly the single
25 point of contact for Greater Manchester, whereas some of

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1 the operation managers did more than one Fire Service,
2 as I understand.
3 So our day-to-day relationship to make that work, it
4 was focused on, between us, being the gateway between
5 each of the organisations in order to manage the
6 expectations and manage the workloads between the demand
7 on North West Fire Control, for argument's sake, changes
8 to policies, practices, action plans, predetermined
9 attendances, and it was just a positive way of making
10 that relationship work between the two organisations.

11 What we would try to do was limit the contact
12 between the organisations, first point of contact to us,
13 so nothing came out of North West Fire Control — with
14 regard to change or change of practices, nothing came
15 out of North West Fire Control unless it came through
16 the operations managers, and ideally through the point
17 of contact. And nothing went into Control from
18 Greater Manchester Fire and Rescue Service having not
19 gone through the single point of contact, me, first.
20 But what it did allow us to do was to set up other
21 partnerships between the organisations — these are
22 operational-level partnerships.

23 A good example was one of the other ops managers was
24 responsible for training, is my recollection. We set up
25 that ops managers with one of our training managers and

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1 they worked together to support the training
2 arrangements for North West Fire Control.

3 Another example, key to this inquiry, would be the
4 MTA contingency planning element where there was quite
5 a strong partnership between North West Fire Control ops
6 managers and witnesses you've already heard from,
7 Neil Gaskell, Mick Lawlor and John Fletcher.

8 But the day-to-day principal contact at operational
9 level between the two organisations was me. That's not,
10 though, anything to do with mobilising, don't get
11 confused with mobilising to incidents. That was just an
12 emergency response function that carried on. This was
13 about management.

14 Sorry if that was a bit long. I hope it helps.

15 Q. Certainly I hope the chairman finds it helpful.

16 I certainly find it a helpful answer, thank you very
17 much, Mr Levy.

18 But the end result is this, isn't it, that you had
19 formed a very good working relationship with the
20 operations manager, Janine Carden, and did you feel able
21 to contact her at will?

22 A. Not just her, sir.

23 Q. I was going to come to others in a moment.

24 A. Yes, sir.

25 Q. So she was able to be contacted with ease at any time

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1 convenient during normal operations?

2 A. Assuming she was on duty.

3 Q. Yes, assuming she was on duty. And likewise, she could
4 contact you for information and support?

5 A. Yes.

6 Q. Did you also come to know the team leader,
7 Michelle Gregson?

8 A. Yes, I spent many hours at North West Fire Control.

9 I would respond to incidents in support of them but also
10 I was there routinely throughout the week so I knew most
11 of the staff and I knew Michelle Gregson too
12 (overspeaking) —

13 Q. So we should understand that any conversations you had
14 with her at the time we are concerned with were
15 conversations with somebody with whom you had been
16 accustomed to be working?

17 A. Yes, sir.

18 Q. As far as Janine Carden is concerned, was your
19 assessment that she was an experienced and highly
20 capable operations manager?

21 A. I would agree with that, sir.

22 Q. She had sound knowledge, did she not, of the Fire and
23 Rescue Service's mobilising procedures?

24 A. Yes, sir.

25 Q. Including MTFA response?

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1 A. Yes, sir, and I think she was quite closely involved in
2 the assurance visit, which proved that, I believe.
3 Q. That was March of 2016. That assurance visit was one in
4 which, is this correct, she was able to demonstrate to
5 the auditors that the control room had a sound working
6 knowledge of mobilising procedures in the context of
7 an MTFA?
8 A. I believe so, sir, and that doesn't surprise me.
9 Q. As far as Michelle Gregson is concerned, were you
10 satisfied as well from your contact and involvement with
11 her, and no doubt other team leaders, that she was
12 a competent and particularly able team leader employed
13 by the control room?
14 A. As far as I was aware, yes, sir.
15 Q. One of the matters that the chairman has been addressed
16 about from time to time is whether there should be
17 stationed in the control room permanently
18 a representative from the Fire and Rescue Service,
19 whether it's a representative for all four of the Fire
20 and Rescue Services served by the control room or one
21 from one of the Fire and Rescue Services, who acts as
22 a liaison officer for the other three. Have you a view
23 about whether in your experience your position as the
24 specific point of contact and the reverse relationship
25 was sufficient to cement a good working relationship or

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1 whether there would be additional advantages by having
2 a representative from a Fire and Rescue Service in the
3 control room 24 hours a day?
4 A. Well, I can speak from experience. I've been that
5 person, sir. I have attended the fire control room at
6 times of significant event and incident. For example,
7 large-scale flooding, exceptionally busy periods such as
8 Bonfire Night, and other major events and incidents such
9 as the wildfires of Saddleworth Moor in 2018. I have
10 been an officer who's mobilised to North West Fire
11 Control to be an operational tactical adviser, I'll use
12 that phrase. It's just alongside, to support. So
13 I have undertaken a role in there where there has been,
14 for example, wide scale flooding in Cumbria. And
15 although I was a Manchester officer I was then able to
16 support with some dynamic decision-making.
17 SIR JOHN SAUNDERS: So if you know, if anything goes on, an
18 incident goes on for long enough or if it's an incident
19 you know is going to happen, then GMFRS actually see an
20 advantage in having somebody like you with operational
21 experience there?
22 A. Yes.
23 SIR JOHN SAUNDERS: Just following this line, and of course
24 Mr Smith can ask further questions about it, you can't
25 do that when it's a sudden experience that happens?

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1 A. You can, you can travel distance (overspeaking) but it
2 should not be, sir — there's a but coming to my
3 explanation. I have done that role so I've got
4 experience.
5 SIR JOHN SAUNDERS: Okay —
6 A. When it's necessary, it's vital. The rest of the time,
7 most of the time, you will not need that because you've
8 got highly trained control room operators and team
9 leaders and actually their role is the communications
10 and mobilisation of our assets, not command. If we've
11 got an effective command structure it doesn't
12 necessarily have to have somebody at North West Fire
13 Control. The team leaders and the control room
14 operators and the staff can do their job quite
15 effectively without us there save for the most complex
16 incidents.
17 SIR JOHN SAUNDERS: Okay. This was a complex incident.
18 Would it have helped on 22 May if they'd actually had
19 somebody like you actually there in the control room?
20 A. It certainly would not have hindered, sir.
21 SIR JOHN SAUNDERS: Would it have helped? Sorry, "It
22 certainly would not have hindered", for me, is not a
23 great answer.
24 A. Yes, sir.
25 SIR JOHN SAUNDERS: And the question is, I suppose, does it

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1 give sufficient benefit to justify the cost? That may
2 not be a matter for you, really.
3 A. No, I don't think it is. But the cost is irrelevant
4 given the outcome that is required of it. Actually, it
5 may not — it may be something that can be more easily
6 solved by training because, yes, I could go there this
7 afternoon and do that role, but what I'm basing it on is
8 experience and the like, we have to start somewhere with
9 training. We could quite as easily, sir, train North
10 West Fire Control operatives and the team leaders to
11 carry out a similar function, maybe.
12 SIR JOHN SAUNDERS: Thank you.
13 MR SMITH: Of course, before we leave this, another
14 possibility is that in the event of a major incident,
15 a provision could always be introduced whereby
16 a representative from the Fire and Rescue Service for
17 that region should forthwith attend the control room?
18 A. Yes, sir, and I think you well know we've done that,
19 sir. So with recent experiences, the Cube fire in
20 Bolton, the Saddleworth Moor fires in 2018, we put an
21 officer as soon as possible into North West Fire
22 Control, just to support.
23 Q. Can I turn next to the issue of action plans and I'm not
24 intending to spend a great deal of time on this but
25 I would like to take you through them so we can again

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1 follow what I'm going to suggest were three different
 2 categories of plan that potentially, I'm using that word
 3 carefully, arose for consideration in the control room
 4 on the night.
 5 The first one I want to take you to is the explosion
 6 action plan, BG3115, which is {INQ004404/1}.
 7 What we see immediately is, if we need any reminding
 8 of it, that the requirement was to send the TRU, to send
 9 a specific number of pumps, and then we can see the rest
 10 of the requirements of who had to be sent to the
 11 incident.
 12 At the very bottom of that page we can see that this
 13 then current action plan was last updated on
 14 12 February 2016, prior to the attack, by you; is that
 15 correct?
 16 A. BQL is me, yes, sir.
 17 Q. Are you familiar with the way in which the action plan
 18 would appear on the screen for the control room operator
 19 at a time when it's brought up?
 20 A. Reasonably familiar, sir, but only in the sense of I've
 21 spent time in the control room. It's certainly not
 22 something I'm trained on or an authority on, sir.
 23 Q. You may not be able to answer this therefore, but I feel
 24 I must ask you for the sake of completeness.
 25 Is it the case that the control room operator will

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1 see a drop-down menu, if you like, to follow on the
 2 screen, but that that drop-down menu does not include
 3 what we can currently see on our screens, the section
 4 entitled "triggers"?
 5 A. No, sir. Would it help the inquiry if I provide the
 6 background to the actual document we are looking at?
 7 Because I don't think it's been covered elsewhere.
 8 SIR JOHN SAUNDERS: Maybe in a minute, but are you actually
 9 able to answer the question?
 10 A. No, it doesn't look like that, sir, no.
 11 MR SMITH: Even though in the top right-hand corner when
 12 this document was prepared, there's a space for the NWFC
 13 logo, what you're looking at on the screen in the
 14 control room is a series of actions to be taken which
 15 the control room operator is expected to follow?
 16 A. Yes, sir.
 17 Q. You were going to add something?
 18 A. Yes. Only because I don't think it's been covered, sir,
 19 and I think it supports the understanding of those
 20 involved in the inquiry. So the document you are
 21 actually looking at is in effect a Word, a Microsoft
 22 Word document and at the point of transition from local
 23 Fire and Rescue Service controls to a regional control,
 24 these blank documents were provided to the Fire and
 25 Rescue Services to complete. And I think you've heard

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1 from another witness, I think Mr Argyle explained part
 2 of that process. So we'd have gone back many years ago
 3 before, apart from a computer terminal for mobilising,
 4 they were practical, physical cards, where the phrase
 5 comes from, that sat in the control room, and the
 6 control room operator would flip through to get the
 7 right one to remind them.
 8 As we've worked through, and I wasn't involved at
 9 that stage, the implementation at North West Fire
 10 Control, these Word documents were completed locally by
 11 the Fire and Rescue Services as part of their project
 12 and given to North West Fire Control for uploading on to
 13 the system. In effect, the Word document we look at
 14 becomes redundant.
 15 Greater Manchester kept the Word documents as part
 16 of the daily management of the action plans because
 17 I could not change the action plan at North West Fire
 18 Control, the control room operator has to change that.
 19 I would change this Word document how I wanted, discuss
 20 with my single point of contact, and then they would
 21 amend -- make the changes.
 22 What you see on the document here, you see there's
 23 some red text. That is the most recent change. It
 24 matters not why it was changed but that is the text that
 25 I want changing, pass it to the single point of contact

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1 at North West Fire Control, it was updated, and then we
 2 just kept a version of this document.
 3 So the control room operator, it is important to
 4 note, does not see this document. As you say, sir, it's
 5 just simply a drop-down menu, I believe.
 6 MR SMITH: A drop-down menu of actions to be taken by the
 7 operator --
 8 A. In that order, sir.
 9 MR SMITH: In that order --
 10 A. Yes, sir --
 11 MR SMITH: -- from the top, descending down the screen?
 12 A. Yes, sir. So as an operational officer, I would input
 13 into this because it's -- this is not policy, this is
 14 the mobilising element of a standing operating procedure
 15 we've got and it features around predetermined
 16 attendances. I would write that from scratch, give it
 17 to a single point of contact, who would challenge me,
 18 potentially on the order, "It would be better if we
 19 informed the police then", et cetera, because it is
 20 important to the control room operator that it makes
 21 sense to them. I think you have heard another witness
 22 use the phrase, "We would make it North West Fire
 23 Control friendly". As long as the outcome is the same,
 24 how these are written matters not to me, it's for the
 25 control room operator to understand it.

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1 Q. So the question would then arise that when the control
2 room operator is looking at their screen — and we know
3 that the first control room operator is going to be the
4 next witness who's managing this incident, Mr Ellis —
5 that control room operator would not be reading these
6 words:
7 "Cause of explosion could trigger different ITAPs?"
8 A. I don't believe so, no, sir, but that's not my area of
9 expertise.
10 Q. This all goes back to training, doesn't it, within North
11 West Fire Control to have an understanding of which
12 action plans are relevant?
13 A. Yes, sir.
14 Q. So if we move on to the "Bomb — general" action plan,
15 which is the next one I want to ask you about, BG3065,
16 at {INQ004360/1}. The second page of that at the
17 bottom, Mr Lopez, please, and then we'll return to the
18 first page, if we may, but the second first,
19 {INQ004360/2}.
20 It shows that you were responsible for last updating
21 this plan on 8 December 2015; is that correct?
22 A. Yes, sir.
23 Q. But just above that we see a block which includes these
24 words:
25 "Brigade orders. B10, section 8, subsection B.,

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1 bomb alerts. Call prompt 2. Bomb threat. Ops
2 bulletin. Prepared by Mr Hutton re PDA."
3 I don't know whether you can bring all this to mind
4 or not but is the situation that those documents relate
5 to threats made over the telephone, either to North West
6 Fire Control or reported to Control by the police, so
7 therefore from the public or the police, and brigade
8 orders, which are referred to there, are related to bomb
9 alerts as well?
10 A. Yes, sir. If I can answer in two parts, if I may. That
11 box we are looking at, and I suppose we could have
12 removed that from this Word document many years ago,
13 that was the development and the approval for the
14 project which was to implement North West Fire Control,
15 the background to why the action plan says what it says.
16 After that, that box is in effect redundant for the
17 existence of this card.
18 With regard to the background to bombs and I
19 suppose, if it assists the chairman and those interested
20 in it, in my mind, and it is my mind, the threat around
21 a bomb has changed. If we go back to 1996, we suffered
22 a bomb in Greater Manchester. That was the concept of
23 bomb at the time. Somebody would ring up and say,
24 "There is a bomb", or, "there is a bomb on the bus", or
25 something or, "I have found something in my garden, I've

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1 been digging and I found a military shell in my garden".
2 That is a bomb. Nothing has happened but clearly it
3 would be remiss of us then at that point not to respond
4 in some manner prior to it detonating, for want of
5 a better phrase.
6 The threat has changed through the 2000s, I suppose.
7 We started getting this phrase dirty bomb, it changed
8 the concept of bomb. And as our experience has
9 developed, I suppose not all colleagues as they join us
10 have that background and that knowledge. So suddenly
11 we are now presented with a bomb, which could mean
12 a number of things. Bombs can be associated with
13 a marauding terrorist firearms attack and you have heard
14 other witnesses talk about battle rhythms and whatever
15 other phraseology they want to use, but bomb 20 years
16 ago, I think — or even explosion — had different
17 connotations 20 years ago than what it does now, sadly.
18 So there is some background there around bomb alert
19 and bomb threat, but this card, although it may be
20 challenged now, is not as clear as it could be,
21 certainly in my mind, related to an event that had not
22 yet happened.
23 SIR JOHN SAUNDERS: It's an unexploded bomb?
24 A. But it doesn't say that, sir. That would be the
25 understanding and —

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1 SIR JOHN SAUNDERS: That's what you're saying it relates to?
2 A. That's my understanding. I appreciate it might not be
3 clear.
4 MR SMITH: Well, there's something the chairman may find
5 helpful that I want to come to now. Before we leave
6 this, if Mr Lopez could in a moment but the sequence of
7 communications up, I will explain why this may be
8 helpful. But for the time being, if we could just move
9 from {INQ004360/2} to {INQ004360/1}, please, and just
10 remind ourselves that the "Bomb — general" action plan
11 required North West Fire Control to inform the duty
12 NILO, request guidance on actions to be carried out
13 before proceeding further; and then the words
14 "pre-mobilisation" have been added by way of an
15 amendment; is that correct?
16 A. Yes, sir. I think, if I recall, the reason for that
17 phraseology within these actions was not visible here
18 and a control room operator would provide a better
19 explanation of this — where it says "inform action",
20 when they are put by Control on to the mobilising
21 system, each of those lines has got a type of action.
22 They've got "inform action", "mobilise" or something,
23 I can't remember the categories. So I believe that's
24 one of the categories, pre-mobilisation.
25 Q. Again you would expect this to be working by way of a

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1 drop-down menu, do you agree?
 2 A. I think so.
 3 Q. Without the block that we've been looking at about
 4 brigade orders?
 5 A. Yes, sir. I couldn't categorically say that but that's
 6 my understanding.
 7 Q. What I would like to take you to at {INQ041473/5} is
 8 a call from North West Ambulance Service into North West
 9 Fire Control at 22.38.50.
 10 Because that is the time -- in due course the
 11 chairman is going to see the material that is in the
 12 right-hand column and what happened was Mr Lawlor, your
 13 colleague, prepared a timeline, which is referenced
 14 there. That timeline records Mr Lawlor, having listened
 15 to the audio and identified some background
 16 conversation, that timeline, prepared by Mr Lawlor,
 17 records these words at 22.38.47:
 18 "Bomb is for a bomb threat."
 19 If that was heard in the background, emanating from
 20 the control room, does that indicate to you that whoever
 21 was speaking correctly interpreted the "Bomb -- general"
 22 action plan as being relevant to a bomb threat?
 23 A. I suggest they interpreted the same way I did, yes.
 24 Q. So rather than the control room operator saying, "Well,
 25 'Bomb -- general' means exploded bomb", if that is

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1 correct, this is a conversation which relates to
 2 a discussion concerning interpretation of the action
 3 plan and it corresponds with your understanding of the
 4 requirements of that action plan, doesn't it?
 5 A. Yes, sir.
 6 Q. Before we leave that, for the sake of completeness,
 7 you'll see -- and I'm going to come on to this next:
 8 "Not going to mobilise anyone, we'll go to the
 9 NILO."
 10 That's the second part of that area on the
 11 right-hand column.
 12 The third action plan category that I want to come
 13 to is Operation Plato. If Mr Lopez could put on the
 14 screen, please, {INQ004424/1}. This is the standby
 15 phase, as it was known at that time, and if we look at
 16 the second page, please, {INQ004424/2}, we can see, can
 17 we not, that on 21 December 2015, you were involved with
 18 Janine Carden following a meeting with Group Manager
 19 Fletcher in the then amendments to the
 20 "Operation Plato -- standby" action plan; is that
 21 correct?
 22 A. Looks that way, sir, yes.
 23 Q. So the position was that North West Fire Control, is
 24 this correct, was drawn in or invited in to the
 25 discussions at the Fire and Rescue Service over the way

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1 in which that plan then required to be amended and
 2 presented and used?
 3 A. Yes, it matters not. It most likely took place at North
 4 West Fire Control because that's easier, but yeah, and
 5 I think there's a clarity that may be required for
 6 all -- although these action plans, cards, however they
 7 are termed, exist at North West Fire Control, they are
 8 on the Fire and Rescue Services' behalf and they belong
 9 to us in the sense of they are our instructions for
 10 North West Fire Control.
 11 SIR JOHN SAUNDERS: I think we do understand that.
 12 Thank you.
 13 MR SMITH: Turning finally then to {INQ004424/1}, the
 14 initial two actions are:
 15 "If call not received from NILO, inform the duty
 16 NILO. Obtain address and seek advice. Inform the duty
 17 group manager."
 18 Am I right, Mr Levy, that this makes it very clear
 19 to the control room that in the event of a firearms
 20 incident, and I'm using that term because I've lifted it
 21 from some of the material that Mr Gaskell had prepared,
 22 in the event of a firearms incident, an MTF, the fire
 23 control room must not mobilise before first speaking to
 24 the duty NILO?
 25 A. That's the instruction, sir, yes.

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1 Q. And that's the instruction they would be required to
 2 abide by?
 3 A. For MTF, sir.
 4 SIR JOHN SAUNDERS: So let me fully understand what the
 5 heading means, "Operation Plato standby phase". Does
 6 that mean Operation Plato has been declared?
 7 A. Potentially, sir.
 8 SIR JOHN SAUNDERS: No, has it been declared? Sorry.
 9 A. Yes, or it could also potentially mean -- there's
 10 reference in JESIP about any agency could draw attention
 11 to an emerging event that may become a Plato. So if
 12 North West Fire Control were aware of that, I would not
 13 be surprised if they stood up the standby phase in case
 14 it is subsequently declared by police to be a definite
 15 Operation Plato.
 16 SIR JOHN SAUNDERS: If I'm reading that, I think: Operation
 17 Plato's been declared but we are standing by at the
 18 moment, we are not actually mobilising.
 19 A. Yes, it could mean that.
 20 SIR JOHN SAUNDERS: Which does it mean or does it mean
 21 either? You can't have a card, can you, which mean one
 22 of two things, or can you?
 23 A. I think you possibly could, sir. If Greater Manchester
 24 Police have declared Operation Plato, the first card
 25 that's opened is this, and they all follow one after the

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1 other.

2 SIR JOHN SAUNDERS: I understand that (overspeaking) and

3 that's what I would understand, too: Operation Plato has

4 been declared but don't go in yet, stand by.

5 A. Yes, because that might be all you've got. On the case

6 of — if one of the agencies is reporting an incident

7 that could be perceived as a developing event that may

8 subsequently be declared as an Operation Plato, I would

9 not be surprised if an experienced control room operator

10 used initiative and opened this card. And the first

11 action is: check with the NILO.

12 MR SMITH: Can I develop that, please, sir, just for

13 clarity, if I may?

14 SIR JOHN SAUNDERS: Absolutely.

15 MR SMITH: Because the next action plan that would follow,

16 there being three for Operation Plato, would be the

17 implementation phase action plan; is that correct?

18 A. Yes, sir.

19 Q. The first part of which requires North West Fire Control

20 to have ensured that all of the actions set out on the

21 standby phase plan have been complied with?

22 A. Yes, sir.

23 Q. Going back to the chairman's question, if you have

24 a situation in which a firearms incident has been

25 reported but the control room has not been told that

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1 Operation Plato has been declared, and no agency

2 understands or has communicated that fact, is it your

3 view that the control room should be looking at this

4 action plan as a potential plan so that they are on

5 standby for the possibility that Plato may eventuate and

6 may be declared?

7 A. Yes, sir, and I think that's probably concurs with what

8 I just said: I wouldn't be surprised if an experienced

9 control room operator listening on (sic) the information

10 they are receiving opened this card.

11 SIR JOHN SAUNDERS: So the triggers are put down, which

12 presumably are meant to mean something, so to trigger

13 the use of this card is information received from NILO,

14 GMP, NWAS, of an ongoing firearms incident? Is that

15 what triggers it or do other things trigger it as well?

16 Or is it triggered by someone saying: well, there may be

17 at some stage in the future?

18 A. If I talk about 22 May, I think there was terminology

19 somewhere passed to North West Fire Control, and I've

20 learned that having listened to the inquiry around

21 gunshots (overspeaking) —

22 SIR JOHN SAUNDERS: There was information at some stage of

23 gunshots, which was fairly rapidly said not to be

24 gunshots. I hope that's an accurate assessment.

25 A. Yes. But —

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1 SIR JOHN SAUNDERS: I mean, we are not — we are talking

2 about in general terms now. So is that right, what is

3 said about the triggers, or are there other triggers as

4 well?

5 A. I'll have to be honest, sir, I don't know where the

6 trigger element of that card sits within the North West

7 Fire Control training or within the system. It's

8 probably best to ask somebody else, the other witnesses,

9 if I'm honest.

