

OPUS2

Manchester Arena Inquiry

Day 131

July 12, 2021

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Monday, 12 July 2021

1 (9.30 am)

(Delay in proceedings)

2 (9.42 am)

DCC IAN PILLING (continued)

Questions from MR GREANEY

MR GREANEY: Sir, good morning. I'm sorry that we are starting late. Of course, it was Mr de la Poer who started the questioning of Mr Pilling on Thursday of last week, but he has a long-standing commitment today to another inquiry and, as a result, I will conclude the questioning of DCC Pilling on behalf of CTI. I will be using, in doing so, Mr de la Poer's structure.

Mr de la Poer's questioning, as everyone will recall, was broken down into three broad areas. First, the issues that had been identified as a result of the arena attack and GMP's corporate position in relation to them. Second, what has been done since the arena attack to address those issues, so that is to say what lessons have been learned and what changes implemented, and thirdly the recommendations GMP make for the future through DCC Pilling.

DCC Pilling had dealt with the first of those broad areas and he had dealt with the second and third to some extent, as he did so, and so what we'll do now is to go

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on to part 2 of the questioning and address the issues that were identified, so Mr de la Poer's part 2.

Mr Pilling, first of all, the OCB. Certainly as I understood your evidence last week, you have acknowledged that the events of 22 May revealed the need for major changes in the operation of the operational communications branch?

A. Yes, sir. That together with other more general improvements in the way in which we wanted that branch to do business more effectively in the future.

Q. What do you mean by that?

A. The branch had been structured in rather a traditional way as regards call handlers being separate from the radio operators for a number of years. It was a decision that we would look to do some restructure to manage on less sites and have a greater critical mass of staff. But it was the learning from the arena which has heavily influenced the way in which particularly the FDO and the force operations centre are now structured and operate.

Q. To your mind, is that something that should have been identified ahead of the arena attack?

A. Could I just ask which part in particular, the general moves or specifically the FDO?

Q. Let's deal with each in turn. So first of all the

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general issues.

A. It had been identified prior to the attack and there had been discussions for a number of years around different sort of plans. It's an ongoing sort of assessment of where the force is. I don't think it's fair to say it would have been related to the arena specifically. The movement of the FDO to headquarters was something which certainly I was involved in discussions regarding from earlier in 2017, but it's my understanding that that had actually been discussed prior to my arrival in the force at the start of 2016.

But even though that move had been talked about for a number of years, the learning from the arena really heavily influenced the actual way in which that move took place and the structure built around it.

SIR JOHN SAUNDERS: Sorry, can I just... My memory may be failing about this, but one of the reasons given why the FDO failed in Winchester Accord was because, as I understand it, on that occasion he was actually operating from headquarters, but what was said was it wouldn't be like that in real life because actually they're operating from a different place where they have more back-up. So this change and the change going to happen but not having happened by the time of Winchester Accord may have given a false impression to

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people that everything would be all right if it was real life?

A. As you've said --

SIR JOHN SAUNDERS: I don't know whether that's an accurate reflection.

A. If I can expand slightly, sir?

SIR JOHN SAUNDERS: Please do.

A. In Winchester Accord, my understanding is, from having heard the evidence regarding that exercise, as regards the FDO it was intended to test the location of the FDO at headquarters but with a much lower number of staff around the FDO than is normally the case. When I talk about how learning from the attack at the arena influenced that, what we ended up doing, and the position today is we didn't just move the FDO and a small number of staff, there are now several hundred staff working in headquarters with the FDO, albeit a smaller number of specialists around him or her.

SIR JOHN SAUNDERS: But it would never have been the intention having moved, even at the time of Winchester Accord, to have less staff presumably? It was just moving him to headquarters for that particular exercise, they didn't actually have the necessary number of staff that would normally be, had he moved to headquarters? I expressed that incredibly badly.

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1 A. That's my understanding. Sir, there were several ways
 2 of moving the FDO: you can just move the FDO; you can
 3 move the FDO and a small number of staff; or we could
 4 have the solution that we have now, where we moved the
 5 FDO and several hundred staff to completely take over
 6 one floor at headquarters. I don't know what would have
 7 happened if we hadn't had the attack, clearly, but
 8 having learned from it, that's why we took that decision
 9 and that's why that move took longer than perhaps it
 10 would have been expected to because it turned into
 11 a really big move of both people and resource.
 12 SIR JOHN SAUNDERS: Okay. My concern is that it may have
 13 masked to an extent the problems the FDO was having by
 14 giving, as it were, an excuse for it, by saying: oh
 15 well, there would be more staff around if this was
 16 a real event.
 17 A. I understand what you're saying, sir. Where the FDO was
 18 on the night of the attack, there were a lot of staff,
 19 I think the statement's estimated between 35 and 40.
 20 I don't think it was the number of staff that was the
 21 problem.
 22 SIR JOHN SAUNDERS: It was the delegation, taking the jobs
 23 off the FDO. Yes, thank you.
 24 MR GREANEY: As you will appreciate, Chief
 25 Superintendent Clements is coming to help us with the

1 OCB and I'll ask you about him in one moment, but the
 2 chairman has, has he not, identified an important issue?
 3 You will be aware of the evidence of former
 4 Inspector Roby --
 5 A. Yes.
 6 Q. -- and Chief Inspector Booth, I'm sure. They described
 7 a situation in which the purpose of Winchester Accord,
 8 their local objective, as it was described, was to test
 9 the FDO in a situation that wasn't then in existence,
 10 but was proposed to be in existence, namely the FDO at
 11 force headquarters.
 12 A. Yes, albeit what hadn't been determined at that time was
 13 when the FDO did move to headquarters, the number of
 14 staff that would move with the FDO. The model that was
 15 tested at Winchester Accord was quite a small number of
 16 staff moving with the FDO. There were other options,
 17 including the one that we eventually went for with
 18 hundreds of staff.
 19 Q. So I entirely understand, without getting into issues
 20 that are operationally sensitive, that it isn't as
 21 simple as saying: the FDO was tested at headquarters at
 22 Winchester Accord, it failed, now the FDO is at
 23 headquarters, that's a problem. I know that the
 24 scenario that was tested is very different from the
 25 scenario in place and that's not the point I'm making.

1 The point that I'm making is that those who were
 2 planning within GMP Winchester Accord were planning to
 3 test a different scenario for the FDO; is that correct?
 4 A. From the one that was in existence.
 5 Q. It was a scenario that they, it would seem, all doubted
 6 the efficacy of?
 7 A. Yes.
 8 Q. And when Winchester Accord showed that the FDO would
 9 fail in that environment, there was a sense in which
 10 they were all satisfied; do you agree?
 11 A. Yes. I'm not sure I've seen the actual evidence that
 12 the FDO would have failed from the debriefs. I know
 13 there were issues. But I'm not sure to an extent having
 14 seen the recommendations how clear it was that the FDO
 15 would have failed.
 16 Q. We know that Mr Williams, who was the FDO during that
 17 incident, produced an email afterwards in which he said
 18 in terms: there will come a point at which you will be
 19 overburdened.
 20 A. Yes.
 21 Q. And although the debriefs could have been clearer
 22 perhaps about this point, there does overall emerge
 23 an issue, does there not, from the debriefs at
 24 Winchester Accord about the FDO?
 25 A. There does, yes.

1 Q. So the point the chairman was making was that what was
 2 being tested was a different FDO scenario?
 3 A. Yes.
 4 Q. There was a hope that the FDO would fail, the FDO did
 5 fail, and that then in a sense masked the problem
 6 because everyone got themselves into a frame of mind of
 7 saying: well, the problem was we were testing it there,
 8 if it remains where it is, everything will be fine?
 9 A. I understand, yes. I don't think anyone actually hoped
 10 it would fail; I think maybe people weren't expecting
 11 when it didn't work as it should have done.
 12 Q. But do you agree there is a sense in which
 13 Winchester Accord, rather than revealing a problem that
 14 needed to be remedied, essentially masked an issue?
 15 A. Yes -- well, what wasn't tested was the FDO in his
 16 current surroundings.
 17 Q. And it wasn't safe, was it, to assume that because the
 18 FDO failed in the tested environment, he would not
 19 necessarily fail in the existing environment?
 20 A. Sorry, could you rephrase that question, please?
 21 Q. Mr Booth, for example, Chief Inspector Booth, gave
 22 evidence in terms that his conclusion from
 23 Winchester Accord was the FDO would fail in the new
 24 environment --
 25 A. Yes.

1 Q. -- at headquarters and that the conclusion to be drawn
2 from that was that he wouldn't fail in the existing
3 environment. And he agreed that that was, on
4 reflection, not a safe conclusion to reach, and I'm
5 confident you will agree.
6 A. Yes.
7 Q. At all events, we're jumping ahead because I was going
8 to invite you to agree that issues relating to the OCB
9 are going to be addressed by Chief Superintendent
10 Clements.
11 A. Yes, they are.
12 Q. And as you will know, just to give him an introduction,
13 he joined GMP from the Metropolitan Police on promotion
14 in August 2019?
15 A. Yes.
16 Q. Having become a police officer in November of 2014,
17 joining the City of London Police directly as
18 a superintendent, following a first career in business
19 and government?
20 A. Yes.
21 Q. Does he now work within the OCB of GMP?
22 A. Yes.
23 Q. And as you will know, he describes dramatic changes in
24 the set-up and support for the FDO since the arena
25 attack.

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1 A. Yes.
2 Q. Would you agree that there have been dramatic changes?
3 A. There have, yes.
4 Q. Have you had a chance to review his witness statement,
5 dated 27 May of this year?
6 A. Yes.
7 Q. And do you agree with its contents?
8 A. Yes.
9 Q. Do you have, beyond what you've said this morning,
10 anything to add to what he has said about the OCB?
11 A. No. The only thing I would add is that the FDO
12 situation is always evolving and we are always learning,
13 so it's not something we'll say, "That's it now". We
14 constantly review it, we constantly review the team
15 around, and we constantly make improvements.
16 Q. That leads into the only two questions I was going to
17 ask you finally about the OCB and the FDO, namely: are
18 you confident as matters stand that within Greater
19 Manchester Police there is now sufficient resilience
20 around the FDO?
21 A. Yes.
22 Q. Has the current situation been tested in a live
23 exercise?
24 A. To my knowledge it has not been tested collectively in
25 a single live exercise. Various elements of it have

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1 been tested as regards knowledge of action cards, for
2 example, and there have been a number of live incidents
3 which have put the FDO under significant pressure where
4 the new arrangements have worked effectively, but no
5 there hasn't been a single exercise. Again,
6 Paul Clements will give further detail around that what
7 that localised exercising looks like.
8 Q. As you'll appreciate, he will be tested on that. But as
9 the deputy chief constable, bearing in mind that the
10 chairman might find in due course that there was a major
11 problem with the FDO on the night of the arena attack,
12 is it desirable that there should be a live exercise to
13 test the whole of the OCB and, in particular, the FDO in
14 the near future?
15 A. That is desirable, sir, and it's something that we've
16 talked about. Clearly it will be a considerable
17 undertaking, but I think it will be worth doing for the
18 reasons that have been outlined.
19 Q. And obviously everybody will bear in mind that these
20 exercises are difficult to organise and they stretch
21 resources, but is one of your recommendations that there
22 should be a live exercise to check the OCB and the
23 performance of the FDO in the current arrangements?
24 A. Yes, and I'd probably extend it to say that it should
25 also test our multi-agency response as well as solely

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1 the FDO.
2 Q. So by that you mean that will it should not just be
3 a test of how GMP's OCB performs, but also to bring in
4 JESIP-type issues and see how the OCB works with the
5 Fire and Rescue Service and the Ambulance Service?
6 A. Absolutely, yes.
7 Q. One of the issues that's been raised by Mr Smith with
8 a number of witnesses is whether or not North West Fire
9 Control should take part in any such exercise.
10 Do you have a view about that?
11 A. From the evidence that I have heard, I believe that they
12 should.
13 SIR JOHN SAUNDERS: So it goes back to mobilisation rather
14 than taking up position before they start the exercise?
15 Thank you.
16 MR GREANEY: I'm sure we all hope that that will occur
17 sooner than later.
18 Next, I want to ask you about something that you
19 describe in your witness statements as the
20 organisational learning hub. You address this in each
21 of your -- not each of your witness statements, but in
22 particular in the second and third witness statements.
23 Can I make sure that I have understood the position
24 because I believe this is an issue which is close to
25 your heart?

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1 A. Yes.
 2 Q. Is it the position that in the aftermath of the arena
 3 attack, a team of officers was set up, with legal
 4 support, under Superintendent David Plester to analyse
 5 the performance of GMP on the night of the attack?
 6 A. Yes, Pester, sir, and — yes, it was towards the end of
 7 2019 that I and others decided that we should review all
 8 recommendations and progress from the attack and from
 9 the debriefs to ensure that we could assure ourselves
 10 that the appropriate progress had been made and that was
 11 the team's initial purpose.
 12 Q. I need to make sure that I've understood this correctly
 13 because it's always possible that I haven't. Did that
 14 team become known as the Arena Recommendations Review
 15 Team?
 16 A. Yes.
 17 Q. And did that team consider the very many debriefs that
 18 had by that stage occurred?
 19 A. Yes, albeit they'd already been considered,
 20 I understand, by others previously. This was a check of
 21 what had been done previously, if that makes sense.
 22 Q. Yes, it does. I'm not going to suggest that it was in
 23 late 2019 that GMP started this work; work had been
 24 ongoing really since the moment of the arena attack.
 25 And this was, what, a quality assurance purpose?

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1 A. Yes, it was to check — because of the sheer number of
 2 recommendations and, as I started to prepare my first
 3 statement in 2019, it was clear to me that there were
 4 a very large number of recommendations, and
 5 understandably so, I just wanted to make sure that
 6 nothing had been missed and that everything that we said
 7 we'd done had been done and that we were in the best
 8 possible position as an organisation to ensure that we'd
 9 learned those lessons.
 10 Q. Did the team consider literally hundreds of
 11 recommendations?
 12 A. It did, yes.
 13 Q. Across a large range of topics?
 14 A. Yes.
 15 Q. But which became organised into six separate themes?
 16 A. Yes.
 17 Q. Namely communications?
 18 A. Yes.
 19 Q. Equipment and facilities?
 20 A. Yes.
 21 Q. Knowledge and training?
 22 A. Yes.
 23 Q. Policy and process?
 24 A. Yes.
 25 Q. Resources and welfare?

14

1 A. Yes.
 2 Q. If I'm taking this too quickly or shortly, you must let
 3 me know.
 4 Were each of the recommendations, so far as they
 5 were thought relevant and important, recorded in the
 6 spreadsheet to which reference was made last Thursday?
 7 A. Yes.
 8 Q. In terms of multi—agency recommendations that emerged
 9 from the work of that team, were they managed just by
 10 GMP or together with some other organisation?
 11 A. They were managed through discussion and consultation
 12 with the resilience forum, the GMRF.
 13 Q. So the GMRF was brought into this exercise?
 14 A. I don't believe they were brought in, I believe
 15 Mr Pester and his team consulted with them, if that's
 16 what you're asking.
 17 Q. Did that lead to the creation of, and I don't want to
 18 make this overly technical, something called a task and
 19 finish group —
 20 A. Yes.
 21 Q. — within GMRF?
 22 A. I'm not sure about what happened within GMRF, sir,
 23 I don't know. I understand there was a task and finish
 24 group established but I don't know the detail beyond
 25 that.

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1 Q. Was that within GMP?
 2 A. There were some tasks that we pulled together into
 3 a group, which needed some acceleration within GMP.
 4 I think what you're referring to is something separate
 5 within the GMRF.
 6 Q. I'll take that up with others. In short, where there
 7 were multi—agency recommendations, did GMP work closely
 8 with the resilience forum to ensure that appropriate
 9 action was taken?
 10 A. Yes, and specifically pulled out the issues that were
 11 for GMP and dealt with them within GMP but it was
 12 double—edged.
 13 Q. You did touch upon this on Thursday last week, but is it
 14 your view that, as matters stand, the Greater Manchester
 15 Resilience Forum is a meaningful organisation?
 16 A. Yes.
 17 Q. Would you like to develop that further?
 18 A. Yes. It is important. It's defined that it must exist,
 19 but I think that isn't the point. It's a group that
 20 brings together senior representatives now from the
 21 various agencies across Greater Manchester and, from
 22 what I've seen — I've never attended the resilience
 23 forum — does some good work and, as I've said before,
 24 particularly during the COVID pandemic, the ability of
 25 that group to be able to coordinate and pull together

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1 the responses of emergency services and other partners
 2 was really positive .
 3 Q. That deals with what I wanted to ask you about
 4 multi—agency recommendations. We are, I promise you,
 5 building up to the organisational learning hub. In
 6 terms of GMP's specific recommendations, how were those
 7 addressed?
 8 A. They were dealt with by the team under Mr Pester and the
 9 spreadsheet updated and where there were organisational
 10 concerns that we needed to do more, they were brought to
 11 my attention. But that was only a very small number.
 12 The majority were dealt with by Superintendent Pester
 13 and his team through securing updates from individuals,
 14 checking things and recording them on the spreadsheet
 15 that's been submitted to the inquiry.
 16 Q. Have national lessons been learned via the work done by
 17 GMP in this regard?
 18 A. Not... I'm trying to think now... Not to my knowledge
 19 formally, albeit, as was referred to in a letter to the
 20 chairman last week, discussions have now started with
 21 the NPCC, that's the National Police Chiefs' Council,
 22 BTP, and others around chapter 1. There's nothing been
 23 done formally, albeit, and I'm sorry if I'm going off
 24 kilter, but the discussion that we had last week was
 25 that would be the group that would have considered other

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1 recommendations in the first instance that the chairman
 2 makes and look to take those forward nationally on
 3 behalf of policing.
 4 Q. So on the face of it, it may be thought surprising that
 5 the only lessons that have been learned are ones which
 6 are local to GMP. It might be thought that it's likely
 7 that thereby lessons to be learned by policing more
 8 generally.
 9 A. I think there are, yes. There are many lessons to be
 10 learned by policing generally, and there will have been
 11 informal discussions, I'm sure, amongst the firearms
 12 community. Chief Inspector Nutter, for example, who is
 13 Greater Manchester Police's tactical lead for Plato
 14 formerly held the national position and I know he is in
 15 dialogue. So I wouldn't like say to say that nothing
 16 has been done and we have made policing aware
 17 nationally, through the CT Network, of the key issues,
 18 but there's not a formal structure been established as
 19 regards the learning which GMP has made.
 20 Q. This is something I'm going to press you on a little
 21 further because, simply from the top of my head, it's
 22 obvious that the issue with the overburdening of the
 23 FDO, the problem with identifying who should be in
 24 command of unarmed assets at the scene, those are issues
 25 which are not likely to be isolated to GMP, do you

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1 agree?
 2 A. Yes.
 3 Q. And there are probably many others?
 4 A. Yes.
 5 Q. So there is undoubted value, do you agree, in GMP
 6 spreading out what it has learned from this awful
 7 experience to other forces?
 8 A. Yes.
 9 Q. Is it a part of your recommendation that GMP should take
 10 steps to ensure that policing generally learns the
 11 lessons of 22 May?
 12 A. I think there's a key role for GMP in doing that, yes.
 13 Q. How is that to be achieved?
 14 A. As I say, we started the discussions last week.
 15 Clearly, as you'll be aware, the 43 police forces are
 16 operationally independent, albeit the NPCC has a role in
 17 coordination. So it will be done through the NPCC. And
 18 there are NPCC leads for various issues, firearms for
 19 example, which will include Plato, and we will put
 20 together through the NPCC those relevant leads as we
 21 started to do last week with regards to chapter 1.
 22 Q. I am not going to suggest that the position is other
 23 than that a substantial amount of work has been done by
 24 the GMP Arena Recommendations Review Team. But where my
 25 questions started out was the organisational learning

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1 hub.
 2 A. Yes.
 3 Q. And has the organisational learning hub grown out of the
 4 work of that team?
 5 A. It has, yes.
 6 Q. Could you explain that to us, please?
 7 A. Yes. One of my areas of interest or concern, if you
 8 like, was that there are a significant volume of
 9 recommendations and findings coming into any police
 10 force, but GMP, being a large police force in
 11 particular. So regulation 28 notices from coroners,
 12 HMIC reports, adult safeguarding reviews, domestic
 13 homicide reviews, debriefs, to quote five or six.
 14 What I was conscious of was that given the volume of
 15 those, that the organisation wasn't always pulling them
 16 all together and spotting common threads. And the
 17 purpose of the organisational learning board was to —
 18 it was twofold: first of all, to ensure that we had an
 19 effective scanning process across all those threads and
 20 others to ensure that what may be a minor issue coming
 21 up in one place may be replicated elsewhere and somebody
 22 was joining the dots up and saying: this is an issue
 23 that need to be dealt with at an organisational level.
 24 The other was to have more of a lessons learning ethos
 25 within the whole organisation and encourage a more — an

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1 approach more towards learning lessons.
 2 The way that we've done that is establish
 3 a structure of organisational learning officers across
 4 all districts and departments. They are tasked with
 5 identifying key learning through incidents and events
 6 within their sphere of work and to carry out debriefs
 7 and to make recommendations as regards how that can be
 8 improved in the future.

9 There is a force-wide database that's been
 10 established for those to be recorded on and we've
 11 significantly increased from 11 to 60 the number of
 12 College of Policing debriefers in GMP to be able to do
 13 that. Now, my ethos is that most of that learning
 14 should take place at a low level, it is a localised
 15 piece of learning, but equally some learning will be
 16 more strategic and it is issues such as that which are
 17 brought to the organisational learning board.