10 SIR JOHN SAUNDERS: Okay, thank you.

11 MR SMITH: Just to assist the chairman, in due course, when

12 more senior staff from North West Fire Control are

13 giving evidence, we can be reminded of Mr Gaskell's

14 training that a firearms incident was specifically

15 defined by him as the trigger for an MTFA incident and

16 an approach by North West Fire Control to an unfolding

17 Operation Plato or developing Operation Plato. So what

18 I'm coming to is really quite simple, I hope. That is

19 that this action plan is designed to inform the control

20 room that once you receive information that there's

21 a firearms incident, you are effectively on standby for

22 a potential or possible Operation Plato if it has not

23 yet been declared.

24 A. Sorry, sir, it's not as simple as that. When we say

25 firearms — and you'll understand why. North West Fire

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1 Control may get informed of firearms incidents quite

2 regularly, ARVs are attending or it comes through the

3 NILO, and then we discuss hazard zones to keep our fire

4 engines away, it is nothing to do with us, there's no

5 need for a Fire and Rescue Service attendance. But there

6 must be — there are other elements beyond it just being

7 a firearms incident and would initiate MTFA

8 considerations, I believe.

9 Q. I'm going to move away, I hope, and I imagine people

10 will be grateful perhaps, from the action plans now and

11 just ask you to consider the next point which relates to

12 the information coming into the control room that night.

13 It's important that I make clear, Mr Levy, that

14 there is a distinction between the initial information,

15 which did not include reference to an active shooter,

16 and the fact that that information came several minutes

17 later into the control room and at 22.40.

18 When Station Manager Berry was telephoned by North

19 West Fire Control, North West Fire Control had not at

20 that point been informed of the presence of an

21 active shooter.

22 So if we go to the information provided at 22.40,

23 please, at {INQ041473/5}, and we look at the information

24 that was supplied to Mr Berry, you'll see immediately my

25 point, that there is no reference there to a shooting

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1 incident.

2 A. I see -- should I be looking at page 6?

3 Q. It starts at {INQ041473/5} and goes over on to

4 {INQ041473/6}. You are quite right, Mr Levy,

5 {INQ041473/6}.

6 The information relating to an active shooter was to

7 arise subsequently, first of all from North West

8 Ambulance Service. So if we take that information out

9 of these underlying facts for the purposes of what

10 I want to ask you.

11 A. Sorry, sir, can I briefly look at page 5 again? Is that

12 okay?

13 SIR JOHN SAUNDERS: Of course.

14 A. Okay, fine. I am happy to go back to page 6.

15 Thank you.

16 MR SMITH: Do you agree, Mr Levy, that on the basis of that

17 information, North West Fire Control's team leaders were

18 reasonably entitled to conclude that this could be

19 a developing terrorist incident?

20 A. We get many explosions, simply, you know, a can of

21 hairspray on a hot radiator can cause an explosion in

22 a house, we don't know what the cause is, it's just the

23 mobilisation to it. There's something here that has

24 triggered the control room staff, the team leader, to

25 think this is something unusual. Not being there with

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1 her at the time -- there's some cues there

2 (overspeaking) --

3 SIR JOHN SAUNDERS: I'm really sorry to stop you. I think

4 the question is limited. The question is limited on

5 this information, and you're not looking at anything

6 else -- could you repeat what the question was?

7 A. (Overspeaking).

8 MR SMITH: Yes, I will, sir.

9 A. Sorry, sir.

10 MR SMITH: On the basis of this information, do you agree

11 that a team leader in the control room, having received

12 this information, was reasonably entitled to conclude

13 that this may indicate a developing terrorist incident?

14 A. Yes, sir. Sorry.

15 Q. And of course, part of that information was that this

16 was a public area with a large number of casualties

17 already?

18 A. Yes, sir.

19 Q. And the potential would exist, this is the point that

20 I think you were seeking to make, that I will come to

21 now, the potential would exist in the mind of any

22 reasonable control room team leader, of secondary

23 devices; do you agree?

24 A. Yes, sir.

25 Q. Developing attacks of a secondary nature of whatever

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1 form? And do you agree that the control room would then

2 reasonably be entitled to conclude that one of the

3 things they have to bear in mind is the safety of fire

4 crews deployed to any incident who are non-specialist,

5 with non-specialist appliances, who may be going into

6 a situation where there is going to be a secondary

7 explosion or something of that nature?

8 A. Yes, sir.

9 Q. That's all perfectly reasonable, isn't it?

10 A. Absolutely reasonable, sir.

11 SIR JOHN SAUNDERS: I'm not saying for a moment that that's

12 not perfectly sensible and perfectly right. Which

13 action card then applies on that information?

14 A. Explosion.

15 MR SMITH: That's the point. The way these action plans

16 have been prepared, we are looking at the only possible

17 interpretation on their face being the explosion action

18 plan. So straightaway, do you agree, the Fire and

19 Rescue Service have put the control room in a real

20 dilemma?

21 A. I wouldn't call it a dilemma, sir. That's why we train,

22 otherwise anybody could do that job. They are

23 experienced professionals and as --

24 SIR JOHN SAUNDERS: Sorry, I think you're going to need to

25 address the point, if you don't mind, directly. Your

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1 instructions are to them: if it's an explosion, you

2 follow the explosion card. Now, you don't say, "If it's

3 an explosion, you might follow the explosion card, think

4 about it, but if you think there's other things, don't",

5 do you? You say, "Follow the explosion card".

6 A. Yes.

7 SIR JOHN SAUNDERS: So what are they meant to do? You put

8 them in a dilemma. You have given them an explosion

9 card which common sense says might not be the right

10 response.

11 A. Yes, and I think you've heard this from another witness,

12 that at the same time, also I would expect them to apply

13 some initiative and say this is not -- this is an

14 unusual event, a significant event, we've got an

15 explosion action card and I'll seek some advice. So

16 people ring the Fire Service for some various requests

17 to seek the advice of an officer. Potentially, get this

18 explosion plan ready and if they called the NILO before

19 they went, as they'd done, to say, "Just to let you know

20 before we do this, are you okay with this?", Andy Berry,

21 whatever, I think it's perfectly reasonable. I don't

22 think there is a dilemma, sir.

23 SIR JOHN SAUNDERS: What they actually say is, "We've

24 obviously not deployed people", which is what the

25 explosion card says, rather than saying, "Should we

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1 follow the explosion card?"
 2 A. Yes.
 3 SIR JOHN SAUNDERS: Sorry to take over, Mr Smith.
 4 MR SMITH: Not at all.
 5 A. Is that what the action card says? Remind me. Does it
 6 say not to mobilise? It doesn't say that.
 7 MR SMITH: No, the explosion action card ---
 8 A. Says mobilise ---
 9 Q. --- mobilise --- effectively mobilise to the incident ---
 10 A. Yes, sir.
 11 Q. --- a specific number of standard pumps?
 12 A. Yes, sir. I don't know why it's, "We're obviously not
 13 mobilising".
 14 Q. So we've got a situation in which Mr Berry is being
 15 told --- and he is being told in clear terms, as you can
 16 see on {INQ041473/6} --- by Michelle Gregson, the team
 17 leader, just at the bottom of that first quote from her.
 18 She's asking Mr Berry to get in touch with the FDO
 19 because they're already on the phone to GMP, the control
 20 rooms are speaking to each other:
 21 "I've just phoned you while we're still on to the
 22 police. Would it be all right for you to get in touch
 23 with them? Obviously we're not mobilising at the
 24 moment. So can you just speak to them and we'll hang
 25 fire?"

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1 We know, if Mr Lawlor is right, that the control
 2 room has rejected the "Bomb --- general" plan, which is
 3 to contact the duty NILO. Mr Ellis, the control room
 4 operator, has already selected an incident type,
 5 "Explosion, EP01". And the action plan for explosion
 6 has been added to the incident log automatically by the
 7 system. So they are aware in the control room of which
 8 is the relevant plan for an explosion. So what has
 9 happened is that the team leaders in the control room
 10 have said to themselves and perhaps to others, "We are
 11 not going to mobilise on this information, we're going
 12 to contact the duty NILO and we're going to seek advice
 13 before we mobilise".
 14 In that situation, do you agree the duty NILO could
 15 have said, "Hang on a minute, you should be mobilising,
 16 follow the explosion action plan and get those pumps
 17 down to the scene"? That's one possibility, isn't it?
 18 A. Yes, absolutely.
 19 Q. And if that had happened, you would have expected North
 20 West Fire Control to have mobilised to the incident,
 21 wouldn't you?
 22 A. Yes, sir.
 23 Q. But instead, what happened is that North West Fire
 24 Control decided, before mobilising in accordance with
 25 the action plan, that they would seek advice from the

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1 duty NILO. My question to you, after this long debate
 2 about this, and these questions, my simple question to
 3 you is: do you agree that that was a reasonable and
 4 appropriate response by the control room, and I'll spell
 5 it out, that before mobilising in accordance with the
 6 explosion action plan, given the facts presented to
 7 them, they should first seek advice from the duty NILO?
 8 A. I think I can understand why they did it, sir, yes.
 9 SIR JOHN SAUNDERS: Do you mind if I just...
 10 MR SMITH: I don't, not at all.
 11 SIR JOHN SAUNDERS: Actually what they say is, if we look at
 12 it:
 13 "Obviously we are not mobilising at the moment, so
 14 can you just speak to them and we'll hang fire."
 15 Is not what's your advice but we have decided not to
 16 mobilise?
 17 A. I've got a bit more of an issue with that, sir.
 18 SIR JOHN SAUNDERS: You have what?
 19 A. I've got a bit more of an issue with that, sir.
 20 SIR JOHN SAUNDERS: I thought you might have, so I thought
 21 we'd get it from the witness, Mr Smith.
 22 MR SMITH: Indeed, sir.
 23 Would you like to spell out the issue?
 24 A. Oh, sorry. It's easy when you see it written down and
 25 it's not a quick telephone call at night. You know,

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1 forensically (?), if you are going though that, I would
 2 have to ask: why are we not mobilising, what is it that
 3 has stopped us mobilising to an explosion? I think the
 4 answer is, I think, forgive me, I think the answer is
 5 some reference to gunshots or something else. Because
 6 why would we not go to an explosion? That is why I
 7 would have to ask, "Why are we not mobilising?"
 8 The other point is why can't we mobilise to the
 9 rendezvous point? We've got a rendezvous point there of
 10 the cathedral.
 11 Q. They have.
 12 A. Why can't we mobilise to that? So for some reason, and
 13 he's answered --- Andy Berry went with that, but he could
 14 have quite easily said, "Okay, I'll get on to the force
 15 duty officer because that's my job, you mobilise pumps
 16 to the rendezvous point", and the incident commander or
 17 the appliance commander, Mr Simister, whoever it might
 18 be, would have arrived there and got our joint
 19 situational awareness from the outset.
 20 SIR JOHN SAUNDERS: Mr Smith, can I try and indicate that by
 21 asking the questions I'm asking I'm not in any way
 22 indicating a formed criticism of NWFC ---
 23 MR SMITH: Sir, I don't detect anything like that.
 24 SIR JOHN SAUNDERS: I am just trying to see what may have
 25 gone wrong in all this.

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1 MR SMITH: Of course, and that's the object of the exercise.
 2 SIR JOHN SAUNDERS: Absolutely, yes.
 3 Thank you for that.
 4 MR SMITH: So I don't think you've quite, if I may say so,
 5 dealt with my question. You've said you can understand
 6 why a control room operator would have done what she
 7 did — a team leader, but you haven't answered my
 8 question as to whether in your judgement, as an
 9 experienced NILO, given these circumstances, it was
 10 reasonable for the control room team leader to ring
 11 Mr Berry, the duty NILO, and seek his advice before
 12 taking any step, which I would suggest might have
 13 exposed fire crews to the risk of fatality .
 14 A. It's reasonable, sir .
 15 Q. Then of course, the next step is this, isn't it, that
 16 once this was put to Mr Berry in that form, it then
 17 became a matter for the Fire and Rescue Service to
 18 instruct North West Fire Control in what action they
 19 were then required to take?
 20 A. Yes, sir .
 21 Q. And knowing them as you did, you would have expected
 22 that they would have obeyed their instructions, wouldn't
 23 you, whatever they were?
 24 A. In normal circumstances, yes, sir .
 25 Q. So what happened next was that the pumps were deployed

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1 to G18, Philips Park, they were selected from the
 2 resources available, and the specialist crews were also
 3 deployed and mobilised in due course to Philips Park to
 4 effectively, if I may put it this way, await your
 5 arrival ?
 6 A. That's how it transpired, sir, yes.
 7 Q. That's how it transpired?
 8 A. Yes.
 9 Q. What I would like to come to next — and as shortly as
 10 I can, please — I would like to tidy up, if I can use
 11 that expression, one aspect of the communications which
 12 involved you.
 13 If we look at {INQ041473/40}, and go to the call
 14 with you at 23.12, we have listed out in the right-hand
 15 column the information that was on the incident log 9074
 16 at the time of that call which was not conveyed to you
 17 during that conversation.
 18 A. Yes, sir .
 19 Q. You agree, don't you, that that would have been
 20 considered to be important by you, that information, and
 21 would have informed your approach to the way in which
 22 the Fire Service should mobilise or respond to the
 23 incident?
 24 A. Yes, sir . I could have challenged the approach so far.
 25 Q. Would you also have wanted, in addition to that

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1 information still, whatever the force duty officer had
 2 to offer in terms of information before you could be
 3 satisfied that you had everything you needed to make
 4 decisions in relation to deployment?
 5 SIR JOHN SAUNDERS: Does all the information appear on this
 6 one sheet? Because he is just looking at
 7 {INQ041473/40}. Does it go over the page?
 8 A. I've got the general... No, I should be able to still
 9 mobilise to a rendezvous point. Rendezvous points
 10 should be a safe area where I can mobilise any resources
 11 to.
 12 MR SMITH: So if you had been given that information at that
 13 point, we have to remember that Station Manager Berry
 14 was the duty NILO, you were just being notified and
 15 mobilised, would you have intervened in any way,
 16 contacted anybody or taken any other step if you'd had
 17 that information or would you have asked more questions
 18 of North West Fire Control?
 19 A. If I knew what I know now, this is three-quarters of
 20 an hour nearly later, Mr Berry's already aware,
 21 I probably would have actually said, "Let me just see
 22 what he's got from the force duty officer", and if he'd
 23 have then said, "I've not got through to them yet", it
 24 would have been confirmed, "Go to the rendezvous point",
 25 unless there was another reason not to go. I think I've

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1 got everything I need there. That's all I need.
 2 Q. At that point?
 3 A. At that point, sir .
 4 Q. Moving on from there, therefore, I want to come to your
 5 arrival at Philips Park, please, and just some questions
 6 which I think would be helpful to you and generally
 7 fair, if I may say so.
 8 If we go and ask Mr Lopez to take us to
 9 {INQ041473/57} and pick up the call at 23.46. And then
 10 over the page to {INQ041473/58}, please.
 11 At that time you had arrived at Philips Park at
 12 23.36.01. This call, therefore, is effectively
 13 10 minutes after your arrival. In the meantime, you've
 14 been asked questions about the fire crews and whatever
 15 information you had, and Mr Mottram was already at
 16 Philips Park when you arrived.
 17 A. I believe so, sir .
 18 Q. Yes. Now, if we go to {INQ041473/64}, please, at 23.52,
 19 this is the call Mr Greaney asked you about, North West
 20 Fire Control call you and they say they're just waiting
 21 for this response in relation to the forward control
 22 point.
 23 Then comes the information that ambulance had just
 24 advised that a lot of their appliances are rendezvousing
 25 at Thompson Street Fire Station:

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1 "Do you want me to tell them where you are or do
2 they need to stay there just because of the location?"
3 And then there's this answer from you in which you
4 agreed with Mr Greaney there was an element of surprise
5 in your response:
6 "Thompson Street, what, by our fire station?"
7 Does that help you in any way in understanding or
8 recalling whether you did have the full extent of the
9 information from the fire crews that you'd been asked
10 about on arrival at Philips Park, or whether in fact
11 this comes at that stage as a real surprise to you?
12 A. Yes, I think I tried to explain before, the surprise
13 there is, "North West Ambulance Service using our
14 fire station as a rendezvous point", is not the same as,
15 "Ambulances have arrived on the forecourt at
16 Manchester Central Fire Station as we left the
17 fire station". There's something more significant here.
18 That seemed to be confirmation from Nwas that they've
19 declared our fire station as some form of rendezvous
20 point and I'm surprised they've not told me that.
21 Q. Indeed. Is that information, the information that
22 triggered your next actions which were with a view to
23 moving forward as soon as possible, treating this as
24 a possible, and I'm using that term advisedly, possible
25 forward control point to co-locate with the

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1 Ambulance Service?
2 A. Yes, sir, and it doesn't matter what we call it, it
3 was: let's go and find somebody who might know what's
4 going on because nobody's spoken to us yet.
5 Q. So Janine Carden spoke to you then at 23.59, and we see
6 that at the bottom of {INQ041473/64}, she had just
7 spoken to Group Manager Fletcher by mobile phone.
8 A. Okay.
9 Q. There's just one entry that we haven't yet picked up on.
10 If we go to {INQ041473/66} and look at the incident log
11 entry for 00.02.49, Janine Carden entered on to the
12 incident log this information:
13 "Following liaison with Chief Fire Officer O'Reilly
14 and in the absence of forward control point being
15 declared by GMP, crews have moved forward to G16
16 Thompson Street to co-locate with ambulance standby."
17 That entry goes on to the log, I would suggest, as
18 a result of her telephone conversation with you.
19 A. Yes and I think I said before that I didn't recollect
20 what that telephone call was but it makes perfect sense
21 now and I think you've helped me clarify probably what
22 that call was.
23 Q. We will pull all this together.
24 A. Thank you.
25 Q. It looks, doesn't it, therefore that 10 minutes after

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1 you arrive at Philips Park, you are taking steps to
2 communicate and understand the situation in relation to
3 a forward control point? You then receive the
4 information that the Ambulance Service are to rendezvous
5 at G16. You then initiate contact with the command
6 support room and you also discuss with Janine Carden in
7 North West Fire Control your thinking that it's time to
8 move down to G16 as soon as possible?
9 A. The reason to have that conversation was I have spoken
10 to the chief and not with North West Fire Control, they
11 don't know we are moving until I tell them. Why I rang
12 Janine and not got on the radio, I can't recall.
13 I think I may have changed my radio channel at that
14 point to one of the other Talk Groups.
15 Q. So effectively does it come to this, and I just conclude
16 this issue now, that -- do you consider that you acted
17 as promptly as you could following your arrival at
18 Philips Park, putting aside the Fire and Rescue Service
19 generally, your actions, to move those crews forward
20 from G18 at the earliest opportunity to somewhere where
21 you could co-locate with the other agencies?
22 A. I think you're being overly lenient on me. I think
23 there was enough information to have maybe made
24 a quicker decision, a more assertive decision. I think
25 we highlighted some missed opportunities to gather

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1 information from firefighters before then, but based on
2 the situation as it developed that, was probably the
3 first point I could do that.
4 MR SMITH: Thank you, Mr Levy.
5 SIR JOHN SAUNDERS: Thank you.
6 MR GREANEY: I'm going to call on Mr Horwell now to ask his
7 questions, please.
8 Questions from MR HORWELL
9 MR HORWELL: Mr Levy, two issues about which you have given
10 evidence this morning. You have said that in relation
11 to the evidence of Mr Mottram and Mrs Mottram that your
12 initial response would have been, "Get her to ask for us
13 to attend the scene". I just want to examine that and
14 to make sure that there is clear understanding as to
15 what words mean.
16 If NWFC received a call from the Ambulance Service
17 which is to this effect, "Can we request your
18 assistance?", "Yes. Where to, please?", and NWFC are
19 told the MEN Arena. That is a request for attendance
20 at the MEN Arena, is it not?
21 A. Yes, sir.
22 Q. That request for attendance was made at 22.37.
23 A. Yes, sir.
24 Q. You've been asked about the call from NWFC to you at
25 23.52, when you are told that the ambulances are

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1 rendezvousing at Thompson Street. I'm going to show you
 2 the transcript. I'm sure you remember the call very
 3 well, Mr Levy, but I want to start, please, with a call
 4 that immediately preceded it. It's not a call in which
 5 you were involved but it's the call that is relevant to
 6 the information that you were given at 23.52.
 7 If we can look at that preliminary call first,
 8 please. It's {INQ001158/1}.
 9 This is the NWFC controller, Rochelle Fallon,
 10 telephoning NWAS, asking for:
 11 "... a forward control point where fire can
 12 co-locate with yourselves and police."
 13 There's a discussion as to a control point. Then
 14 just below the middle of the page:
 15 "A lot of our vehicles are going to Thompson Street
 16 Fire Station."
 17 "Oh are they, right?"
 18 "Yes."
 19 Then the NWFC controller says this:
 20 "Okay then. I'll update our GM, right."
 21 Then this:
 22 "So have you got ambulances on scene?"
 23 And the NWAS controller says:
 24 "We've got everybody there."
 25 Just pausing there, Mr Levy, that was highly

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1 significant information, do you agree, that NWAS had got
 2 everybody at the scene?
 3 A. Yes, sir, highly significant.
 4 Q. So that is what Rochelle Fallon was told at 23.50. Then
 5 we go almost immediately afterwards to her call to you.
 6 That's {INQ001233/1}. This is the call about which
 7 you've been asked many questions. I am sure you're
 8 familiar with it. It's 1 minute after the call that
 9 we have just looked at and you are told that
 10 Rochelle Fallon is just waiting for a response back from
 11 the police regarding that forward control point. Then
 12 she says this:
 13 "But I rang ambulance to see if they knew what it
 14 was. They didn't either, but they have just advised
 15 that a lot of their appliances are rendezvousing at
 16 Thompson Street. Do you want me to tell them where
 17 you are?"
 18 Then you said:
 19 "Right, okay, wait out with that."
 20 And Mr Levy, I'm simply asking you what you meant by
 21 that:
 22 "Wait out with that."
 23 A. Wait out, sir, is a common phraseology in radio
 24 communications, albeit I'm on a telephone, to basically
 25 say I'll come back with a decision so that was where

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1 (inaudible: distorted) does that make sense, sir?
 2 Q. Yes, it does and it's an incidental piece of evidence to
 3 the point that I am now going to come to. So 1 minute
 4 after that call from Rochelle Fallon to NWAS she is
 5 reporting to you that ambulances are rendezvousing at
 6 Thompson Street. What she is not telling you in that
 7 call is that:
 8 "Ambulance have got everybody at the scene."
 9 A. Agreed, sir.
 10 Q. And that is a significant omission?
 11 A. It's an omission, sir, significant.
 12 Q. Please understand me, I'm not seeking to criticise
 13 Rochelle Fallon. People have to be trained and have to
 14 appreciate the importance of situational awareness and
 15 that is plainly information that she should have passed
 16 to you.
 17 A. Sorry, if that's a question, yes, sir, yes.
 18 Q. Thank you.
 19 SIR JOHN SAUNDERS: Do you mind if I pursue that for
 20 a moment?
 21 MR HORWELL: Of course, sir.
 22 SIR JOHN SAUNDERS: You do know about the training, don't
 23 you, that they had at NWFC?
 24 A. Not in detail, sir, it's not my role to train them.
 25 North West Fire Control train their own staff with the

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1 support of the Fire and Rescue Services.
 2 SIR JOHN SAUNDERS: So you wouldn't know whether the fact,
 3 the need to pass on that information is something she
 4 should have known because actually what she's doing is
 5 responding to your request to know what the forward
 6 control point is and she's giving incidental information
 7 as it were, while --
 8 Q. Yes.
 9 SIR JOHN SAUNDERS: -- (overspeaking) there.
 10 A. Yes. I don't know if that's training --
 11 SIR JOHN SAUNDERS: You can't say whether that's training --
 12 A. -- or an individual matter, sir, or stress. I don't
 13 know why.
 14 SIR JOHN SAUNDERS: Thank you.
 15 A. I wouldn't get into that level of detail with the role
 16 of a control room operator.
 17 SIR JOHN SAUNDERS: Right, thank you.
 18 Thank you, Mr Horwell.
 19 MR HORWELL: Thank you.
 20 A short point, Mr Levy. You've been asked to
 21 comment on a number of occasions on what it is that
 22 other NILOs did and, in particular, what Mr Berry did.
 23 We know that at 23.50 there was something of
 24 a breakthrough, Mr Berry was able to have a connected
 25 call to the GMP operations room. This is the call

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1 during which he spoke to Mr Myerscough and asked for,
 2 I think the words were, "a nailed-on forward control
 3 point". Would you have expected a NILO who has said
 4 that he tried time and time and time again to get
 5 through to the FDO, unsuccessfully, on this breakthrough
 6 moment to have demanded to speak to either the FDO or
 7 an FDS or one of his assistants?
 8 A. I think he's made connection on that call and spoke to
 9 somebody on behalf of the force duty officer. I would
 10 expect that to be acceptable. From my experience, sir,
 11 having spoken to force duty officers many times, often
 12 you don't speak to the force duty officer, you speak to
 13 somebody on their behalf.
 14 Q. You want to speak to somebody who knows what is going
 15 on, don't you, Mr Levy?
 16 A. Yes, sir.
 17 Q. Wouldn't you have expected a question such as: what is
 18 happening?
 19 A. Maybe, yes, sir.
 20 Q. "Is there an active shooter?"
 21 A. Yes, sir.
 22 Q. You would have expected such a question to be asked,
 23 would you?
 24 A. Yes.
 25 Q. "Where is the ambulance? Where is the

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1 Ambulance Service?"
 2 A. Yes, sir.
 3 Q. Information sharing. You've been asked many questions
 4 about that and many of the questions have been directed
 5 at what information was shared by NWFC. If I can just
 6 look to the NILOs for the moment, Mr Levy. You would
 7 have expected a NILO to share with other NILOs the fact
 8 that an RVP had been nominated?
 9 A. Yes, sir.
 10 Q. Crucial information?
 11 A. Yes, sir.
 12 Q. And you would have expected the fact that a NILO had
 13 been told that the paramedic Bronze was at the scene to
 14 have been shared with the other NILOs?
 15 A. Yes, sir.
 16 Q. Critical information?
 17 A. Along with METHANE messages and declarations of
 18 Operation Plato and a number of other information, yes.
 19 It all adds to the picture.
 20 Q. Yes. Of course, it does. I'm asking you about that
 21 one, what I would suggest, critical piece of
 22 information: "Paramedic Bronze is at the scene".
 23 A. Yes, sir.
 24 Q. The multi-agency Hailing Talk Group, Mr Levy. You've
 25 been asked some questions about that and I want to ask

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1 you a few more, if I may.
 2 You knew at the time of this attack that there was
 3 an Airwave channel that could be used by the Fire
 4 Service to contact the GMP control room?
 5 A. Yes, sir.
 6 Q. Was that channel in your Airwave radio in May of 2017?
 7 A. Yes, sir.
 8 Q. When were you first aware of the existence of that
 9 channel?
 10 A. I think I've already given evidence that I cannot recall
 11 how I was trained. I was one of the first officers in
 12 Greater Manchester to receive an Airwave radio in the
 13 Fire Service as a NILO many years ago. I have picked
 14 this up either through own research. I can't tell the
 15 inquiry how I knew that, but my understanding was —
 16 Q. Mr Levy, can I stop you? My question to you was when
 17 did you first discover the existence of that channel?
 18 A. Before the arena, if that makes it easier.
 19 Q. I am going to press you a little further: how long
 20 before? Are we talking months or years?
 21 A. I've always known it, sir. I can't recall having
 22 training in it. I don't know how I've learnt it.
 23 Q. Do you think it was training?
 24 A. I picked it up from somewhere, sir. I don't think it's
 25 formal training, to be clear.

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1 Q. Would you have expected other NILOs to be aware of that
 2 channel?
 3 A. On (inaudible) concept there was no protocol, it's not
 4 in the resilience plans or the GM resilience plans,
 5 there's no reference to it anywhere.
 6 Q. You never thought of using it on the night or advising
 7 others to use it?
 8 A. No, sir. Like I said before, I've never used it in
 9 anger, pardon the phrase. I'm aware of its existence
 10 and I was not aware that it was a process I would
 11 consider using within Greater Manchester because I've
 12 got a control room to contact the police.
 13 Q. In addition to that Airwave channel to contact the GMP
 14 control room, you had the telephone numbers of the NWS
 15 NILOs?
 16 A. Yes, sir.
 17 Q. Is that in your mobile telephone or in your Airwave
 18 radio?
 19 A. No, I have a number of telephone numbers I have
 20 collected over the years for different NILOs.
 21 Q. Are other NILOs doing the same, Mr Levy, or just you?
 22 A. I don't know, sir.
 23 Q. There's no direction, or there was no direction, to have
 24 the telephone numbers of the NWS NILOs?
 25 A. I'm not sure, sir. I don't provide assurance against

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1 the NILOs. I'm one of many. I wouldn't be surprised if
 2 they did have the numbers in their phones.
 3 SIR JOHN SAUNDERS: But what's actually required, isn't it,
 4 is NILOs on duty or on call need to know their
 5 equivalents on that particular night at NWAS?
 6 A. Yes.
 7 SIR JOHN SAUNDERS: Otherwise you'd be ringing round every
 8 NWAS NILO you've ever met.
 9 A. I agree and I think we've got that arrangement in place
 10 now, as you know, as learning.
 11 MR HORWELL: That's the point I was coming to. You didn't
 12 at the time of the attack have the number of the NWAS
 13 NILO who was on duty that day?
 14 A. Yes, I did, sir, yes, I did.
 15 Q. Knowing that he was on duty that day?
 16 A. Sorry, I had his number. I didn't know who was on
 17 duty — is that what you're asking?
 18 Q. Yes.
 19 A. Yes, I didn't know who was the duty NILO on that night.
 20 Q. I want to ask you next about the hazard zone. There is
 21 a plan that you have helpfully drawn, Mr Levy. If we
 22 could have that on the screen. {INQ041550/1}.
 23 You were asked to indicate on this plan the extent
 24 of the hazard zone and we can see from the plan the
 25 northern and the southern lines that you drew; yes?

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1 A. Yes, sir — no, sir, can I correct? It's what
 2 I described, not what I drew, sir.
 3 Q. Yes. We're going to come to the call now. You
 4 described that area in a call and very recently,
 5 you have had drawn on this plan the lines that you
 6 described during a particular call; yes?
 7 A. That's correct, sir.
 8 Q. And we can see the extent of the area involved.
 9 If we now go to the relevant call. That's the first
 10 number that I gave. {INQ001185/2}.
 11 Mr Lopez, if you could go to the bottom half of the
 12 page. Thank you very much.
 13 We can see there that at 23.14, the last four lines
 14 of that NWFC statement:
 15 "Janine just asked me to ask you — we've been
 16 instructed to — no mobilisations to — (city centre) to
 17 city centre. If we do a hazard zone around that, how
 18 wide do we go?"
 19 If we just look at what you were asked to do,
 20 Mr Levy, you were told that someone had instructed NWFC
 21 not to mobilise to the city centre, which is a large
 22 area in itself.
 23 A. Yes, sir.
 24 Q. You were asked to describe a hazard zone. If we go to
 25 the next page, {INQ001185/3}, and to the top of that,

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1 please.
 2 You can see there that at 23.15 you replied:
 3 "I would say quite significant. I would think —
 4 let's take the city centre from one side..."
 5 And then you describe the red lines that we can see
 6 on the plan from the Mancunian Way and then towards
 7 Broughton Fire Station; yes?
 8 A. Yes, sir.
 9 Q. What were you trying to convey by a hazard zone as
 10 significantly large as the one that we can see described
 11 in both words and through those red lines on the plan?
 12 A. I was driving, sir. I did not have visible or practical
 13 access to a map. I was busy and on blue lights. Those
 14 were streets that I could accurately describe just
 15 thinking with all the other impact of just being told of
 16 the most significant event that's happening at
 17 Manchester. The phraseology of "no mobilisation to city
 18 centre", that's not how I understood it and I don't
 19 think that's actually how North West Fire Control would
 20 have understood it, and I suppose the evidence that
 21 would support that I have not seen would be actually
 22 what was inputted on to the hazard zone. Because
 23 I would have hoped it would have said, "Life risks —
 24 inform", as we discussed in my evidence with Mr Greaney.
 25 So there wasn't any indication of — no intention of

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1 no mobilisations for an area as big as that. That's
 2 a large area. And no mobilisations at all does not
 3 happen, sir. We will always mobilise to life risk
 4 incidents but there's a duty to inform our officers
 5 before we mobilise them into an area of increased
 6 threat, such as a firearms incident, and also Greater
 7 Manchester Police would appreciate us having made our
 8 crews aware. I don't know, sir, what the hazard zone
 9 said.
 10 Q. Final topic, Mr Levy. Yesterday, you said that there
 11 may be some criticism of the appliance commanders, why
 12 they did not take a grip of it. I just wanted to ask
 13 you about that because the situation that unfolded was
 14 as follows: three NILOs had been deployed to
 15 Philips Park. The CSR was being set up and the
 16 appliance crews had been instructed to muster at
 17 Philips Park, to go away from the arena, and to wait
 18 further instructions at Philips Park.
 19 In those circumstances, what possible criticism
 20 could be made of the appliance crews?
 21 A. I think I said, sir, I appreciate there may be some
 22 criticism of why they didn't act, but I understood why
 23 they didn't, I think is what I said, because they'd have
 24 been confidently instructed to take a sequence of
 25 actions and they followed those actions. Also

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1 potentially , consciously aware of the threat that may be
 2 emerging based on the information they were given. I'm
 3 not sure what information they were given, sir.
 4 Q. So what possible criticism could there be of them,
 5 Mr Levy? That's the simple question I ask.
 6 A. The same of me, sir: why didn't the appliance commander
 7 get a grip, apply some initiative , and go to the scene,
 8 or speak to the ambulances that were arriving as they
 9 left the fire station and say, "What do you know?" And
 10 I don't know if they had that conversation, sir .
 11 Q. So you're suggesting that they should have stopped at
 12 Manchester Central and have asked the ambulance crew
 13 what they were doing and what was happening?
 14 SIR JOHN SAUNDERS: Sorry, Mr Horwell, I'm not sure that
 15 Mr Levy is saying that. As I understand it, he is
 16 saying that's a potential criticism that others might
 17 make, but I think he's actually positively saying he is
 18 not criticising them.
 19 A. Yes.
 20 SIR JOHN SAUNDERS: I don't (inaudible: distorted) them when
 21 in fact he says he's not.
 22 MR HORWELL: It's a very odd set of affairs, sir, which is
 23 why I'm asking Mr Levy about it. As far as I am aware,
 24 no one has sought to criticise the appliance crews and
 25 Mr Levy has introduced that as a potential topic and

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1 I was seeking to ask him, one of the three NILOs who
 2 surely were in command at this stage, what that
 3 criticism could be. But if we have exhausted --
 4 SIR JOHN SAUNDERS: (Inaudible: distorted) there's a
 5 potential criticism , although you wouldn't support it,
 6 what's the potential criticism that you think could be
 7 made even though you think it's not justified?
 8 A. I think I said yesterday there could be criticism but
 9 I appreciate why they followed the course of action
 10 because they are used to, you know, being confidently
 11 assured: this is the path. But, much like you have
 12 challenged me, sir , about my initiative and why didn't
 13 I and why didn't I and why didn't I --
 14 SIR JOHN SAUNDERS: I'm sure I didn't say it three times,
 15 Mr Levy.
 16 A. -- (overspeaking) and opportunities. You know, the
 17 crews told me at some point that they saw ambulances
 18 arriving as they left . Had we known now and could go
 19 back in time, let 's stop and ask those ambulances what
 20 they know (overspeaking) useful.
 21 SIR JOHN SAUNDERS: Okay. So that's the potential
 22 criticism , they should have spoken to the ambulances.
 23 MR HORWELL: Thank you, sir. That's as far as I can take
 24 it . Those are my questions, thank you.
 25 MR GREANEY: Sir, in a moment, before Mr Cooper asks his

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1 question, I am going to suggest that we take a short
 2 break. Can I deal with two matters before we do?
 3 In terms of timetabling, we had hoped that we would
 4 be able to at least start the evidence of Joanne Haslam
 5 today. It 's quite plain that will not now happen and
 6 her evidence will start on Monday.
 7 Secondly, sir , you asked me to consider whether
 8 there was any aspect of Mr O'Reilly's account which
 9 Mr Levy ought to be invited to comment upon. Could
 10 I indicate , before Mr Cooper and before Mr Warnock ask
 11 their questions, in case they want to address this, the
 12 position as it seems to me to be.
 13 SIR JOHN SAUNDERS: Thank you.
 14 MR GREANEY: In very short summary of a lengthy statement,
 15 the position of Mr O'Reilly seems to me to be as
 16 follows.
 17 As for the telephone conversation between him and
 18 Mr Levy at 23.53, so this is the before the appliances
 19 moved from Philips Park to Manchester Central, his
 20 position is that Mr Levy phoned him and asked if he
 21 could move to G16 to align with NWAS and he agreed. So
 22 there may be something at the margins between them there
 23 but perhaps not a matter of very considerable factual
 24 dispute. That's paragraph 68 of the statement.
 25 Beyond that, I do not consider there's any

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1 significant dispute as to the facts. Mr O'Reilly says
 2 after speaking to Mr Hynes, who by that stage was NWAS
 3 Bronze commander, he directed that three crews be
 4 deployed, non--specialist crews, and the CSR decided that
 5 Mr Berry would go with them. He acknowledges that in
 6 a call , which I think must be the 00.16 call, Mr Levy
 7 was not happy about only sending three fire appliances
 8 and wanted to send the MTFAs response. However, his
 9 explanation is that Mr Hynes had been very specific
 10 about what he wanted. That's paragraph 70 of the
 11 statement.
 12 He agrees that at 00.19 he discovered that Plato had
 13 been declared but that a decision was made that SRT was
 14 not needed at the scene. Paragraph 75.
 15 He agrees too that once at the scene, Mr Berry made
 16 a request to "send everything". That was not
 17 a description that he would have expected from an
 18 experienced officer , he says, but in any event to put it
 19 in very short form, that was overtaken by the events
 20 concerning his discussion with Mr Dexter over the
 21 telephone. That's paragraph 79 and following.
 22 I have said all of that in front of the witness,
 23 I don't consider in the result that there is anything
 24 that he can helpfully be asked to comment upon in
 25 respect of it .

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1 SIR JOHN SAUNDERS: Do you agree with that?
 2 A. I appreciate hearing that. I have not heard that
 3 statement, sir, so thank you.
 4 SIR JOHN SAUNDERS: Okay — have you not had a chance of
 5 reading it?
 6 A. No, I've not got access to Mr O'Reilly's statement.
 7 MR GREANEY: Could we take a break of as near to 5 minutes
 8 as possible and then at least Mr Cooper will start his
 9 questioning?
 10 SIR JOHN SAUNDERS: Right. Thank you.
 11 (12.33 pm)
 12 (A short break)
 13 (12.40 pm)
 14 MR GREANEY: I will now call upon Mr Cooper.
 15 MR COOPER: Thank you —
 16 SIR JOHN SAUNDERS: Sorry, Mr Cooper, can I just know what
 17 are the proposed arrangements for when we should break?
 18 I know you are trying for very good reason to see if
 19 it is possible for you to get away earlier, which as far
 20 as I'm concerned it certainly is, but what is the
 21 proposal at the moment about when we stop?
 22 MR GREANEY: Sir, the proposal is that, and I'm seeking to
 23 make other arrangements. I wouldn't want my issue to
 24 stand in the way of the proper management of this case.
 25 Mr Cooper will start, he expects to be about 60 minutes,

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1 so he will go on until about 1 o'clock and then we will
 2 take lunch. I don't think Mr Warnock currently thinks
 3 that he'll be very long at all.
 4 SIR JOHN SAUNDERS: Thank you. Can I be assured that I have
 5 said we will finish between 4.00 and 4.30 this
 6 afternoon. I'm afraid I wish to stick to that. Does
 7 the timetable permit for the next witness, Mr Ellis, to
 8 be included in that time?
 9 MR GREANEY: I don't know. I think Mr de la Poer does not
 10 think he will be much longer than half an hour with
 11 Mr Ellis, but I know Mr Smith has substantial
 12 questioning of Mr Ellis.
 13 MR SMITH: I wouldn't say substantial.
 14 SIR JOHN SAUNDERS: They're all relative, aren't they?
 15 MR SMITH: But I do believe you'd be helped by an
 16 understanding of how the incident log works.
 17 SIR JOHN SAUNDERS: I'm not being critical in advance of the
 18 questioning. Absolutely.
 19 MR SMITH: Obviously we will try and keep this to the
 20 essential parts.
 21 SIR JOHN SAUNDERS: We won't go further than him because
 22 I don't want him to have to come back particularly on
 23 Monday because it's not fair on him, probably.
 24 Let's get on with what we're doing.
 25 MR GREANEY: Thank you, sir.

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1 Thank you, Mr Cooper.
 2 Questions from MR COOPER
 3 MR COOPER: Mr Lopez, could I ask you to please put on the
 4 screen {INQ000273/1}, which is a debrief as far as this
 5 witness is concerned. His first debrief.
 6 Officer, do you recognise that document? At the top
 7 of it, it's dated 31 October 2017, and this was
 8 a debrief with Greater Manchester Fire and Rescue
 9 Service; is that right?
 10 A. No, sir, is this not the first conversation with
 11 Mr Kerslake's team?
 12 Q. I see.
 13 A. I may be mistaken, forgive me. I'm just trying to
 14 recognise the document.
 15 Q. Again, this document was flagged, I'm not taking you by
 16 surprise I hope with this document. We did give notice
 17 of it, sir.
 18 A. This is my first — notes of a conversation with
 19 Lord Kerslake's team.
 20 Q. All right then, thank you.
 21 It's right, isn't it, because you say within it,
 22 that this was the first time that you were invited to
 23 say anything about the matter; is that right?
 24 A. Yes. There had been an element of a debrief some months
 25 earlier, but it was reasonably unsuccessful.

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1 Q. And you said that you had not been allowed to talk and
 2 told to wait for the review; is that right?
 3 A. Yes, sir.
 4 Q. I want to take you straightaway — there's a number of
 5 matters within this document I want to take you to, but
 6 I want to take you immediately, if I may, please, to the
 7 top of {INQ000273/4}.
 8 There it is. These are your words, I presume:
 9 "Laughing stock. I see bees and think anger, shame
 10 and total utter embarrassment. Don't know how me and my
 11 colleagues will ever recover. Next day, fire crews were
 12 turning up at ambulance stations with chocolates to say
 13 sorry we weren't there."
 14 Is that right?
 15 A. That's what it reads, yes, sir.
 16 Q. I know this is difficult, Mr Levy, and I don't mean to
 17 cause you any more difficulty than I have to on behalf
 18 of those I represent, but you clearly felt very strongly
 19 during this interview with Kerslake in October?
 20 A. Yes, sir. I think the opportunity to speak about it
 21 allowed that anger and shame to come out again.
 22 Q. And those were the emotions that you still feel, no
 23 doubt, shame and total, utter embarrassment?
 24 A. On occasion, yes.
 25 SIR JOHN SAUNDERS: We make clear, it's organisational shame

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1 you're feeling , it's the performance of the Fire Service
 2 as a whole?
 3 A. Personal as well. I'm a professional, sir --
 4 SIR JOHN SAUNDERS: Right.
 5 A. -- I should have done better.
 6 MR COOPER: You're so strong as to say -- and I emphasise
 7 of course the chair's observation there, I'm asking you
 8 at the moment about institutional corporate feelings,
 9 but you use the words "laughing stock". Is that how you
 10 and perhaps your colleagues felt the Fire Service were
 11 being looked at as a result of how they responded that
 12 night, a laughing stock?
 13 A. A phraseology I have used here by the looks of it, yes,
 14 sir.
 15 Q. Let's look further into this document, if we may, if
 16 we can go back to {INQ000273/3}.
 17 I'll come on to specific questions about the chief
 18 a little later.
 19 I want to take you towards the bottom of page 3,
 20 please. When you indicate the second thing that went
 21 wrong, we'll go to the first thing later on, but the
 22 second thing that went wrong:
 23 "Answer: When it wasn't going to plan and training
 24 should apply, operational discretion, let's just send
 25 people to the scene, chief said no.

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1 "Question: Insufficient clarity from chain of
 2 command?
 3 "Answer: It was the wrong decision.
 4 "Question: Are commanders trained?
 5 "Answer: It's not the role of Gold/chief to deal
 6 with this. They don't mobilise for operational
 7 decisions. They have awareness training."
 8 Was that a question or was that actually your
 9 answer, "It's not the role of Gold/chief"?
 10 A. It looks like -- plainly this is not a verbatim
 11 transcript. I have only seen this for the first time
 12 in the last few weeks.
 13 SIR JOHN SAUNDERS: And I do want you to say if you don't
 14 think it -- but if you don't think accurately reflects
 15 what you were saying at the time, please do say so.
 16 I think it looks like an answer rather than a question
 17 to me.
 18 A. It does, sir, and it reflects the other evidence I've
 19 already given you in my answers to some of the other
 20 questioning, I think. So yes, that "Are commanders
 21 trained", the next line is probably a version of the
 22 answer I've given to the team taking the notes. They
 23 are not my notes, sir, you understand.
 24 MR COOPER: Of course. I particularly want to ask you on
 25 that item that I brought to your attention:

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1 "When it wasn't going to plan and training should
 2 apply, operational discretion."
 3 Is it a case that, effectively, adherence to policy
 4 took over to the detriment of discretion?
 5 A. No, sir, it's the other way round, potentially. We've
 6 got a duty to have standard operating procedures,
 7 protect the health and safety of our own employees,
 8 we have a duty to, and also those that we come into work
 9 with. So where we need to step out of those policies,
 10 that is where the operational discretion is.
 11 SIR JOHN SAUNDERS: As I understand what you're saying, you
 12 thought the situation had arisen where you should
 13 exercise discretion --
 14 A. Absolutely, move away from policy.
 15 SIR JOHN SAUNDERS: -- but the chief said no?
 16 A. That looks like -- and that reflects my earlier evidence
 17 to Mr Greaney, I think it was, which was with regard to:
 18 right, I'm now moving towards what I am considering is
 19 going to be a hot, warm, et cetera, zone.
 20 MR COOPER: And was -- I put this question absolutely
 21 neutrally: was the chief's interpretation the
 22 interpretation that the Fire Service, perhaps as an
 23 institution, were taking and was your response, as it
 24 were, pushing against that trend?
 25 A. I can't comment on his interpretation --

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1 SIR JOHN SAUNDERS: What you can comment on, I think, is
 2 your view at the time.
 3 A. Yes.
 4 SIR JOHN SAUNDERS: So at the time, it sounds to me like you
 5 did think that he was being too rigid --
 6 A. Yes.
 7 SIR JOHN SAUNDERS: -- and he should have allowed you
 8 discretion to do what you wanted to do, which was to get
 9 the people there. Whether you're right, and we will
 10 hear from the chief at a later stage and we will make
 11 our own decision --
 12 A. I didn't expect it, no, and, you know, I think -- and
 13 I think that's proven by the conversation I relayed
 14 earlier with my colleague, Group Manager Nankivell,
 15 where he was concurring with my assumptions and plans,
 16 but it was a no in a sense.
 17 MR COOPER: But was the response from the chief at the time,
 18 the no, was that something which perhaps you feel, even
 19 now, was more a personal attitude he was taking or was
 20 it an attitude which was commensurate perhaps with the
 21 general policy and approach that the Fire Service were
 22 taking at the time? In other words, was the response of
 23 the chief in accordance, as far as you understood it,
 24 with the way the Fire Service approached these matters
 25 or was the chief being somewhat idiosyncratic?