18 We've got a really close link into training because
 19 often the solution to a lot of these issues is through
 20 training, so there is representation from the
 21 organisational learning board on the force training
 22 board and we produce bulletins and intranet notices to
 23 really sort of promulgate that learning and we invited
 24 the College of Policing to the most recent
 25 organisational learning board, who were really positive

21

1 about the learning that's being done. It is not
 2 finished, there's still much to do, and we are slowly,
 3 I think, changing that ethos around learning lessons in
 4 GMP.

5 So it's the two parts: it's the coordination of all
 6 the information coming in, but it's also that bottom-up
 7 learning approach.

8 And it's about being able to do debriefings really
 9 quickly where we need to. I'll give you an example, if
 10 I may. The officer who was injured at the disturbances
 11 at Old Trafford a few weeks ago, with the next match
 12 72 hours away, we had to really quickly debrief that,
 13 work out what the learning was, and make sure that the
 14 plans were improved. So we are much more fleet of foot
 15 now around serious operational incidents.

16 Q. That all sounds, if I may say so, like a very good idea
 17 but let's think about how that might have made
 18 a difference in relation to 22 May.

19 As you undoubtedly appreciate one of the big issues
 20 is the extent to which there was an inappropriate degree
 21 of pressure placed upon the FDO --

22 A. Yes.

23 Q. -- and how that all played out obviously is a matter for
 24 the chairman to decide in due course. But I think you
 25 would agree the FDO was placed under a degree of

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1 pressure that night that was unacceptable?

2 A. Yes.

3 Q. And we've heard from Inspector Roby and she was saying
 4 that this problem had been known about for years and she
 5 was talking about a period of up to 20 years that she's
 6 known about this problem. We know that
 7 Winchester Accord had identified an issue with the FDO,
 8 albeit it was maybe complicated by the location of the
 9 FDO, and then the Inspectorate came in and they
 10 identified a problem with the FDO.

11 Along the way, Chief Inspector Booth had been trying
 12 to introduce his action cards and that hadn't happened.

13 A. Yes.

14 Q. So by 22 May 2017, notwithstanding this organisational
 15 understanding of the problem, notwithstanding that some
 16 efforts were being made to introduce action cards, the
 17 problem had not been resolved. Is it your evidence that
 18 the organisational learning hub, if it had been in place
 19 before May 2017, would have prevented that situation?

20 A. I would very much hope so because of the reasons you've
 21 identified, that there were several, and I don't want to
 22 sort of undercut the importance of it, but there were
 23 several minor indicators of something which, if the
 24 organisational learning board had been working
 25 effectively, it would have potentially pulled together

23

1 as an issue that needed to be resolved.

2 Q. Is it accurate to describe then as minor indicators?

3 A. No, that's why -- I've perhaps used clumsy language
 4 there, there were a number of indicators. I don't think
 5 any of them in isolation at that time were prominent
 6 enough to make something happen and I think the
 7 organisational learning board would have pulled them
 8 together more effectively.

9 Q. I'm still at part 2 of Mr de la Poer's structure. We've
 10 dealt with the OCB, we've dealt with the organisational
 11 learning hub and the next issue I would like to ask you
 12 about is primacy.

13 A. Yes.

14 Q. Obviously you are aware that the chairman published
 15 volume 1 of his report on 17 June, just last month.

16 A. Yes.

17 Q. I've no doubt you have read it closely.

18 A. Yes.

19 Q. You'll therefore be aware that it contained monitored
 20 recommendations?

21 A. Yes.

22 Q. Monitored recommendation 9 provided as follows:

23 "BTP and all Home Office police services should
 24 conduct a review of the areas in which their
 25 jurisdictions overlap. In the case of areas which have

24

1 a significant footfall by members of the public which
 2 are not part of the railway estate, a review should be
 3 conducted by both BTP and the Home Office police
 4 services. Following the review, agreement as to primacy
 5 should be reached and recorded in writing.”
 6 Mr Pilling, do you agree that it ought to have been
 7 plain to both GMP and BTP before the arena attack that
 8 it was vital that they should liaise about the policing
 9 of the arena and agree primacy in formal terms?
 10 A. Do you mean generally or for the concert?
 11 Q. Again, shall we take it in turn. First of all
 12 generally?
 13 A. Yes.
 14 Q. And in terms of concerts?
 15 A. If the general agreement had been sufficient then
 16 I would anticipate that would cover any event, so
 17 a strong agreement would have covered primacy for the
 18 events that were taking place.
 19 Q. So this is something that ought to have been thought of
 20 before the arena attack?
 21 A. Yes.
 22 Q. In the aftermath of the attack, this is my understanding
 23 and you'll correct me if this is wrong, a contingency
 24 plan for the arena was updated?
 25 A. Yes.

25

1 Q. I think this was signed off in December of 2017; is that
 2 your understanding too?
 3 A. It's my understanding, yes.
 4 Q. So we'll just put one page of this on the screen and
 5 we'll bear in mind this is post-attack.
 6 Mr Lopez, {INQ001544/1}:
 7 "Contingency plan, Manchester Arena. Date/version:
 8 1 draft -- December 2017."
 9 Can we go to {INQ001544/3}, please.
 10 The very first sentence on that page is:
 11 "BTP have primacy in responding to incidents at the
 12 arena and Victoria Station."
 13 We don't need to go to it, but that statement is
 14 repeated on page 11. Can I invite you to agree that
 15 even before the arena attack, let alone afterwards, that
 16 was obviously much too general a description?
 17 A. Yes, unless it's expanded on, then it is a general
 18 description.
 19 Q. Because it would never have been appropriate, would it,
 20 for BTP to have had primacy for a terrorist attack?
 21 A. No.
 22 Q. Indeed it would never have been appropriate for BTP to
 23 have primacy for a firearms incident of which there are,
 24 sadly, many in Greater Manchester?
 25 A. Not at the time, albeit -- sorry, I'm choosing my words

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1 because of operational sensitivity --
 2 Q. And you are quite right to.
 3 A. -- (overspeaking) capacity change which may have made
 4 that different.
 5 Q. That's a very fair qualification. But certainly as of
 6 May 2017, it would never have been appropriate for BTP
 7 to have primacy, even for a firearms incident?
 8 A. No.
 9 Q. So to put it very simply, there should have been
 10 a different approach, shouldn't there?
 11 A. There should have been more clarity in what was written.
 12 Q. Was the lack of a proper plan for the arena between the
 13 two forces before the attack a significant failure in
 14 your view?
 15 A. Sorry, I'm not avoiding the question, I'm just sort of
 16 thinking the answer through. Is that as regards the
 17 general policing or are you referring to more of
 18 a contingency plan for an occurrence?
 19 Q. So what I'm talking about really, just to focus in on
 20 it, is that within Manchester, a hundred or more times
 21 a year, thousands of people would go to the arena in
 22 order to attend concerts.
 23 A. Yes.
 24 Q. Self-evidently, that was a potential target for
 25 criminals of many types, including terrorists?

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1 A. Yes.
 2 Q. That should have been obvious to GMP and BTP?
 3 A. Yes.
 4 Q. And as a result, there should have been a proper plan in
 5 place, a formal plan in place, before the arena attack
 6 for how that was to be policed?
 7 A. I understand the question now. Yes, there should.
 8 Q. And there wasn't?
 9 A. No.
 10 Q. And was that a significant failure?
 11 A. Yes.
 12 SIR JOHN SAUNDERS: I think your hesitation is whether it
 13 made any difference in the event?
 14 A. Yes, that's right.
 15 SIR JOHN SAUNDERS: GMP (sic) did respond quickly --
 16 MR GREANEY: And GMP (sic) did too, yes.
 17 SIR JOHN SAUNDERS: Absolutely, both did, and they managed
 18 to work it out between them by and large, perhaps by
 19 luck more than good judgement.
 20 A. Yes.
 21 MR GREANEY: That may be overly generous sir, if I may say
 22 so, because certainly, if one listens to Mr Dexter's
 23 dictaphone recording -- and I don't know if you have
 24 listened to all 4 hours; I have -- there are occasions,
 25 are there not, on which GMP and BTP officers were

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1 uncertain as to — it was described differently as
 2 jurisdiction and primacy?
 3 A. Yes.
 4 Q. I'm not going suggest it made any difference on the
 5 night, but there should have been no doubt, should
 6 there, about who was in charge?
 7 A. That's right, there shouldn't have been any doubt.
 8 SIR JOHN SAUNDERS: I was more referring to what we heard
 9 from GMP and BTP officers on the ground that they just
 10 really sought instruction from whoever was the senior
 11 officer, whichever force they belonged to.
 12 A. Yes.
 13 SIR JOHN SAUNDERS: That's the caveat I was making.
 14 MR GREANEY: Sir, I'm sorry if I misunderstood.
 15 SIR JOHN SAUNDERS: No, no.
 16 MR GREANEY: The point is that even if on the night it
 17 didn't make a difference, on another occasion it could
 18 have made a difference, and you will agree with that,
 19 I'm certain?
 20 A. Yes, it could have made a difference.
 21 SIR JOHN SAUNDERS: They shouldn't have been arguing about
 22 primacy?
 23 A. No.
 24 MR GREANEY: We've just seen in December 2017 what the
 25 position was, so may I ask you why, even after the arena

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1 attack, was there a failure to recognise the importance
 2 of the division of responsibility between the two
 3 forces?
 4 A. I'm sorry, I can't answer that. It hadn't come to my
 5 attention. It shouldn't be the case. It needs to be
 6 clearer.
 7 Q. In any event, I think it would be fair to say that the
 8 position has now been reviewed?
 9 A. Yes.
 10 Q. Agreement has been reached?
 11 A. Yes.
 12 Q. Monitored recommendation 9 has been accepted?
 13 A. Yes. If I could just expand slightly?
 14 Q. Please do.
 15 A. The specific part of chapter 1 which talks about primacy
 16 for the arena has been agreed and it has been agreed
 17 that GMP will take primacy for any event at the arena.
 18 That was agreed quickly and had to be because,
 19 obviously, of events planned in the fairly near future.
 20 The group that met last week and is due to meet
 21 again later this month is looking at all the
 22 recommendations in chapter 1 and recommendation 9, or
 23 the other way round, recommendation 9 that sits beneath
 24 it, in order to be able to identify which locations that
 25 refers to, which is now being done, and then to make

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1 a proposal on behalf of the National Police Chiefs'
 2 Council and Counter-terrorism Policing and the other
 3 partners to be able to respond to the chairman's
 4 timescales.
 5 Q. I don't know, but the kind of situation we have in
 6 Manchester Arena may be replicated — there may be
 7 similar situations around the country, and those other
 8 forces need to grip that situation together with BTP?
 9 A. Yes and the work is ongoing, as I say, to identify all
 10 those locations where that is relevant and is now
 11 working through them to be able to put together
 12 a comprehensive statement as the chairman has requested.
 13 Q. So we'll just finish off this point and then move to
 14 part 3 of Mr de la Poer's structure.
 15 The position that's been reached ought to be in the
 16 public domain and I'm therefore going to ask that the
 17 relevant letter be placed on the screen. You are one of
 18 the signatories to it. I think. {INQ041628/1}.
 19 Yes, you and Mr Hanstock are the signatories. It's
 20 a letter to the chairman dated 2 July:
 21 "Following the publication of volume 1 of the
 22 Manchester Arena Inquiry report, Greater Manchester
 23 Police and British Transport Police have met at
 24 executive level and agreed to accept your preliminary
 25 recommendations as set out in paragraphs..."

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1 And the paragraph references are given:
 2 "... namely that British Transport Police should
 3 retain primacy for routine policing in the City Room and
 4 that Greater Manchester Police should take primacy of
 5 the policing during events at the arena. It is vital
 6 that there is clarity as to the details of this
 7 arrangement and the areas which it covers and urgent
 8 work is ongoing to ensure that such clarity is achieved
 9 and that this transition takes place as quickly and
 10 effectively as possible."
 11 So that sets out the current position, does it not?
 12 A. Yes.
 13 SIR JOHN SAUNDERS: And thank you for doing that so
 14 speedily.
 15 MR GREANEY: Bearing in mind developments, the contingency
 16 plan that we have seen, the December 2017 contingency
 17 plan, will need to be updated; do you agree?
 18 A. Yes.
 19 Q. Is that being addressed as a matter of urgency?
 20 A. Yes. There's been a team established to complete all
 21 the work that I've undertaken to do in response to the
 22 recommendation, to the letter, and that is one of the
 23 key issues as regards the work of that team. It's
 24 ongoing now and will be completed very shortly.
 25 Q. Thank you. That's all I want to ask you about part 2.

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1 Part 3, the final part of the structure, the
 2 recommendations that GMP make for the future through
 3 you. Obviously, there is a very substantial schedule of
 4 recommendations that will be uploaded to the extent they
 5 are not operationally sensitive to the website, and
 6 we are grateful for the care that was taken to put that
 7 together. I'm just going to ask you a few questions,
 8 questions, I hope, arising out of that.

9 First of all, JESIP and in response to the
 10 chairman's questions on Thursday, you started to explain
 11 your position in relation to that. I'm going to build
 12 upon it by asking you: why did joint working not occur
 13 on the night?

14 A. In practical terms, because there wasn't sufficient and
 15 adequate communication between the services, the four
 16 services, if I include BTP, during certainly the initial
 17 hour. So from the incident happening until such time as
 18 the Silver room was up and running, there wasn't
 19 sufficient communication, that meant therefore there
 20 wasn't co-location and we couldn't have the assessment
 21 of risk and situational awareness. So for me, it all
 22 came back to that failure to communicate in the early
 23 stages.

24 Q. Is it your view that one of the services, and I don't
 25 want to personalise this to individuals unless

1 necessary, bears responsibility for that or is it to be
 2 shared between them?
 3 A. I think clearly there were specific things that GMP
 4 should have done, very specific tasks that are laid down
 5 within Plato, things that should have been done --
 6 Q. Are you talking about the communication of Plato to
 7 partners?
 8 A. I am, but I'm talking about the wider point. I think
 9 Plato is an important part of it, but I think it's about
 10 that wider communication of what was actually happening,
 11 of which Plato was a part. I don't think it's just
 12 about Plato.
 13 Q. I interrupted your answer. My question had been, as
 14 you'll remember: does just one service bear
 15 responsibility or is it to be shared between them?
 16 A. Overall for JESIP I think it's a shared responsibility
 17 between all the services, but that failing by GMP meant
 18 that it was less likely to happen.
 19 Q. Does the fact, in your view, that it didn't work on the
 20 night of the 22nd mean that JESIP isn't fit for purpose?
 21 A. I've thought about this long and hard. The difficulty
 22 I have with it, clearly, is because it wasn't
 23 communicated; everything else after that is almost
 24 hypothetical. So to try and think it through in my
 25 mind, that if there had been that radio communication

1 between the key individuals, that would have resulted,
 2 I would hope, in co-location at an RVP and then an FCP
 3 and that shared situational awareness.

4 But as I say, I find myself hypothesising and it's
 5 very difficult to do anything other than that because
 6 I think if that had happened, there would have been
 7 a more favourable outcome as regards JESIP, but it
 8 didn't happen.

9 I think the basics around JESIP, I think, are fit
 10 for purpose. I think what needs to happen, and I know
 11 we discussed this on Thursday, is an understanding why,
 12 both at the arena and with other prominent serious and
 13 tragic events, that in the first hour it doesn't happen.

14 If you look at it on paper, the way it's written
 15 down, there is no reason at all why it shouldn't, but
 16 for some reason it doesn't. As I say, I think if that
 17 communication had been done more effectively by GMP,
 18 then it would have been -- had a much greater chance of
 19 succeeding. I'm sorry if that's a rambling answer.

20 SIR JOHN SAUNDERS: It is not, but we do know, don't we,
 21 that with predetermined or pre-planned events, something
 22 you know is happening, it all works very well.

23 A. Yes.

24 SIR JOHN SAUNDERS: It's the spontaneous events where it
 25 doesn't. So it is those first moments that need to be

1 sorted out.
 2 A. Yes.
 3 SIR JOHN SAUNDERS: And, I don't know, perhaps not enough
 4 attention has been paid to those first moments. After
 5 all, people all rushing around doing what they can to
 6 rescue people.
 7 A. Yes.
 8 MR GREANEY: You and the chairman have identified the issue.
 9 On the face of it, it might be thought JESIP is a good
 10 idea, expressing simple and sensible principles. On the
 11 face of it, you wouldn't have thought it's very
 12 difficult to implement, but experience shows otherwise.
 13 So what is to be done, in your view, to ensure that in
 14 the future what has gone wrong in the past doesn't occur
 15 and that there is communication?
 16 A. I think the first thing is to review the golden hour of
 17 JESIP. I don't see in there that I would argue with as
 18 regards the five principles. I think there's probably
 19 something to do around setting of expectation, that
 20 it would be really basic and we'd just have a really
 21 general level of communication at that stage.
 22 Then I think the difficult bit is how do you
 23 translate the theory into the practice. Right at the
 24 start of this morning, you asked me about exercising.
 25 It's always difficult to precisely replicate the

1 stresses of the real situation in any exercise, but
 2 I think that is the way to do it and to take those
 3 exercises back a little way to the mobilisation, as the
 4 chairman suggested, and just test it and test it and
 5 test it and establish the changes that we make around
 6 resetting the expectation and bringing in the
 7 tri—service channel make a difference.
 8 SIR JOHN SAUNDERS: Is it also important to recognise that
 9 within that first hour, the Gold and Silver command
 10 situation really doesn't appear to act very well,
 11 because people have all to get there from wherever they
 12 are, so really lots of people just aren't on the scene
 13 until now(?), so it has got to be the people who are
 14 attending to the scene and not people in a control post
 15 somewhat remote?
 16 A. I think you're absolutely right, sir. I think for me
 17 it's a staged approach. Stage 1, which is from zero to
 18 probably an hour, is really just going to involve the
 19 Bronze commanders, the FDO, and the three, or four with
 20 BTP, control rooms. Those are going to be the eight or
 21 nine points that need to talk to each other. Then,
 22 whether it's 60 or 90 minutes, once the Silver room
 23 steps in, then I think that is a very different scenario
 24 and situation.
 25 I know we touched upon this on Thursday and I think

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1 it's just about being operationally realistic as regards
 2 what we're asking people under the most unimaginable
 3 stresses to do as our front line operational commanders
 4 and really put them in a position where they can't not
 5 do it, everything's done for them, they actually don't
 6 have to think about it, because the plans are so good
 7 behind them that the radio is coming to life with that
 8 channel on it, and it's happening for them and that
 9 we've got the right people, and I know we touched on
 10 this on Thursday, that we have got sufficient and the
 11 right commanders going to the scene in that golden hour
 12 so that we've got that capacity in place.
 13 SIR JOHN SAUNDERS: Thank you.
 14 MR GREANEY: Just to go back to something you mentioned, I'd
 15 asked you what the remedy is and you explained that part
 16 of the remedy is exercising.
 17 A. Yes.
 18 Q. Obviously, when you exercise in how to deal with
 19 an MTA—type situation, as we now call it, how you
 20 neutralise a threat is a very important part of that, is
 21 it not?
 22 A. Yes.
 23 Q. Of course it is, but I think what you're saying to us
 24 is that equally important is that the exercising should
 25 focus upon the need for people to communicate from the

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1 very first moment?
 2 A. Yes.
 3 Q. In the course of the inquiry's oral evidence hearing in
 4 chapter 10, I am confident that you will agree that
 5 issues have been revealed that weren't identified or
 6 predicted by the work of your team.
 7 A. Yes.
 8 Q. I don't mean any criticism of them in saying that. It's
 9 an inevitable consequence of a process such as ours.
 10 I'm equally certain that you will wish to consider
 11 whether there are any further recommendations that you
 12 would like to make in the light of the inquiry's
 13 evidence; am I correct?
 14 A. Yes.
 15 Q. What I don't want to do is to put you on the spot,
 16 unless you wish to be put on the spot, and to answer now
 17 what further recommendations you have. So if you'd
 18 prefer to put them into writing, I am confident the
 19 chairman will be content with that.
 20 A. Yes. I have some broad headings, but I'd appreciate
 21 a little time to pull my thoughts together into
 22 a written document or statement.
 23 SIR JOHN SAUNDERS: I'd be grateful for that, thank you.
 24 Just before we leave it, the evidence that we have
 25 heard is very different from the evidence that

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1 Lord Kerslake heard —
 2 A. Yes.
 3 SIR JOHN SAUNDERS: — and in particular, in relation to the
 4 FDO. So as far as Lord Kerslake was concerned, and
 5 obviously I have to reach a decision about this, the
 6 reason for not notifying Plato was the overwhelming of
 7 the FDO and that actually just not happening, as
 8 I understand it. In his conclusion, Lord Kerslake said:
 9 well, actually, it should have been notified to
 10 everybody, but in the event it was quite a good thing
 11 that it wasn't because if it had been then the
 12 requirement would have been to remove all those people
 13 who were helping patients, the injured, from the hot
 14 zone. Is that in fact a correct analysis? I know JOPs
 15 has now changed but at the time was that a correct
 16 analysis?
 17 A. I think —
 18 SIR JOHN SAUNDERS: Sorry, that's not meant to be
 19 a reference in any way to denigrate what Lord Kerslake
 20 did or any conclusion he came to. He was dealing with
 21 the evidence as he saw it and as he had it.
 22 A. Yes, that's the point I was going to make, sir,
 23 thank you. I think to try and answer your question, and
 24 hindsight is wonderful, isn't it, and I really don't
 25 want to be accused of just using hindsight, but for me