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1 A. I don't know, sir. All I can respond to that is I think
 2 if I'd known the skills that the team I had around me
 3 were going to bring to support those in need, me as the
 4 incident commander and the colleagues I had around me,
 5 I can't see why anybody would say no to the plans I was
 6 trying to put in place. I don't know if it was
 7 a personal thing or something more organisational.
 8 I don't think it was organisational, sir.
 9 Q. Therefore it was a personal matter as far as the chief
 10 was concerned?
 11 A. Yes, but I can't answer on his behalf, obviously.
 12 Q. Perhaps born of the fact that the chief didn't have
 13 enough information to be making that decision, do
 14 I understand that from your answer?
 15 A. Yes, not only that he would have had the same concerns
 16 and frustrations I had, I imagine he also had
 17 a significant lack of situational awareness, or
 18 alternatively, I have considered this throughout this
 19 period, maybe he had situational awareness that I was
 20 not aware of, which was informing his decisions.
 21 Q. Another more perhaps critical analysis of that, and
 22 I know it's a difficult one for you, but another more
 23 critical analysis of that is that the chief simply was
 24 not performing his duty to the standards that the public
 25 would expect at that time? That's another option, isn't

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1 it?
 2 A. It's an option, but I don't think that's for me to find.
 3 Q. I understand. I want to take you to Kerslake, please.
 4 That's at {INQ023508T/1}.
 5 SIR JOHN SAUNDERS: You said, "He might have had more
 6 situational awareness than I had". If that's right and
 7 you're the incident commander, his obligation would be
 8 to share that with you, wouldn't it?
 9 A. Yes, sir.
 10 MR COOPER: I'll come back to the chief later with more
 11 particularity. Kerslake, please. {INQ023508T/1}.
 12 Could we look at page 9, please {INQ023508T/9}? In
 13 fact, at this interview there are a number of you and
 14 your colleagues there, that's why we see Mr Meakin's
 15 name as well. You indicate in your answers that the
 16 NILOs converged at a certain point and you say:
 17 "At that point I was certainly surprised at the size
 18 of the incident because I'd obviously not seen any
 19 social media or any TV or anything like that. I assumed
 20 because we got quite well-versed and that was a wealth
 21 of anger and emotion from firefighters thrusting phones
 22 in my face saying, 'That's what's going on', right?
 23 That's my first situational awareness, which was the
 24 approach to move forward to."
 25 So in terms of the detail, your first situational

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1 awareness was when you were actually being greeted by
 2 firefighters, thrusting their own personal phones in
 3 front of you, as you put it, saying, "Look at this"?
 4 A. Yes, sir.
 5 Q. Is that an adequate position for you to be placed in,
 6 that is on arrival, you're having angry firefighters
 7 thrusting their mobile phones in your face?
 8 A. No, sir, the phraseology of thrusting phones -- clearly
 9 I was quite emotional, having an opportunity to speak
 10 about this. I've given evidence already, that's what
 11 happened, I got information from firefighters who had,
 12 as we now know, sadly been waiting around long enough to
 13 check social media and images of people leaving the
 14 arena in distress and, no, it is not acceptable, sir.
 15 There was other information available, that should have
 16 been shared with me and my colleagues.
 17 Q. In fact, that incident in itself, just in isolation,
 18 demonstrates, does it not, a breakdown of METHANE and
 19 situational awareness?
 20 A. Yes, sir.
 21 Q. {INQ023508T/10}, please. You say this:
 22 "There was the start of our situational awareness.
 23 Had we received that when they -- when they had sent
 24 that, which would be what would be expected, that is the
 25 expectation of me, that they would share the METHANE

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1 message."
 2 I just want to break that down if I can with you,
 3 officer. When you say, "Had we received that", do you
 4 mean the images -- what do you mean by that?
 5 A. If we can go back to the previous page, at the bottom of
 6 the next page {INQ023508T/9} there, there's a paragraph
 7 there we've missed out, I think.
 8 Q. Forgive me:
 9 "Two agencies, British Transport Police and NWAS,
 10 both declared majors. Those two agencies also sent
 11 a METHANE message. E stands for emergency services
 12 attends (sic) all those required. Neither of that
 13 information got to the Fire and Rescue Service. That is
 14 the common model for sharing information between control
 15 rooms. It was not shared."
 16 Yes, there was a question I should have asked you as
 17 the disjunct between that. When should that have been
 18 shared? At what stage in this process should that have
 19 been shared?
 20 A. When the message is passed from the incident ground by
 21 whoever sent it to their control room, it's now shared
 22 with other control rooms. That's the principles of
 23 JESIP.
 24 Q. Given that clearly you're an experienced man in dealing
 25 with, sadly, events akin to this, when you were not

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1 receiving those messages, did you say to yourself, "Why
2 aren't I receiving those messages"?

3 A. Yes, sir, and that was the explanation I gave yesterday,
4 you know, maybe acceptable or not as it is, my only
5 rational response to that was: we were being kept from
6 it for some other reason. A rational explanation was
7 not we'd been forgotten about or somebody had sent
8 a METHANE message and chosen not to share it or a Plato
9 message and chosen not to share it.

10 Q. Having officers like with you, with the experience
11 you've described in your statement, on the scene
12 assisting the public, one of the advantages is that
13 you will know straightaway if procedure is failing?

14 A. Yes, sir.

15 Q. And you'd have known immediately, wouldn't you, by the
16 lack of METHANE messages that something immediately was
17 going wrong?

18 A. Yes, sir.

19 Q. And approximately at what time would you have been aware
20 of that?

21 A. Not quite, sir. It's becoming more common, certainly
22 post the arena, for other agencies to send METHANE
23 messages and it to be received by Fire and Rescue
24 Service control rooms. So a lack of a METHANE message
25 in its own right would not cause me concern, but had it

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1 been sent and in whichever method sent, then it is
2 useful to build the situational awareness --

3 SIR JOHN SAUNDERS: I'm not sure I follow that. I thought
4 the whole idea of METHANE messages was that they were
5 actually shared with everybody who's going to be
6 responding.

7 A. My perception, sir, is it has taken longer for it to
8 embed itself in certain areas --

9 SIR JOHN SAUNDERS: Okay, that wasn't happening particularly
10 at this time, you didn't think?

11 A. Um -- the Fire and Rescue Service were developing and
12 creating and sharing METHANE and ETHANE messages for
13 sure.

14 SIR JOHN SAUNDERS: But you don't think they were coming --
15 the other rescue services were doing it?

16 A. They didn't feel very common, no.

17 MR COOPER: They didn't feel what, sorry?

18 A. They didn't feel very common.

19 SIR JOHN SAUNDERS: I will be helped by this: BTP did not
20 share theirs, the Ambulance Service?

21 A. We received none, sir.

22 SIR JOHN SAUNDERS: Even so, can I just check this: if
23 you're the incident commander on the ground,
24 I understand the METHANE message would go to the control
25 room, but would you expect to get the METHANE message

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1 sent to you?

2 A. Sorry, am I the incident commander?

3 SIR JOHN SAUNDERS: You are the incident commander would you
4 get the actual METHANE message or would you just get the
5 control room saying, "We've been told A, B, C and D"?

6 A. No -- well, they'd verbalise it to you. They would
7 verbalise -- if I'm on scene -- so we've heard --
8 forgive me, am I okay to talk -- I think we've heard
9 some colleagues --

10 SIR JOHN SAUNDERS: If I am asking the questions, you are
11 perfectly entitled to answer them (overspeaking).

12 A. We have heard METHANE messages played. Those were sent
13 in isolation by a single agency, perfect, for that to
14 now be shared with other agencies. Once I'm on scene,
15 gathering that joint understanding of risk, that
16 situational awareness, under the JESIP principles I in
17 effect no longer need a METHANE message because I am
18 stood next to my peer from NWSA (overspeaking) and we
19 are round (sic).

20 The METHANE is the early situation. Yes, they are
21 still useful, but then I would be combining joint
22 METHANE messages to some extent, which go to all the
23 strategic commanders, which would inform the SCG
24 strategic direction setting.

25 SIR JOHN SAUNDERS: Thank you, I understand.

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1 MR COOPER: Simply this, if I may. Going back to
2 22 May 2017, do I understand it then that the sharing of
3 METHANE messages by inter-agencies was not a common
4 thing?

5 A. It's more common now.

6 Q. And it may be more common now, but at the time, on
7 22 May, it was not common?

8 A. No, that's my perception.

9 Q. And why was that? Hadn't it been appreciated that the
10 sharing of METHANE messages might help? Had it not been
11 addressed or thought about in all these tests and
12 exercises that take place? Was it not thought that
13 perhaps the sharing of METHANE messages between agencies
14 might add to the toolbox or the toolkit of emergency
15 responders?

16 A. It probably happened at those exercises, sir, and
17 I think speaking on behalf of fire, fire certainly
18 sent -- and I'm sure North West Fire Control colleagues
19 could assure you that if I'd sent a METHANE message,
20 they would have shared it with all the other
21 (overspeaking).

22 Q. Those exercises brought to the attention that the
23 sharing of METHANE messages was important, would that be
24 right, because fire took that up?

25 A. Yes.

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1 Q. But despite it being shown in those exercises that the
2 sharing of METHANE messages was important, is your
3 evidence that NAWAS, the police, and British Transport
4 Police still didn't do it at the time of the arena
5 atrocity?
6 A. Obviously, I wouldn't call it my evidence, sir. It's my
7 perception at the time.
8 Q. Your perception.
9 A. I would be looking back in time and I have no evidence
10 of that.
11 MR COOPER: I'm grateful. Would that be a convenient
12 moment, sir?
13 SIR JOHN SAUNDERS: Thank you. 2 o'clock.
14 (1.01 pm)
15 (The lunch adjournment)
16 (2.00 pm)
17 MR COOPER: If you look at the screen, please, Mr Levy, I've
18 had called up on to it again another reference from
19 Kerslake. I want to go to the bottom paragraph of
20 {INQ023508T/14}, please, where you say:
21 "Now we work within — we work within guidelines
22 under the NILOs' emergency response dynamic deliberate
23 action. We have or we did have at the time — it's been
24 changed since, probably as a result of this."
25 Obviously, if I'm asking you a question which

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1 involves sensitive information then please don't answer
2 it, but are you in a position to give us some indication
3 as to how it has changed since the arena, the matter you
4 refer to within that paragraph, and I'll pause for
5 a moment just in case there is an issue with that.
6 (Pause)
7 MR GREANEY: I think you will find Mr Warnock has heard what
8 you said and is posing no objection.
9 MR COOPER: Can you help us?
10 A. I think it relates to the 30 minutes element of that
11 paragraph.
12 Q. So that's the 30 minutes in which NILOs have a degree of
13 discretion, is it?
14 A. Well, if I can explain a lot better —
15 Q. Of course.
16 A. — for clarity, if that's okay, because it may have
17 been — I don't know if it's been misunderstood or
18 otherwise. The 30 minutes allows for — the phrase in
19 there, "deliberate action and emergency response", they
20 are common — emergency response and deliberate action
21 are common phrases with deployment, military and
22 otherwise, I do believe. So in the emergency response
23 phase, this is quick time, rapid decision-making
24 processes. The NILO has the authority as a tactical
25 adviser, trained tactical adviser, to make those rapid

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1 decisions outside of previously determined arrangements,
2 but it would be expected that those decisions would be
3 ratified by, ideally a principal officer, within
4 30 minutes.
5 Q. So that's within 30 minutes of what?
6 A. Of the decision being made and the requirement to make
7 those rapid quick-time decisions in order to respond to
8 an emerging event.
9 Q. So within 30 minutes of an event being identified?
10 A. No, no, no: the decisions that I have taken in the last
11 30 minutes, if you were the principal officer, you would
12 expect to be notified of each of those decisions within
13 30 minutes from when I took that decision.
14 Q. I see.
15 A. That's my understanding. So I would be authorised to
16 make, in effect, any decisions I want within that first
17 30 minutes in order to save life, render humanitarian
18 services, and provide support.
19 Q. I'm sure the chair has it; I'm not sure I'm there yet.
20 So this is an ongoing facility, as far as NILOs are
21 concerned, they've got 30 minutes to make a decision?
22 A. No, sir, (overspeaking).
23 Q. — 30 minutes of what?
24 A. Maybe I'm not explaining it properly.
25 Q. It's me, I'm sure.

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1 A. If I make a decision, I am authorised to make
2 the decisions (overspeaking) —
3 Q. Pause there: you're authorised to make a decision. Any
4 reasonable decision at any time during the event?
5 A. Yes.
6 Q. So you make that decision?
7 A. Yes.
8 Q. And you've got 30 minutes to do what?
9 A. To log that decision or inform the principal officer of
10 the decisions I have taken.
11 Q. Now I'm there. That was a facility that wasn't
12 available to Mr Berry, for instance, at the time?
13 A. Yes.
14 Q. I see, now I understand. So how did that change?
15 A. I think what I've referred to about what has been
16 changed since is regard to quite a number of action
17 plans, including for MTFA, including perhaps for
18 explosion, where the early notification of NILO alone
19 has been amended now so that other officers and group
20 managers, assistant principal officers are informed.
21 But I think that's what I referred to now. I can't
22 immediately recall, sir, what I've referenced there that
23 has been changed since. I believe the 30 minutes still
24 exists in NILO policy.
25 Q. This, of course, is the chair's inquiry and it's

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1 a matter for you, sir, whether you want any further
 2 information as to what's changed. I can't and it would
 3 be fruitless to press it now.
 4 SIR JOHN SAUNDERS: I think we will see what comes out
 5 during the rest of the evidence and we'll see whether we
 6 want that.
 7 MR COOPER: Thank you.
 8 Put this document to one side for a moment. I will
 9 be going back to it pretty quickly but this question is
 10 not predicated on that. Can I just be clear about the
 11 command support room. It has never been
 12 a decision-making tool, has it?
 13 A. Not on an operational level, no, sir.
 14 Q. So on the night in question, on 22 May, it was in fact
 15 being and took upon itself the role of a decision-making
 16 unit?
 17 A. Yes, sir. In the right circumstances that would be
 18 appropriate.
 19 Q. What are the right circumstances?
 20 A. For example, it has taken decisions in the past for the
 21 deployment of resources -- if we were to have a large
 22 scale, wide area flooding, for example, that could well
 23 be tactically commanded or strategically commanded from
 24 the command support room with a number of Bronze
 25 officers, to use that terminology, in different

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1 locations and they would have to take some strategic
 2 decisions about where our limited water rescue resources
 3 have been mobilised to, if you have a number of Bronze
 4 officers, Bronze-level officers asking for that
 5 information (overspeaking) take decisions, sir.
 6 Q. When Mr Meakin in that Kerslake interview, which you
 7 were present at, said it has never been
 8 a decision-making unit, and you say, "But it was on that
 9 occasion", it rather gave me the impression when reading
 10 it that was the only occasion, as far as you were aware,
 11 it had taken it on itself -- but you say, no, it's done
 12 on a number of occasions?
 13 A. Not in an incident like this, no, because this requires
 14 an operational level of response where operational
 15 decisions are taken on the incident ground.
 16 Q. So was it right -- I'll put the question shortly then --
 17 in the circumstances of 22 May for the command support
 18 room to take it upon itself to be a decision-making
 19 unit?
 20 A. I don't think it was, no.
 21 Q. You don't think it was?
 22 A. No.
 23 SIR JOHN SAUNDERS: Can I just compare this with how we've
 24 heard other rescue services operate? They all operate
 25 on a Gold, Silver and Bronze, if we can use that. So

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1 Gold is strategy, Silver is tactics, Bronze is the guy
 2 on the ground, actually running the incident.
 3 So Gold in other places has tended to be a bit
 4 remote in that they are saying, "This is the overall
 5 strategy, I give this to the Silver", Silver says,
 6 "Right, these are the tactics to achieve the strategy",
 7 they are given to the Bronze, "You go out and do it".
 8 So is that how fire are meant to work?
 9 A. Yes, and how they do work, sir. The reason our
 10 Silver commander, our tactical commander, is on scene is
 11 usually a Fire Service incident is a single location.
 12 SIR JOHN SAUNDERS: Who was Silver on this occasion?
 13 A. It doesn't always need a Silver, there's an incident
 14 commander. Who would be Silver on this occasion? You
 15 don't necessarily need a tactical commander. As the
 16 incident develops, and our incident commander structures
 17 -- for example, a group manager takes charge of an
 18 incident, they are potentially the Silver commander on
 19 scene. We wouldn't call it that but it is and that's --
 20 SIR JOHN SAUNDERS: And your Silver commander would always
 21 be on scene?
 22 A. In all but -- thinking on the spot here in all but the
 23 suggestion I said before, where it might be
 24 a multi-sited, which is rare for the Fire Service. It
 25 could be a wide area flooding, for example

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1 (overspeaking) and I may take that role at a local
 2 fire station.
 3 SIR JOHN SAUNDERS: So at multi-sited you might have
 4 a Silver in the command room?
 5 A. No, in fire, sir -- fire incidents are normally very
 6 closely defined by the confines of a building, the
 7 expanse of it -- of an incident is very, very local
 8 whereas opposed to a police-led incident is more
 9 multi-sited, multi-faceted.
 10 SIR JOHN SAUNDERS: Thank you.
 11 A. We still have Bronze officers, operational officers, we
 12 just (inaudible) Silver.
 13 MR COOPER: What I am going to do, to try and use time
 14 efficiently, is put propositions to you -- and there's
 15 only about four or five of them -- from your Kerslake
 16 interview. I can then direct you, if you want to be
 17 directed, to the page. To try and save time I'll just
 18 put the propositions which you can take from me are
 19 gleaned from the document.
 20 Did you tell Kerslake that it was never expected
 21 that you'd get to Philips Park and that you had enough
 22 information to go to the scene?
 23 A. I had enough information eventually, sir. Not en route
 24 to Philips Park, no.
 25 Q. So when you -- and again this is {INQ023508T/19} for

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1 those that want to locate it -- when you told Kerslake
 2 you had enough information to go to the scene, precisely
 3 when did you have enough information to go to the scene?
 4 When did that moment arise (overspeaking)?
 5 A. At around midnight when I personally arrived at
 6 Manchester Central Fire Station.
 7 Q. You have been asked questions, perfectly properly, on
 8 that decision and whether you did or didn't have
 9 information. I'm not going to repeat those questions.
 10 At {INQ023508T/30-31}, no need to go to them unless
 11 necessary, do you conclude that essentially there was
 12 a failure of command and control?
 13 A. Yes, sir. That's quite clear.
 14 Q. So in short, a failure of command and control?
 15 Thank you.
 16 Can I please then take us to {INQ023508T/48} of
 17 Kerslake.
 18 Just dealing with that page, you mention at the top
 19 of it:
 20 "... to be clear, in leading the conversations with
 21 the county fire officer ... because you were on the phone
 22 to command support room, you were on the phone to Mick
 23 [Lawlor] and [radio] to Mick [Lawlor], I was the main
 24 man, I think, on the phone to the command support room
 25 because the chief was in there. There's no point

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1 speaking to Control because that's not their job to
 2 control us. We control us. But clearly, the chief
 3 controls us."
 4 So effectively, again to draw the point together,
 5 what you're suggesting there is that the control room
 6 have no authority, we've established that, to command
 7 and control. "But the chief controls" -- what do you
 8 mean by, "The chief controls us"?
 9 A. I'm not -- forgive me, I'm not sure what comes
 10 previously to this to stimulate this response from me.
 11 (overspeaking) --
 12 Q. -- have a look at the page --
 13 A. -- can I just look at the previous page, please?
 14 Q. Do you want to go to the page before?
 15 A. If possible.
 16 Q. By all means {INQ023508T/47}.
 17 A. (Pause). Okay, we can go back.
 18 Q. Thank you.
 19 A. I don't know what I referred to directly, sir, perhaps
 20 the chief is our strategic commander in all
 21 eventualities whether he is there or not but there's
 22 another reference there to:
 23 "I wasn't asking permission, I was just saying let's
 24 just go there."
 25 Q. I'm just asking you about your expression, "The chief

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1 controls us". It's not a criticism I'm making or
 2 seeking to make but obviously we'll be hearing from the
 3 chief. Is that how you saw it, control: if the chief
 4 said something, that went? He controlled you. It's
 5 a special word, control. Is that what you meant?
 6 A. I don't think it was, sir. If I look at the way -- I'm
 7 emotional when I'm speaking, I'm using the word
 8 "control" repeatedly there. I don't think -- I don't
 9 mean more into that.
 10 Q. All right, then. It's just these documents stand and
 11 that's why I ask you questions about them, you see.
 12 So what did you mean when you said, "The chief
 13 controls us"? He clearly has influence over you.
 14 A. Clearly, sir, and I think probably, if I was looking at
 15 that fresh now, I don't know where -- why my reference
 16 to North West Fire Control is but actually ultimately
 17 the responsibility for the deployment of resources in
 18 Greater Manchester Fire and Rescue Service rests with
 19 the county fire officer, the chief fire officer,
 20 ultimately not with North West Fire Control and actually
 21 not with me to some extent.
 22 Q. You go on to say:
 23 "In those circumstances, had it -- I wasn't asking
 24 for permission, I was just saying, 'We should be going
 25 down there let's go'. I should not have asked. But

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1 clearly, that authority was taken away from us. No.
 2 Simple as that."
 3 So let me go back again to what you told Kerslake
 4 there:
 5 "I wasn't asking for permission, I was just
 6 saying ..."
 7 Is that again what you meant or do you want to
 8 qualify that now?
 9 A. I can't recall exactly, sir. It would be untruthful if
 10 I tried to give you an accurate representation of what
 11 was said and what I meant when I spoke to
 12 Lord Kerslake's team. My overarching recollection of
 13 the night, if I started again now, was in making
 14 suggestions that we should be moving to the chief fire
 15 officer and that wasn't allowed and other decisions were
 16 made.
 17 So whether I asked permission -- I don't think
 18 I asked permission, "Please, sir, can we go?" It
 19 doesn't work like that. I think it was probably more of
 20 a suggestion that we are now moving towards the scene
 21 and there was obviously a clear, "No, not yet".
 22 Q. Again, Mr Levy, you are, if I may say so, an intelligent
 23 man, you you're nobody's fool, and you say here:
 24 "The authority was taken away from us."
 25 That's a considered point of view being expressed,

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1 it's not idle talk, I suggest to you. So when you said
 2 to Kerslake:
 3 "But clearly the authority was taken away from us."
 4 What did you mean?
 5 A. It's probably more accurate to say the authority was
 6 taken away from me because I thought I was the incident
 7 commander and I could deploy from that scene what
 8 I wanted and I wasn't allowed -- I didn't do that, sir.
 9 Q. In the circumstances -- and I will come on to it later
 10 -- but the authority was being taken away from you by
 11 a man who clearly hadn't all the facts at his disposal.
 12 A. I didn't know that at the time.
 13 Q. But clearly he didn't and you must have known at the
 14 time, given where you were and given the people you'd
 15 been speaking to, your knowledge would have been far
 16 superior, it's all relative, but would have been far
 17 superior to his.
 18 A. Yes, sir.
 19 Q. Did he invite in any way your point of view any further
 20 or did you get the impression he was simply not
 21 listening?
 22 A. We didn't have lengthy conversations, sir.
 23 SIR JOHN SAUNDERS: I don't think they are necessarily
 24 alternatives. You can just make a quick -- or you can
 25 just say no, but that doesn't mean you're not listening.

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1 MR COOPER: Let's take you --
 2 SIR JOHN SAUNDERS: The fact of the matter is, it was your
 3 decision. You now think, perhaps I shouldn't even have
 4 rung him up and told him, query, ask him.
 5 MR COOPER: I see there's a remark here being made by
 6 Mr Goodwin, which you did not dispute and I want to give
 7 you an opportunity to agree or disagree with it.
 8 Mr Goodwin, he was an interviewer, was he, for Kerslake?
 9 A. Yes.
 10 Q. He says this:
 11 "When we talk about discipline and it's -- I think
 12 it is two sides to that one: one is organisational
 13 discipline and professional discipline about the sort of
 14 service you're in, but the other aspect of it is the
 15 fear of disciplinary action, and I think the two are
 16 different. There's organisational discipline and then
 17 there's a fear of actually stepping outside of that."
 18 And you say:
 19 "You know, I've just had a feeling come back to me
 20 that actually I don't -- I didn't feel that but what
 21 I did feel was -- I was quite conscious, and I remember
 22 saying it -- quite conscious -- I felt like nobody
 23 wanted us there. The police hadn't noticed we were
 24 missing. It was an ambulance lady walked past me, she
 25 wasn't from NWSA, I don't know who she was, maybe East

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1 Midlands, her bag was slightly different. She walked
 2 past and a bit of conversation and it was something
 3 like -- the conversation was something like: okay, how
 4 was it? We didn't make conversation because she was
 5 coming towards me. She was distraught. She made some
 6 comment -- I forget the exact words -- along the lines
 7 of, 'they need help down there'. I felt like saying,
 8 'Ask for us then', because is there anybody from the
 9 ambulance around there going 'We need some assistance?'
 10 Is there nobody to say, request -- because if somebody
 11 had asked, 'We need the Fire Service,' maybe that would
 12 have got us there a bit quicker. But despite our plea
 13 to the command support room to move some of the
 14 resources forward..."
 15 And then Mr Etches comes in:
 16 "Yeah, we'd gone."
 17 So of that, I will just pick out one phrase:
 18 "... forgotten we were there... didn't know we were
 19 there."
 20 Is that the impression you got?
 21 A. Yes, sir.
 22 Q. Was that because in a nutshell, and I know it's
 23 difficult, why did you get the impression -- firstly,
 24 who did you think had forgotten you? Which
 25 organisations did you think had forgotten you?

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1 A. I quickly got the understanding that the police were in
 2 attendance and it wasn't an ongoing firearms incident.
 3 Ambulances were in attendance and either we'd have been
 4 forgotten, sir, or somebody thought -- and forgive me if
 5 this sounds flippant, but because it's not on fire, we
 6 don't need the Fire Service, and we're actually the Fire
 7 and Rescue Service.
 8 Q. All these exercises, Winchester Accord and name them
 9 what you will, emphasising -- and Winchester
 10 particularly, a year or so before this atrocity, are you
 11 really saying, Mr Levy, that despite all those
 12 exercises, certain other blue light services, police,
 13 ambulance or whatever, still didn't seem to appreciate
 14 the important contribution that your side of the job
 15 could give?
 16 A. That's not my routine experience, but clearly that's how
 17 I was left feeling after the night of the 22nd.
 18 Q. It may not be your routine experience, but sadly what
 19 happened on the night of the 22nd was not routine.
 20 A. No, it was not.
 21 Q. Far from it, tragically. So certainly that's what you
 22 felt at the time. And would you accept therefore that
 23 there is something chronically wrong, with all the
 24 training and with all the exercises, in bringing that
 25 home to other emergency services the importance, in this

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1 circumstance, of fire?
 2 A. Sir.
 3 Q. And why did that happen? Why was it after all these
 4 expensive exercises, no doubt at public expense, that
 5 when they are needed in the real, it seems, certainly
 6 from your senior officer perspective, that NWAS, the
 7 police seemed to forget about the contribution that you
 8 could make? How did that come about?
 9 A. I don't have the answer to that, sir.
 10 Q. Is it for instance in the cascading of information? Is
 11 it for instance in debriefs? Is it for instance that
 12 simply the lessons learned from these exercises were not
 13 properly learned? Can you help us with that?
 14 A. Clearly they are not learned. They have been
 15 identified, I hope, but not learned by all involved on
 16 the night, as I imagine somebody has learned the
 17 lessons, but those that attended on the night did not
 18 apply them.
 19 Q. Would you accept then, and there may be evidence of the
 20 positive aspects of some of these exercises, but these
 21 expensive exercises, on the face of what you're telling
 22 the chair today, in learning critical lessons, this one
 23 being an example of it, forgetting of the Fire Service,
 24 these exercises failed?
 25 A. Yes, sir, on that front.

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1 Q. All right. Can I take you to {INQ023508T/52-53},
 2 please. The last couple of paragraphs:
 3 "I had conversations with the command support room.
 4 It was pretty much approved by the command support room
 5 what I got, because I had a couple of conversations. It
 6 wasn't always achieved to answer the phone. It
 7 was: yeah, get yourself ready, let's get down there.
 8 But no, I've heard reports of the chief banging tables
 9 to say, 'No, that's not happened'. We can dress it up
 10 any other way we can, but this is about -- this is not
 11 about the culture of the Fire and Rescue Service, this
 12 is about the [over the page, please] -- this is -- and
 13 it's not about the discipline in the Fire and Rescue
 14 Service as if it's a bad thing. This is about the
 15 culture of a county fire officer and the way he tried to
 16 command his firefighters on that day, which is not what
 17 was expected to have happened. We've got officers here
 18 that are trained to deal with that incident, given the
 19 information. Highly initiative officers, do you know?
 20 Yeah, if we'd have said, 'Chief, should we go to
 21 Clayton Brook to go to see if we can see the' -- Dale
 22 Sexton, whoever the force duty officer is, he may have
 23 gone, yeah, because it was the other direction. One of
 24 us would have thought of that, but that's not what
 25 happened. We didn't need to go that way. We could have

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1 gone that way, and that's what we tried to do as quickly
 2 as was appropriate. Had Andy said on the group to us,
 3 'I'm making, I'm going to detour straight to the scene,
 4 we'd have probably gone, 'Okay then, go steady'.
 5 And then you go on:
 6 "But I very much nearly did. I wish I had and we
 7 wouldn't have been here now because you couldn't keep me
 8 away from the scene."
 9 Over the page {INQ023508T/54}, please. Then I will
 10 scan down and see if there's anything else I need to put
 11 to you.
 12 SIR JOHN SAUNDERS: Okay, you're talking about the
 13 difference in bombs since the IRA attack and things like
 14 that?
 15 MR COOPER: Yes, I don't need to take you there.
 16 Effectively, what you're saying there, isn't it, is this
 17 is all down to the chief fire officer?
 18 A. And I wish I'd just driven straight to the scene.
 19 Q. And you wish what?
 20 A. I wish I'd just driven straight to the scene.
 21 Q. Yes. So you're saying in -- in -- as eloquently and as
 22 carefully as you are, it's the chief fire officer's
 23 fault?
 24 SIR JOHN SAUNDERS: I think carefully maybe -- it's
 25 obviously a very emotional response, nothing worse for

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1 that, but to say you'd carefully thought it all out
 2 beforehand might be an overstatement.
 3 A. It would be given the emotion and during this interview
 4 --
 5 SIR JOHN SAUNDERS: There is nothing wrong with having an
 6 emotional reaction. It indicates how you felt about
 7 what had happened.
 8 A. And I think we've referenced at the beginning of this
 9 document, sir, this was again a fresh opportunity to
 10 still vent some feeling. It would be highly
 11 inappropriate and not, truthfully, just to blame this on
 12 the county fire officer. There were other matters at
 13 play here and there were other missed opportunities by
 14 a number of people.
 15 SIR JOHN SAUNDERS: But it is your view, considered view, he
 16 should not have interfered, he should have allowed you
 17 to do what you considered necessary because that was
 18 your role on the night and not his?
 19 A. And trusted me, sir, yes.
 20 SIR JOHN SAUNDERS: Thank you.
 21 MR COOPER: And what did you think would have happened -- we
 22 have all heard about it being posited that you'd be
 23 sacked. I don't use that word as if it would have
 24 happened. What did you think might have happened? You
 25 used the word, "That probably wouldn't have happened",

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1 when you gave evidence this morning, "It probably
2 wouldn't happen". Might it nonetheless have happened?
3 Was it something in the back of your mind that it might
4 have happened?
5 A. No, sir, I think it's quite a flippant phrase. I'd
6 a professional relationship with the chief fire officer.
7 He knew my competencies and capabilities. That's not
8 going to — that's a bit of a flippant response, forgive
9 me.
10 Q. Again, you say you were surprised to get a call from
11 Mr Harris.
12 A. Yes.
13 Q. Again, I tentatively step into this arena, but I'm only
14 asking this question to see whether he was in any
15 correct place to be getting involved. He was off for
16 personal reasons, you say?
17 A. I believe so. I'm not sure what they were. That was my
18 understanding.
19 Q. I am simply asking that question, not to pry, but were
20 those personal reasons reasons which might affect his
21 decision—making?
22 A. I don't know.
23 Q. You don't know? Again, I'm in the chair's hands, we
24 don't necessarily have to see them, but can I suggest
25 the inquiry are made aware of them so it can be

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1 considered as to whether they may impact upon Mr Harris'
2 conduct —
3 SIR JOHN SAUNDERS: We can do. I'm afraid at the moment
4 I have absolutely no idea what we're talking about. It
5 may be Mr Greaney (overspeaking) —
6 MR COOPER: Can I help, sir?
7 In your evidence you said Mr Harris contacted you,
8 he was off for personal reasons, you say.
9 A. Yes, sir.
10 Q. And my question was what were those personal reasons.
11 SIR JOHN SAUNDERS: We can make enquiries, but it obviously
12 shouldn't be made —
13 MR GREANEY: I don't know.
14 SIR JOHN SAUNDERS: But we will make those enquiries.
15 MR COOPER: The only reason I'm asking is to whether they
16 may impact upon decision—making abilities.
17 SIR JOHN SAUNDERS: If they are relevant to us, we'll make
18 sure you know.
19 MR COOPER: Then I'm grateful.
20 But you were surprised to be contacted by Mr Harris;
21 is that right?
22 A. Yes, sir.
23 Q. And Mr Harris, in fact, was not only contacting you, but
24 he was relieving you of your duties, wasn't he?
25 A. That was the effect I felt, sir, yes.

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1 Q. So what we have here, just bringing it all together, as
2 succinctly as I can, is a chief officer giving
3 directions which he shouldn't be giving out; correct?
4 A. Yes, sir.
5 Q. A chief officer that doesn't seem to know, certainly as
6 far as a trauma capability is concerned, what resources
7 he has at his disposal?
8 A. Yes, sir.
9 Q. A chief officer who through his decisions is ensuring
10 that you do not deploy with, no doubt, a cadre of very
11 brave individual people, he's making sure that you don't
12 deploy to assist stricken people; correct?
13 A. Yes, sir.
14 Q. And on top of that, we've got Mr Harris, who's off for
15 personal reasons, who actually rings you up and relieves
16 you of your duties?
17 A. Yes, sir.
18 SIR JOHN SAUNDERS: I just want to understand this for
19 a moment.
20 We all know you're the guy, the on—scene commander,
21 you're in charge, you make the decisions. Nevertheless,
22 if the chief fire officer or his assistant considers
23 making you — you are making the wrong decisions, even
24 if you are not talking to him, does he have the power to
25 relieve of your duties?

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1 A. Of course he does.
2 SIR JOHN SAUNDERS: Even the incident commander, so he can
3 say, "You're off that, there's another one"?
4 A. Yes.
5 MR COOPER: This is a man who's off for personal reasons.
6 He's not even working at the time.
7 A. You'd have to clarify that. That's my recollection that
8 he was not on duty at the time. I don't know if he was
9 on a period of sickness, I don't know —
10 SIR JOHN SAUNDERS: We'll find out.
11 MR GREANEY: He certainly wasn't on duty.
12 MR COOPER: And you have no idea whatsoever why a man who is
13 not on duty suddenly decides, having said he is
14 following you radio for some reason, to ring you up and
15 sack you?
16 A. No, but in support, sir, we had other officers that
17 recalled to duty to support the event. In all
18 eventuality I assume he was one of them.
19 Q. All right. I'm just pausing, which is good news for the
20 chair because I'm going through questions I would have
21 asked and no longer will.
22 (Pause)
23 I want to show you one graphic on the subject of
24 situational awareness. We've heard much tell of this
25 and there's actually a graphic which may or may not be

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1 helpful to the inquiry which is {INQ001025/1}. It's
 2 a JESIP document. {INQ001025/46}, please.
 3 This is a graphic which shows a JESIP document, just
 4 trying to bring it all together on situational
 5 awareness:
 6 "Establishing shared situational awareness."
 7 Looking at those questions:
 8 "What is happening at the moment and what is being
 9 done about it? What might happen next or in the future?
 10 What does all that mean and what effects will it have?
 11 I need to get everyone's understanding of the situation
 12 so that nothing is missed moving forward."
 13 That's a JESIP document and would you agree that's
 14 a reasonably succinct graphic containing information of
 15 what was lacking?
 16 A. Yes, it's quite simple, sir.
 17 Q. And that in itself, in a nutshell, shows what you and
 18 your colleagues weren't getting?
 19 A. It also shows how easy it is. Because it makes it look
 20 quite easy there. If it works well, it's easy.
 21 Q. Again, you're clairvoyant, because that was the next
 22 question, in the sense that it looks a very easy thing
 23 for these people, whether they are models or real —
 24 A. If I may say, that happens every day between the
 25 emergency services, even without them calling it JESIP.

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1 MR COOPER: All right, there it is. I have no further
 2 question to ask on that matter.
 3 MR GREANEY: While Mr Cooper pauses for a moment to review
 4 his notes, I've had a chance to have a look at the
 5 statement of Mr Harris. The reference is {INQ026693/1},
 6 and at paragraph 55, page 13, he states:
 7 "I understand that a query has been raised as to
 8 whether I was off sick at the time of the incident.
 9 I have not had any sickness absence from work since
 10 2001."
 11 We will check, but I think the position is it was as
 12 simple as this: he was not on duty at the time and was
 13 not off sick.
 14 MR COOPER: Maybe a clarification, maybe not, whether there
 15 were personal reasons, not that I'm prying.
 16 SIR JOHN SAUNDERS: We'll find out.
 17 MR GREANEY: The indications are they were as simple as I've
 18 said.
 19 MR COOPER: Thank you for that.
 20 A. May I say, it might equally be an error on my behalf and
 21 an understanding on my part.
 22 SIR JOHN SAUNDERS: Absolutely, we understand that,
 23 a misunderstanding could happen.
 24 MR COOPER: Again, I leap forward. When 12 firefighters
 25 were asked for, it seemed, by NWAS and that was being

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1 passed to you by Mr O'Reilly, you've indicated again
 2 this is about the number of firefighters that perhaps
 3 would be sent to a blaze of a suburban house in
 4 Middleton, for instance, it's that sort of thing. Did
 5 that in itself make you think, "I need to challenge
 6 that, this is absolutely a paltry amount of people to be
 7 sent to this catastrophe"?
 8 A. I did challenge, sir.
 9 Q. And when the chief ignored that challenge, was there any
 10 other way, apart from asserting yourself even further,
 11 and I understand we've been over that, was there any
 12 other line of command you could go to to say, "Wait
 13 a minute here, the chief has made a decision to send the
 14 number of fire officers we would send to a semi-detached
 15 in Middleton to the Manchester Arena, this is wrong,
 16 please override him"? Was there any sort of override
 17 mechanism?
 18 A. I could have ignored it, sir, just taken my chances and
 19 taken firefighters and fire engines and the special
 20 response teams with me. I could have — alternatively,
 21 sir, I could have made sure that I was quite confident
 22 that everybody in the command support room had the same
 23 picture I had so they could be informed in their
 24 decision-making.
 25 Q. You were referred to a document, which we latterly had

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1 sent to us, briefly by Mr Greaney. I want to take you
 2 back to it again to look at it a little more fully.
 3 That's {INQ010068/1}, a document of 23 May.
 4 This is you to Ms Carden. Let's look at it a little
 5 more in context —
 6 SIR JOHN SAUNDERS: This is 5 o'clock the following morning,
 7 5.30?
 8 MR COOPER: Yes. You say this:
 9 "About something you were putting out for your board
 10 of directors."
 11 What's that?
 12 A. I think I was asked this question before. I don't
 13 remember this telephone call, but it makes sense that
 14 the operations managers at North West Fire Control would
 15 provide some brief update to their board of directors —
 16 that's the North West Fire Control board of directors —
 17 much in the same way we or the chief fire officer, for
 18 argument's sake, would give a briefing to the
 19 Deputy Mayor or Mayor of Greater Manchester.
 20 Q. "Tessa and Sarah are saying is there — any that you're
 21 putting out that we could sort of go on the back of for
 22 the board of directors, you know, that if you were doing
 23 the counsellors and stuff that we could use for the
 24 board of directors?"
 25 What's that mean?

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1 A. I don't know, sir, but I imagine — again it's quite
 2 common, let's say we had provided a very brief summary
 3 of the events of an incident, we would quite likely
 4 share that with North West Fire Control if it was so
 5 significant so that we're not both writing the same
 6 summary that they could use.

7 Q. Who are the counsellors?

8 A. I think that would be the counsellors is a misspelling
 9 there, it's councillors as in local authority
 10 councillors, political councillors, who inform the board
 11 of directors. That's what that means.

12 Q. You go on and you'll forward it, and you say this:
 13 "If I get it. I'm not putting anything out because
 14 it's just embarrassing what we've done."
 15 You have been asked about that. You're speaking
 16 generally, embarrassing generally, about how the Fire
 17 Service came out of this?

18 A. This was like the chairman's recognised, 5.30 the next
 19 morning. I have not been to sleep and I'm reasonably
 20 low and very embarrassed about our performance.

21 Q. I'll move on. You go on:
 22 "We'll... I'm starting to get that John Fletcher's
 23 not very happy."
 24 "Isn't he?"
 25 "Very low, very, very low, and reduced to tears."

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1 Again Mr Fletcher, this is no criticism of him in
 2 any way whatsoever, but he was literally reduced to
 3 tears because of the contribution or lack of it that the
 4 Fire Service made?

5 A. Apparently so. That's what it says.

6 Q. Control say:
 7 "I don't blame him... Has Neil Gaskell been on
 8 today?"
 9 "No, I haven't seen him."
 10 And it goes on to some personal details about him.
 11 And then at the bottom they say:
 12 "But like you say, we can discuss the plan."
 13 Over the page please {INQ100068/2}:
 14 "Yeah, yeah, Aisha — we were listening to the call
 15 and we were like this isn't the call and then I said no
 16 it's further along so Tessa..."
 17 I am going to (inaudible) that bit out.
 18 What's that referring to?

19 A. I don't know, sir, but it would make perfect sense if
 20 I have been asked as the single point of contact for
 21 North West Fire Control to start requesting calls for
 22 somebody like, and I don't know, he may have a memory,
 23 somebody like assistant chief fire officer, Mr Keelan.
 24 It would be quite usual for him to ask me for that type
 25 of information.

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1 Q. All right. Over the page {INQ100068/3}, please,
 2 Mr Lopez. We just heard about it briefly. I wanted to
 3 put that into some form of context?

4 SIR JOHN SAUNDERS: It reads a bit like a fairly
 5 unintelligible 5.30 in the morning conversation when you
 6 are all completely exhausted.

7 A. I'd have been up for 24 hours.

8 SIR JOHN SAUNDERS: I understand.

9 A. But it makes sense reading it now, sir, to my mind.

10 MR COOPER: On a different matter, if I can, please, I want
 11 to take you to your statement please on {INQ035164/1},
 12 paragraph 3. This deals with the radio channel now:
 13 "On or about the time of 18 January 2017 —"
 14 SIR JOHN SAUNDERS: If you're anything like me, you're on
 15 a different statement.

16 A. Me too, sir.

17 (Pause)

18 MR COOPER: It's the second statement.

19 MR GREANEY: Probably the second inquiry statement, the
 20 third statement in chronological order.

21 MR COOPER: It's just on this one issue. Paragraph 3:
 22 "On or around the time of 18 January 2017, whilst
 23 conducting some research into national Fire and Rescue
 24 Service practices, I happened across a document held
 25 in the public domain entirely by chance, which set out

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1 locally agreed principles for the use of the available
 2 interoperable radio channels within the Devon and
 3 Cornwall region. Having read that document, I realised
 4 that the interoperability arrangements that it set out
 5 could be adapted for local resilience forums in
 6 Greater Manchester in order to formalise arrangements
 7 for the use of the already available inter-agency
 8 channel. I sent a copy of the Devon and Cornwall
 9 document by email to my colleagues Neil Gaskell and
 10 John Fletcher, simply inferring that a similar
 11 arrangement in Greater Manchester would be beneficial.
 12 "Some time later, on or around 16 March 2017, I was
 13 contacted by Laura Lewis of GMP. I think that Laura had
 14 been referred to me by one of my colleagues in the
 15 Contingency Planning Unit, probably Mick Lawlor, John
 16 Fletcher or Neil Gaskell and most likely in the context
 17 of my role as GMFRS single point of contact for North
 18 West Fire Control. It is possible that the referral
 19 followed on from the tabletop multi-agency, Exercise
 20 Hawk River.
 21 "Laura was following up on discussions around the
 22 proposed use of an interoperability channel. She asked
 23 if I could meet with her and her colleague, Jo Hoyte,
 24 from North West Counter-terrorism Police for a visit to
 25 NWFC to confirm that the interoperability channel..."

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1 Over the page please {INQ035614/2}:
 2 "Then some time later [and we have the date now, 16
 3 March 2017], a few months before the atrocity, I was
 4 contacted by Laura Lewis of GMP. I think that Laura had
 5 been referred to me by one of my colleagues in the
 6 Contingency Planning Unit, probably Lawlor, Fletcher or
 7 Gaskell and most likely in the context..."
 8 I think I've read this already.
 9 A. Yes.
 10 Q. Paragraph 6:
 11 "I sent an email to my counterpart at NWFC,
 12 Jamie Carden (sic), to set this visit up.
 13 "On 10 April I met Janine Carden, Laura Lewis and
 14 Jo Hoyte at NWFC in Warrington. We had a positive
 15 discussion. It was clear that the use of
 16 interoperability channel was viable and that NWFC had
 17 the necessary access to facilitate communications with
 18 the other agencies."
 19 Just up a bit please. Mr Lopez:
 20 "It was, as I understood it, therefore left that
 21 Laura Lewis and Jo Hoyte were going to check with other
 22 partners, including neighbouring police forces, that
 23 they were also able to access the interoperability
 24 channel. As I recall it, the reason for this was to
 25 ensure that everyone could use the same interoperability

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1 channel in the event that mutual aid was required from
 2 neighbouring police forces."
 3 Paragraph 10, please. You conclude:
 4 "I therefore had taken my role in the creation and
 5 development of agreed arrangements for the
 6 interoperability channels as far as I could at that
 7 point and we were waiting to hear further from Laura and
 8 Jo so that we could move on to the implementation phase.
 9 As far as I was aware, this remained the position at the
 10 time of the arena attack."
 11 Can I -- based upon that, and as you know no doubt
 12 from hearing the evidence, the matter was sorted out
 13 pretty swiftly after the arena attack over a coffee in
 14 a café effectively. That could have been done before
 15 the arena, couldn't it?
 16 A. Yes, sir, clearly.
 17 Q. And this is not necessarily a criticism of you, you --
 18 SIR JOHN SAUNDERS: I don't think it's any criticism of him
 19 whatsoever --
 20 MR COOPER: Absolutely --
 21 SIR JOHN SAUNDERS: Was it Mr Gaskell, is it, who said we
 22 need to delay it for a bit?
 23 MR COOPER: Looking at this statement from you, can
 24 I suggest to you there's no reason to delay, there's
 25 nothing in what you're telling this inquiry that

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1 indicated that there was any reasonable reason to delay
 2 it, was there?
 3 A. No, sir, but you know --
 4 SIR JOHN SAUNDERS: Okay, the position is that you knew
 5 (overspeaking) as far as you're concerned you were all
 6 set up, ready to go, no reason to delay. Whether anyone
 7 else thought there was a proper reason to delay, it is
 8 a matter for the evidence for them really?
 9 A. Yes, thank you.
 10 SIR JOHN SAUNDERS: But we haven't heard a very good reason
 11 so far, Mr Cooper.
 12 MR COOPER: Well, I will leave it there then. But I am just
 13 going to try -- we have heard a lot of what happened
 14 after the arena. This puts it in context as to what was
 15 going on beforehand.
 16 SIR JOHN SAUNDERS: Fine.
 17 MR COOPER: If you bear with me, I think that's all I need
 18 from you.
 19 (Pause)
 20 I want to conclude with this question, it's
 21 something that I just want to clarify. You refer in the
 22 document that I very first took you to, new don't need
 23 to go to it, {INQ000273/1}, that the chief was off to
 24 a wedding on Tuesday morning, just after this event;
 25 yes?