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1 there was another way of doing it. If Plato had been
 2 declared — and the other thing I want to say is
 3 Chief Inspector Sexton was under the most unimaginable
 4 pressure.
 5 But to answer the question, if Plato had been
 6 declared and zoning had been done quickly, then from the
 7 evidence that I've heard, the City Room could have been
 8 declared a warm zone fairly quickly. And if that had
 9 happened, then under the JOPs of the day, obviously
 10 specially trained and equipped HART teams, the SRT from
 11 the Fire Service and even, at the discretion of the
 12 firearms commander, unprotected police officers. So for
 13 me, the ideal would have been to, if Plato had been
 14 declared, to make that assessment and quickly determine
 15 the scene as warm. But as I say, that's sitting here
 16 4 years on with the benefit of a lot of hindsight.
 17 SIR JOHN SAUNDERS: I have always made it clear we are
 18 building on what Lord Kerslake did, we are not here to
 19 say he got it wrong in any way at all. We've heard
 20 different evidence, we have obviously looked at some
 21 aspects, as we're able to, in a great deal more detail.
 22 MR GREANEY: In particular, we heard from PC Moore; do you
 23 remember his evidence?
 24 A. Yes.
 25 Q. Who was the first firearms officer into that room. Even

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1 before Plato had been declared at 10.47, he was
 2 confident that that room was under the control of
 3 firearms officers.
 4 A. Yes.
 5 Q. I think what you're saying to us is that you don't
 6 quibble with the declaration of Operation Plato?
 7 A. No.
 8 Q. You can understand why it was declared. But within
 9 a very short period of time, there was information
 10 available that could have resulted in that room being
 11 declared a warm zone?
 12 A. Yes. I think the one anomaly, and I mentioned this on
 13 Thursday, was not being able to rule out a secondary
 14 device. But that could have been a device anywhere, not
 15 in the City Room. So I think that's the only thing in
 16 my mind that makes is not a straightforward decision,
 17 but having heard the evidence of PC Moore,
 18 Inspector Smith, their collective view is it could have
 19 been declared warm fairly quickly.
 20 Q. Exactly by 22.44, PC Moore had been in that room, he had
 21 done his sweep, and was satisfied that there was no
 22 terrorist in there and if one was coming in, they were
 23 going down pretty quickly?
 24 A. Yes.
 25 Q. And that was a point at which that room could have been

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1 declared warm?
 2 A. Yes.
 3 Q. And SRT and HART could have been in there?
 4 A. Yes.
 5 SIR JOHN SAUNDERS: Thank you for that clarification.
 6 MR GREANEY: Thank you, sir.
 7 Those are my questions. Unless you have further
 8 questions at this stage, I'm going to invite
 9 Mr Weatherby to ask his questions on behalf of the
 10 families.
 11 Questions from MR WEATHERBY
 12 MR WEATHERBY: Mr Pilling, can you see and hear me?
 13 A. I can, Mr Weatherby, yes, good morning.
 14 SIR JOHN SAUNDERS: Mr Weatherby, pick yourself a time
 15 around 11 o'clock.
 16 MR WEATHERBY: Thank you very much. Can I just mention that
 17 there's an echo at my end? I wonder whether the
 18 excellent technical experts could try to deal with that.
 19 SIR JOHN SAUNDERS: We'll try. If you're able to carry on.
 20 MR WEATHERBY: Thank you very much.
 21 Mr Pilling, I ask you questions on behalf of the
 22 bereaved families. Can I pick up a point that the chair
 23 has recently addressed you about regarding Mr Sexton?
 24 I just want to ask you a few questions about the GMP
 25 response to what Mr Sexton has told us.

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1 As I'm sure you're aware, in evidence he confirmed
 2 that he hadn't told the Kerslake Inquiry about the
 3 decision that he says was a conscious decision to
 4 effectively conceal the declaration of Plato from the
 5 emergency service partners; yes?
 6 The rationale for that is that he told us when he
 7 gave evidence and I'm quoting:
 8 "I almost got away with it on the night."
 9 And then he went on to say that it was such
 10 a significant deviation from the policy that he didn't
 11 want to draw attention to it. So that was his rationale
 12 for not telling the Kerslake Inquiry.
 13 A. Yes.
 14 Q. It was then his first statement on 6 December 2019,
 15 where he made clear that his account was that he'd made
 16 this conscious decision not to tell Fire and Rescue and
 17 NWAS of the declaration, and again he gave a rationale
 18 that he'd made that conscious decision because it would
 19 mean a withdrawal of unarmed personnel from the
 20 City Room. You're aware of that?
 21 A. Yes.
 22 Q. Indeed, that decision, and of course I caveat that by
 23 saying that it's of course a matter for the chair what
 24 he makes of Mr Sexton's evidence, but on the face of it,
 25 GMP have made clear that they do not support that

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1 decision if it indeed was made.
 2 A. Yes.
 3 Q. And I think you would agree that it would be wholly
 4 unacceptable for a force duty officer to depart from
 5 a Plato plan in such a major way?
 6 A. Yes.
 7 Q. Of course, the FDO role involves a degree of discretion,
 8 but a decision of the sort we've just looked at or just
 9 referred to will in fact drive a coach and horses
 10 through the major incident and Plato multi-agency
 11 response plans and policies; yes?
 12 A. Yes.
 13 Q. We know that Mr Sexton was promoted to chief inspector
 14 after these events and awarded the Queen's Police Medal.
 15 And we know also from his evidence that he remained in
 16 a position until his very recent retirement, where he
 17 would play a command role, not the FDO role, but another
 18 command role in such an incident, should it happen
 19 again. That was his evidence.
 20 A. Yes.
 21 Q. We also know from his evidence that he said he disagreed
 22 with the GMP position and that he would take the same
 23 decisions again in similar circumstances.
 24 A. Yes.
 25 Q. How was it right that Mr Sexton was left in such

1 a position once Greater Manchester Police, at least by
 2 December 2019, had learned of the true position, as far
 3 as he was saying, about the decision not to tell the
 4 emergency services partners?
 5 A. The approach was that the evidence would be considered
 6 by the experts and then heard by the inquiry before any
 7 action was taken. But I do take your point entirely
 8 that potentially that should have been reviewed earlier.
 9 Q. It could have led to really, really serious
 10 consequences, had there been another outrage, couldn't
 11 it?
 12 A. Yes. I think, without sounding defensive, it was only
 13 during the oral evidence that he said he would do the
 14 same thing again and, as I say, the decision was taken
 15 that we would wait until the evidence was given, which
 16 is what happened.
 17 Q. Apart from his position, would you agree that leaving
 18 him in such a position also sent a rather unfortunate
 19 message to other commanders that departing from policy
 20 in such a stark way would be seen as acceptable?
 21 A. Yes, I think there's a general point that if the grounds
 22 do exist for a legitimate departure from whatever policy
 23 because of what's happening at the time, we would always
 24 consider those individually. Having heard the evidence
 25 of Mr Sexton and obviously the decision of the force not

1 to support him in that, that wasn't something that we
 2 considered appropriate.
 3 Q. How has this been resolved generally? I'm not talking
 4 about Mr Sexton now because he's retired, but how has it
 5 been left with other commanders given that he was left
 6 in that position once GMP knew of the situation? What
 7 action has been taken to indicate to other command
 8 officers that they have a discretion but not approval to
 9 depart in such a stark way from policy?
 10 A. There are several things that happen. First of all, at
 11 the debriefing of any firearms incident, where there's
 12 any suggestion now that there's been any issues or
 13 deviation from policy or any other issues arising, then
 14 a more experienced firearms officer will do a debrief
 15 within a small number of weeks of the incident. That is
 16 then fed back and we can consider whether or not we need
 17 to do anything with that firearms authority.
 18 I think operationally, the most significant change
 19 though is that there are now more people around the FDO
 20 who would challenge the FDO, and that includes the force
 21 critical incident manager, who are almost all now
 22 tactical firearms commanders. So whatever is now being
 23 decided by the FDO in an operational position is being
 24 heard by the assistant FDO and the force critical
 25 incident manager and most likely the force

1 Silver commander as well. So what we've done is remove
 2 the single point of failure. There was nobody
 3 previously to challenge the FDO on something like that
 4 and that's been addressed.
 5 Q. Yes. That's of course a fair point. Would you accept
 6 the point that I'm making that in fact leaving him
 7 in that position for that length of time does in fact
 8 send a very bad message to other commanders?
 9 A. It could do, yes, and as I say, we've worked hard with
 10 commanders to explain that.
 11 Q. You raised a point about debriefing and I'm going to
 12 deal with debriefing in a little while, but picking up
 13 on a point regarding that with Mr Sexton, the fact that
 14 he took this conscious decision, or he says he took the
 15 conscious decision, as far as I can see, and I'll be
 16 corrected if I'm wrong, only became clear in that
 17 December 2019 statement.
 18 A. That was my understanding.
 19 Q. That's very helpful, thank you. He provided that
 20 statement in December 2019. It's his first written
 21 account. Are you aware of that?
 22 A. I'm aware of the debriefs that he took part in, but as
 23 regards a statement and written account then I wasn't
 24 aware of it, but I don't dispute it.
 25 Q. Yes. If I'm wrong, there's a mass of paperwork here,

1 someone will point it out, but that's my understanding.
 2 Would you agree, if that is right, that it's quite
 3 unacceptable that the person right at the hub of the GMP
 4 response to this outrage did not provide a proper
 5 written account of what he did and did not do on the
 6 night for 2.5 years?
 7 A. It's certainly — looking back, it obviously would have
 8 been more helpful. What I'm not sure about is about the
 9 policy that was applied because he was debriefed
 10 properly in accordance with nationally recognised
 11 debrief procedures. So I'm not sure at what point
 12 we would have or should have taken that written account
 13 from him.
 14 Q. Okay, but GMP were investigating various matters and
 15 trying to learn lessons, as you've gone through with us
 16 on Thursday and today. GMP were preparing for the
 17 Kerslake Inquiry and the inquests, as turned into this
 18 inquiry, and no doubt other processes, but no full
 19 written account by the officer right at the heart of it,
 20 and apparently no prompting of a full written account by
 21 senior officers debriefing or investigating or trying to
 22 learn lessons?
 23 A. No, as you've alluded to yourself, I think the — you
 24 know, GMP were preparing for several things, including
 25 the extradition and criminal trial. Just thinking back,

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1 Mr Sexton was subject to significant debriefing. The
 2 Kerslake Review interviewed him and recorded an account
 3 and came to their views. So it's not as though what
 4 he'd done was without scrutiny, but certainly
 5 I absolutely take your point that if that could have
 6 been revealed earlier, that would have been better.
 7 Q. I mean, the first time he actually does give a full
 8 written account where he sets out what he says he did,
 9 and that is — he said he made his conscious decision.
 10 If he'd done that on 23 May or some time in June of
 11 2017, we may have had that account of that point and
 12 you'd have been able to take action at that point and
 13 that would have fed into the learning exercises.
 14 Of course he may not, he may have given a different
 15 account, but we don't know.
 16 SIR JOHN SAUNDERS: Could you remind me about what date his
 17 Kerslake account is?
 18 MR WEATHERBY: It was 2017, but I don't think I have it in
 19 front of me at the moment.
 20 SIR JOHN SAUNDERS: We'll find out anyway.
 21 A. The majority of interviews, sir, were right at the end
 22 of 2017 into the start of 2018.
 23 SIR JOHN SAUNDERS: Thank you very much. Thank you for
 24 that.
 25 MR WEATHERBY: It was pretty early on.

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1 SIR JOHN SAUNDERS: The probability is that up until then he
 2 would have been giving the same account he gave to
 3 Kerslake.
 4 MR WEATHERBY: He may have done, but if there'd been an
 5 account, sir, then we would know.
 6 SIR JOHN SAUNDERS: Absolutely. That's undoubtedly correct.
 7 MR WEATHERBY: Indeed. I am stating the obvious, I'm sorry.
 8 Mr Pilling, could you just help us then on a general
 9 basis? The GM policy on completing pocket notebooks or
 10 equivalent first accounts or higher rank daybooks when
 11 there's any kind of significant incident or major
 12 incident, or indeed more formal statements, what is the
 13 GMP policy?
 14 A. Sorry, is that the policy as regards daybooks and pocket
 15 books?
 16 Q. Yes. Let me put it a little — break it down a little
 17 bit. Every police officer from day 1 of their service,
 18 their training, it's my understanding, correct me if I'm
 19 wrong, my understanding is it's drilled into police
 20 officers that whenever they attend any kind of
 21 significant incident, they must make a record of it as
 22 soon as reasonably practicable. The default position is
 23 there's a pocket notebook, but it doesn't have to be
 24 a pocket notebook; that's right, isn't it?
 25 A. Certainly as regards evidence, yes, unless it's recorded

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1 elsewhere.
 2 Q. Yes. For example, a daybook or —
 3 A. Yes.
 4 Q. — a statement, a section 9 statement or some other form
 5 of statement. The point I make is a good one, isn't it,
 6 that the policy is, and it's drilled into officers right
 7 from day 1, that as soon as reasonably practicable, they
 8 must record their account of their involvement and their
 9 observations of any significant incident?
 10 A. Yes.
 11 Q. So you would agree with me, wouldn't you, that any
 12 officer that played a role in the response to the 22 May
 13 outrage should have completed a first account as soon as
 14 reasonably practicable?
 15 A. Certainly if they were involved in any way, if they'd
 16 seen anything that was potentially evidential, then yes.
 17 Q. The reasons are obvious: recollections fade, witnesses
 18 may be influenced innocently or otherwise by the
 19 accounts of others, and therefore that's why officers
 20 should solidify first accounts as soon as possible.
 21 That's what should have happened with Mr Sexton?
 22 A. Yes. Whether... Whether he felt that that had been
 23 recorded elsewhere as regards his other logs that he had
 24 sort of made on the computer system or his tape
 25 recording... I guess that would be a matter for him to

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1 justify that, but there should have been a record.
 2 Q. I fully understand what Mr Sexton chose to do and didn't
 3 choose to do. It's a question for him. But I'm asking
 4 you GMP institutional questions. As a relatively senior
 5 officer with a central role in these incidents, this
 6 outrage, he appears not to provide a proper written
 7 account for 2.5 years and apparently nobody chases him
 8 up for it, nobody prompts him to do it?
 9 A. No, not as regards his statement. As I said, there will
 10 have been things he would have typed on to the computer
 11 system which would have been contemporaneous, there
 12 would have been his tape recording, he may have
 13 completed other logs. But no, the statement wasn't
 14 taken, as you've said, until 2019.
 15 Q. Command logs and the dictaphone are tools for the
 16 officer to look at to jog his or her memory to provide
 17 their account; yes? They're not a substitute for
 18 a first account, are they?
 19 A. Well, no, but there can only be one contemporaneous
 20 record of something, and I think if your contemporaneous
 21 record is that you're typing it on to the computer
 22 screen — and I am trying to speak in general terms
 23 here, not specifically about Mr Sexton — then you'd be
 24 entitled to refer to that in your written account
 25 (overspeaking).

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1 Q. Absolutely. They are a tool to aid the making of the
 2 account, but they're not a substitute for it?
 3 A. No.
 4 Q. I don't want to spend a disproportionate amount of time
 5 on this. Can I just put it to you that this is
 6 something that needs to be looked at and that Greater
 7 Manchester Police need to consider why Mr Sexton didn't
 8 give a full written account for 2.5 half years and
 9 perhaps solidify their policy in such matters?
 10 A. I think that's a reasonable point and we will of course
 11 look at that as a priority.
 12 SIR JOHN SAUNDERS: Perhaps the reason for it is that no one
 13 was anticipating him giving evidence in criminal
 14 proceedings, but if that is the reason then perhaps it's
 15 too narrow a reasoning to limit it to criminal
 16 proceedings.
 17 A. Possibly, yes. There are very robust procedures around
 18 post-incident management for firearms incidents, but
 19 again that tends to be when there's been a police
 20 discharge of a firearm which would have kicked in and
 21 didn't. I take the point entirely. It is a long time.
 22 I think there are reasons why it wasn't the
 23 contemporaneous record, because I think other things did
 24 that, but it's certainly something that I think, to be
 25 a responsible organisation, we need to have a look at.

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1 SIR JOHN SAUNDERS: Okay, thank you, Mr Weatherby.
 2 MR WEATHERBY: That's a fair answer, thank you.
 3 Picking up the chair's point, although of course
 4 there were criminal investigations and criminal
 5 prosecutions, there were always going to be inquests.
 6 That would be another reason for somebody with such
 7 a central role to commit their account and rationale,
 8 what they did and didn't do, to a statement as soon as
 9 possible; yes?
 10 A. Yes.
 11 Q. I'll move swiftly on then, thank you.
 12 Command structures. Any command structure will
 13 involve different levels having particular roles, for
 14 example strategic, tactical, operational. And you set
 15 out in your first statement that here, the FDO
 16 essentially takes on the Gold and Silver roles from the
 17 outset and then the most senior officer who attends
 18 at the scene will effectively be the Bronze initially.
 19 A. Yes.
 20 Q. Then the policy sets out that the FDO hands over to
 21 a cadre TFC and mobilises reports to an SFC as soon as
 22 practicable; yes?
 23 A. Yes.
 24 Q. And they of course have their own distinct roles, but
 25 apart from those distinct roles, a chain of command

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1 involves each level supervising the one below. As
 2 a general proposition, would you agree with that?
 3 A. Yes.
 4 Q. Otherwise it's simply not a chain, is it?
 5 A. No.
 6 Q. And a chain of command should mitigate the possibility
 7 of a single point of failure occurring at any particular
 8 level?
 9 A. Yes.
 10 Q. In this situation, the FDO declares Plato, informs Gold
 11 and Silver cadre commanders. If they forget or choose
 12 not to tell emergency service partners of the
 13 declaration, and if they don't, for whatever reason,
 14 declare a major incident or set up the means of
 15 communication with other emergency services, shouldn't,
 16 as night follows day, the Gold and Silver commanders be
 17 checking on those headline points, those really clear
 18 necessities of the situation? Shouldn't they be gaining
 19 updates from the FDO and ensuring that the basic things
 20 are done?
 21 A. Yes, albeit — and it's some years ago since I was
 22 a strategic firearms commander. I think they've got to
 23 be entitled to assume that some things have been done
 24 because they are the core things. In an ideal world,
 25 you'd check everything, but I'd suggest that's not

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1 possible and shouldn't be indeed necessary because these
 2 are people that are working together all the time in
 3 those relationships and, as I say, the strategic
 4 commander probably assumed that that had been done or
 5 some things had been done.
 6 Q. Yes. I don't want to be making a crass point here. The
 7 chair and Mr Greaney have both quite correctly indicated
 8 this morning how much pressure Mr Sexton would have been
 9 under. This is a cold start, the spontaneous incident,
 10 so I don't want to underplay that. I also recognise in
 11 my question that the time to hand over or put the cadre
 12 commanders in place, it may well take some time, it did
 13 take some time.
 14 A. Yes.
 15 Q. But the reality is, it doesn't take very long to
 16 actually mobilise them, as indeed happened on 22 May,
 17 does it?
 18 A. No.
 19 Q. And once you mobilise them, it's not a binary position,
 20 the command structure comes into being, it isn't on and
 21 off, is it?
 22 A. No, albeit — and I hope this is answering the
 23 question — the Gold commander on his or her way into
 24 work may decide not to take up command of that operation
 25 until such time as they reach where they're going to.

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1 That's a personal situation that I have been in and you
 2 make that decision, whether it's sensible, given the
 3 fact that you're driving at speed, to try and command
 4 something.
 5 Q. Yes, indeed. So it may be the case that an SFC, TFC or
 6 a Gold or Silver doesn't actually formally declare
 7 themselves as having taken that position until they are
 8 in place?
 9 A. Yes.
 10 Q. But from when they're mobilised and know that's the end
 11 point, or frankly the starting point, once they're
 12 mobilised the job starts then, doesn't it, the job of
 13 getting situational awareness and thinking through what
 14 is happening and what may happen, that starts from the
 15 mobilisation?
 16 A. That would be my personal view, that you would use that
 17 time as well as you could to find out the information
 18 you needed to start to find out but not necessarily
 19 assuming command at that stage.
 20 Q. No, that's a fair point. But the points I've put to
 21 you, it wasn't just a case of one matter just being
 22 overlooked or chosen to be overlooked, it was a series
 23 of really serious failures, wasn't it?
 24 A. Sorry, could you expand what those failures...
 25 Q. As I put it a minute ago, what was happening is that

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1 Plato was declared but not communicated, a major
 2 incident wasn't declared or communicated, and the means
 3 of communication with the other emergency services
 4 wasn't established. It appears that the technology was
 5 there, but it simply wasn't set up and used. So there
 6 are a number of things. It wasn't just one thing that
 7 was overlooked, the other commanders could be forgiven
 8 for not having checked or prompted, it was a pretty
 9 wholesale failure with respect to starting the
 10 multi-agency response.
 11 A. Yes, there were failures, as I've previously accepted.
 12 But I don't think it's fair to assume that the strategic
 13 commander or tactical commander in the early stages
 14 would ask for verification of those issues because they
 15 would expect that those things had been done. Maybe
 16 a little bit later when things have settled, you go
 17 through your checklist, but I think they have to have
 18 a right to assume that some things have actually
 19 happened.
 20 SIR JOHN SAUNDERS: Someone would be, not checking but
 21 saying, "Where are we"?
 22 A. Yes.
 23 SIR JOHN SAUNDERS: "Are ambulance and fire there?"
 24 A. Yes, absolutely.
 25 SIR JOHN SAUNDERS: "What's happening?" And then presumably

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1 the information would actually come out then?
 2 A. Yes.
 3 SIR JOHN SAUNDERS: Do you mind if I ask about a completely
 4 different topic? I shall forget otherwise if I don't.
 5 MR WEATHERBY: Absolutely.
 6 SIR JOHN SAUNDERS: Plato and major incident. What
 7 difference does it make not to declare a major incident
 8 if Plato is declared and communicated? I know there's
 9 a manual on major incidents.
 10 A. Yes. In practical terms, I don't think it makes much
 11 difference in the golden hour. In fact, it could
 12 actually be contradictory because of the indication of
 13 certain roles. It should be declared as a major
 14 incident because that's what we agree to do under JESIP,
 15 but I'm not aware of any deficiencies practically that
 16 occurred because it wasn't declared by GMP; obviously
 17 others declared at different times.
 18 I think the only thing I would say is it's a mindset
 19 thing potentially that may just sort of further engender
 20 thoughts around multi-agency working.
 21 SIR JOHN SAUNDERS: If you have JESIP at the front of your
 22 mind, you know to declare a major incident?
 23 A. Yes.
 24 SIR JOHN SAUNDERS: I'm sorry about that slight diversion,
 25 Mr Weatherby.