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1 A. Yes, I've recorded that. I don't remember that, sir.
 2 Q. Did you get any impression from your dealings with the
 3 chief that he felt himself under any pressure to
 4 maintain his commitment to go off Tuesday morning to
 5 a wedding?
 6 A. No, sir, I couldn't answer what.
 7 Q. Did he go to the wedding on Tuesday morning?
 8 A. I don't know, sir. I know -- I don't recall that he was
 9 at work.
 10 MR COOPER: Thank you, sir. I have no further questions.
 11 MR GREANEY: Sir, finally, subject to one issue that I would
 12 want to cover, I will ask Mr Warnock to pose his
 13 questions, please.
 14 Questions from MR WARNOCK
 15 MR WARNOCK: Mr Levy, a point just of clarification. When
 16 you heard Mr Lawlor say that Operation Plato had been
 17 declared and you heard that over the radio, which was at
 18 about 00.20, can you recollect whether at that time you
 19 heard that Operation Plato had in fact been declared
 20 some time earlier at 22.47 or did you learn that fact
 21 later?
 22 A. No, I think I learned it immediately, sir. I wrote it
 23 down in my command pack at that very point or on
 24 contemporaneous notes, one or the other. I don't know
 25 which order, "At 22.47", which added to the anguish,

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1 I suppose.
 2 Q. Second point of clarification, lest anyone has
 3 misleading impressions of this: the disagreement between
 4 you and Chief Fire Officer O'Reilly, was that about
 5 which resources to send to the arena or was it about
 6 whether to send resources at all?
 7 A. It was about which resources. At the point at which he
 8 asked for 12 firefighters, I challenged that we should
 9 send the special response teams.
 10 SIR JOHN SAUNDERS: I think it's fair to say it's not just
 11 whether to send, it's how many to send.
 12 A. Yes, sir, absolutely.
 13 MR WARNOCK: The point I was seeking to clarify is one might
 14 have had the impression that he was saying, "Don't send
 15 anything".
 16 SIR JOHN SAUNDERS: Absolutely. That's the dispute: what
 17 sort and how many?
 18 MR WARNOCK: Finally, Mr Levy, this: Mr Greaney referred to
 19 the fact that later that night, throughout the night,
 20 and indeed in the days following, you and the Fire
 21 Service continued to play a part. Without getting into
 22 anything operationally sensitive, it might be of
 23 interest to those listening to hear what the types of
 24 activities that you were engaged in in those hours and
 25 days following the attack were.

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1 A. Okay, sir. I won't stray into anything operationally
 2 sensitive, but we provided -- Greater Manchester Fire
 3 and Rescue Service provided detection, identification
 4 and monitoring capability across the Greater Manchester
 5 area, at multiple sites, which is to, in effect, look
 6 for remnants of explosives and the like.
 7 We were involved in the front line searches, which
 8 were supported by police forces and counter-terrorism
 9 teams and other assets from across the UK that descended
 10 upon Greater Manchester. The Fire and Rescue Service
 11 were at the forefront of that.
 12 The NILOs, including me, took a lead role in
 13 developing the operational working strategies on behalf
 14 of Greater Manchester, and also as a DIM officer,
 15 detection, identification and monitoring, I was one of
 16 the first persons on some of the scenes following the
 17 initial intervention by supporting assets of the police.
 18 We also supported the Counter-terrorism Policing
 19 operations room on a 24-hour basis, the NILOs and other
 20 specialist officers, so we were deeply embedded on
 21 a 24-hour basis from -- well, immediately from the
 22 moment of the explosion right the way through for --
 23 I recollect it was about 8, 9, 10 days. Thank you, sir.
 24 MR WARNOCK: Thank you. Those are the only questions I have
 25 for you.

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1 MR COOPER: I'm sorry, it was remiss of me: I was instructed
 2 by those we represent to thank Mr Levy for his evidence
 3 today.
 4 SIR JOHN SAUNDERS: Thank you very much, Mr Cooper.
 5 Questions from MR ATKINSON
 6 MR ATKINSON: (Inaudible: no microphone) your actions and
 7 those of your service that night, but those I represent
 8 want to thank you both for what you sought to do and
 9 especially for the frank way in which you have helped
 10 the inquiry through your evidence. It's immensely
 11 important to them that people are frank in the way that
 12 you have been.
 13 Further questions from MR GREANEY
 14 MR GREANEY: Thank you. As I said, there was just one issue
 15 that arose out of the questioning of Mr Horwell that
 16 I wanted just to develop slightly.
 17 So you'll remember, Mr Levy, that Mr Horwell drew
 18 your attention to two calls, one of which you did take
 19 part in, and one of which you didn't. Can we look first
 20 of all at the one you didn't take part in.
 21 {INQ001158/1}.
 22 It was this passage that NNAS, in this call at
 23 23.50, said to NWFC:
 24 "A lot of our vehicles are going to Thompson Street
 25 Fire Station."

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1 And Fire Control say:
 2 "On are they? Right."
 3 NWAS:
 4 "Yeah."
 5 And then NWFC:
 6 "Okay then, right. I'll update our GM, right. So
 7 have you got ambulances on scene?"
 8 And then this, as it was suggested rightly,
 9 important answer:
 10 "We've got everybody there, yeah."
 11 And then just a very short time later, you have your
 12 conversation with Rochelle Fallon, this is
 13 {INQ001233/1}. Rochelle Fallon informs you that she has
 14 been on the telephone to the Ambulance Service and she
 15 says in the middle of the page:
 16 "They didn't either, but they have just advised that
 17 a lot of their appliances are rendezvousing at
 18 Thompson Street. Do you want me to tell them where you
 19 are or do they need to stay there just because of the
 20 location?"
 21 And as you'll remember it was pointed out to you
 22 that you were not told in that call that there were
 23 resources of the Ambulance Service at the scene.
 24 A. Yes, sir.
 25 Q. And you accepted that that was an omission and indeed

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1 you said it was a significant omission?
 2 A. Yes, sir.
 3 Q. The way in which I would like to develop this point just
 4 slightly is as follows. I'm going to ask that the log
 5 of North West Fire Control is placed on to the screen,
 6 please. The log reference is {INQ004284/13}.
 7 Can you see the entry in the log that is timed at
 8 23.53.53?
 9 A. Yes, sir.
 10 Q. So this is after the NWFC/NWAS call and after the
 11 NWFC/Levy call.
 12 A. Yes, sir.
 13 Q. Although just after. It reads:
 14 "Awaiting response from police so contacted
 15 ambulance to see if they know what the co-locate point
 16 is. They don't know at this time as they have
 17 appliances everywhere."
 18 Then this line:
 19 "They advised their appliances not at the incident
 20 are rendezvousing at Thompson Street station."
 21 Do you see that?
 22 A. Yes, sir.
 23 Q. So implicit in that line, do you agree, is that the
 24 Ambulance Service did have appliances at the incident?
 25 A. Yes, sir.

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1 Q. I'm not going to suggest that you had --
 2 SIR JOHN SAUNDERS: I'm really sorry, it's actually
 3 ambiguous if you're reading it:
 4 "They advised their appliances not at the incident
 5 are rendezvousing..."
 6 I don't know if there's someone new coming on that,
 7 but would you read it as they were at the scene?
 8 MR GREANEY: How would you read it?
 9 A. It's not great. You could also read that, forgive me,
 10 that:
 11 "They advised their appliances not at incident."
 12 You could put a full stop in there:
 13 "Are rendezvousing at Thompson Street."
 14 It depends.
 15 MR GREANEY: I had read it --
 16 SIR JOHN SAUNDERS: That's a unique admission, Mr Greaney.
 17 MR GREANEY: It probably isn't, sir, but I had read it
 18 in the way in which I invited the witness to read it.
 19 SIR JOHN SAUNDERS: You can read it, I am sure, both ways.
 20 Commas matter in that but actually where you are putting
 21 the commas in is a bit more doubtful. Anyway, the
 22 evidence at the moment from the call is that's what the
 23 person was told?
 24 MR GREANEY: Exactly, although I accept and you accept, as
 25 you've said, that there may be a different way of

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1 reading it. I'm not suggesting that this log was
 2 available to you at that time.
 3 A. It wasn't, sir, no.
 4 Q. But that entry in the log would have been available to
 5 Mr Nankivell, Mr O'Reilly and others in the CSR?
 6 A. At some point, yes, sir, once they logged on, for want
 7 of a better phrase.
 8 SIR JOHN SAUNDERS: We must see what their impression is
 9 from how they read it. I have to say, my initial
 10 impression was that it was exactly the other way round
 11 and I just thought someone had made a mistake in
 12 entering the conversation in the log, whereas your
 13 instinctive reaction was entirely the opposite.
 14 MR GREANEY: It was, yes. As you say, we will have to see
 15 what their reaction to it was.
 16 SIR JOHN SAUNDERS: Absolutely.
 17 MR GREANEY: At least we know now that that information was
 18 available (overspeaking).
 19 SIR JOHN SAUNDERS: We certainly won't take a vote in the
 20 room as to how people read it.
 21 MR GREANEY: We won't, sir.
 22 Thank you very much, Mr Levy, for answering
 23 everybody's questions.
 24 Sir, do you have any further questions?
 25 SIR JOHN SAUNDERS: No. I am really grateful to you. You

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1 have heard the thanks from the families, which is more
 2 important than the thanks from me, but I am grateful for
 3 the help you have given me and I will look forward to
 4 getting your recommendations in writing.
 5 Thank you very much.
 6 A. Thank you, sir.
 7 MR GREANEY: Sir, we will make a start and try to finish
 8 Mr Ellis. What I'm going to invite you to do is rise
 9 for one moment so Mr Levy can leave the room, Mr Ellis
 10 can come in, and Mr de la Poer can come forward as well.
 11 SIR JOHN SAUNDERS: I will do that.
 12 I said yesterday we would finish between 4.00 and
 13 4.30, I'm afraid I'm sticking to that. So if it means
 14 Mr Ellis has to come back, then I apologise to him in
 15 advance.
 16 MR GREANEY: He knows of that risk, sir.
 17 (2.56 pm)
 18 (A short break)
 19 (3.01 pm)
 20 MR DAVID ELLIS (sworn)
 21 Questions from MR DE LA POER
 22 MR DE LA POER: Please can you state your full name.
 23 A. David Ellis.
 24 Q. Mr Ellis, did you join North West Fire Control
 25 in February of 2014?

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1 A. That's correct.
 2 Q. Did you achieve competent operator status in
 3 November 2016?
 4 A. Yes.
 5 Q. Meaning that you had a substantial degree of experience
 6 acting as a competent operator by the time of the arena
 7 attack?
 8 A. Yes.
 9 Q. In fact, have you since the arena attack, received
 10 a promotion to the position of team leader?
 11 A. That's correct.
 12 Q. Did that occur in February of 2018?
 13 A. Yes.
 14 Q. I'm going to deal with your training very briefly
 15 indeed, although that should not deter you from adding
 16 more detail if you feel the need to. But bearing in
 17 mind your involvement on the day, certainly for my
 18 purposes I don't think we'll need to do more than a few
 19 questions.
 20 Had you had JESIP and MTFA training by May of 2017?
 21 A. I had, yes.
 22 Q. Therefore, did you understand what Operation Plato was?
 23 A. I had a brief understanding of it, yes.
 24 Q. Did you understand that it was the police response to
 25 a marauding terrorist firearms attack?

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1 A. I did.
 2 Q. And did you understand that in the event of a marauding
 3 terrorist firearms attack, the places where emergency
 4 responders would be permitted to go would be adjusted
 5 from the ordinary operation?
 6 A. I understood about the hot and cold and warm zones.
 7 Q. So bearing in mind the duties that you had to discharge
 8 on 22 May 2017, did you regard yourself as having been
 9 adequately trained?
 10 A. I would say I received the training. I would have
 11 preferred more training around the specific terrorist
 12 side to it. I fully understood the JESIP principles.
 13 We have received a PowerPoint presentation with regards
 14 to Mumbai, amongst other materials.
 15 Q. Can I ask you to pause a moment? Only to ask you to
 16 keep your voice up a little bit.
 17 (Pause)
 18 A. I received a PowerPoint presentation. Some of the
 19 content was the Mumbai incident, that was the majority
 20 of the training I received regarding MTFA. However,
 21 JESIP was continued and is continued on an annual basis.
 22 SIR JOHN SAUNDERS: We do know a fair amount of training
 23 went on with the various rescue agencies, but actually
 24 mobilisation was not part of those exercises, so they
 25 all started from having been mobilised. Do you think

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1 it would have helped if NWFC had been included?
 2 A. I do, yes. I think it helps to manage the room in
 3 a real-life exercise. You can only do so much on paper
 4 and pre-empt a what-if situation. So I do believe if
 5 we were involved in a mobilisation, it would have
 6 helped, particularly for the team leaders, to perhaps
 7 organise the room or take appropriate actions.
 8 SIR JOHN SAUNDERS: Thank you.
 9 MR DE LA POER: Your role on the night was not in
 10 a management capacity; is that right?
 11 A. That's correct.
 12 Q. And therefore, any substantial decision, would that be
 13 made by you or by a team leader?
 14 A. It would be made by the team leader or a senior ops
 15 manager.
 16 Q. You have indicated that you think you would have
 17 benefited from more training. Can we just understand
 18 what that benefit may have been? One possible benefit
 19 may have been that you would have felt more comfortable
 20 in responding. Another may be that you think you may
 21 have done things differently. Do you see? I'm sure
 22 that's not an exhaustive list. In what way do you think
 23 you would have benefited from more training given what
 24 you had to do?
 25 A. I think from a greater understanding it almost prompts

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1 you to ask possible — more questions, think of more
 2 possible scenarios, sort of think outside the box, if
 3 you will. So if you just have one set style of — so we
 4 received the presentation of several different possible
 5 examples and scenarios but not everything falls into
 6 that scenario. I think if you fully understand
 7 something, it helps you to prepare quickly and also
 8 helps you to maybe think of other things you could
 9 potentially have asked officers, pass on to officers.
 10 Q. Bearing in mind the answer that you think if you had
 11 received more training around terrorism that would have
 12 been a benefit, can we try and be specific? In
 13 May 2017, do you think that you understood that the
 14 detonation of a bomb in a public place may be the start
 15 of a marauding terrorist firearms attack?
 16 A. I had that understanding.
 17 Q. You did have that understanding?
 18 A. Yes.
 19 Q. We will come to the action card in a moment but I'm
 20 going to turn away now from training and just introduce
 21 the layout of North West Fire Control and where you and
 22 others were on 22 May at the important time.
 23 Mr Lopez, can I ask you, please, to put up
 24 a photograph. It may need rotating before you put it on
 25 the screen. {INQ010069/1}.

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1 This has been added at my request and I have shown
 2 Mr Ellis this and those representing North West Fire
 3 Control. I hope that everyone will find it helpful.
 4 This isn't a photograph taken on the night, but
 5 taken from promotional material; is that right?
 6 A. That's correct.
 7 Q. And we'll just talk our way round this by reference to
 8 the layout on the night. On the left-hand side, we can
 9 see a person wearing a black cardigan or jacket and
 10 a white top. Do you see that person?
 11 A. That's correct.
 12 Q. Who would sit in that desk?
 13 A. That's the supervisory desk, so that would be the duty
 14 team leader in the centre chair. The chair furthest
 15 away would be the administration team leader. The third
 16 vacant position could be used by the ops manager if they
 17 were recalled to the control room.
 18 Q. Let's make this specific to 22 May. In that centre
 19 chair, would it have been Michelle Gregson?
 20 A. Yes, that's correct.
 21 Q. The chair to her left, so furthest away on the left hand
 22 side, would that have been Lisa Owen's desk?
 23 A. That's correct.
 24 Q. I think she may have been known by the name Lisa Canning
 25 at the time?

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1 A. Yes.
 2 SIR JOHN SAUNDERS: Her position?
 3 A. Team leader, sir.
 4 SIR JOHN SAUNDERS: Thank you.
 5 MR DE LA POER: She's a team leader in a slightly different
 6 capacity to Michelle Gregson; is that right?
 7 A. They are both team leader roles for the operational side
 8 of the room. The duty team leader will deal with any
 9 operational enquiries and oversee calls and incidents
 10 in the room. The administration team leader will deal
 11 with any administration coming in, staff shortages,
 12 additional staff required, any sick forms. If the duty
 13 team leader is busy with another incident, we can
 14 approach the administration team leader for guidance.
 15 Q. And then the near chair on the left-hand side, who on
 16 the night occupied the role that might sit in that
 17 chair?
 18 A. I believe it was Janine Carden.
 19 Q. But at the time of the phone call that we are going to
 20 be dealing with, just after 10.30, is concerned, I don't
 21 think Janine Carden was in the building; is that right?
 22 A. That's correct, sir.
 23 Q. Working our way round the room clockwise, we can see
 24 a series of desks towards the top of the photograph;
 25 is that where you were sitting?

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1 A. That's correct, I was in the centre chair of that bank
 2 of desks.
 3 Q. The centre chair. Was there anybody occupying any of
 4 the chairs in that pod as well as you?
 5 A. As we're looking at the photograph, to the right, Dean
 6 was sat in the chair next to me.
 7 Q. Dean Casey?
 8 A. That's correct.
 9 Q. Is that where the man who appears to be looking over his
 10 left shoulder is sitting?
 11 A. Yes.
 12 Q. Then as we continue to move round the room in
 13 a clockwise direction, where we can see two unfilled
 14 chairs in this photograph, were either of those occupied
 15 on the night?
 16 A. I can't recall if anyone was sat in those two chairs.
 17 As you go round the desk to -- you're just out of shot
 18 on the right-hand side, there would only would two
 19 people sat at those position.
 20 Q. And who were they on the night?
 21 A. I can't recall who was exactly sat there on the night.
 22 Joanne Haslam was definitely on one of them but I can't
 23 confirm what seat she was on.
 24 Q. And she would be sitting in that pod there?
 25 A. On that particular pod at -- yes.

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1 SIR JOHN SAUNDERS: Is that where we see a number 10? Am I
 2 in the right place?
 3 A. That's correct, sir, yes.
 4 MR DE LA POER: We have heard evidence today about a call
 5 handler, Rochelle Fallon. Do you know where she was
 6 sitting on the night?
 7 A. I believe she may have been sitting on the bottom bank
 8 of desks of the picture. Again, I'm not too sure of the
 9 position she was sat in, I can't recall.
 10 Q. We have identified a number of general locations and so
 11 we'll have an idea in our minds.
 12 When you received the call that started at 22.32
 13 from Greater Manchester Police, were you in the position
 14 that you have indicated, in other words in the centre of
 15 that pod at the top of the shot?
 16 A. I was, yes.
 17 Q. Where was Michelle Gregson at that time?
 18 A. In the office, just to the top right-hand side of the
 19 picture, with another operator, Vanessa Ennis.
 20 Q. She was in there with Vanessa Ennis?
 21 A. That's correct.
 22 Q. So she would have been over your left shoulder behind
 23 a glass wall?
 24 A. Yes.
 25 Q. And at the point you received the telephone call, was

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1 Lisa Owen sitting at the supervisor pod?
 2 A. That's correct.
 3 Q. Thank you very much indeed. Mr Lopez, we can take that
 4 down.
 5 Hopefully that will help everyone orientate
 6 themselves as we can come to talk about what happens
 7 during the call.
 8 Mr Lopez, I appreciate you've not had a lot of
 9 notice about this, so I'm sure you will take your time.
 10 (Pause)
 11 I'm going to try and use the INQ that I gave you and
 12 give you a start point. That is going to be
 13 {INQ004331/1}, and if we can start that at 2 minutes
 14 40 seconds. There's a transcript that accompanies that,
 15 which is {INQ001231/2}.
 16 Sir, we are just going to listen to 3 minutes of the
 17 start of that call. That's all the audio I'm proposing
 18 to play with Mr Ellis and then we will turn to look
 19 at the log and see how it turns out on the terminal.
 20 (Audio played)
 21 We will see, Mr Ellis, that that point that I have
 22 asked Mr Lopez to stop is at 22.37 and about 30—odd
 23 seconds. We can take that down.
 24 The context of this call was that you had been
 25 speaking to GMP about an unrelated matter; is that

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1 right?
 2 A. That's correct.
 3 Q. It was about 2 minutes about into that phone call that
 4 the passage we have just heard effectively interrupted
 5 the end of that conversation and you began to receive
 6 completely new information about the arena attack?
 7 A. That's correct.
 8 Q. If we now turn to the log that you created,
 9 {INQ008376/3}, please.
 10 SIR JOHN SAUNDERS: Is this what you actually did on the
 11 phone?
 12 A. Yes, I was typing as we were receiving the information,
 13 sir.
 14 SIR JOHN SAUNDERS: Thank you.
 15 MR DE LA POER: So if we just crop in towards the top,
 16 I hope what will become apparent to everybody, Mr Ellis,
 17 is we can see in the top left—hand corner that this log
 18 is created as an incident at 22.38.48, so about a minute
 19 after the point at which I paused that conversation,
 20 which obviously continued. We can see entered there,
 21 against the operator ending 61, which is you, is that
 22 right?
 23 A. That's correct.
 24 Q. So where we see operator 50061, that's you. We can see
 25 the location, as it was given to you, and you have added

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1 in text:
 2 "Explosion in foyer area of Manchester Arena MEN
 3 where McDonald's used to be, merchandise stand.
 4 30 casualties reported so far."
 5 Is that right?
 6 A. That's correct.
 7 Q. Is that free text that you are able to enter and upload
 8 to the log as the conversation is ongoing?
 9 A. Yes, sir.
 10 Q. What we're going to do is --
 11 SIR JOHN SAUNDERS: Are we not going to look at the type
 12 code in the fourth line down?
 13 A. Sorry, sir?
 14 MR DE LA POER: The type code EP01? Type code or sub—type
 15 "explosion"?
 16 SIR JOHN SAUNDERS: Sub—type code "explosion".
 17 MR DE LA POER: Certainly.
 18 SIR JOHN SAUNDERS: We're coming to that?
 19 MR DE LA POER: I'm going to come to it in a slightly
 20 different way. That might be the right moment, I don't
 21 know.
 22 What we will see at 22.38.51, so 3 seconds after
 23 that entry is timestamped, do you see:
 24 "Comment: Action plan."
 25 Then you have:

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1 "Building fire. High rise added. Action plan.
 2 3115. Explosion added."
 3 A. Yes.
 4 Q. I just want to talk around that process. You are
 5 receiving information from GMP and concurrently making
 6 entries into the log; is that right?
 7 A. That's correct, yes.
 8 Q. Is the information visible to you on your screen in
 9 a similar form to how we see it in this printout?
 10 A. No, it's not. It's a bit more user—friendly. There's
 11 not a lot of the system comments. It is pretty much
 12 text boxes that we fill in. So we validate on the
 13 address, there's a box underneath if there's anything
 14 specific we have to type about the address, and we
 15 select the incident type appropriate, and then there's
 16 a box under that, which allows us to free type any
 17 additional information relevant to the incident type.
 18 Q. As you say, although this can seem a little impenetrable
 19 to start with, because of all the internal references,
 20 in fact on your screen the key information is readily
 21 read, is it?
 22 A. Yes.
 23 Q. As the chair has just pointed out, when you created this
 24 incident it appears the type code was explosion?
 25 A. That's correct.

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1 Q. And within 3 seconds of that being uploaded we can see:
2 "Action plan: explosion added."
3 Talk us through that process, please.
4 A. Action plans for an operator — they can view them
5 either linked to an incident type already, so if you
6 select a particular incident type, they're already
7 associated, so you don't choose them, they'll
8 automatically appear. That is in conjunction with the
9 appropriate Fire and Rescue Service who agree what needs
10 to be attached to that incident type.
11 Another option is we can actually complete a search
12 for action plans, so if we receive information via the
13 phone or a radio from an officer and they mention
14 cylinders, for instance, we can search for a cylinder
15 action plan and manually add that to the incident if
16 required. It looks as though the building fire and the
17 explosion action plans were both associated to that
18 incident type.
19 Q. How would they be associated? Is the computer is
20 reading the key words that you're writing?
21 A. The computer has recognised the incident type I've
22 selected and saved, and on the back of that it will
23 automatically present those action plans.
24 Q. Do you need to then select one of those action plans or
25 open it or does it simply become associated and

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1 available if required?
2 A. It is available — if there's any pre-mobilisation
3 action plans, they will populate on the screen, they'll
4 often be in a different colour, often red, and that has
5 to be — whatever action is on, that has to be completed
6 prior to mobilisation of any resources. Other than that
7 we would have to manually open them to view any actions
8 to be completed.
9 Q. We know —
10 SIR JOHN SAUNDERS: You have typed in "explosion"?
11 A. Yes, sir.
12 SIR JOHN SAUNDERS: Thank you.
13 A. When I say type, I have selected it from the list of
14 incident types.
15 MR DE LA POER: Is it a drop-down list of incident types?
16 A. Yes.
17 Q. And as we will all be familiar with, there will be an
18 arrow and a list falls out of a box and you can then
19 select one of them and it then populates the box?
20 A. That's correct. We can use keywords, so based on what
21 the caller is telling us, if we are unsure what actual
22 incident type to classify it as.
23 SIR JOHN SAUNDERS: In this case you clicked on explosion?
24 A. I started typing "explosion" and selected the explosion
25 incident type.

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1 MR DE LA POER: Why did you do that?
2 A. Because my decision-making was the bomb had gone off.
3 Therefore I chose to select the explosion incident type.
4 If it had been an unexploded bomb, I perhaps would have
5 gone with the bomb incident type instead.
6 Q. You have told us that you were aware in May 2017 that
7 a bomb in a crowded place may be the start of an MTFA.
8 Did you consider selecting the MTFA standby action plan?
9 A. Not at that time, no.
10 Q. Why do you think that was, looking back?
11 A. Looking back at the time, I saw my role then, after
12 I notified the team leaders, is to collect the
13 information that's being passed dynamically from Greater
14 Manchester Police.
15 Q. We know that for the explosion action plan — we can
16 bring it up if we need to but we've looked at it many,
17 many times and I'm sure you have it in your mind —
18 there is a predetermined attendance against that action
19 plan, isn't there?
20 A. That's correct.
21 Q. In order to cause that attendance to start happening, is
22 it simply a question of selecting the action plan or
23 do you have to do something further?
24 A. I would select the "proposed resource" button and after
25 I'd saved all the incident information, it would then

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1 present to me the predetermined attendance associated to
2 that particular incident type.
3 Q. So it would present it to you saying: this is the
4 resources that you need to send. Would you then have to
5 action that in some way on the computer or will the
6 computer already be sending a message to the fire crews?
7 A. I would need to action it, I would need to mobilise
8 those particular resources.
9 Q. So there is a further step required of you, once you've
10 been told what the predetermined attendance is, in order
11 to cause the bells to ring in whichever fire station
12 that will send the crews off?
13 A. That's correct, sir.
14 Q. In this case you have selected the explosion action
15 plan. By the time that we get to the creation of this
16 incident, so at some time 3 minutes or so into the call,
17 had you done anything to draw attention to the fact that
18 you were receiving this remarkable and highly unusual
19 and worrying telephone call?
20 A. Yes, initially — if you could tell in the call,
21 I started to raise my voice to make awareness to the
22 team leader, I also raised my hand as well. There was
23 an option on our systems, an intercom option, if we
24 require to speak to a team leader. However, because
25 I was on open line and I didn't want to put the caller

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1 on hold, I held my hand up to get the team leader's
 2 attention, to bring her over.
 3 Q. We know that Michelle Gregson was not at her desk at the
 4 point that this call came over. Who responded to you
 5 holding your hand up?
 6 A. Lisa.
 7 Q. So Lisa Owen came over?
 8 A. Yes.
 9 Q. And did she stand at your shoulder?
 10 A. Yes, sir, yes.
 11 Q. Did she listen to any of the call so far as you could
 12 tell?
 13 A. She would be unable to actually hear the call from just
 14 standing behind me. She would have to be at
 15 her terminal and listening in remotely.
 16 Q. Did you see her do that?
 17 A. No, she came straight across and she could see the
 18 incident type I had selected and all the additional
 19 information that I'd put on the front page of the log.
 20 Q. Had you reached the stage at which, having selected the
 21 action plan, you were being prompted to mobilise the
 22 predetermined attendance?
 23 A. I had, sir, yes.
 24 Q. So what happened then?
 25 A. I automatically proposed resources, Lisa advised me at

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1 that point not to mobilise until we'd spoken to a NILO
 2 due to the information we were receiving.
 3 Q. Could Lisa Owen see in front of your screen that the
 4 action plan you had selected was suggesting that
 5 resources be deployed to the scene?
 6 A. That wasn't on the action plan, you wouldn't have seen
 7 that, it was the actual proposed resources screen she
 8 would have seen.
 9 Q. So does the action plan prompt the proposed resources
 10 screen and it's that that you then mobilise?
 11 A. No. We select the incident type and press save and
 12 "proposed resources", which is the quickest time --
 13 we have to get resources out as quick as we can. The
 14 action plans sometimes serves as a checklist, so it will
 15 say sometimes, "Ensure such appliance has been
 16 mobilised", or, "Ensure station managers are informed or
 17 mobilised". So sometimes it's a checklist to ensure
 18 you have mobilised the correct predetermined attendance
 19 and other times it contains additional actions to be
 20 completed.
 21 Q. Bearing in mind that Lisa Owen told you not to mobilise
 22 as you were being prompted, she clearly was aware that
 23 you were being prompted to mobilise?
 24 A. Yes, I had the mobilisation screen on my screen.
 25 Q. But she said words to the effect: don't do that, we need

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1 to speak to the NILO?
 2 A. Yes, because of the information we were receiving at the
 3 time.
 4 Q. Did she then stay with you or did she move away from
 5 your terminal?
 6 A. She moved away from my terminal to make Duty Team Leader
 7 Gregson aware.
 8 Q. Did you continue to participate in the telephone call
 9 with GMP?
 10 A. I remained on the open line, yes.
 11 Q. And we'll look through the log that you populate and at
 12 some of the entries, but did you stay on that call until
 13 just after 11 o'clock?
 14 A. I believe so, yes.
 15 Q. So were you party to any of the conversation that
 16 Lisa Owen and Michelle Gregson may have had about
 17 speaking to the NILO or anything like that?
 18 A. No, sir.
 19 Q. Was your attention, from the moment Lisa Owen steps away
 20 from you, on managing the call?
 21 A. That's correct, yes.
 22 SIR JOHN SAUNDERS: We know that the bells go off in the
 23 fire station. How -- when and how did that happen? Did
 24 you have to do anything or is that automatic?
 25 A. There is a pre-alert in place, which as soon as we've

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1 selected it, it can be selected off the caller's
 2 location or the address I select and save on the
 3 incident form. It will pre-notify the nearest station
 4 they may be receiving an incident coming in so they can
 5 in effect mobilise quicker rather than wait.
 6 SIR JOHN SAUNDERS: Had you done that?
 7 A. That's automatic.
 8 MR DE LA POER: So there would have been a notification,
 9 a pre-alert notification, that went out just through the
 10 process that you had -- to the stage that you had
 11 reached?
 12 A. That's correct, sir, yes.
 13 Q. If we work our way down this log we can see at the very
 14 bottom that, timed at 22.39.53, scrolling down this page
 15 at {INQ008376/3} of the document, we see 22.39.53, there
 16 is another entry by you, the significance of which
 17 we will see over the page {INQ008376/4} at the top
 18 because it's a continuation of the entry. The same
 19 information that we have seen before but you have added
 20 an additional line, is that right:
 21 "RVP: car park area outside the cathedral"?
 22 A. That's correct, yes.
 23 Q. So would anybody looking at this log from after the time
 24 of that entry be able to see that you had added that
 25 RVP?

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1 A. Yes, I placed it on the actual — what we deem the front
 2 page of the incident log, which is visible to everybody.
 3 The incident log — you would have to access and scroll
 4 down to physically search for information or there is
 5 a filtering option as well, but for that particular
 6 information, because I deemed it risk critical, it stays
 7 on the front of the incident log.
 8 Q. If we continue down, 22.40, 42, we can see a reference
 9 to "action plan" and then it says:
 10 "Advise ambulance explosion: completed."
 11 Do you know what that's a reference to?
 12 I appreciate it wouldn't have appeared quite like that
 13 to you.
 14 A. If it was on the action plan, it would be to — I'm just
 15 trying to see if it was myself that completed that.
 16 Q. It appears to be against your operator number.
 17 (Pause)
 18 A. Yes, so it looks as though ambulance have or had at that
 19 time been notified and there was an ambulance log. So
 20 potentially I could have seen that on the front of the
 21 log, because that's us noted on the front as well, so
 22 I've gone into the action plan and signed that action
 23 off to say I'm aware that ambulance have been notified.
 24 Q. I see. So you're effectively completing part of the
 25 checklist of the action plan although you haven't

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1 authorised the mobilisation that's at the head of the
 2 action plan?
 3 A. That's correct.
 4 Q. We can see another piece of information that you're
 5 given on the call and really what we're seeing here, is
 6 this right, that if you have added it to the log, it's
 7 come from the GMP person that you are speaking to?
 8 A. That is correct.
 9 Q. So we've had the ambulance log, we can see at 22.41.11
 10 you're given the British Transport Police log number.
 11 At 22.43.03, we have:
 12 "Comment: pol have not got numbers of casualties.
 13 Several officers allocated and making way. Two more
 14 patients located at Victoria Station reported by
 15 a PCSO."
 16 So are you entering the information that you are
 17 being given by GMP there?
 18 A. Yes, so at this point I've opened a text box where
 19 we can free type any — we record any incoming or
 20 outgoing communications. That text box, once saved,
 21 will then stamp on to the log.
 22 Q. Would somebody searching the log therefore be able to,
 23 as they scroll down it, see that you'd made an entry to
 24 the effect of several officers allocated and making way?
 25 A. Yes.

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1 Q. And within the language used in control rooms and
 2 emergency services, making way, where are they making
 3 way to? What is that phrase understood to mean?
 4 A. I'm just trying to read the message. (Pause). I don't
 5 appear to put making way — my understanding would be
 6 making way to the actual incident or the rendezvous. I
 7 have not clarified on that message where they're making
 8 way to. I'd have to listen to the audio to confirm
 9 that.
 10 Q. Certainly in a sense it's not so much what you were
 11 told, it's what other people who are reading this might
 12 take away from this?
 13 A. Of course.
 14 Q. And you're saying that's not as precise an entry or
 15 clear in what it might mean as it could be?
 16 A. I agree.
 17 SIR JOHN SAUNDERS: Are you getting the information as it
 18 comes into the police, so as it were you're there typing
 19 in what they're being told and then telling you what
 20 it is and you're typing it in on your terminal?
 21 A. That's correct.
 22 SIR JOHN SAUNDERS: Is there any reason why the terminals
 23 couldn't connect up in the appropriate occurrence?
 24 A. Sorry, sir, how do you mean, connect up?
 25 SIR JOHN SAUNDERS: If you have an incident which is going

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1 to require both of you, police and fire, rather than you
 2 sitting there, while they are getting information to
 3 them, then they're telling you, so you do it, is there
 4 any actual reason why it couldn't be devised so that
 5 them typing in something on their incident log is
 6 replicated on your incident log?
 7 A. There is something that's currently in development for
 8 all emergency services which transfers information, so
 9 I could, in a sense, save an incident from my caller's
 10 details, I could then literally, electronically, send it
 11 to police and ambulance so they have all that
 12 information to hand rather than wait for me to contact
 13 and pass that verbally.
 14 SIR JOHN SAUNDERS: Thank you.
 15 MR DE LA POER: Over the page {INQ008376/5}, please,
 16 22.44.26. We have an entry that you have added:
 17 "Amb have five vehicles en route. Pol have advised
 18 officers landing on scene."
 19 Do you see that?
 20 A. I do, sir.
 21 Q. Then 22.45.41:
 22 "Comment: Pol have confirmed a gunshot to leg
 23 outside entrance to Victoria."
 24 A. Yes, sir.
 25 Q. 22.46.17:

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1 "Pol advised more officer arriving on scene."
 2 A. Yes, sir.
 3 Q. Over the page {INQ008376/6} we can see, at 22.47.50,
 4 somebody else has made an entry into the log because
 5 it's not against your operator number. Do you see that?
 6 A. Yes.
 7 Q. Where it's indicated:
 8 "Call received from NWSA. They've had reports of
 9 a bomb and then it has exploded. Reports that there are
 10 60 casualties and an active shooter."
 11 We will hear from Ms Haslam on Monday but I expect
 12 that she will say that she made that entry.
 13 At 22.47.52, another entry by you:
 14 "British Transport Police have confirmed there are
 15 major casualties inside the arena."
 16 Then at --
 17 SIR JOHN SAUNDERS: Sorry, this is information you're
 18 getting from GMP?
 19 A. I'm still on the line with the operator --
 20 (overspeaking).
 21 SIR JOHN SAUNDERS: -- they are telling you BTP have
 22 confirmed that?
 23 A. Yes, sir.
 24 MR DE LA POER: At 22.48.33, there seem to be two entries
 25 against that time or one that isn't timestamped, but the

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1 one by your operator number:
 2 "From police: not gunshot wounds, looks like
 3 shrapnel."
 4 And you have put stars around it by the look of it
 5 or the computer has; do you see that.
 6 A. Yes, I think that would have been the computer not
 7 myself.
 8 Q. We're just going to move through to another entry that
 9 you make that I would like to draw your attention to.
 10 It is on {INQ008376/8} and this again will become
 11 important for Ms Haslam and Mr Nankivell. But at
 12 22.55.22, did you add the comment:
 13 "Paramedic Bronze commander is at scene"?
 14 A. Yes.
 15 Q. Was that entry the subject of some discussion back and
 16 forth between you and the GMP operator for you to have
 17 clarity about what they were meaning?
 18 A. That's correct. I did ask what their term -- what they
 19 meant by paramedic Bronze commander.
 20 Q. At all events, that's the entry you made on the log and
 21 22.56.34:
 22 "Pol believe that the main explosion is from the
 23 booking office. No reports from police to state
 24 structural damage to any of the building or any chemical
 25 at this time."

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1 Over the page {INQ008376/9}. 22.58.08:
 2 "All the amb have been directed to the booking
 3 office. Minimum of 15 fatalities at this time."
 4 Then the final entry that I draw your attention to
 5 on this log 23.02.20:
 6 "Pol operator advised they will clear the line as
 7 Silver control is taking over."
 8 Did the call end with the GMP operator saying words
 9 to that effect to you?
 10 A. That's correct, sir.
 11 Q. What did you understand that they meant by that?
 12 A. The police had set up Silver control and all further
 13 communications would come from Silver control into the
 14 Fire Service control room.
 15 Q. So your expectation at the conclusion of that was that
 16 the GMP Silver control room would have a direct line of
 17 communication with NWFC?
 18 A. That would be one level of communication, yes, I would
 19 expect to come or maybe four control points or even the
 20 actual control room itself, the police control room, so
 21 it wouldn't solely be the only method of communication.
 22 However, it would be -- my understanding would be it
 23 would be central to all the information from the police
 24 that they'd be passing to us.
 25 Q. You were on the phone to the GMP control room, weren't

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1 you?
 2 A. I was until that point.
 3 Q. Up to that point. So the proposal seems to be that the
 4 communication is going to be coming or between
 5 a different location; is that right?
 6 A. I'm not sure where their Silver control was at that
 7 time, sir.
 8 Q. All right. Thank you very much indeed. Mr Lopez, if
 9 we can take that down.
 10 We'll deal with your next two calls very briefly
 11 that call ended at 23.02. Did you at 23.04 speak to
 12 a colleague about her coming in, she was off duty, but
 13 inviting her in to provide support?
 14 A. That's correct, sir. The duty team leader had sent out
 15 a recall duty text to all available staff and that
 16 member of staff responded.
 17 Q. Whilst this was all going on did you become aware
 18 that -- and by that I mean during that first half hour
 19 call -- did you become aware that Michelle Gregson made
 20 an address to the room?
 21 A. Michelle made an address regarding JESIP making sure we
 22 try and remember to communicate all information to all
 23 parties.
 24 Q. So was that something that you could hear going on as
 25 you were speaking to the GMP operator?

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1 A. That's correct, sir, yes. You tend to listen to half of
 2 time you listen to the call and the other time you are
 3 listening to the room to keep your room awareness.
 4 Q. Just to the best of your recollection, can you try and
 5 capture the main points that you understood she was
 6 seeking to communicate?
 7 A. Just to ensure we pass the information on to what would
 8 be police and ambulance. If we were given anything
 9 relevant, just to communicate.
 10 Q. To return to the chronology, did you make a short call
 11 at 23.05 in relation to drone support?
 12 A. I would say yes, sir.
 13 Q. It perhaps isn't a call we need to dwell on. The final
 14 call I wanted to spend any time on is a call from
 15 Dean Nankivell at 23.24. Again Mr Lopez, I'm sure
 16 you will be able to cope with this. {INQ004435/1} is
 17 the audio. The corresponding transcript, which is the
 18 complete record of this call and nothing else, is
 19 {INQ001206/1}.

20 (Audio played)

21 Just a couple of questions about that call. I'm
 22 implying no criticism of you at all in this question.
 23 I'm sure the answer will be perfectly obvious, but at
 24 this stage in the evening, you had been told direct from
 25 GMP that police officers had gone to the scene and the

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1 Bronze paramedic commander was on scene. At point you
 2 were speaking to Mr Nankivell, did you understand that
 3 the Fire and Rescue resources had been sent to
 4 Philips Park?
 5 A. I did, yes.
 6 Q. And did you understand Mr Nankivell to be the duty group
 7 manager?
 8 A. Yes.
 9 Q. Group manager is a senior management role, isn't it?
 10 A. That's correct, yes.
 11 Q. Clearly, the call had as its focus protecting fire crews
 12 in relation to incidents other than this. So that's
 13 undoubtedly the focus of the call. But did it occur to
 14 you to say to him as you were speaking to him, "I've
 15 received information about lots of resources being
 16 at the scene, are you aware of that"? Or was the nature
 17 of your relationship and the call with Mr Nankivell just
 18 not the opportunity for that sort of conversation?
 19 A. I could have took the opportunity in hindsight, looking
 20 back, to ask him was he updated with all relevant
 21 action. I didn't take that action at the time.
 22 Q. I don't want to imply in any way that you should or you
 23 shouldn't have done, I'm just interested to know. That
 24 was information that you had received direct from GMP,
 25 wasn't it?

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1 A. That was correct.
 2 Q. Did you have any expectation about whether Mr Nankivell
 3 would know that at the point of this call?
 4 A. I'm unfamiliar with their internal contact methods. I'm
 5 aware the NILOs have their own radio channel and phone
 6 groups. So I wasn't too sure if he'd already been
 7 notified or not. The duty generally is involved and
 8 included, sorry, in a lot of email groups, radio
 9 channels so I was unsure if he was monitoring the radio
 10 or had been spoken to prior by one of my colleagues.
 11 Q. At all events, he contacted you about a specific matter,
 12 you listened carefully to what he said and made sure
 13 that it was put on the log; is that right?
 14 A. That's correct, sir.
 15 Q. I would like just to conclude my questions by
 16 summarising the rest of your involvement. So far as the
 17 events that we've been focused on — did you have
 18 a conversation with Mr Levy just before 00.30?
 19 A. Yes, sir.
 20 Q. Was that about trying to establish where NAWAS were?
 21 A. That's correct. Mr Levy rang up and was questioning
 22 a rendezvous point for the ambulance at that time.
 23 Q. As a result, did you contact NAWAS and were you told that
 24 their rendezvous point was Thompson Street?
 25 A. That's correct.

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1 Q. Obviously we've only looked at some of the calls, but in
 2 fact were you involved in a much larger number of calls
 3 over the course of the night and into the early hours?
 4 A. That's correct. We did have certainly other ongoing
 5 incidents at that time as well as the Manchester Arena
 6 incident.
 7 Q. Did you make anything that might be described as
 8 a command decision that night?
 9 A. No, sir, I wasn't in that position as an operator.
 10 MR DE LA POER: Thank you very much indeed. Sir, unless
 11 you have any questions?
 12 SIR JOHN SAUNDERS: Just this, and again this is not...
 13 Michelle Gregson had given, while you were working
 14 on your phone, she had given a little talk, just
 15 reminding people about JESIP?
 16 A. It was an instruction rather than a talk, sir.
 17 SIR JOHN SAUNDERS: Just tell me the effect of this
 18 instruction.
 19 A. It was to remind us all to pass information on and
 20 remember the principles of JESIP.
 21 SIR JOHN SAUNDERS: Looking back now, or if not at the time,
 22 would that have included giving Mr Nankivell the
 23 information about the police and ambulances being on the
 24 scene?
 25 A. It would be, sir, yes.

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1 SIR JOHN SAUNDERS: So should you have done it?
 2 A. In hindsight, yes. It's an opportunity that I've missed
 3 to pass on information.
 4 SIR JOHN SAUNDERS: The reason for you not doing it, is that
 5 lack of training, not thinking of it at the time?
 6 A. I probably didn't think about it at the time, sir.
 7 SIR JOHN SAUNDERS: Okay.
 8 A. Looking back, I could have asked him, has he had the
 9 relevant most up-to-date information on the incident.
 10 SIR JOHN SAUNDERS: Right, okay, thank you.
 11 MR DE LA POER: I want to be absolutely clear about this
 12 because I don't want Mr Ellis to be unduly concerned
 13 about those questions, particularly those that I asked.
 14 In fact, that information was communicated to
 15 Mr Nankivell at 22.55 by Joanne Haslam.
 16 SIR JOHN SAUNDERS: So he'd already got it?
 17 MR DE LA POER: He had already got it. What we were doing
 18 there was exploring —
 19 SIR JOHN SAUNDERS: If you did do something wrong or you
 20 didn't do something wrong, it clearly didn't matter,
 21 that information.
 22 MR DE LA POER: Sir, that concludes my questions. Can
 23 I turn now please to GMCA to see if they have questions
 24 for Mr Ellis.
 25 MR WARNOCK: I don't have any, sir.