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1 MR WEATHERBY: Very helpful, thank you.
 2 To the list I have just put to you, Mr Sexton was
 3 left as the initial TFC for an hour and 45 minutes,
 4 which he told us was an unacceptably long period and no
 5 doubt you would readily agree with that.
 6 A. Yes.
 7 Q. So the points I have put to you, add to that then the
 8 failure to properly set up and operate an RVP point, to
 9 set up and operate an FCP at the scene, failure to
 10 undertake any proper zoning at the scene, at least
 11 initially, and a failure to have GMP commanders
 12 co-located at the scene, none of that apparently was
 13 picked up by any commander who might have been picking
 14 up the reins or should have been supervising Mr Sexton
 15 in that period, in that 1-hour 45-minute period. That's
 16 not acceptable, is it?
 17 A. I think there are a number of parts to that. Obviously,
 18 Mr Dexter made his way to the scene, I think about
 19 an hour from the attack from memory, and he had had the
 20 communications with both the on-call cadre and
 21 Superintendent Thompson around who was doing what. So
 22 there was an element of coordination between them.
 23 I understand why the decision was made that
 24 Chief Inspector Buckle didn't assume TFC because
 25 Mr Thompson was on his way and it would have been

1 a double handover. That's a decision for her to justify
 2 and him to justify. I do understand the challenges that
 3 they've articulated.
 4 But equally I take your point that 1 hour and
 5 45 minutes was too long. The SFC, ACC Debbie Ford,
 6 I understand, was gaining situational awareness on her
 7 way in, but she had many, many things to do. And
 8 I think what it does is it also highlights one of the
 9 problems with what was then the location of the various
 10 individuals because the FDO wasn't in the same place as
 11 other commanders. Now, other commanders could have gone
 12 to the FDO, that would have meant they'd have been
 13 deficient within the Silver room. I think everybody was
 14 trying to get situational awareness as quickly as they
 15 could do in what was a very difficult position.
 16 Q. I have gone way over my 11 o'clock prompt, but can
 17 I just finish this point and I'll do it as quickly as
 18 I can. The inquiry has spent quite a bit of time
 19 dealing with Mr Sexton and I've asked you some questions
 20 now. These questions really are aimed more at the other
 21 commanders. I don't want to be specific about times or
 22 even about individuals; what I'm putting to you is that
 23 there wasn't just one point overlooked, it was a whole
 24 series of pretty fundamental JESIP failures, and not
 25 just failures by Mr Sexton, but none of the commanders

1 coming on scene -- not on scene, coming to the HQ or
 2 coming to the command picture, or not in the case of
 3 Ms Buckle, none of them picked up on a supervisory basis
 4 any of those failures, did they?
 5 A. Could you just tell me what the failures were again?
 6 I got the Plato one.
 7 Q. The failure to communicate the declaration of Plato.
 8 The failure to declare a major incident. Failure to
 9 obtain situational awareness and communicate it to other
 10 emergency services through METHANES. Failure to
 11 establish a joint radio communication with the other
 12 emergency services. Failure to properly set up or
 13 operate any RVP. Similar with an FCP. Similar with
 14 proper zoning at the scene in the initial hour. Similar
 15 with co-locating commanders. None of those points were
 16 picked up.
 17 Whatever the failures of Mr Sexton, none of the
 18 other commanders coming together in the command chain
 19 appears to have picked those up and therefore the whole
 20 operation of the plan floated or sank on Mr Sexton?
 21 A. I think there's a reality that within -- and I'll take
 22 your lead and won't give a time frame. But for a time,
 23 the FDO is everything, he or she is Gold, they are the
 24 ITFC, and that's not the case just for this kind of
 25 operation and it is no longer the case because of the

1 changes we've made. But at the time, they were in
 2 command. The only other person who was on duty was the
 3 Night Silver and he was the only other person because
 4 everything else operates on a call-out-from-home basis.
 5 So there's an inevitability that during a time period
 6 that there is going to be nobody there -- or there
 7 wasn't at the time anybody to check those things.
 8 Things did come out during the night. ACC Ford's
 9 highlighted in evidence she did realise around the delay
 10 in the major incident for example. I think the
 11 communication of Plato was another matter; that didn't
 12 come out for many months later. So I think as quickly
 13 as those commanders got the awareness, they started to
 14 address those issues. But I don't think it was through
 15 anything that was missing on their part during that
 16 initial period: it was just the fact that that was what
 17 the process was that the FDO was in charge of everything
 18 and there was nobody to check that they'd done those
 19 things.
 20 Q. Okay. Well, at paragraph 225 of your first statement,
 21 and let me just read a sentence, we don't need to put it
 22 up:
 23 "Multi-agency working is embedded in GMP's response
 24 to any incident and it is a key principle that virtually
 25 every incident that GMP is alerted to will require

1 consideration of joint working."
 2 Those commanders who were being mobilised to take
 3 a part in the command structure and did so, they simply
 4 failed to pick up the failures of JESIP that we've
 5 identified here, and therefore the failures went beyond
 6 Mr Sexton and went to the command structure. That's
 7 what I'm putting to you.
 8 SIR JOHN SAUNDERS: I understand that and I think, if I may
 9 say so, I've got the point. Is there anything else you
 10 want to add to the answers you have already given? The
 11 answer in general terms is: they are entitled to assume
 12 things have been done. Perhaps the answer is there
 13 should at least have been somebody saying, "Where are we
 14 at, what is going on?", which would at least have
 15 brought these things out.
 16 A. Because other than Mr Sexton, most of the commanders
 17 relied on the command module because it was being set
 18 up. So once that command module was being set up from
 19 about 11.30 onwards, I think the multi-agency working
 20 did really start to happen. It was during that first
 21 hour, as I accepted at the start of evidence, that the
 22 failings were...
 23 SIR JOHN SAUNDERS: Okay, but I think the point being made
 24 here is: as soon as it's being set up or the Gold is
 25 coming in, Gold should perhaps have said, "Give me

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1 a general view of what's happening, where we're at,
 2 who's been mobilised", who knows what has happened?"
 3 Shall we have a break, Mr Weatherby?
 4 MR WEATHERBY: Indeed. I'm happy to move on and that would
 5 be a convenient point.
 6 SIR JOHN SAUNDERS: Thank you very much. A quarter of
 7 an hour.
 8 (11.12 am)
 9 (A short break)
 10 (11.32 am)
 11 SIR JOHN SAUNDERS: Thank you, Mr Weatherby.
 12 MR WEATHERBY: Mr Pilling, can you see and hear me?
 13 A. I can, yes.
 14 Q. Can I briefly turn then to the ground-assigned TFC. On
 15 Thursday, you discussed this point and, as I understood
 16 it, and please correct me if I've understood it wrongly,
 17 you indicated that, under the Plato plan in force at the
 18 time, the ground-assigned TFC was responsible for
 19 commanding both armed and unarmed officers at the scene;
 20 is that right?
 21 A. That's my interpretation of the plan that was in place
 22 at the time, yes.
 23 Q. But you went on to say that, on reflection, you think
 24 that should change?
 25 A. Yes.

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1 Q. And that in short order, you favour a solution with
 2 a Bronze unarmed commander being located with the
 3 ground-assigned TFC so they can effectively tag-team the
 4 armed and unarmed tactical response at the scene. Have
 5 I understood that rightly?
 6 A. You have, yes.
 7 Q. Am I also right that this is a view you have come to
 8 quite recently?
 9 A. Over the last few weeks, certainly having read the
 10 statements of and heard the oral evidence of the key
 11 commanders, yes.
 12 Q. It's just that I haven't spotted this in your statements
 13 but of course it's entirely possible that I missed it.
 14 I thought that was the case.
 15 What you do say in your first statement -- we don't
 16 need to go to it, it's paragraph 222 for anybody that is
 17 taking a note -- you say that:
 18 "Before the ground-assigned TFC arrives at scene,
 19 their functions may initially be taken by an on-scene
 20 Bronze."
 21 I just want to ask you a few questions about that.
 22 A. Yes.
 23 Q. You explain what you mean:
 24 "The local supervisor, for example the on-duty local
 25 police inspector or sergeant"; yes?

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1 A. Yes.
 2 Q. Is that workable? Is that appropriate?
 3 A. Yes. I think there's got to be an acceptance that the
 4 ground-assigned TFC isn't going to be in place for
 5 a period of time. So from the moment of the attack
 6 starting to the arrival of the ground-assigned TFC is
 7 the period that I'm referring to. So I think a similar
 8 situation arises with the OFC, that he or she is very
 9 busy dealing with the firearms element, like
 10 Inspector Smith and Inspector Cooklynn were heavily
 11 committed, so what I would anticipate would be that that
 12 additional role that I've spoken about should actually
 13 arrive before the ground-assigned TFC and manage the RVP
 14 and be the initial Bronze. They don't have to wait
 15 until the ground-assigned TFC arrives, nor should they
 16 have to; they should be available more quickly.
 17 Q. Would it not make more sense for one of the experienced
 18 firearms commanders in attendance to assume that role?
 19 There may be, for example, a number of firearms officers
 20 who have experience of being OFC and only one of them is
 21 chosen to be OFC. Wouldn't it make more sense for
 22 a firearms officer to fill that role before the
 23 ground-assigned arrived?
 24 A. No. I understand that would be one way of doing it, but
 25 I think even the OFC would be heavily committed with

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1 firearms resources so I think it would be both: so the
 2 OFC would work alongside that Bronze, ideally at the
 3 FCP, allowing another OFC to go forward with the
 4 firearms officers .
 5 SIR JOHN SAUNDERS: It may depend on how many armed and
 6 unarmed you have relative to each other.
 7 A. Absolutely and I'm always conscious that I'm speaking
 8 for GMP, which has a relatively large number of
 9 resources available. A more rural force, for example,
 10 might have to have a different solution .
 11 MR WEATHERBY: I fully take that on board. It's only, from
 12 my point of view, a relatively small point, but putting
 13 an inspector as a sort of temporary on scene tactical
 14 firearms commander might well mean putting somebody who
 15 has no firearms training, never mind tactical firearms
 16 command training, in tactical command of the firearms
 17 officers at the scene. And it might also mean putting
 18 an officer, no doubt an experienced, competent
 19 inspector, putting an officer in that position who isn't
 20 on the firearms radio channel.
 21 A. Sorry, I wasn't clear. I wasn't suggesting that any
 22 non-firearms commander commands firearms assets. That
 23 could not be the case. So the OFC would be in command
 24 of firearms assets on the ground and the
 25 Bronze commander, the unarmed --- and they would work

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1 alongside each other until the ground--assigned TFC
 2 arrived .
 3 SIR JOHN SAUNDERS: Then the ground--assigned TFC would work
 4 alongside the unarmed commander?
 5 A. Yes.
 6 SIR JOHN SAUNDERS: So it's the OFC whose role is changing
 7 as it were?
 8 A. Yes. You could never have a non-firearms commander in
 9 charge of firearms resources.
 10 SIR JOHN SAUNDERS: I think we've been at cross--purposes.
 11 MR WEATHERBY: That was my point and thank you for
 12 clarifying it. Just before I move on from the
 13 ground--assigned, Mr Dexter's view that the
 14 ground--assigned TFC should only deal with armed command
 15 was therefore wrong on the plan at the time but actually
 16 you're in agreement with it now; is that putting your
 17 (inaudible: distorted) ---
 18 A. I'm sorry, there was some distortion in the middle of
 19 the question.
 20 SIR JOHN SAUNDERS: I think the answer to the question is
 21 yes from what's already been said.
 22 MR WEATHERBY: The position is, and again formulating your
 23 view about this, am I right that this remains an
 24 unresolved point at the moment on the plans?
 25 A. Certainly the plans and the definition of the roles of

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1 the ground--assigned TFC and other roles are nationally
 2 defined, so as I said earlier, this would be something
 3 that I will record in my recommendations. There's
 4 a limit to what GMP can do to resolve it. It can
 5 probably do some things as regards the Bronze, but
 6 ultimately it will be something that will need to be
 7 referred to firearms policing nationally .
 8 SIR JOHN SAUNDERS: It's slightly unfortunate that
 9 Mr Dexter, a very experienced man, Debbie Ford, a very
 10 experienced police officer, have contrary views of
 11 what's in a plan which would indicate that the plans
 12 were not necessarily as clear as they might have been
 13 in the first place.
 14 A. Yes, I take your point. I'm not sure how much of it is
 15 just when it actually happens that these things are
 16 tested in a way that exercising can't. I've read many
 17 plans that on the face of it seem very straightforward
 18 and then in reality you find an issue. I don't know if
 19 that's what the problem was. But there needs to be more
 20 clarity .
 21 SIR JOHN SAUNDERS: But it did come up under
 22 Winchester Accord, if you remember, you were dealing
 23 with it on Thursday, so it's not actually completely
 24 unknown, this plan, this difficulty .
 25 A. No.

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1 MR WEATHERBY: And as I understand it from your evidence,
 2 and the position you've reached has only been a recent
 3 one, this remains an unresolved point 4 years on, even
 4 now?
 5 A. As regards the definition of the role, yes.
 6 Q. I'll move on. Can I ask you some general questions
 7 about a number of topics and I'll do it as swiftly as
 8 I can. "Greater Manchester Police management and
 9 supervision of policies and plans" is the heading. The
 10 inquiry has heard evidence that some policies were not
 11 reviewed at the right time, for example SOP 47, the
 12 Plato plan. It was reviewed by Mr Giladi in what some
 13 might think was a rush because of the HMIC inspection in
 14 the beginning of November 2016.
 15 It transpires that it should have been reviewed in
 16 2015 and wasn't, and in fact there had been some
 17 national guidance, national Plato guidance, that came
 18 through in August 2016, and apparently that hadn't
 19 prompted the review of the policy. At that time, did
 20 Greater Manchester Police have a policy on reviewing
 21 existing policies at their proper review date or
 22 otherwise as appropriate? Was there a policy on that?
 23 A. Not that I've seen, no.
 24 Q. There should have been, shouldn't there?
 25 A. Yes, and there is now.

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1 Q. And there is now. Likewise, the problems that arose --
 2 SIR JOHN SAUNDERS: Sorry, Mr Weatherby, can I just
 3 understand that a bit better? Do you really need
 4 a policy to tell you that you should review a plan
 5 at the review date?
 6 A. I think as regards that a single issue, sir, no.
 7 I think where it becomes more complex with Plato, as
 8 we're all aware, is when JOPs change and national
 9 instructions change, I think when there's some vagary,
 10 if that's the word, is then how quickly that should then
 11 transition into a change of practice on the ground.
 12 That is where (overspeaking) is now.
 13 SIR JOHN SAUNDERS: That's where the policy is?
 14 A. Yes.
 15 SIR JOHN SAUNDERS: Thank you.
 16 MR WEATHERBY: The fact that it apparently didn't work, and
 17 we can also look at the March 2017 review of Plato and
 18 also the plan for the arena itself which hadn't been
 19 reviewed, the fact that there were these problems means
 20 that there really does need to be a policy on reviewing
 21 and making sure somebody owns the review of policies;
 22 is that right?
 23 A. Yes.
 24 Q. And you're saying that's been done now?
 25 A. Yes, as regards the specific policy around the firearms,

1 yes.
 2 Q. But really regarding any policy or plan, if it has
 3 a use-by date, a review date, or if something arises,
 4 then there needs to be some kind of process which
 5 ensures that somebody is responsible for reviewing it or
 6 instituting a new policy, or whatever, and making sure
 7 that it's approved, making sure that the old one is
 8 superseded, making sure the new version is sent out to
 9 the relevant people, accessible, all of those things,
 10 and that's what requires a policy, isn't it?
 11 A. Yes. I think the actual review date is the date clearly
 12 by which it should be considered for review. In some
 13 cases there are reasons why that review date can't be
 14 achieved, maybe you're waiting for something nationally.
 15 But certainly I think the review date is important, that
 16 we should either review it or understand why it has not
 17 been reviewed. As I say, that robust policy is now in
 18 place for the firearms.
 19 Q. Does that include -- you keep saying firearms, but why
 20 wouldn't be it applicable, for example, to the major
 21 incident plan or other non-firearms policies?
 22 A. I think the same rules are applicable, it is -- the
 23 specific plan that has been written caters for the work
 24 in firearms rather than the broader work, and maybe we
 25 need to look at something a little broader.

1 Q. Do you agree with me that there needs to be ownership of
 2 the process and an audit trail dealing with
 3 authorisation, for example, and the superseding of
 4 policies?
 5 A. Yes.
 6 Q. At the time of both the SOP 47 review and amendment and
 7 the Whittle document in May 2017, was there any process
 8 of approval of those policies?
 9 A. I haven't seen anything written down. I don't know if
 10 something existed with departmental level. I'm just
 11 thinking to an email trail as regards the 2017 update
 12 that was due to be brought to chief officer for sign
 13 off, so if anything substantial should have gone to that
 14 level. But the vast majority of more minor changes
 15 should have been agreed within the unit.
 16 Q. Right. And that is the policy and compliance unit?
 17 A. Yes -- no, no, for firearms it is. It is the civil
 18 contingencies planning unit for non-firearms.
 19 Q. Okay. So responsibility for keeping policies up to date
 20 and making sure they were approved and people knew about
 21 them fell on the PCU?
 22 A. Yes, for firearms policies, yes.
 23 Q. What about compliance? It's the policy and compliance
 24 unit. What systems or processes were in place then or
 25 indeed now about ensuring that there is compliance with

1 policies?
 2 A. Certainly as regards now the new instructions that I've
 3 examined as regards the most recent changes are very
 4 clear as regards what's expected and then that is
 5 actually emphasised at the training for the firearms
 6 commanders. As regards compliance, as I've said,
 7 extensive debriefing of incidents which takes place --
 8 I guess it depends what the particular thing is that
 9 we're examining the compliance of.
 10 Q. In terms of an existing policy which doesn't need to be
 11 reviewed, like a Plato policy that has been reviewed,
 12 has been put into practice, trained upon, is there any
 13 ongoing work that is or should be done by the PCU to
 14 ensure that there is compliance with that policy or
 15 plans?
 16 A. Particularly as regards the firearms training, there is
 17 an audit and compliance function at regional level,
 18 which is under the chief firearms instructor for the
 19 region, and they will come in and they will examine all
 20 aspects of firearms training, and that's necessary
 21 because every year, I'm pretty sure it's annually,
 22 we have to get our College of Policing training licence,
 23 which they will come in and they will inspect. The
 24 inspection's, if you like, to make sure the region is on
 25 top of that training and compliance.

1 Q. And I think in Greater Manchester Police's recent
2 history, there was a period when they didn't get that
3 licence; is that right?

4 A. Certainly in very rough timescales, up until about
5 2 years ago it was a temporary licence. It might be
6 3 years. But we made the move and achieved the full
7 training licence.

8 Q. Okay. Can I just swiftly move on to the operational use
9 of plans.

10 On Thursday, you referred to the need for a piece of
11 work to be done around making clearer what relevant
12 plans for a particular circumstance were.

13 A. Yes.

14 Q. It's a constant theme of my questions, but we're now
15 more than 4 years on from the arena. It's a source of
16 anxiety to people watching, no doubt, that you're saying
17 that a piece of work needs to be done on this. Why,
18 4 years on, has this not been properly looked at?

19 A. Following the arena attack, we did extensive debriefing,
20 and as I've referred to this morning, that produced
21 many, many recommendations. Again, following the
22 Kerslake Report, there were many more recommendations
23 and we've worked diligently through those. These issues
24 for me have become much more prominent during the course
25 of the inquiry and that's why we're looking at them now.

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1 If they'd been an issue earlier, we would have done
2 something earlier. That's my honest answer. As issues
3 have come up, we've dealt with them.

4 Q. Would you agree that as a sort of overview or
5 a high-level discussion of this, all policies and plans
6 that have any real length or complexity have to contain
7 summaries, executive summaries perhaps, of the key
8 points?

9 A. Yes. There needs to be a way of quickly working out
10 what the relevant points are, or, as I suggested on
11 Thursday, it's made role specific.

12 Q. I'll come on to the role specific in a moment, but
13 unless they contain key points and executive summaries,
14 they are much less applicable operationally,
15 particularly in spontaneous incidents, aren't they?

16 A. Yes. You could never hope to read them all in advance
17 and memorise them, nor could you be reasonably expected
18 to refer to them in an emergency. So for both of those
19 reasons, there needs to be a more abbreviated process.

20 Q. And part of the answer is to have checklists and action
21 cards for each role, as I think you were mentioning
22 a moment ago; is that right?

23 A. Yes.

24 Q. You refer to the need for wider policing to have a look
25 at this and you particularly mention the College of

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1 Policing and no doubt all of that is right. And no
2 doubt it takes quite a bit of resourcing and a lot of
3 work.

4 A. Yes.

5 Q. But in concept, it's not — what needs to be done isn't
6 complicated, is it, in concept?

7 A. No, not in concept. I think in terms of time and
8 resource, it would be quite a lot, but in concept it's
9 quite a simple thing that we're trying to achieve.

10 Q. And would you agree with me it really does need to be
11 resourced and attention to it needs to be applied as
12 soon as possible?

13 A. Yes, but as I say, I also think it does need that
14 dialogue nationally because some of the policies that
15 we have are either nationally issued or rely on
16 something that's nationally issued, so it couldn't be
17 done just within GMP.

18 SIR JOHN SAUNDERS: There clearly have been some things
19 where there's been a reaction nationally. JOPs 3 has
20 been replaced, for example, when people realised there
21 was something wrong with it. How quickly did that
22 happen?

23 A. I'm not sure, sir. I'm not sure whether it was because
24 of this inquiry or other inquiries that have taken
25 place.

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1 MR WEATHERBY: The MIP, the major incident plan, does have
2 appendices, as we've considered, which are role cards.

3 A. Yes.

4 Q. Kind of a checklist for particular roles and you've
5 referred to this at paragraph 301 of your first
6 statement.

7 A. Yes.

8 Q. You made the point, entirely properly, that the
9 information on the role cards could be relayed to
10 officers over the radio or by other means.

11 A. Yes.

12 Q. Practically, though, you would need to resource somebody
13 to do that, wouldn't you?

14 A. Yes.

15 Q. Given that major incidents cover a wide range of
16 scenarios, although Plato, happily, has been a rare
17 occurrence, major incidents aren't, are they?

18 A. No.

19 Q. Would it make sense to resource a tactical adviser whose
20 role in a major incident would be to work through the
21 role cards and radio each of the attending role players
22 and checklist them with those role cards?

23 A. Yes. The other thing that we've done, and I referred to
24 it in one of my statements, is a JESIP app on officers'
25 mobiles, which they can clearly go to and they can

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1 reference their requirements under JESIP. That's
 2 JESIP-specific.
 3 Q. Sure, and no doubt that's a good progression, but unless
 4 something is done in terms of a practical solution, like
 5 a tactical adviser being resourced to do this, then it
 6 remains an aspiration, doesn't it?
 7 A. Yes. As I say, the JESIP app is well used, it's got the
 8 right information. Because of the broad complexity of
 9 potential issues, then that would be a way of doing it
 10 that somebody's actually made responsible within the
 11 plan for ensuring that people know what they should be
 12 doing on the front line.
 13 We train people -- I think the level of training
 14 around Plato now is very good. They inspect us every
 15 year, our superintendents, every year, for example. But
 16 I think what you can't take away from is the stress of
 17 being put into a situation, and no matter how good the
 18 training is, you need to be able to reinforce that and
 19 remind people of what it is they need to be doing.
 20 Q. In the moment people need to be prompted or reminded,
 21 yes.
 22 Mr Greaney's already mentioned this in passing this
 23 morning, but action cards and Plato. Mr Booth's
 24 evidence, Chief Inspector Booth, was that an early
 25 iteration of the action cards had been prepared prior to

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1 Winchester Accord, and he tried to -- he'd requested
 2 that they be used on that exercise and in fact that
 3 hadn't been taken up. Would you agree that that was
 4 a lost opportunity?
 5 A. Yes.
 6 Q. In respect of checklists and action cards, and we've
 7 heard about aides--memoires, would you agree that they
 8 need to be either part of approved plans or they at
 9 least need to be properly authorised and they shouldn't
 10 be left to individual operational officers, however
 11 skilled and competent they are, they shouldn't be crib
 12 sheets, they should be approved documents?
 13 A. I think as regards action cards, yes, I think officers
 14 will always make their own versions and might -- I've
 15 got them myself where you make your own notes and things
 16 that are applicable to yourself, but I think that core
 17 set of action cards should be organisationally approved.
 18 Q. Particularly so where we're dealing with lethal force?
 19 A. Yes.
 20 Q. If they have to be approved and -- well, if they have to
 21 be approved, they can then be trained on?
 22 A. Yes.
 23 Q. And they can be tested?
 24 A. Yes.
 25 Q. The last point on plans is that you have mentioned the

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1 site-specific contingency plan for the arena in your
 2 statements and the one that was there on the night, was
 3 out a date, wasn't it?
 4 A. Sorry, it was without a date, did you say?
 5 Q. Out of date, yes?
 6 A. Out of date, yes.
 7 Q. You have also made the point that it probably didn't
 8 make any difference. I entirely accept that point.
 9 That was rather fortuitous, wasn't it?
 10 A. I guess it was in so much as there could have been some
 11 changes that weren't picked up. I don't seek to use it
 12 as an excuse for not changing the plan, it was simply to
 13 try and explain the impact of it not being updated.
 14 Q. But the reality is that the Plato plans the
 15 site-specific plans, they shouldn't have been out of
 16 date, they should have been reviewed, and if they were
 17 out of date then it could have had real-life
 18 consequences?
 19 A. Potentially, yes.
 20 Q. Yes. Is the real answer to why these policies were not
 21 reviewed at the time austerity? Is it because GMP was
 22 so cash-strapped in the period we're talking about that
 23 this is one of the things that simply falls off the
 24 table?
 25 A. I honestly can't answer that. I have provided

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1 information as regards the staff that were reduced in
 2 those departments and other witnesses have done that
 3 more articulately than I have. What the actual impact
 4 of that was as regards demand versus capacity, I don't
 5 know, and other than somebody that was there at the
 6 time, I couldn't comment. I know they had less people.
 7 Whether that was necessarily going to result in not
 8 updating those plans, I couldn't say.
 9 Q. I'll come back to my austerity in my final point, but
 10 before I do there are a couple more points I want to
 11 deal with.
 12 Training. Was there a system at the time in respect
 13 of amended policies or new policies, a system which was
 14 considered approved, audited, set down in writing, to
 15 identify training needs when plans and policies were
 16 rolled out or when they were reviewed or was it ad hoc?
 17 A. I don't believe there was a specific policy.
 18 Q. Do you think there should be?
 19 A. I think it depends on what area of business. And
 20 I refer to the situation now because I was asked the
 21 question a few weeks ago: when the SOP changes for Plato
 22 there are assessments of what needs to be done, whether
 23 it can be done by an email, whether it actually needs
 24 face-to-face training, whether it can wait to the next
 25 face-to-face training session, and a professional

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1 assessment is made. I'm not sure that's actually
 2 written down anywhere but for me that seems a very
 3 sensible way of doing business.
 4 Q. Let's stick with firearms, lethal force firearms policy,
 5 just to make the point. If a policy is rolled out or
 6 approved or reviewed, it may be that a reviewed policy
 7 has just had some minor changes made to it. So for
 8 example, an extra telephone number has been added or an
 9 updated policy referred to, which isn't a huge advance
 10 or difference.
 11 A. Yes.
 12 Q. In those circumstances, it may be that a bulletin needs
 13 to be sent out to firearms commanders saying: this is
 14 the new policy, this is what has changed, please confirm
 15 that you've read this bulletin and taken it on board,
 16 and by the way we've taken the old policy down from the
 17 intranet and put this new policy up. But somebody has
 18 to make that decision, whether it can be dealt with
 19 in that way or whether it has been sufficiently changed,
 20 that it requires proper training and possibly more than
 21 that. Without some kind of policy or process, then
 22 again this is something that might fall through the
 23 cracks?
 24 A. Yes. That's exactly what happened, not falling through
 25 the cracks, that it was addressed properly with the most

1 recent change. So the chief inspector who's now in
 2 charge of the firearms policy and compliance unit is
 3 very experienced and he makes that assessment and in
 4 this case the assessment was that the policy would be
 5 reissued, would be very clear about the changes, and
 6 then the training would take place a few months later
 7 during the refresher training.
 8 If the changes had been more substantive, that
 9 training would have been brought forward. That is
 10 exactly the process now and that is under the authority
 11 of the chief inspector in charge of the firearms
 12 compliance unit and he reports in to the strategic
 13 firearms group.
 14 Q. I see. So that's been addressed and that's part of the
 15 new SOP that you've referred to?
 16 A. Yes.
 17 Q. With respect to -- well, just one more example on that.
 18 We've heard quite a lot of evidence about the joint
 19 commander training that was devised and rolled out after
 20 Winchester Accord, so it was delivered -- a single day
 21 of training, but delivered on three occasions in January
 22 and February. When I asked Mr Giladi about it, he
 23 agreed that that training should have been mandatory and
 24 with hindsight he would have asked the ACC to direct
 25 that.

1 A. Yes.
 2 Q. Are you saying that under the new SOP that has been
 3 rolled out, that is something that would have had to be
 4 considered and acted upon if appropriate?
 5 A. Yes, if that training was what was required to embed the
 6 new SOP then absolutely it would have been made
 7 mandatory. Large parts of firearms command training are
 8 mandatory.
 9 Q. Yes.
 10 A. That wasn't (overspeaking) and it should have been.
 11 Q. Sorry, I cut across you.
 12 A. I was going to say -- yes.
 13 Q. Exercising. We've looked at the system now then of
 14 having a process whereby training is considered in
 15 a process way. What about exercising? How does GMP
 16 decide what needs to be exercised? Again, is there
 17 a process to that or is it simply an ad hoc decision
 18 that it would be a good idea to exercise on X and so
 19 that's what happens within the resources?
 20 A. Well, for the -- obviously the multi-agency exercises,
 21 the subgroup of the resilience forum make that decision.
 22 Just thinking through this morning, based on
 23 Mr Greaney's question around exercising the FDO as to
 24 whether the operational link is clear enough to that
 25 group, so: here's something we're worried about, can we

1 exercise it? I'm sure it exists by informal means but
 2 it's something I think we need to look at to ensure that
 3 the exercising capacity is pointed directly at where the
 4 greatest operational risk is.
 5 Q. I think what I'm getting at is: is there a process
 6 within the senior management team which proactively
 7 determines what areas of policing operations that you
 8 undertake really needs to be exercised or is it
 9 something that just gets raised on an ad hoc basis and
 10 you do it or you don't depending on that?
 11 A. I think partially we do tabletop exercises for a major
 12 event that's coming up or for major things that happen.
 13 I think we're pretty sound in that regard around the
 14 football grounds, around the city centre, for example.
 15 I think it's probably more the more nuanced -- and
 16 clearly with exercises like Winchester Accord, that was
 17 a military exercise that we were invited to assist with
 18 rather than it being our exercise. But, as I say, it
 19 did strike a chord with me earlier that we need to have
 20 a look at the areas where we know we've got an
 21 operational risk are actually replicated with some sort
 22 of exercise to actually test them and that is what
 23 I have undertaken to take away and look at.
 24 Q. I follow that. It's the process really that I'm getting
 25 at. It's been put to you that there needs to be

1 exercising over the new arrangements at the OCB for
 2 example or the control room set-up now at HQ. I think
 3 you've agreed that's a good idea, but how do you get to
 4 that in terms of process? It's all very well that
 5 there's an inquiry following an outrage like this and
 6 that throws up recommendations and you say, "Yes, we
 7 agree that's a good idea", but without having that
 8 process, shouldn't there be some kind of proactive
 9 process which gets you to those exercises before there's
 10 an outrage?
 11 A. Yes, it should, and the organisational learning board
 12 that I spoke about earlier have very direct links with
 13 the resilience forum so what I would hope would happen
 14 is that's where it'd be picked up, but I need to check
 15 that and satisfy myself. I completely agree it's
 16 a valid point that you make. I'm not sure it's as
 17 seamless as it should be, but we'll certainly have
 18 a look at it to make sure that is the case.
 19 Q. Debriefings, very briefly. It's important, isn't it,
 20 that all officers' learning from any incident takes
 21 place in a proper debriefing?
 22 A. Yes.
 23 Q. I know there are things called hot debriefs and they
 24 take place quite quickly, but beyond the hot debriefs,
 25 would you agree that it's important that those taking

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1 part in debriefs commit their own accounts to writing
 2 before engaging in a debrief?
 3 A. I'm not sure if that's the debrief process. It's
 4 a nationally defined process as defined by the College
 5 of Policing and certainly that's an omission on my part.
 6 I'm not sure if that's what should happen or not within
 7 that policy.
 8 Q. The problem is, of course, if you put a group of
 9 officers in a room with the entirely proper and sensible
 10 approach of agreeing what should change, that might have
 11 an effect on their perception of what happened and what
 12 went wrong. Don't you need a process where people
 13 commit their own observations?
 14 SIR JOHN SAUNDERS: Mr Weatherby, we've obviously seen
 15 a number of different sorts of debrief, but my
 16 recollection is that on a number of them, actually
 17 individual officers have been interviewed separately or
 18 at least put down their views before one has everybody
 19 together. It may be said, well, if that's happened,
 20 do you actually need something written down or would
 21 that sort of interview be satisfactory?
 22 Do you happen to know the answer?
 23 A. I know from looking at, for example, Mr Sexton's
 24 evidence, there's the pro forma, that I assume he filled
 25 in at an earlier stage than the debrief, and then

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1 there's the debrief. I don't have professional
 2 expertise in the process and I think I'd have to defer
 3 to somebody. There may be a valid reason why we don't
 4 get something in writing first, I'm just not sure --
 5 SIR JOHN SAUNDERS: This is the College of Policing who
 6 devised the right way of debriefing?
 7 A. Yes, and the debriefers have to be trained specifically
 8 to do it.
 9 SIR JOHN SAUNDERS: Thank you.
 10 MR WEATHERBY: All right, I'll leave it there on that rather
 11 broad subject (overspeaking).
 12 SIR JOHN SAUNDERS: (Overspeaking) if you'd like us to do
 13 that.
 14 MR WEATHERBY: I'll consider that further, if I may, and
 15 maybe come back.
 16 In terms of the learning process that you have told
 17 us a little about that you're very involved in, the
 18 organisational learning process, you've, I think, told
 19 us that that's replaced the system that was in place
 20 at the time of the incident or following the incident;
 21 yes?
 22 A. It's a new process as regards the collation of all
 23 learning, so there were processes in place around
 24 collating of learning from HMIC or from coroners'
 25 reports. What there wasn't was that joined-up approach.

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1 So it's not meant to replace any of the debriefing or
 2 anything like that.
 3 Q. In your third statement -- again, we don't need to turn
 4 it up, but for anyone who wants to have a note of it,
 5 from about paragraph 68 onwards, you address this and
 6 you set out that the new process starts at grassroots
 7 level.
 8 A. Yes.
 9 Q. Is that any different from the old model?
 10 A. Yes, I think it is, because what we're actually
 11 encouraging now, and holding people to account for, is
 12 the identification of local issues which need to be
 13 properly debriefed and have learning extracted from
 14 them, and then those issues are recorded on a force-wide
 15 database. What I've seen over the last 12 months now,
 16 while I have been chairing that board, is an increase in
 17 the volume but also an increase in variety of incidents
 18 that are -- and sometimes, the outcome will be,
 19 "It would have been really good if we'd have had this
 20 bit of extra kit", sometimes it's much more fundamental.
 21 So that's the step change that we are actually seeing
 22 and I am seeing debriefs done much more quickly and
 23 widely.
 24 Q. The change is that you're listening more to the
 25 grassroots officers more than perhaps you did in the

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1 past?
 2 A. There's more of a process of making sure that everything
 3 is collated. I like to think I always listen to them
 4 but unless you have a process in place then things get
 5 missed.
 6 Q. Yes. And likewise with the sources of learning, beyond
 7 the grassroots level, you have referred at paragraph 71
 8 to complaints and IOPC investigations, inquests, GMP
 9 reviews of good practice elsewhere, HMIC
 10 recommendations. Again there's nothing new there, is
 11 there? You would have been presumably looking at that
 12 before?
 13 A. Yes, again it's the process that's in place, so the IOPC
 14 will produce bulletins, the most recent one is a couple
 15 of weeks ago around guidance on the use of social media.
 16 So that goes into the hub and we work out what the best
 17 way of promulgating that information is. So it is more
 18 of an organisational brain and doing it in a consistent
 19 way rather than perhaps a more random way.
 20 Q. Yes. There's this — you've obviously been leading this
 21 but has this come from a realisation that perhaps GMP
 22 has not been very good at learning lessons in the past?
 23 A. I think it's more that we weren't always getting the
 24 information to work out what the lessons were that
 25 needed to be learned from grassroots. I think it's the

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1 way in which we often land them, so I think we pick the
 2 issues up, we identify what needs to be done, I think
 3 where we've perhaps been wanting, mainly because of
 4 volume rather than intent or desire, is not doing things
 5 in a consistent way, so now there's a more consistent
 6 product on the intranet, there's a bulletin, people wait
 7 for it to come out. I think we've sharpened up our act.
 8 I think we've always been keen to learn lessons but what
 9 we have been able to do now is do it in a much more
 10 effective way.
 11 Q. Right. You have improved an existing set of processes
 12 rather than accepting that in fact GMP has been perhaps
 13 poor at learning lessons in the past?
 14 A. I think there are some lessons that we haven't learned
 15 as well as we should and as quickly as we should. I've
 16 accepted that and this is intended to make that better.
 17 It wasn't like we were doing nothing, but this is
 18 a much-improved process.
 19 Q. That's helpful.
 20 The local resilience forum. You've asserted that
 21 GMP were fully committed to the resilience forum, as
 22 of course you're required by statute, apart from
 23 anything, to be.
 24 A. Yes.
 25 Q. You accept that there was insufficient continuity and

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1 a lack of seniority and engagement with it? Have I put
 2 your position fairly?
 3 A. A lack of seniority, not necessarily a lack of
 4 engagement.
 5 Q. Yes. Insufficient continuity of people involved and
 6 a lack of seniority in attendance at the resilience
 7 forum, yes?
 8 A. What was the first part? I heard the second part.
 9 Q. Insufficient continuity.
 10 A. Yes.
 11 Q. Was the failure to have continuity and the lack of
 12 seniority in attendance at the meetings — what was the
 13 reason for that, the reason for that failure?
 14 A. I can't speak for individuals that didn't attend. It's
 15 difficult for me to take an organisational position.
 16 There may have been a number of different reasons.
 17 I know a couple of them were in evidence. I think we
 18 always got the practitioner attendance, but what I would
 19 have liked to have seen, and what is now the case,
 20 is that the assistant chief constable attends much more
 21 often.
 22 SIR JOHN SAUNDERS: Okay. So the fact that it's now better
 23 now suggests that at the time it was given lack of
 24 priority by the people who should have been attending.
 25 Because it sounds from what you're saying it's possible

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1 now, it was possible then, wasn't it?
 2 A. Yes. The emphasis has been increased.
 3 SIR JOHN SAUNDERS: Okay, thank you.
 4 MR WEATHERBY: Is that a lack of prioritisation or was it
 5 a lack of prioritisation by GMP that you have now
 6 rectified?
 7 A. As I say, it's difficult to explain why an individual
 8 didn't go to a meeting on a certain day but as the
 9 chairman said, since we've sort of — I've re-emphasised
 10 that our attendance is a much more senior level, much
 11 more often, and that wasn't the case previously.
 12 Q. Okay. Again does this roll back to GMP, during the
 13 whole of this period, having to take difficult decisions
 14 because of limited resourcing? Is this again an issue
 15 relating back to austerity, that your senior officers
 16 simply had too much to do?
 17 A. I think chief officers, as many — all officers are very
 18 busy and it's constant prioritisation and
 19 re-prioritisation. I have no doubt that in their
 20 attendance at GMRF there are now other meetings that are
 21 not being attended to. So there's been
 22 a re-prioritisation; it's not something where I'd
 23 necessarily point to austerity as the reason.
 24 Q. Finally on this, you've been asked this, but I have to
 25 say I haven't followed the answer. Is there or was

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1 there any system, proper system, process, of preparation
 2 for engagement with the LRF? Preparation for meetings
 3 in particular or indeed a review of actions that
 4 resulted from local resilience forum meetings by GMP
 5 organisationally?
 6 A. I would anticipate — I don't know the answer, whether
 7 it was or not — that it would have been within that
 8 particular portfolio of the organisation. So the
 9 minutes would have been recorded, the actions set, and
 10 that would have gone to the ACC or the superintendent
 11 and they would have been actioned and then reported back
 12 to the meeting if that's what you're asking. I know
 13 some issues were then raised with the public order and
 14 events group. That seems to be the method of escalation
 15 for relevant issues for policing.
 16 Q. Okay, but if there was a lack of continuity with the
 17 senior officer engagement with the LRF, then that would
 18 make preparation for and review of actions much more
 19 difficult, wouldn't it?
 20 A. It would, but not impossible. If there's a process in
 21 place for making sure that the next attendee has got the
 22 minutes and the previous actions, then it's achievable.
 23 Q. Okay. Last topic and again I don't think it'll take me
 24 too long.
 25 Austerity. You've been asked questions about

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1 austerity and you and GMP have volunteered the context,
 2 as it's put, of austerity in statements to this inquiry.
 3 You have made clear that you don't seek to excuse
 4 any of the failures that are accepted on account of
 5 austerity. You have also acknowledged things like the
 6 reduction of staff in the policy and compliance unit was
 7 as a result of austerity, just as an example of what
 8 austerity has created. There must be a connection,
 9 mustn't there, between the failures to review policies,
 10 as an example, and the fact that the PCU was cut back so
 11 much?
 12 A. Yes.
 13 Q. There is a connection between austerity and the failures
 14 that arise in this matter?
 15 A. Yes. Just reading paragraph 5 of my most recent
 16 statement, what I said is I don't seek to use austerity
 17 and the cuts as a reason or excuse for many of the
 18 reasons which —
 19 Q. I see?
 20 A. It is for some. What I'm really conscious that I don't
 21 do is use austerity unfairly to try and explain a
 22 failure which isn't down to austerity. I think what
 23 I tried to indicate on Thursday for those specific
 24 units, and I think we've talked about the firearms
 25 compliance unit and the contingency planning unit and