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1 SIR JOHN SAUNDERS: Thank you very much.
 2 MR DE LA POER: Next, Mr Horwell and whether he has any
 3 questions on behalf of Greater Manchester Police.
 4 Questions from MR HORWELL
 5 MR HORWELL: Yes, I do.
 6 Mr Ellis, it is a very short point and it is this:
 7 we're going to hear evidence from a fire officer to the
 8 effect that when he discovered that there were
 9 ambulances at the scene he described that as a game
 10 changer. The rationale behind that view is that if it's
 11 safe for ambulances crews to attend the scene, it is
 12 safe for fire crews to attend the scene. I'm sure you
 13 understand the point?
 14 A. I do, sir, yes.
 15 Q. The question that I have for you, Mr Ellis, and those in
 16 the operations room that night: did you understand,
 17 first of all, that fire were not at the scene? As
 18 you have said, you understood them to be at
 19 Philips Park.
 20 A. That's correct, sir.
 21 Q. Did you understand the importance of other emergency
 22 services, regular members of those services, and by that
 23 I mean unarmed police officers and regular ambulance
 24 crews — did you understand the importance of those
 25 individuals being at the scene and working there?

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1 A. I do, sir, yes.
 2 Q. Did you understand that on the night?
 3 A. Perhaps in hindsight, no. However, it wouldn't be for
 4 me to question an operational firefighter or officer, to
 5 second-guess his decisions. It would be for the officer
 6 to advise Control to mobilise or move officers or
 7 appliances so it would not be for me. I wouldn't even
 8 think it was for the team leaders to contact the
 9 officers to second-guess their decisions.
 10 Q. Well, Mr Ellis — (overspeaking) — I didn't mean to cut
 11 you off, you finish, please.
 12 A. We're not — even though we have a high level of
 13 awareness of what goes on on a fire ground, we don't
 14 fully understand all the ways and operational polices
 15 and procedures on the fire ground. So we are trained
 16 from a control perspective. We're given training to
 17 a certain degree of policy and procedures to help us
 18 understand our role. However, when it comes to command,
 19 we do not overrule officers at all. The officers can
 20 ring us up at any time and request appliances or change
 21 RVPs.
 22 Q. Mr Ellis, I'm not seeking to doubt that evidence that
 23 you've just given, but for officers to make decisions
 24 they have to have the information, don't they?
 25 A. That's correct, sir.

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1 Q. And without the relevant information, they can't make
 2 the right decisions, can they?
 3 A. That's correct, yes.
 4 MR HORWELL: That's all I ask, thank you.
 5 MR DE LA POER: Mr Cooper QC, please.
 6 Questions from MR COOPER
 7 MR COOPER: Just a few questions for you. I ask questions
 8 on behalf of the bereaved families.
 9 Let me understand this if I can, Mr Ellis. You
 10 opened the explosion action card and then started to
 11 send fire resources straight to the arena?
 12 A. I pressed the mobilise button, which presents the screen
 13 which shows the predetermined attendance. Often if
 14 we are going to go to a NILO, we are asked who is the
 15 nearest appliances, so we'll follow that procedure so we
 16 can straightaway tell the officer who we're speaking to
 17 who the station is that's nearest or who will be
 18 proceeding.
 19 Q. Thank you. So at that stage, resources were going to be
 20 sent straightaway to the arena at that stage?
 21 A. It was, yes.
 22 Q. And those resources would have been all the resources
 23 that the Fire Service have at their disposal, no doubt,
 24 for tragedies such as this?
 25 SIR JOHN SAUNDERS: Sorry, the action card does, I think,

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1 bear the number, but it's operationally sensitive . So
 2 I'm not sure --
 3 MR COOPER: Forgive me --
 4 SIR JOHN SAUNDERS: You haven't done anything wrong, I just
 5 don't think it 's right to say every resource they have
 6 would be sent there. I don't think we've been told
 7 actually what would be sent.
 8 MR COOPER: I think I am doing a Mr Berry there, send in
 9 everything, I think there. I am being a little
 10 inaccurate. Nonetheless, a significant amount of
 11 resources which would have assisted stricken people?
 12 A. I don't really want to say. I am aware of
 13 (overspeaking).
 14 SIR JOHN SAUNDERS: We will find out and no doubt you can be
 15 told.
 16 MR COOPER: In any event your superiors, Ms Wilson, I think
 17 it was, countermanded that decision; is that right?
 18 A. Not Ms Wilson, no, it was Mrs Owen, Lisa Owen.
 19 Q. Let me take you to paragraph 22. It's the only
 20 paragraph of your statement I'm taking you to.
 21 {INQ035431/6-7}. You say:
 22 "Within a very short period of time the initial
 23 information of an explosion was updated to a bomb which
 24 had exploded. The incident type of bomb required that
 25 NWFC sought advice of a national inter-agency liaison

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1 officer (NILO) before mobilising any resource to the
 2 scene. This officer has a... would liaise with the
 3 police force duty officer . This in turn would allow the
 4 NILO to access further information to be shared to gain
 5 a greater understanding of the situation and to be able
 6 to assess any potential risks . From this, the NILO
 7 would be able to make informed and strategic decisions
 8 prior to advising control of the actions required."
 9 I'm simply joining the dots here, as it were.
 10 Effectively , that's saying they need to contact, in this
 11 case, Mr Berry?
 12 A. That is correct, yes.
 13 Q. And Mr Berry would be assumed, therefore, to have such
 14 information, apart from anything else by virtue of his
 15 communication with the force duty officer?
 16 A. That's correct, sir . We were passing any information we
 17 currently had. He would then -- due to his role, he's
 18 able to liaise with the force incident officer and gain
 19 further information, perhaps not open to us at that
 20 time.
 21 Q. So let me understand this. So that's an automatic
 22 process, is it, that's set in place, that is if someone,
 23 not necessarily you, activates a procedure to send in
 24 resources, that's automatically stopped, is it, in
 25 situations like this?

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1 A. It can be dynamically stopped based on the information
 2 we are receiving --
 3 Q. Yes.
 4 A. -- due to the fact it wasn't just an explosion, we are
 5 receiving information of -- concern it's a secondary
 6 bomb, we were getting advice of people with gunshot
 7 wounds. So at that time even though the FRS has
 8 confirmed they're not risk averse, we would not
 9 knowingly put officers or appliances or firefighters in
 10 immediate risk. We would speak to the NILO to confirm
 11 a rendezvous point while he assesses the situation .
 12 Q. And that approach of -- you say "not risk averse", but
 13 that approach, effectively , of not putting officers in
 14 harm's way or at risk , are you taught that in terms of
 15 a briefing document as to how to interpret that? Are
 16 you given guidance as to how to use your discretion
 17 in that way?
 18 A. Guidance is given initially . There are certain
 19 situations where the NILO wouldn't be informed
 20 (inaudible) assisted the police. For any other type of
 21 incident we would probably go to the NILO. As I say,
 22 information is shared between him and -- I have to be
 23 careful what I say about the information.
 24 Q. Please say nothing then.
 25 A. They have access to additional information that perhaps

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1 would not be shared with control. However, the NILO
 2 would instruct control as to what action needs to be
 3 taken. It could be: go to rendezvous point and the
 4 police will meet us there before proceeding. It might
 5 be: no action at this time, or it might be: proceed
 6 straight to scene.
 7 Q. So for instance, in this situation , if the NILO, for
 8 whatever reason, is deprived of information, therefore
 9 of course North West Fire Control is deprived of
 10 information?
 11 A. Yes, sir .
 12 Q. And the process will fail ?
 13 A. It will , sir , yes.
 14 Q. Is there any other way that North West Fire Control are
 15 trained or guided that if there is a NILO breakdown for
 16 whatever reason, North West Fire Control can seek the
 17 information elsewhere?
 18 A. I'm unable to say what access a duty GM has. I do know
 19 a NILO has specific content -- contact, sorry, with the
 20 FDO.
 21 Q. I understand that, and I'm not asking for specifics --
 22 A. Yes.
 23 Q. -- if indeed it endangers any process. My question
 24 was -- I'm afraid we're all adopting the chair's
 25 terminology. Is there a plan B? Is there a plan B, for

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1 instance, if the NILO is in some way deficient in
 2 providing information?
 3 A. Providing information to control, to the control room or
 4 to the FDO?
 5 Q. Did you do -- was that --
 6 A. No, sir, sorry, I don't understand. When you say
 7 failure --
 8 Q. What I'm saying is you're reliant on the information
 9 from the NILO?
 10 A. Yes.
 11 Q. Because as a result of perfectly, perhaps,
 12 understandable care, the sending of resources is
 13 stopped --
 14 A. Yes.
 15 Q. -- subject to getting information from the NILO?
 16 A. Yes.
 17 Q. Now, if the NILO cannot give you that information, or
 18 indeed you can't contact the NILO, either way --
 19 A. Yes.
 20 Q. -- what alternative route is available?
 21 A. We can contact the duty group manager or we can contact
 22 the nearest -- next nearest NILO.
 23 Q. Thank you. Were you getting, as far as you're aware,
 24 adequate information from the NILO when he was
 25 approached?

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1 A. I don't believe I spoke much to Andy Berry. I can't
 2 remember speaking with him, to be honest, so I don't
 3 know what information was passing.
 4 Q. Well, then, for others, I was simply asking for the
 5 process. The real -- the role of a call handler -- and
 6 I'm not in any way trying to lessen it, it's
 7 an important role -- but it's to enter into information
 8 and then follow scripts and plans and procedures, isn't
 9 it? That's what you do?
 10 A. That's correct, sir.
 11 Q. It certainly is not a command resource or anything like
 12 that?
 13 A. Not at all, sir, no.
 14 Q. Just a little on training, then I'm finished. We've
 15 heard a lot in this inquiry about various exercises and
 16 various training processes; Winchester Accord is one and
 17 there are others. As far as you're aware, were North
 18 West Fire Control and, in particular, yourself involved
 19 in any of those trainings?
 20 A. Not to Winchester Accord. Often, we'll have an
 21 awareness due to the appliances not being available to
 22 us, we will receive lists of appliances who are going on
 23 training. As was said to the chairman before, we would
 24 have benefited more, I think, from being more an active
 25 participant in those training sessions. There has been

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1 others I've participated in before now; some aren't as
 2 elaborate as Winchester Accord; some are quite simply --
 3 you know, there have been three or four appliances.
 4 Q. Are you finding now, post--arena, that you in your job
 5 are being integrated into these exercises more?
 6 A. They are trying to more and more now, and, with the more
 7 FRSs that we do look after, they are trying to integrate
 8 control --
 9 Q. Are they succeeding? They may be trying, but are they
 10 succeeding?
 11 A. It sometimes comes down to staffing availability, sir,
 12 the release of staff from the control room.
 13 Q. Why is that? It's because there aren't enough staff
 14 being employed?
 15 A. The staffing for North West Fire Control was agreed on
 16 the initial project, which is agreed by the four FRSs,
 17 so it's down to a model of staffing because, ultimately,
 18 it was to try and save money for the FRSs and also
 19 develop a virtual (?) way of working.
 20 Q. Let me just take this very shortly: so the number of
 21 staff being employed in the control is predicated by the
 22 number of staff or people being employed in another
 23 particular job?
 24 A. Sorry, I'm not too sure what you --
 25 Q. I lost myself in the acronyms for a moment. I'll ask

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1 a simple question. Staffing issues seemed to prevent,
 2 you told us, people like yourself getting involved in
 3 important exercises. Is that -- (overspeaking).
 4 A. If it's an external exercise, where we perhaps have gone
 5 to the site of the actual exercise, that's not always
 6 possible.
 7 Q. Because?
 8 A. Because we can't release -- we have a set number of
 9 staffing we need. We have a number of a minimum number
 10 of staffing that has to be on duty at all times.
 11 Q. Let's hold it there for a second. Keep it simple if you
 12 can and --
 13 A. I apologise.
 14 Q. Because of the reduced or particular number of staffing,
 15 why is the staffing so critical here? Why is there this
 16 struggle? Is there a staffing issue, for instance?
 17 A. Not a staffing issue, but we have -- it's quite a lean
 18 organisation, so the staffing numbers have been
 19 agreed based on --
 20 Q. I'm going to interrupt you. It's not normal policy, but
 21 it's only so I can understand. The staffing numbers
 22 have been reduced?
 23 A. The staffing numbers were -- the --
 24 Q. Have --
 25 A. -- number of staff agreed.

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1 Q. By who?
 2 A. The four FRSs when the project was initially conceived.
 3 Q. Agreed with who and by who?
 4 A. I don't know particulars. You're best off — I would
 5 say Mrs Sarah Wilson would be best to answer that, sir.
 6 Q. With the government?
 7 A. Again, I don't — I wasn't involved in that higher-up
 8 project so I can't answer you honestly with an accurate
 9 answer. I don't want to guess.
 10 Q. Let me just go straight to my destination: is the fact
 11 that there are particular problems here potentially with
 12 staffing — is it a funding issue as far as you're
 13 aware?
 14 A. You're asking me to speak on the project. I would say,
 15 yes, we would always like to have more staff.
 16 Q. I'm sure. But is it a funding issue? Is it the fact
 17 that not enough funding has been provided by government
 18 to do their job?
 19 A. Possibly, sir.
 20 Q. All right.
 21 SIR JOHN SAUNDERS: Can I just understand this: on
 22 a day-by-day basis, do you have enough staff to do what
 23 you're required to do? Day-by-day ordinary business.
 24 A. Yes, sir.
 25 SIR JOHN SAUNDERS: Do you have enough staff to release some

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1 of your staff to go on a training exercise and do
 2 ordinary day-by-day business?
 3 A. No, sir.
 4 SIR JOHN SAUNDERS: So you don't have the additional you
 5 would need for the training.
 6 A. Not for an external exercise to actually go to the site
 7 of an exercise.
 8 SIR JOHN SAUNDERS: Why would you need to go to the site of
 9 an exercise?
 10 A. Sometimes the FRSs prefer us to — would like us to
 11 attend to actually see what actually goes on to try and
 12 help us understand.
 13 SIR JOHN SAUNDERS: So you can see what actually happens in
 14 real life?
 15 A. Yes, sir.
 16 SIR JOHN SAUNDERS: Right, okay.
 17 MR COOPER: Would that assist you, do you think, in your
 18 experience in how to conduct your duties?
 19 A. It could assist us with regards to questions, possible
 20 actions, possible prompts to officers, if we'd spoken to
 21 an officer, if we knew what was going on. We don't need
 22 to know — we are not fully trained firefighters, we
 23 don't — we're not fully trained in their procedures and
 24 operating procedures. However, understanding of how an
 25 incident unfolds perhaps would benefit an operator or

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1 a team leader.
 2 Q. In the future, would that help, do you think?
 3 A. I believe it would, yes.
 4 Q. And to be fair to all concerned, you say you haven't
 5 enough staff — I say "you", you know what I mean. You
 6 say you haven't enough staff to attend on site. But is
 7 there enough staff to take time out to attend remotely
 8 on these exercises?
 9 A. Often we will have staffing for that.
 10 Q. Often?
 11 A. We would try and bring staff in, if possible, and that
 12 will enable more training for more staff who you'd
 13 normally have on, on a particular duty day.
 14 Q. Let me ask again and go straight to the heart of it. Is
 15 the fact that even with remote training, it's still the
 16 fact that some staff can't do it because of numbers?
 17 A. That's correct, sir, yes.
 18 Q. And it seems to me — and I'll put the question to
 19 you — that your organisation is a very, very lean
 20 organisation. I think you used the word. Not much
 21 slippage allowed?
 22 A. Yes, sir.
 23 Q. Underfunded?
 24 A. That's not for me to comment on.
 25 Q. All right. You've indicated to the chair that you

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1 looked at certain PowerPoint presentations and that they
 2 were predicated, effectively, around the tragedy of
 3 Mumbai and elsewhere. Did any of these PowerPoint
 4 presentations deal with so-called lone wolf attacks such
 5 as happened in Manchester?
 6 A. I can't recall the full presentation. It was an
 7 understanding of how JESIP was born and we had several
 8 examples of incidents, but I can't recall that
 9 particular scenario.
 10 Q. Last question, on JESIP. What sort of JESIP training
 11 did you have? I'm still not clear about the level of
 12 it.
 13 A. The JESIP training was integrated into the MTFA
 14 PowerPoint, so we looked from its inception at the
 15 reason why it was created, the principles, and every
 16 year we have to complete a refresher course as an
 17 operator, and a team leader has to have an annual
 18 refresher and also a three-year annual supervisory
 19 course refresher as well.
 20 Q. And that course, was that one you had to attend and be
 21 checked on? Not necessarily examined, but was it
 22 moderated?
 23 A. It was often run by the police in conjunction with
 24 ambulance or Fire Service. It's a full day course.
 25 MR COOPER: I'm grateful. Thank you, sir.

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1 SIR JOHN SAUNDERS: Just taking that up a bit further if I
 2 may. There are some principles of JESIP which were not
 3 applied to you, things like co-location, for example,
 4 getting at the scene and talking to each other. So the
 5 principles that you're being taught of JESIP,
 6 presumably, are the importance that you share all the
 7 information that you have with the relevant forces as
 8 and when they ring in or you ring to them?
 9 A. Yes, sir.
 10 SIR JOHN SAUNDERS: Is that right?
 11 A. Yes, sir.
 12 SIR JOHN SAUNDERS: I'm going to ask you because,
 13 fortunately, it made no difference, but, as you've
 14 accepted, you didn't give Mr Nankivell the additional
 15 information which you had about people going to the
 16 scene, and, had he not known that, it might have been
 17 important. But it didn't matter and I make
 18 that absolutely clear because he already knew.
 19 But you've accepted, actually, you should have told
 20 him, and we are going to hear that other people didn't
 21 pass on bits of information that they had. So is that
 22 a failing in training or what? Why did that happen and
 23 not just with one person but with more?
 24 A. I can't speak for others, sir, but for myself it was
 25 a failure to take advantage of a situation where I could

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1 have passed on situational information.
 2 SIR JOHN SAUNDERS: So you were well aware of the
 3 requirement to do it?
 4 A. Yes, sir.
 5 SIR JOHN SAUNDERS: And you know you should have done it?
 6 A. Yes.
 7 SIR JOHN SAUNDERS: Really no criticism because it makes no
 8 difference at all, but somehow the training hadn't got
 9 through to you when it came to real life, as it were?
 10 A. I was aware of it, sir. As I say, I don't understand
 11 why I didn't even just ask: did he have the latest
 12 information.
 13 SIR JOHN SAUNDERS: What's the effect on you mentally when
 14 you've got a call coming in about something which must
 15 have sounded, hopefully, well out of the ordinary for
 16 you --
 17 A. Yes.
 18 SIR JOHN SAUNDERS: And really pretty massive, it could be.
 19 A. Yes.
 20 SIR JOHN SAUNDERS: Does it affect you?
 21 A. Immediately, no. I think you run on -- not automatic
 22 pilot, but you start to just follow processes, try and
 23 remember your training.
 24 SIR JOHN SAUNDERS: Okay.
 25 A. It does get to you when you stop. But, as I say, at the

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1 time, there was a lot of information being passed to the
 2 control room. We were all trying to make sure we
 3 coordinate at that time. I can only apologise I didn't
 4 pass that information on.
 5 SIR JOHN SAUNDERS: No, no, it doesn't require an apology
 6 because, as I said, he already knew, so that's fine.
 7 I'm just trying to work out how -- you seem very
 8 conscientious to me, you've obviously done the training.
 9 I just wondered why it didn't kick in, whether there's
 10 anything we can do about that to try and help.
 11 A. I'm not too sure. We have recently put -- there is
 12 larger prompts now on every position with the five
 13 principles. We've recently just updated the training.
 14 We complete refresher training in the first 2 or 3 weeks
 15 in January. This focused solely on JESIP principles and
 16 how it integrates not only just for major incidents but
 17 also for our -- what we call -- day-to-day incidents.
 18 SIR JOHN SAUNDERS: Yes. JESIP principles, as I was saying,
 19 for people at the scene --
 20 A. Yes.
 21 SIR JOHN SAUNDERS: -- just don't apply to you. You are, as
 22 it were, different.
 23 A. Yes.
 24 SIR JOHN SAUNDERS: Yours is: we have to communicate
 25 everything we know or make sure people know everything.

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1 Is that right in terms of --
 2 A. That is correct, sir, yes.
 3 SIR JOHN SAUNDERS: Thank you.
 4 MR COOPER: Just on the back of that, the last paragraph of
 5 your statement, you indicate there was a debrief process
 6 that -- you can't remember much of that. Was it
 7 a lengthy debriefing process, so lessons perhaps could
 8 be learned from the event?
 9 A. I can't recall actually submitting any information for
 10 a debrief.
 11 Q. Right. So would I be being unfair -- as I say, if you
 12 can't recall what happened on a debrief on
 13 Manchester Arena, there couldn't have been much
 14 significant in it.
 15 A. I maybe just wasn't involved, sir. I didn't want to say
 16 that I wasn't aware that a debrief would occur because
 17 it hit that criteria. Obviously, hindsight afterwards
 18 (sic) the incident, it did occur.
 19 Q. I see. So in fact, again -- it's an oft-used
 20 expression: I'm not criticising you. But did you say
 21 that you didn't attend the debrief or indeed weren't
 22 asked to go to the debrief?
 23 A. I wouldn't attend a debrief as an operator, so it would
 24 normally be attended by the ops -- operations manager,
 25 potentially the team leader, but the operations manager,

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1 the specific point of contact, which would have been
 2 Janine Carden for Greater Manchester, would have
 3 attended on behalf of North West Fire Control.
 4 Q. Would you have benefited, if only cathartically, from
 5 a debrief?
 6 A. I can't say that, sir. I don't know if I would or
 7 I wouldn't.
 8 MR COOPER: There it is, sir. Thank you.
 9 SIR JOHN SAUNDERS: Thank you very much.
 10 MR DE LA POER: Can I turn to Mr Smith? Sir, you'll have to
 11 make a judgement about the time.
 12 SIR JOHN SAUNDERS: I will.
 13 Further questions from MR DE LA POER
 14 MR DE LA POER: But before, if I may ask just this one
 15 question arising from what Mr Cooper says, Mr Cooper's
 16 questions.
 17 You told Mr Cooper that you understood the NILO had
 18 a means of contacting the FDO, but you didn't.
 19 Is that -- have I understood that right?
 20 A. That's correct, sir, so it's --
 21 Q. Were you aware that the media appeared to have a means
 22 of contacting the FDO? Did you --
 23 A. I'm not, sir, no. I understood it's quite a secure
 24 contact method that only people with clearance have.
 25 MR DE LA POER: Thank you very much indeed, Mr Ellis.

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1 Sir, we're in your hands.
 2 SIR JOHN SAUNDERS: Mr Smith, give me some rough idea of how
 3 long. I obviously don't want to rush you in any way.
 4 MR SMITH: I'm certainly, I think, going to be perhaps
 5 three-quarters of an hour.
 6 SIR JOHN SAUNDERS: Right. I think we'll do it all of
 7 a bit, if you don't mind, because we're not going to be
 8 able to finish today within my timescale with this
 9 witness. We'll come back, if we may, and do it on
 10 Monday morning at 9.30.
 11 (4.13 pm)
 12 (The inquiry adjourned until 9.30 am
 13 on Monday, 28 June 2021)
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