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1 licensing, there were evidenced reductions in staff
 2 during that period because of austerity. So just —
 3 sorry for not being clear, I wasn't saying that it
 4 wasn't any but I am saying it wasn't many.
 5 SIR JOHN SAUNDERS: Sorry, I'm trying to put this in
 6 context. A lot of policing is reactive.
 7 A. Yes.
 8 SIR JOHN SAUNDERS: There is also a proactive element.
 9 Would I be right in thinking that when resources are
 10 cut, they would tend to be more cut in the proactive
 11 areas than the reactive areas?
 12 A. Yes.
 13 SIR JOHN SAUNDERS: So the planning and things like that
 14 and, to an extent, the licensing are the things where
 15 you're going to draw people out of so that reactive
 16 policing remains at the same level?
 17 A. That's right and one of the indicators that we had
 18 at the time were the proportion of officers that were
 19 remaining on the front line so there was a very definite
 20 drive to ensure, I guess as the public would expect,
 21 that resources were focused on front line response.
 22 Inevitably, it was the back office areas that took the
 23 staff reductions.
 24 SIR JOHN SAUNDERS: But what everyone needs to understand
 25 is that the reactive element is improved by a good

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1 proactive element as well?
 2 A. Absolutely, yes.
 3 MR WEATHERBY: So perfectly understandably, you prioritised
 4 front line policing but at the inevitable deficit of
 5 other areas?
 6 A. Yes.
 7 Q. Some figures were put, I just want to put a few more
 8 figures, and they're all taken from your statement.
 9 The amount of budget cuts between 2010/2011 and
 10 2017/2018 was put to you. In fact that was a 23.1% cut
 11 in the GMP budget in real terms over that period, wasn't
 12 it?
 13 A. Yes.
 14 Q. So a quarter, in round figures, of your budget was
 15 removed over that period in real terms?
 16 A. Yes.
 17 Q. And that translated, even with prioritising front line
 18 policing — that resulted in a cut of a quarter of your
 19 police officers?
 20 A. Yes.
 21 SIR JOHN SAUNDERS: Do you want to make a more general
 22 answer?
 23 A. That was the point I was going to make, sir.
 24 SIR JOHN SAUNDERS: Okay, thank you very much.
 25 MR WEATHERBY: And likewise, swingeing cuts to civilian and

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1 PCSO staff as well?
 2 A. Significant cuts, yes.
 3 Q. Yes. And in paragraph 13 of your fifth statement, apart
 4 from those bare figures, you make the perfectly proper
 5 and reasonable comment:
 6 "Over that period the nature of policing became ever
 7 more complex, not least with the raised terrorist
 8 threat."
 9 That's right, isn't it?
 10 A. Yes.
 11 Q. So some of the things that had to give included
 12 resilience, yes?
 13 A. Yes.
 14 Q. Policy updating and review?
 15 A. Yes.
 16 Q. Compliance, training, exercising?
 17 A. Certainly compliance. I'm not sure there's any evidence
 18 that exercising reduced at the time.
 19 Q. What about IT and communications equipment generally?
 20 A. I'm not aware of anything specific that would be
 21 a relevant impact.
 22 Q. Given those facts, and these are not just cuts, these
 23 are major cuts, aren't they, over that period?
 24 A. Yes.
 25 Q. It would be right to observe that austerity had

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1 a significant effect on the ability of GMP to fulfil its
 2 policing duties over that period; do you agree?
 3 A. I think our capacity and capability were obviously
 4 diminished. I think we did as well as we could.
 5 Q. Yes. I don't want to stray over lines where I shouldn't
 6 go, but we all know from the media that GMP went into
 7 special measures. Was that as a result or partly as
 8 a result of austerity?
 9 A. I don't think I'd draw a direct link between the two
 10 necessarily. I think the situation is very complex as
 11 regards what the issues were. There were many different
 12 issues at play. I certainly wouldn't want to say it was
 13 because of austerity, no.
 14 Q. But it would be a contributory factor, wouldn't it?
 15 A. I think certainly the resource levels and our ability to
 16 meet demand have been impacted.
 17 SIR JOHN SAUNDERS: The fact of the matter is that the cuts
 18 were the same across all police forces.
 19 A. Yes.
 20 SIR JOHN SAUNDERS: And they're not all in special measures.
 21 A. No. Yes and no, sir. Because obviously the different
 22 police forces raise different amounts from the council
 23 tax element. GMP has a low council tax base, so any
 24 reductions in national funding would have a greater
 25 impact. But certainly that would apply for metropolitan

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1 forces generally speaking. I think that's a valid point
 2 and we have never sought to use austerity as an excuse
 3 for the special measures.
 4 MR WEATHERBY: Can I move on to Winchester Accord in this
 5 respect. And not really Winchester Accord but the move
 6 of the FDO. The move of the FDO to HQ was considered,
 7 talked about, however you want to put it, from 2012 at
 8 least, wasn't it?
 9 A. I understand it was, yes.
 10 Q. So it took 7 or 8 years before that process was actually
 11 completed?
 12 A. Yes, it was something I only formally became aware of in
 13 2017, but I have heard other witnesses speak about --
 14 Q. Yes. In your third statement, paragraph 8, you refer to
 15 the discussions and planning of the move taking place in
 16 the context of severe financial constraint, and you
 17 refer to national austerity measures. Would it be right
 18 to suggest or would it be right that the time taken for
 19 the process of deciding to move the FDO and then
 20 executing that move was affected by the financial
 21 constraints or austerity?
 22 A. As regards achieving what we finally achieved, it was an
 23 expensive solution which I think we had to have the
 24 money available for. There would have been other ways
 25 of doing it at a lower cost, but they wouldn't have

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1 achieved the standard that we later achieved. It was
 2 a force-wide programme, it eventually ended up with
 3 several millions of pounds, hundreds of staff being
 4 relocated, so we went for the gold standard and we had
 5 to wait for the money to be available to do that.
 6 Q. I will come on to that in a moment, but you wouldn't
 7 have put in your statement the context of severe
 8 financial constraints unless it had some impact on it.
 9 So it would be right to observe that an expensive
 10 project like moving the FDO was held back by austerity,
 11 wouldn't it, putting it bluntly?
 12 A. Yes, albeit since I personally picked up the project,
 13 that wasn't the way, but it pre-dated me (overspeaking).
 14 SIR JOHN SAUNDERS: Were you going for the gold standard
 15 before the events of 22 May happened or the gold
 16 standard came at least in part as a result of that?
 17 A. I don't think we'd actually decided what the actual
 18 detailed plan was until after 22 May. We knew it needed
 19 to change and move. But I think it was only after late
 20 2017/early 2018 when we really decided what it was we
 21 wanted to achieve and the scale of it became much wider
 22 than it had been previously.
 23 SIR JOHN SAUNDERS: So was the move delayed prior to
 24 22 May 2017 by lack of funds?
 25 A. I wouldn't know the answer prior to my involvement in

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1 it. It certainly limited the options. I guess what I'm
 2 trying to say is the FDO could have moved at any point
 3 given some technical constraints but to do it properly
 4 as regards the redevelopment of significant estate, the
 5 movement of hundreds of staff, the provision of new IT
 6 was all very expensive and that was why we ended up...
 7 As I say, I don't know whether it could have been done
 8 earlier or more cheaply in a more limited way.
 9 SIR JOHN SAUNDERS: I just wonder whether anyone was
 10 actually trying to do it that way prior to 22 May 2017.
 11 A. Yes. There'd certainly been discussions around a more
 12 limited movement of the FDO but it's difficult to try
 13 and recall where the balance was between people saying,
 14 "That won't work because there's no enough people", and,
 15 "You can't do that because there's not enough money".
 16 I guess both were in play and it's just difficult to
 17 recollect which was the primary factor.
 18 SIR JOHN SAUNDERS: Thank you. Mr Weatherby.
 19 MR WEATHERBY: Just finishing on that, of course after
 20 22 May there was a greater urgency or greater
 21 consideration given to it and no doubt more money became
 22 available to do it; would that be fair?
 23 A. Yes, I don't think it was just 22 May, I think there
 24 were many factors in play. I think it certainly helped
 25 focus minds around what the best solution would look

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1 like.
 2 Q. Yes. Finally, just a point that may be concerning --
 3 well, I know it is concerning people watching this, and
 4 it's a short point. In recent weeks we've heard from
 5 the new chief constable that the new IT system, the IOPS
 6 system, is not fit for purpose. Does that impact on the
 7 force operations centre or the emergency response of the
 8 FDO or the emergency response capability for an incident
 9 such as 22 May?
 10 A. Not in a way that I can think of. IOPS is a very wide
 11 system. Part of it is called Control Works, which is
 12 the system used in the control room, which works
 13 perfectly well and effectively. The challenges are
 14 within the part of the system called Police Works, which
 15 is around the recording of crime, management of
 16 intelligence, that sort of thing. So I couldn't say
 17 there is no impact, but it would be minimal because the
 18 control room primarily uses the quality product, which
 19 is Control Works.
 20 MR WEATHERBY: Thank you very much, Mr Pilling, those are my
 21 questions.
 22 SIR JOHN SAUNDERS: Sir, I know Mr Horwell has questions on
 23 behalf of Greater Manchester Police. I know too he
 24 hopes to conclude his questioning by 1 o'clock, but if
 25 he is not able to do so, could he please pick a time

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1 around 1 o'clock.
 2 Questions from MR HORWELL
 3 MR HORWELL: I hope to finish.
 4 Mr Pilling, you have been asked, understandably,
 5 a number of questions about the FDO and a number of
 6 propositions were put to you. You said this morning,
 7 and I've been able to take this from the [draft]
 8 transcript {Day131/7:11}:
 9 "I'm not sure I've seen the actual evidence that the
 10 FDO would have failed from the debriefs. I know there
 11 were issues but I'm not sure to an extent, having seen
 12 the recommendations, how clear it was that the FDO would
 13 have failed."
 14 If I can take you to your -- and no need to look it
 15 up, it's only a short passage -- third witness
 16 statement, paragraph 21. You wrote this, referring to
 17 Winchester Accord:
 18 "The FDO role was played by Inspector
 19 Marcus Williams and following the exercise there was
 20 positive feedback about his performance. See for
 21 example positive comments about the FDO in the
 22 structured debrief reports at {INQ004521/1} and
 23 {INQ007697/1}."
 24 Mr Pilling, I'm sure we can add there {INQ034462/1},
 25 where there were comments such as:

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1 "The FDO in Winchester Accord was very calm."
 2 There's reference to a calmness, and reference to
 3 the FDO setting a perfect tone.
 4 I'll return to your statement:
 5 "However, the exercise highlighted the importance of
 6 the wider OCB support for the FDO and that, if moved to
 7 FHQ and isolated from that support, the FDO may
 8 experience capacity issues during a major incident."
 9 That's the background. As you have accepted
 10 throughout, the FDO would be bound to be placed under
 11 pressure in the event of an MTFA?
 12 A. Yes.
 13 Q. The question I ask with that background is this: was it
 14 ever contemplated that the FDO in the event of an MTFA
 15 would fail, either personally or through delegation, to
 16 carry out two core and early stages of a Plato response?
 17 The first, and I'll ask for your answer to this, the
 18 first is to share the declaration of Plato with other
 19 emergency services.
 20 A. No, that wasn't anticipated.
 21 Q. Second, to ensure that the other emergency services,
 22 with the police, were in communication with each other.
 23 That can be done in a variety of circumstances:
 24 a tri-service control room link or co-location at either
 25 an RVP or an FCP. Was that ever anticipated, that that

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1 would fail?
 2 A. No.
 3 Q. Primacy. You've been taken to the arena contingency
 4 plan and to a particular sentence in it, and it was
 5 this:
 6 "BTP have primacy in responding to incidents at the
 7 arena."
 8 It's on that issue of primacy and whether or not
 9 that was or could have been a misleading statement
 10 in the event of a terrorist attack. There's one
 11 sentence in the multi-agency generic response plan that
 12 has been referred to before. Let's look at it now.
 13 {INQ012487/41}. It's that section at the bottom, 5.5,
 14 "British Transport Police":
 15 "British Transport Police plays a role akin to
 16 Greater Manchester Police, albeit in a more specialist
 17 environment. The force takes responsibility for the
 18 investigation /management of all crime/incidents (except
 19 terrorism) occurring upon the rail infrastructure
 20 nationally."
 21 In your mind, bearing in mind what is set out in the
 22 multi-agency generic response plan, and your knowledge
 23 of policing in general, was it ever in doubt in your
 24 mind that in the event of a terrorist attack at the
 25 arena, anyone other than GMP would have had primacy for

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1 the response?
 2 A. No, no doubt at all.
 3 Q. Was there any doubt on the night from what you have seen
 4 of the response as to who had primacy within GMP?
 5 A. No.
 6 Q. You've been asked about the relationship between
 7 a declaration of Plato and the declaration of a major
 8 incident, and you said, this isn't from the transcript,
 9 it's from my note, which will not be perfect, you said
 10 words to this effect:
 11 "I am not aware in those circumstances of any
 12 deficiency in not declaring major incident."
 13 So that's on the basis that Plato is declared by GMP
 14 but not, at the outset, major incident.
 15 A. Yes.
 16 Q. The national Plato guidance, that from the NPCC, if we
 17 could go to that, please, at {INQ016688/7}. At 4.3 it
 18 reads:
 19 "The declaration of an Operation Plato incident
 20 triggers a multi-agency response designed to rapidly
 21 inform, mobilise and operationally deploy the most
 22 appropriate resources in order to identify, locate,
 23 confront and neutralise the threat and save life. In
 24 order to support an effective response, it is important
 25 that the relevant partner agencies and specialist

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1 national assets are informed as a priority ."
 2 A. Yes.
 3 Q. Mr Pilling, I'm not attempting to suggest for one moment
 4 that it is not best practice to declare both at the same
 5 time, but that's not the point about which you were
 6 asked. Is it clear from the national guidance, and
 7 indeed also from your understanding, that the
 8 declaration of Plato itself will trigger a significant
 9 multi-agency response?
 10 A. Yes.
 11 Q. Is that what you meant when you said you're not aware of
 12 any deficiencies in declaring Plato only?
 13 A. Yes, those things should happen following the
 14 declaration of Plato.
 15 Q. You've been asked about whether or not commanders, and
 16 in particular the Gold commander, should have at some
 17 stage checked to see whether, to use your word, core
 18 actions had been carried out, such as informing the
 19 other emergency services that Plato had been declared
 20 and setting up tri-service communication, co-location to
 21 ensure that everyone was talking to each other.
 22 The Gold commander is not going to be at force
 23 headquarters in the evening, at night-time. They have
 24 to get there, and once there, as we heard from
 25 Debbie Ford, there are a multitude of ongoing issues to

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1 be briefed upon, to consider, and for decisions to be
 2 made. She used the words when giving evidence that at
 3 this stage, bearing in mind that there was not
 4 a continuing attack, although reports were still coming
 5 in of potential problems, that it was very much
 6 a forward-facing role: preserving evidence, the wider
 7 community impact, ensuring transport links remained in
 8 place, liaising with national agencies and so on and so
 9 forth. That's but a very short summary of what must be
 10 considered.
 11 But is it realistic in your opinion that
 12 a Gold commander with all of those factors to consider
 13 should effectively go back and check that every core
 14 decision and action had been put into effect?
 15 A. Certainly not at the time, no, it wouldn't be possible,
 16 and the Gold commander will focus on the most important
 17 things first and those were the issues. Certainly
 18 at the time I don't think it would have been realistic
 19 and, as I said earlier, you've got to expect that those
 20 things have been done.
 21 SIR JOHN SAUNDERS: Mr Horwell, I understand all that and
 22 I remember the evidence of forward-facing, what's going
 23 to happen. My questioning was a bit more general, that
 24 when you've got the Gold commander coming on duty, being
 25 in the command suite, or the Silver suite, actually

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1 someone would just say, "I've got to deal with all that.
2 Where are we, what's happened?", just do that. Is that
3 unrealistic to have expected or considered that someone
4 at least might do that?
5 A. I don't think so, sir. I expect that's what would have
6 happened but even that, I don't think, would be going
7 into the detail of, "We've told or not told fire and
8 ambulance about Plato", because I think for the same
9 reasons it's things we just expect to have happened. So
10 that information that I'm sure ACC Ford apprised herself
11 of was as regards number of casualties, but not to go
12 into the detail of did we set a tri-service channel up
13 at that stage. I can't speak for her, but if it had
14 been me, my expectation is it would have happened and it
15 may have been something I asked about in the hours or
16 days to come but not in that early period.
17 SIR JOHN SAUNDERS: Thank you.
18 MR HORWELL: From my very limited understanding, I think the
19 military do train on the basis that processes can and
20 will go wrong and perhaps that is something that might
21 be thought of. But we've heard Mr Pilling's evidence.
22 Final point. It's one of the differences between
23 Ford and Dexter. The chairman summarised it in this
24 way, that it's your evidence that Dexter is wrong on the
25 plan at the time but you are in agreement now with his

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1 views as to the provision of another commander at the
2 scene?
3 A. Yes. That's exactly right, yes.
4 Q. So wrong on the plan as it was at the time. It's
5 important that it is made clear that if there is
6 ambiguity, and it's arguable as to whether or not there
7 is, but if there is ambiguity, it is in JOPs 3?
8 A. Yes.
9 Q. And if there is ambiguity, it is in the definition
10 within JOPs 3 of police on-scene commander?
11 A. Yes.
12 Q. And police on-scene commander in JOPs 3 is the same as
13 the GATFC in police guidance?
14 A. That's my interpretation.
15 MR HORWELL: Thank you.
16 SIR JOHN SAUNDERS: Can I just go back to where you actually
17 started. I want to look at it slightly differently.
18 It seems to be generally accepted that there was
19 a possibility of the FDO getting overwhelmed. You've
20 been asked by Mr Horwell in specific terms: was it ever
21 contemplated that he wouldn't actually tell the other
22 partners about the declaration of Plato and was it ever
23 contemplated — sorry, I've forgotten the second one.
24 MR HORWELL: Set up either tri-service communication or
25 co-location, effectively the same thing.

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1 SIR JOHN SAUNDERS: We are not talking — we're talking
2 about the possibility of the FDO forgetting or
3 overlooking to do certain things which he ought to have
4 done because of just the extent of what his obligations
5 were. In those terms, it was at least a possibility,
6 wasn't it, that he would forget those things?
7 A. I expressed my view, sir, because I think that they are
8 so early in the process and key that even if through
9 a culmination that at some point it becomes unworkable,
10 those things are so important and so far up the list
11 that is why it would be anticipated, but what I could
12 never account for is the emotional pressure that the FDO
13 was under and I will always caveat my answer. But
14 that's the reason I come to my opinion: they're so key
15 and so early.
16 SIR JOHN SAUNDERS: Okay, thank you.
17 MR HORWELL: Thank you, Mr Pilling. Those are my questions.
18 MR GREANEY: Thank you very much, Mr Horwell.
19 Sir, I don't have any further questions for
20 DCC Pilling. Do you have any further questions?
21 SIR JOHN SAUNDERS: No, I don't.
22 I'm extremely grateful for you coming, you've
23 obviously given matters a great deal of thought and the
24 amount of preparation which has gone into your evidence
25 is, I do understand, enormous and I am very grateful to

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1 you for doing it.
2 MR GREANEY: Sir, could we resume at 2 o'clock, there's
3 quite a lot to do over lunch?
4 SIR JOHN SAUNDERS: Yes, certainly.
5 (12.51 pm)
6 (The lunch adjournment)
7 (2.00 pm)
8 (Delay in proceedings)
9 (2.06 pm)
10 MR GREANEY: Sir, thank you. We're turning, or returning
11 I should say, to the role of the Fire and Rescue Service
12 in the emergency response. The gentleman in the witness
13 box is Mr Peter O'Reilly. I will ask that he be sworn,
14 please.
15 MR PETER O'REILLY (sworn)
16 Questions from MR GREANEY
17 MR GREANEY: Would you begin by telling us your full name?
18 A. Peter Terence O'Reilly.
19 Q. Mr O'Reilly, on 22 May 2017, were you the chief fire
20 officer of Greater Manchester Fire and Rescue Service?
21 A. I was.
22 Q. Just prior to that, had you been known as the county
23 fire officer?
24 A. That's correct, yes.
25 Q. But I believe it would be accurate to say that that was

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1 just a different title for the same role?
 2 A. Correct, yes.
 3 Q. As the chief fire officer, or CFO, were you the
 4 strategic leader for GMFRS?
 5 A. I was.
 6 Q. And in charge of the day-to-day operational command of
 7 that Fire and Rescue Service?
 8 A. That's correct, yes.
 9 Q. Did you attend the command support room at 23.49 on
 10 22 May in response to the arena attack?
 11 A. Yes.
 12 Q. And were you thereafter the Gold commander for the Fire
 13 and Rescue Service?
 14 A. Yes.
 15 Q. And later that night, and indeed in the early hours of
 16 the next morning, in that capacity did you attend the
 17 GMP command suite --
 18 A. Yes.
 19 Q. -- so that an SCG could take place in the end at I think
 20 about 4.15?
 21 A. Yes.
 22 Q. Mr O'Reilly, before we get into your own actions on the
 23 night, which in fact will probably be tomorrow, I am
 24 going to establish with you the key aspects of your
 25 professional background. What you'll appreciate is that

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1 you have dealt with those matters at length in your
 2 witness statement, I'm not going to go through every one
 3 of your roles and responsibilities over time, but just
 4 to identify, as I've said, the key aspects.
 5 Did you join the Fire and Rescue Service of
 6 Northern Ireland in 1990?
 7 A. I did.
 8 Q. Whilst there, were you routinely promoted through the
 9 ranks?
 10 A. Yes.
 11 Q. Whilst you were stationed there, did you have to deal
 12 with what I'll describe as many challenging situations?
 13 A. Yes.
 14 Q. And were you the incident commander at a number of major
 15 incidents?
 16 A. Yes.
 17 Q. I'm going to ask you about that term, incident
 18 commander, in due course. But as incident commander,
 19 were you responsible for the command of a very large
 20 number of firefighters?
 21 A. Yes.
 22 Q. In March 2011, did you move to the Greater Manchester
 23 Fire and Rescue Service on promotion to the rank of
 24 ACFO?
 25 A. It was actually February that year, yes.

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1 Q. February. Then in due course, were you promoted to the
 2 position of county and later chief fire officer on
 3 1 April 2015?
 4 A. Yes, in shadow format first, yes.
 5 Q. Whilst in Greater Manchester during that period of
 6 service, were you Gold commander on a number of
 7 occasions?
 8 A. Yes.
 9 Q. In particular, were you Gold commander during the 2011
 10 riots in Manchester and Salford?
 11 A. Yes.
 12 Q. In that regard I'm going to ask you about a passage in
 13 your first witness statement, so that is to say your
 14 statement dated 22 November 2019, {INQ026732/9},
 15 paragraph 33.
 16 You state:
 17 "My first experience of a major incident in GMFRS
 18 were the riots in Manchester and Salford on
 19 9 August 2011. I was ACFO at that time."
 20 And I'm sure you'll remember those events very well?
 21 A. Yes.
 22 Q. "Tensions had risen nationally and, based on my
 23 Northern Ireland experiences of civil disorder, it
 24 seemed obvious that those tensions were going to affect
 25 Manchester. Working alongside Area Manager Tony Hunter,

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1 we conducted an assessment of risk in anticipation that
 2 Manchester would be affected by rioting."
 3 Then this passage, which is the one I want to ask
 4 you about:
 5 "By 11 am that day, before any rioting had
 6 commenced, we had taken proactive steps to ensure that
 7 GMFRS were ready to respond. We did this of our own
 8 initiative and without any request to do so from other
 9 agencies."
 10 Is that correct?
 11 A. Yes.
 12 Q. So what in a few sentences did "acting of your own
 13 initiative" mean in those circumstances?
 14 A. I think both I and Tony had made approaches to police
 15 at the time to understand what measures they were
 16 putting in place to deal with an eventuality that
 17 rioting might take place in Greater Manchester and at
 18 that time we got a response saying that they weren't
 19 putting any specific measures in place at all. And I,
 20 certainly from my experience of watching Rising Tide
 21 events or Me Too events almost, back home, told me that
 22 it was likely that at some stage the same events were
 23 going to visit Manchester. So despite the fact that it
 24 didn't look like there was any intelligence in
 25 Greater Manchester at the time that it was going to

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1 happen, I wanted to put things in place with the Fire
 2 Brigades Union and within the organisation to be able to
 3 deal with an event if it did occur.
 4 Q. So this was an example of you and the Fire and Rescue
 5 Service making decisions ahead of time?
 6 A. Yes.
 7 Q. Acting, as you say in your statement, of your own
 8 initiative?
 9 A. Yes.
 10 Q. Or to put it another way, acting proactively?
 11 A. Yes.
 12 Q. Do you think it would be fair to observe that that kind
 13 of thinking, that kind of proactive thinking, was
 14 what was lacking on the part of the Fire and Rescue
 15 Service on 22 May 2017?
 16 A. Yes.
 17 Q. You were also principal officer on the occasion of other
 18 major incidents in your time in Greater Manchester;
 19 is that correct?
 20 A. Yes.
 21 Q. I indicated I would ask you about this. Let's deal with
 22 it now. In the course of a major incident, how should
 23 the GMFRS command structure have worked in May 2017?
 24 A. Well, obviously there's two types of major incident.
 25 There's the one that is pre-planned for, that you know

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1 is probably going to happen, like we did in 2011. Or
 2 there's that spontaneous type of incident which is
 3 different, of course, and it is largely reactive as
 4 opposed to proactive.
 5 Q. So I'm, as you will appreciate, principally concerned to
 6 understand how the command structure of the Fire and
 7 Rescue Service should operate in response to
 8 a spontaneous incident.
 9 A. Ordinarily, what will happen is that a call will come in
 10 to the control room and the control room will make an
 11 assessment based on the information that they have
 12 regarding the hazards, the risks, and the initial
 13 deployment of what resources should be sent and where
 14 to. Once those resources have been sent to the
 15 incident, then usually, the officer in charge of the
 16 first arriving fire engine will take charge of that
 17 incident.
 18 Q. Pause for one moment. Would he be known as the incident
 19 commander?
 20 A. Initially, yes, he would be the initial incident
 21 commander — or she.
 22 Q. From there, how would you expect the command structure
 23 to develop?
 24 A. Depending on the severity of the incident, if it's
 25 a small incident, obviously, and that one fire engine

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1 can deal with it, that one individual will retain the
 2 role of incident commander. If it's a larger incident
 3 or starts to grow then that attending officer should, by
 4 way of an assistance message, contact the control room
 5 and ask for a specific resource to deal with a specific
 6 risk. So they should give what it is that they want
 7 at the scene to help them deal with the situation they
 8 are faced with and they should give a rationale for why
 9 they need that.
 10 North West Fire Control will then or fire control
 11 rooms will then respond accordingly and send the
 12 resource specifically that is asked for. The more
 13 resources that are called forward, then we have a policy
 14 in place which allows for the stepping-up of the command
 15 structure. Therefore, if it goes to three fire engines
 16 it will probably be a station manager who will be sent
 17 to the incident to support the command structure. If it
 18 goes above that, then it is likely that a group manager
 19 will attend. If it goes above that, then an area
 20 manager will attend. And eventually a principal
 21 officer may attend to take charge of the overall scene
 22 and we have a number of examples that I've given within
 23 my evidence where that actually occurs.
 24 Q. As the seniority of the officer on scene escalates, does
 25 that more senior officer then become incident commander?

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1 A. Ordinarily, yes.
 2 Q. Is that fact well-known within the Fire and Rescue
 3 Service that that is how it should operate?
 4 A. I would say it's dyed in the wool, yes.
 5 Q. Where do what we've understood in connection with other
 6 services as Silver and Gold come into that structure?
 7 A. It's an issue which has, as long as I've been an officer
 8 in the Fire and Rescue Service, been one of difference
 9 in terminology to begin with —
 10 Q. Yes.
 11 A. — and then how it plays out practically is also
 12 different. The Fire and Rescue Service has always dealt
 13 with the operational issues on the scene, so the initial
 14 incident commander is the operations commander of that
 15 incident. As the incident ramps up, and we start — as
 16 the incident becomes more complicated, so for example if
 17 it's an apartment building with four sides, we will have
 18 an operations commander, or a sector commander as we
 19 call it, who will deal with a part of that building,
 20 which will be recognised as a sector. Ordinarily, those
 21 sectors are numbered clockwise, so when you're looking
 22 at the front of the building, first arrival, that sector
 23 commander will take part of sector 1, then sector 2, 3,
 24 4, accordingly. It becomes more complicated then if
 25 we have people working on the roof structure or if

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1 we have specialist appliances also in attendance. So if
2 we have, for example, a high-reach aerial appliance then
3 that will be a sector in its own right.

4 If we have a river behind the apartment block, then
5 we could have water rescue crews operating in that river
6 to make sure that anybody trying to escape or make sure
7 nobody falls into the river while the incident is
8 ongoing.

9 As the incident grows in magnitude we become more
10 sectorised in our response and we have functional
11 officers who report either directly to an operations
12 commander, who will then report to the incident
13 commander, and if that structure is in place at that
14 time, that incident commander would be our tactical
15 commander who, in police parlance, would be the
16 Silver commander.

17 So they would be on scene. Ordinarily, they will
18 basis themselves in what we call a command support unit,
19 which is a purpose-built vehicle with technology and
20 standard equipment such as whiteboards to allow the
21 incident commander to have a full overview of what is
22 occurring on that scene.

23 Q. When you say on scene, are you talking about literally
24 on scene or in some position nearby or may it depend?
25 A. Both. So what we will have is, if you walked into the

1 command unit with me as a partner, I would be able to
2 show you what the incident is, an apartment building,
3 what the hazards are that are present, what risks are
4 associated with those hazards, what control measures
5 we have put in place, what sectors we have in operation
6 and who's in charge of those sectors, what specialist
7 equipment are resources we have in place, and who's in
8 charge of those.

9 I would be able to show you what partner agencies
10 we have on scene and where they are working within that
11 incident and how they are assisting us to bring it to a
12 close. I would also be able to show you on that board
13 what resources we have either at a rendezvous point that
14 can be called forward or a marshalling area which
15 they're being held at before being called forward to
16 a rendezvous point.

17 I would also be able to show you on that board what
18 resources we have asked to be put on standby for relief.
19 So ordinarily at an incident, when we get to a period of
20 about 4 hours into an incident, we start to think about
21 taking pressure off the crews and commanders at scene
22 and therefore we would work North West Fire Control to
23 make sure that we have resources on standby to be called
24 forward to the incident to relieve the crews that are
25 currently working.

1 We will do that in a systemised fashion to make sure
2 that there is an unbroken challenge to the incident
3 itself, to make sure that the risk doesn't increase, and
4 that the people on the incident ground are managed.

5 Q. So I hope that I've understood that very full answer
6 correctly. You would expect in a complex situation
7 there to be a sector commander, who I believe you're
8 telling us would be Bronze to use police terminology.
9 You have the incident commander who is there or nearby
10 in a CSR, he is Silver or tactical. And then where does
11 Gold come into it and where would you expect that person
12 to be?

13 A. If I explain to you how that incident grows. Once
14 we have that system in place, a command support unit
15 rather than a command support room --

16 Q. The CSU?

17 A. Yes, the CSU. The command support unit would be the
18 tactical commander's equipment to deal with the tactical
19 plan of that incident. He will share the tactical plan
20 and the priorities with the operational commanders,
21 which are the sector commanders or the specialists, the
22 people who are in charge of the specialist functions,
23 and they would be in charge of drawing up an operational
24 plan in that sector or with that function to be able to
25 put the tactical plan into place.

1 The command support room in Fire Service
2 Headquarters -- if we are being asked to deal with
3 a single agency pure fire incident, so say again it's an
4 apartment block fire, other agencies will attend but
5 it's not having a major effect on any of their
6 resources.

7 Q. So you would then have what you might describe as
8 primacy in relation to the incident?

9 A. Yes, so fire would have primacy at the likes of a fire
10 is the easiest way to describe it.

11 So the command support room would become, to all
12 intents and purposes, the Fire Service's Gold command
13 suite.

14 Q. That again is very clear. So where the Fire and Rescue
15 Service is the principal service that is responding,
16 even more so where it's the only service that is
17 responding, understandably one could expect Gold to be
18 located in the CSR?

19 A. Yes.

20 Q. But obviously life isn't always as straightforward as
21 that and there will sometimes be situations in which all
22 services respond and ones in which, for example, the
23 police are taking primacy?

24 A. Yes.

25 Q. In that situation, where in 2017 would you have expected

1 Gold to locate himself or herself?
 2 A. It's an interesting question in itself. Ordinarily, if
 3 it was an incident which was occurring in the centre of
 4 Manchester and police force headquarters in
 5 North Manchester wasn't affected by ongoing incidents,
 6 then you would have an expectation that the police,
 7 assuming primacy, would make a declaration early that
 8 a strategic coordinating group would be called and that
 9 it was likely to be called at force headquarters.
 10 Q. So obviously we're going to look at what happened on the
 11 night of the 22nd, but before that night, your
 12 expectation would have been in the event of a situation
 13 such as the arena attack that you as principal officer,
 14 and therefore as Gold, would locate yourself at the
 15 headquarters of Greater Manchester Police?
 16 A. Eventually.
 17 Q. Eventually. As you'll appreciate, that's an issue we'll
 18 come back to, although not until tomorrow.
 19 I was in fact dealing, as you will recall, with your
 20 background, so let's finish off that particular topic.
 21 A. Can I just clarify something, sir?
 22 Q. Of course.
 23 A. In relation to the questions you've asked, and with give
 24 a very simplistic example, and there are times when
 25 you're quite right to point out it's not just simple and

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1 straightforward and there are times when you would
 2 expect other agencies to replicate what fire would do.
 3 Q. Yes.
 4 A. That's not always the case. So if I give an example
 5 from the paragraphs, and I don't know whether you were
 6 going to go to talk about the floods, and I apologise if
 7 you were --
 8 Q. I wasn't, but if you think it helps us to understand
 9 your evidence --
 10 A. It does because the events of 2015, Boxing Day, is
 11 probably a good example, and there are others, whereby
 12 you would have expected the magnitude of the incident to
 13 have required a strategic coordinating group and
 14 a strategic coordinating group to be called by the
 15 agency that has primacy. It wasn't.
 16 So fire were dealing with the incident across
 17 Greater Manchester with a significant amount of our
 18 resources being deployed and, as you can imagine,
 19 a significant amount of others' resources being
 20 deployed, but the strategic coordinating group was never
 21 called, I was never invited to it. So there are
 22 occasions when you'd expect to have an SCG and it
 23 doesn't happen.
 24 SIR JOHN SAUNDERS: Who, in terms of the floods, would be
 25 doing that?

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1 A. That's another good question, sir, because in relation
 2 to floods we now have a statutory obligation to respond
 3 to floods. That has not always been the case. Because
 4 it's a public safety issue, you would expect that the
 5 three agencies would come together and they would have
 6 a strategic coordinating group to deal with that. Let
 7 alone that -- and this did occur as far as I remember --
 8 and my recollection may not be accurate, but an SCG was
 9 eventually called to deal with the recovery aspect of
 10 it. So there is that complication that on an
 11 expectation -- for example, 90% of times when our
 12 command support room would be set up, I would be sitting
 13 beside my desk and working, so I would go into the
 14 command support room to see what was going on.
 15 MR GREANEY: I'm not going to suggest for a moment that what
 16 is expected to happen will always happen, nor that it
 17 should always happen. Obviously there will be
 18 exceptions. I'm simply keen at this stage to understand
 19 what your expectation would have been so we can judge
 20 what happened by reference to it later in your evidence
 21 and if what would have been expected didn't happen so
 22 you can give your explanation for that.
 23 Before we move on, can I see if I've understood
 24 something correctly? In relation to the floods, which
 25 we've heard a little about from some witnesses but not

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1 very much, was that obviously a situation to which there
 2 ought to have been a joint response by the emergency
 3 services?
 4 A. There was a joint response by the emergency services but
 5 it wasn't in the structure that we have talked about.
 6 So for example, fire had fire Gold in place, at the
 7 command support room. We were dealing nationally with
 8 the national coordination and advisory framework, so
 9 we were feeding into our masters in DCLG, as it was
 10 at the time, and the Chief Fire and Rescue Adviser. So
 11 all of that was in place for us to be able to deal.
 12 There was also -- there were complications in that
 13 as well. If you want I can --
 14 Q. I'm keen not to go into too much detail. It's my fault
 15 for asking the question.
 16 Really all I wanted to know was, because if the
 17 answer to this question is yes it may become more
 18 interesting, was the response to the floods an example
 19 of JESIP not working?
 20 A. I would say, yes, it didn't work effectively that time
 21 either.
 22 Q. I am going to give that some thought over night and it
 23 may be we come back to it tomorrow morning.
 24 Just to finish off background, I can summarise it in
 25 this way. Prior to May 2017, you had been very

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1 extensively trained in your responsibilities ?
 2 A. Yes.
 3 Q. And you were well aware, am I right, of the MTFA
 4 capability of GMFRS?
 5 A. Yes.
 6 Q. Were you supportive of that capability? Do you
 7 understand what I mean by that question?
 8 A. Absolutely supportive.
 9 Q. You'll appreciate that the chairman is not concerned to
 10 get involved in trade union—type issues but you were
 11 a strong supporter of the Fire and Rescue Service having
 12 an MTFA capability?
 13 A. Yes.
 14 Q. In part was that because of the background that you
 15 personally had and the type of firefighting activities
 16 that you had been involved in in Northern Ireland?
 17 A. I would say they're a major part of it, yes.
 18 Q. Were you also involved, prior to the arena attack, in an
 19 initiative that involved GMFRS working alongside the
 20 North West Ambulance Service to respond to cardiac
 21 arrests?
 22 A. It's actually a wee bit longer than that, if you want me
 23 to go into —
 24 Q. I don't want to spend a lot of time over it because
 25 I think, and if I've oversimplified it, you will tell

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1 me. But you were behind an initiative that would have
 2 seen you working together with the Ambulance Service?
 3 A. Yes.
 4 Q. That ultimately, and to your disappointment, that
 5 project did not come to fruition or did not continue?
 6 A. That's correct.
 7 Q. But in the result, it did involve you becoming very
 8 familiar with Steve Hynes of NWAS?
 9 A. Yes.
 10 Q. And involved him, you would believe, becoming familiar
 11 with the resources available to the Fire and Rescue
 12 Service?
 13 A. Yes.
 14 Q. And that, as I've understood it, is an important matter
 15 when it comes to your own decision—making on the night
 16 of the 22nd?
 17 A. Yes.
 18 Q. So I had put it deliberately in simple terms. Bearing
 19 in mind the point that I wanted to establish, have
 20 I missed out anything important?
 21 A. No, not at all.
 22 Q. The final thing that you will confirm in relation to
 23 your background, that you retired from
 24 Greater Manchester Fire and Rescue Service on
 25 6 February 2018?

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1 A. Yes.
 2 Q. Let's move on. What I would like to do is to seek your
 3 position overall. I've asked a number of witnesses —
 4 Mr Berry, Mr Harris are two that come to mind — this
 5 question and I'll ask you: you will be aware, I am
 6 certain, that in making an opening statement on behalf
 7 of the Greater Manchester Combined Authority, Mr Warnock
 8 said this, and I'm sorry to repeat what everyone in this
 9 room has now heard me read out a number of times:
 10 "In relation to the Fire Service response on the
 11 night, we say at the outset that GMFRS accepts and
 12 agrees with the conclusions of the Fire and Rescue
 13 expert, Mr Hall, that its initial actions in response to
 14 the arena bombing were neither adequate nor effective.
 15 It is unacceptable that it took over 2 hours for the
 16 Fire and Rescue Service to attend the arena. On behalf
 17 of GMFRS, we would like to say to the families and
 18 victims that we are sorry that this happened. The
 19 inquiry will hear evidence from many individual GMFRS
 20 witnesses who still have profound feelings of
 21 frustration and deep anguish that they were not there to
 22 help."
 23 Having read that out to you, could I ask, do you
 24 agree that the initial actions of the Fire and Rescue
 25 Service that night were neither adequate nor effective?

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1 A. Yes.
 2 Q. And do you agree that it is unacceptable that it took
 3 over 2 hours for the Fire and Rescue Service to attend
 4 the arena?
 5 A. Yes.
 6 Q. Just to put that into a little context, you explained in
 7 your first witness statement that in your view, the Fire
 8 and Rescue Service could, and I think you were saying,
 9 should have been there in about 4 minutes?
 10 A. Yes.
 11 Q. Yet in the result, the first appliance arrived on
 12 Station Approach 2 hours and 6 minutes after the
 13 explosion and even then, as you will know, firefighters
 14 didn't enter the station for a further 13 minutes, and
 15 even then, did so despite of command and not because of
 16 it.
 17 Do you agree, as Mr Harris did, that that represents
 18 not just a failure in response but a gross failure in
 19 response?
 20 A. If I could find stronger words, I would use them, but
 21 yes.
 22 Q. As you will appreciate, what I need to seek from you are
 23 your views through your evidence on why things went so
 24 badly wrong that night and on what can be done to ensure
 25 that doesn't happen again.

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1 The first issue I want to ask you about is what
2 I will describe as attitude to risk. I'll take you to
3 a passage in your first witness statement, please, at
4 paragraph 95. Because it is or may be an important
5 point, I will read it out to you. You were talking
6 about a discussion that you had with the Mayor,
7 Mr Burnham, after the arena attack. Do you want to turn
8 this up? It's {INQ026732/25}.

9 A. I have it.

10 Q. So you're talking about a discussion after the events
11 at the arena with Mr Burnham, the mayor; am I correct?

12 A. Mm—hm.

13 Q. And you said:

14 "I told the mayor that as a firefighter, it would
15 kill me if I found out that we could have saved more
16 people by getting there quicker. But I also know that
17 the FBU and the HSE would have had me in the dock if
18 firefighters had been sent directly to the scene and had
19 been killed by a terrorist."

20 I'm not going to seek your evidence in development
21 of that in a moment, I just want to remind you of some
22 facts.

23 PC Jessica Bullough of BTP, for all of her earlier
24 conduct, ran into the City Room within moments of the
25 explosion, followed by her colleagues, and you'll be

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1 aware of that?

2 A. Yes.

3 Q. We may as well have the sequence of events on screen as
4 I go through this small number of points.
5 {INQ035612/5}.

6 This is literally within half a minute of the
7 explosion:

8 "22.31.37. Constable Bullough is starting to make
9 her way to the City Room."

10 If you go forward, please, to {INQ035612/104}, at
11 22.46, so 15 minutes after the explosion,

12 Inspector Smith, who is to be the Bronze commander for
13 GMP, runs up the stairs.

14 {INQ035612/148}. Few of us will forget the evidence
15 of this witness. At 22.54, Sergeant Kam Hare is leading
16 his officers up the stairs to the City Room.

17 {INQ035612/136}, 3 minutes earlier, Advanced
18 Paramedic Patrick Ennis is on his way to the City Room.

19 Yet as we know, it's much later that Mr Berry turns
20 up, is it not?

21 A. It is, much later.

22 Q. Are we seeing in those images of BTP, GMP and the
23 Ambulance Service entering quickly and the Fire and
24 Rescue Service getting there much later — are we seeing
25 in those images a different approach to risk as between

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1 the police and Ambulance Service on the one hand and the
2 Fire and Rescue Service on the other?

3 A. That's one perception of that.

4 Q. Is that the accurate perception of that?

5 A. No, I don't think so. I don't think your statement is
6 an accurate statement. I think if Andy Simister and his
7 crews had got there within minutes, they would have been
8 on those stairs as well, going into that City Room to
9 help everybody that they found.

10 Q. Let's just go back to that paragraph from your statement
11 I read out. You said to the mayor that:

12 "It would kill [you] if [you] found out you could
13 have saved more people by getting there quicker."

14 You added:

15 "I also know the FBU and the HSE would have had me
16 in the dock if firefighters had been sent directly to
17 the scene and been killed by a terrorist."

18 And the question I suppose is this: do you think
19 that the decisions that you made that night and do you
20 think that the decisions that others, and in particular
21 Andy Berry, made that night were influenced by that fear
22 that you described to the mayor?

23 A. Not at all.

24 Q. Did that fear feature in your thoughts at all that
25 night?

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1 A. Never for one second.

2 Q. Then why do you mention it to the mayor?

3 A. I mentioned it to the mayor and I included it in my
4 statement because I did mention it to the mayor and it's
5 a statement of fact. Greater Manchester Fire and Rescue
6 Service has been the subject of legal proceedings by the
7 FBU when a firefighter has died.

8 Q. Is that Stephen Hunt that you are referring to?

9 A. No, it wasn't Stephen Hunt. It was another firefighter
10 who died trying to save a child when they fell in the
11 water or a man when he fell in the water and that was
12 back before my time. And the Health and Safety
13 Executive also prosecuted four firefighters in
14 Warwickshire after there was a loss of four firefighters
15 in a large insulated sandwich—panelled building. So
16 it's a statement of fact: if firefighters lose their
17 lives, then there will be action by the FBU and there
18 would be action by the Health and Safety Executive.

19 That's — my workings through my career have shown
20 me that that's just a statement of fact, and that's the
21 only reason I included it in the conversation with
22 Andy Burnham.

23 Q. Is there a risk that when one is thinking about that,
24 that it causes decision—making to be too defensive and
25 causes one to become averse to risk?

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1 A. I would agree with you. I would say that if that was
2 the culture that prevailed at the time, if people
3 believed that they were being restricted by a management
4 that was saying, "We will always err on the side of
5 caution in health and safety, and if you don't follow
6 that direction then we will leave you out to dry when it
7 comes to any litigation that follows", that was not the
8 culture that prevailed within Greater Manchester Fire
9 and Rescue Service.

10 Q. You may just have answered the question I was going to
11 ask, which was: was the Fire and Rescue Service within
12 Greater Manchester risk averse in May 2017?

13 A. Absolutely not.

14 SIR JOHN SAUNDERS: I am quite keen that we don't get to
15 a situation where everybody thinks that taking account
16 of the health and safety of firefighters responding to
17 a scene means you're risk averse. Clearly, there is an
18 obligation to preserve the lives of firefighters just as
19 there is a requirement on everybody else. It's the
20 balance between the two.

21 MR GREANEY: Of course, yes.

22 SIR JOHN SAUNDERS: I don't want everybody to think actually
23 if you're concerned about the firefighters dying in
24 going there, then you're risk averse.

25 MR GREANEY: The chairman is entirely right. It's always

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1 going to be a balance.

2 SIR JOHN SAUNDERS: It's obviously entirely obvious, but
3 sometimes perhaps we run the risk of losing sight of it.

4 MR GREANEY: You're quite right.

5 A. Sir, I know I'm at risk of taking up more time than you
6 want me to take up, can I give you an example —

7 SIR JOHN SAUNDERS: I haven't said a word about how much
8 time you have taken up at the moment.

9 A. Can I give you an example? We lost Joe McCloskey in
10 2002 in Northern Ireland in a fire and we were the
11 subject of a Health and Safety Executive action plan to
12 remedy that. In and around the same time, the Health
13 and Safety Executive nationally gave a directive to fire
14 that unless there was a life at risk inside the building
15 you shouldn't be sending anybody inside the building as
16 a firefighter. They were two challenges that I had to
17 draw a policy and a training plan to deal with in
18 Northern Ireland at the time. And it was probably the
19 first time that we had put in place virtual but very
20 realistic scenarios of what firefighters are faced with
21 when they are at a building fire and other incidents,
22 and what the expectations of the Fire Service would be.

23 The fallout of that was a lot of firefighters — or
24 a lot of officers became a wee bit anxious about what
25 they were seeing and what they would have to deal with

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1 if they turned up at an incident, which we remedied
2 through training, realistic training and virtual
3 training. But it also set about a train of events with
4 senior management in the Fire and Rescue Service trying
5 to influence the Health and Safety Executive back to
6 a place where they acknowledged that firefighters would
7 put their lives in danger to save others' lives.

8 They acknowledged that we would take some risk and
9 unfortunately some firefighters have died, Stephen Hunt
10 included, to try and save buildings. But where the
11 building couldn't be saved or where lives couldn't be
12 saved, it was very probable and likely that we wouldn't
13 take any risks at all.

14 As a firefighter, I have lived by that mantra and
15 I know that every firefighter, officers included, in
16 Greater Manchester Fire and Rescue Service still live by
17 that mantra.

18 Q. So let me just summarise where I think we have reached
19 and you'll put me right if I'm wrong. I'd pointed out
20 to you that on the one hand, police and ambulance, at
21 least some, had got to the scene quickly and gone into
22 the City Room, whereas the same cannot be said for the
23 Fire and Rescue Service. I was asking you whether that
24 demonstrated that there was a different approach to the
25 balancing of risk by the Fire and Rescue Service from

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1 that adopted by the other emergency services. And
2 I believe you have said to me that you don't believe
3 that the one follows from the other?

4 A. I don't because Greater Manchester Fire and Rescue
5 Service and our partners — we missed an opportunity, we
6 missed many opportunities to be there immediately. All
7 I can say to you is this, I'm 100% sure that if you'd
8 had firefighters on that scene at that time, every one
9 of them bar none would have been in that City Room.

10 SIR JOHN SAUNDERS: Okay. When we deal with the incident
11 itself, we can look at various examples and see whether
12 concern for risk in the particular circumstances
13 outweighed the need for people to actually get there and
14 do something about it.

15 MR GREANEY: Quite so, we'll return to that in due course.

16 Let's move on, and you'll remember I was trying to
17 identify with you what went wrong that night. So next
18 I want to ask you about the MTFA policy. This takes us
19 to paragraphs 102 and 103 of your witness statement.
20 The easiest way to deal with this is to put them on the
21 screen. {INQ026732/26–27}. You're talking about
22 various discussions that you had on 25 May 2017:

23 "At 12.48, I rang Roy Wilsher..."

24 Who was he?

25 A. Roy Wilsher, he was the chair of CFOA at the time,

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1 I think, before it became the National Fire Chiefs
 2 Council.
 3 Q. "... as requested by Peter Holland. Roy told me he had
 4 received a telephone call directly from the JESIP police
 5 lead ..."
 6 Do you know who that was?
 7 A. I don't remember the name, sorry.
 8 Q. "... who had told Roy that, 'We don't need a public
 9 fallout between police and fire over information
 10 sharing, do we?' It was obvious that Roy and the police
 11 lead already had the information about a breakdown in
 12 communications in the early stages of the incident."
 13 We'll come to that a little later today:
 14 "Roy also told me that he had spoken to Matt Wrack
 15 of the FBU and had emphasised that this could bring down
 16 the British Fire Service. He stated that Matt had been
 17 calm on the issue. We then chatted about what was
 18 appearing on social media. I told Roy that from my
 19 experiences, these controversial sites live on the
 20 breath of contributions by others like us. Roy stated
 21 that he had only replied to one."
 22 Then this passage:
 23 "At around 2.45, Dan Stephens rang me on the
 24 external landline."
 25 Again, who is Dan Stephens, please?

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1 A. Dan Stephens was the chief fire officer of Merseyside
 2 Fire and Rescue Service at the time.
 3 Q. "Dan told me that he was copied to conversations going
 4 through the Home Office on the implications of the
 5 declaration of Plato."
 6 Then this is the passage I'm particularly keen to
 7 understand:
 8 "Dan stated that the whole MTFA policy and JOPs was
 9 centred on a cottage industry developed in London with
 10 London Fire Brigade. He stated that the NILO was
 11 a single point of failure and that this had been
 12 highlighted in numerous conversations with Home Office
 13 officials but ignored. Dan stated that the JOP was
 14 setting CFOs up to fail as it would be us that would be
 15 accountable and not the NILO. Dan stated that he would
 16 be publicly vocal within the Home Office group that they
 17 had let us down with the current policy. We talked
 18 about my lead on Health and the potential that this
 19 incident had. I thanked Dan for his support."
 20 What did you understand Mr Stephens to mean when he
 21 described the whole MTFA policy and JOPs as "centred on
 22 a cottage industry"?
 23 A. I believe that Dan felt that the national policies that
 24 were being developed around the MTFA and the NILO were
 25 being driven by London Fire Brigade with an emphasis on

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1 the needs of London Fire Brigade as opposed to the
 2 practicalities and the needs of Fire and Rescue Services
 3 outside of London.
 4 Q. Did you understand what problem he was identifying had
 5 resulted from that?
 6 A. I think the whole MTFA policy nationally was, I think
 7 the chairman's words, had been ad hoc. It wasn't
 8 something that was consistent across any of the Fire and
 9 Rescue Services that were developing an MTFA policy.
 10 There was certainly a drive from the Home Office to try
 11 and get something on the road rather than something
 12 consistent on the road.
 13 In relation to the NILO --
 14 Q. I'm going to ask you to pause for a moment, I'm very
 15 interested in what you're saying about the NILO, but
 16 insofar as that was what was being said, did you agree?
 17 A. Yes.
 18 Q. So far as the NILO is concerned, what your colleague was
 19 saying was that the person in that position is the
 20 "single point of failure"?
 21 A. Yes.
 22 Q. And did you agree that in the MTFA scenario, the NILO
 23 was the single point of failure?
 24 A. I agree that the national policy that was written
 25 regarding NILOs gave a very high potential for that to

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1 happen.
 2 Q. Why?
 3 A. I think it's section 3.1 of the policy which the fire
 4 expert to the inquiry was the first author of, which
 5 highlights that the NILO for a 30-minute period will
 6 have corporate autonomy. We have to understand what
 7 corporate autonomy means within a Fire and Rescue
 8 Service context.
 9 Q. Yes.
 10 A. They will be the strategic, the tactical commander and
 11 the operations commander for that 30-minute period.
 12 They and they alone have that discretion built within
 13 a national policy which is supported by the Home Office.
 14 Q. And what is the problem with that state of affairs?
 15 A. It means that you have one individual dealing with a lot
 16 of responsibility and a lot of information without
 17 assistance from anybody else.
 18 Q. And does it also mean that if they make a mistake, even
 19 a well-intentioned mistake, that it might have
 20 catastrophic consequences?
 21 A. Absolutely.
 22 SIR JOHN SAUNDERS: How inevitable is that, however? We've
 23 been talking about the FDO, for the police, who is
 24 actually in the same position, a potential single point
 25 of failure. Until you can gather other people around

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1 and get other people there, which may be impossible in
 2 the first half hour, is it not inevitable that one
 3 person will have control of an incident like that?
 4 A. I can see why you would say that, sir, but I don't agree
 5 with it.
 6 SIR JOHN SAUNDERS: That's fine. I'm not making a statement
 7 myself, I'm asking the question. It may not sound like
 8 it.
 9 A. And I think, you know, to give some examples, chair,
 10 Dan Stephens and a number of other chief fire officers
 11 had taken that corporate autonomy away from their
 12 locally based NILOs because they had foreseen the risk
 13 that it could be catastrophic.
 14 SIR JOHN SAUNDERS: So does it still start with a NILO being
 15 consulted?
 16 A. The national policy — I don't know whether there's been
 17 changes to the national policy since I retired, sir, but
 18 I do know that Greater Manchester Fire and Rescue
 19 Service, though the words are slightly different, in
 20 effect it means exactly the same thing, that they would
 21 have that corporate autonomy for up to a 30-minute
 22 period. And I'm not entirely sure whether that had an
 23 impact on the events of the night as well.
 24 SIR JOHN SAUNDERS: And the remedy is?
 25 A. Well, the remedy for me was the next day, when I found

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1 out what was happening, I removed that corporate
 2 autonomy.
 3 SIR JOHN SAUNDERS: I understand that, but we're talking
 4 about the first 30 minutes. You're suggesting to me
 5 there's an alternative to someone having —
 6 A. I think for me there is an element within the service
 7 that is being provided by the Fire and Rescue Service to
 8 itself in that control room. The control room has many
 9 responsibilities, especially in an event of this
 10 magnitude, not only to receive information but to
 11 interrogate that information.
 12 SIR JOHN SAUNDERS: So it's the abandonment by the control
 13 room, NWFC, of responsibility for what happens to the
 14 NILO that you're concerned about?
 15 A. I feel that if a control room simply passes things over
 16 to a NILO and then doesn't be proactive to assist in the
 17 follow-up, then there's absolutely that risk of
 18 a catastrophic failure.
 19 SIR JOHN SAUNDERS: Okay.
 20 MR GREANEY: I know that you have some strong views about
 21 North West Fire Control as a concept and we'll get to
 22 that, I hope later on today. At the moment I just want
 23 to stay on the issue of the NILO.
 24 Where we'd reached is that you did share the view
 25 that the NILO, for all the reasons you have given, was

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1 the single point of failure or potential single point of
 2 failure. Is it your view that on the night of 22 May,
 3 that eventuated in the sense that Mr Berry was a point
 4 of failure?
 5 A. I think it was left to Andy Berry to carry all of that
 6 for an inordinate amount of time and consequently had an
 7 outcome that none of us had foreseen.
 8 SIR JOHN SAUNDERS: Okay. The mitigations for it are
 9 understandable, but is your answer to the question
 10 "yes"?
 11 A. Yes.
 12 MR GREANEY: Thank you, sir.
 13 I'm going to just look at some of the things that
 14 went wrong in his hands without wishing to criticise him
 15 unduly in a moment. But just before we get to him, is
 16 it your view that there was, at this point in time at
 17 any rate, a cultural issue with NILOs?
 18 A. Yes.
 19 Q. Could you tell us what you mean by that answer?
 20 A. I think the Fire Service is — I don't know how much
 21 you've dug into this in your research. The Fire Service
 22 has a culture that when you create a specialism, there's
 23 a reaction to that specialism, ie I can remember after
 24 the New Dimensions Project, way back in 2001, after
 25 9/11, when the first urban search and rescue teams were

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1 developed, there was a competitive envy or a
 2 professional envy which was developed when firefighters
 3 felt that they were now not being seen as specialists
 4 because others were being seen as specialists.
 5 That has always been the case in the Fire Service
 6 for as long as I've been in it. So a station that would
 7 have had an emergency tender that went to a road traffic
 8 collision, when firefighters would have responded to
 9 a road traffic collision and the emergency tender turned
 10 up, there was almost this: stand back, the emergency
 11 tender is here. So there is that cultural issue within
 12 fire about somebody being seen as more hierarchical with
 13 regard to specialist skills.
 14 When the NILO cadre first got developed, there was
 15 that, again, professional envy of this small group which
 16 would be the recipients of specific information or
 17 intelligence, but I think the role itself is a very
 18 professional role and when managed well by the Fire and
 19 Rescue Service, and managed well by the individuals, can
 20 be very, very beneficial for operational incident
 21 command.
 22 However, and this is just human nature, people will
 23 say things like, "I can't tell you that, it's
 24 a need-to-know thing and you don't need to know", and
 25 they will say that to officers of an equivalent level or

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1 of a higher rank and then that puts them in a position
 2 where they're being seen as privileged in some way,
 3 which then creates a bit of resentment from others.
 4 I've heard that first —hand, I've seen it first hand,
 5 and unfortunately it is difficult because you have
 6 people in the NILO role who are consummate professionals
 7 who would never, ever want to try and portray that type
 8 of image and unfortunately they have suffered in their
 9 role as well because of it.
 10 Q. It may be that you're aware of an example of that very
 11 thing occurring on the night, assuming this evidence was
 12 accurate, because we heard about Mr Topping being
 13 dispatched to, I think it was, Thompson Street and
 14 essentially being cold—shouldered by the NILOs.
 15 A. Yes.
 16 Q. And it sounds as though you're not surprised by that
 17 reaction?
 18 A. Not at all.
 19 Q. The way in which you put it in your witness statement —
 20 thus is paragraph 123, {INQ026732/32}:
 21 "Overall, I do think that the NILO is an essential
 22 Fire and Rescue Service role, but there had always been
 23 an element of elitism associated with it which can be
 24 problematic. The very nature of the role and the
 25 training for it appear to promote ideas of privilege and

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1 autonomy which do not sit well with the Fire and Rescue
 2 Service principles and approaches."
 3 That passage in your witness statement is preceded
 4 by this statement which I'll seek your help with:
 5 "The GMFRS response to the arena highlighted the
 6 need to re—evaluate the role of the NILO and some of the
 7 policies associated with it."
 8 And do you still hold the view that the events of
 9 22 May identified a need to re—evaluate the role of the
 10 NILO?
 11 A. Absolutely.
 12 Q. And in your view, re—evaluate to what end or with what
 13 consequence?
 14 A. To the end that the tactical adviser role of the NILO is
 15 of an equivalency to all of the other tactical advisers
 16 within the Fire and Rescue Service and that it is purely
 17 that: a tactical adviser role and not one that assumes
 18 strategic, tactical and operational command for a period
 19 of time.
 20 Q. So essentially, you split the responsibilities?
 21 A. The responsibilities for gathering intelligence, that is
 22 a specialist role that you need to have high—level
 23 vetting for and therefore there is a reason why you may
 24 be privy, as a NILO, to certain levels of intelligence
 25 that don't need to be passed to an incident commander.

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1 If I can give you an example to the hazmat adviser,
 2 most — I am a hazmat adviser and I've had the privilege
 3 of serving in that role. I will pass advice to an
 4 incident commander, but I won't go into the depths of
 5 the science of why I'm passing that advice, and a role
 6 from — from a tactical adviser's point of view, they
 7 could advise an incident commander without having to
 8 divulge whatever the intelligence is that's behind that.
 9 So I think the incident command system that we have
 10 in place is fit for purpose and that the NILO should fit
 11 into that incident command system to advise those that
 12 have the responsibility for commanding the incident.
 13 SIR JOHN SAUNDERS: I think there's a distinction. I can
 14 understand why the person advising about some scientific
 15 problem just actually doesn't have the time to go into
 16 the scientific reasoning, he's going to the end result,
 17 whereas for firefighters who are going to be committed
 18 to risk, if they feel the NILO is advising and is
 19 advising on the basis of secret information that they
 20 know, then I can understand why people might say: well,
 21 why shouldn't I know that if I'm going to risk my life
 22 for it?
 23 A. Sir, I think it comes down to how you speak to people,
 24 what you tell them and the benefits and the outcomes.
 25 Every decision we make operationally, every decision we

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1 make operationally, whether it as the strategic
 2 commander or the operational commander, you should be
 3 able to articulate why you're doing this. That's the
 4 first rule: tell people why you're making this decision.
 5 The second rule is: what is your expected outcomes or
 6 developments from that? And then: what are the benefits
 7 versus the risks. So that applies equally to a NILO,
 8 a hazmat adviser or any other specialist adviser to an
 9 incident commander.
 10 SIR JOHN SAUNDERS: Does the same degree of resentment
 11 attach to people who are involved in special — the
 12 specialist people who are going into firearms situations
 13 who have special equipment and things like that?
 14 A. I think it does. I think Andy Simister highlighted it
 15 in his evidence very, very well, and I fully support
 16 what Andy said: you can't train everybody to the same
 17 level of every specialism, you just can't do that. The
 18 British Fire Service has another mantra, "A firefighter
 19 is a firefighter", and that's not correct either because
 20 we have people — in Northern Ireland we have volunteer
 21 firefighters on Rathlin Island. You're not going to
 22 train a volunteer firefighter on high—rise firefighting,
 23 but they're not going to have a competitive envy of
 24 firefighters who do high—rise firefighting.
 25 In Manchester, you're a big city Fire and Rescue

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1 Service with big city firefighters who want to be as
2 professional as they possibly can be. And when there's
3 any kind of allusion whatsoever that somebody else
4 actually is going to be a little bit more professional
5 than you, then there is a bit of resentment that creeps
6 in there.

7 I think Andy and Andy Dark both gave really good
8 examples of where we should be and there's a way of
9 working to get to a level and levels are key so every
10 firefighter in Manchester should be trained to level 1
11 response in response to a Plato or a marauding terrorist
12 firearms incident, whatever you want to call it. The
13 level 2 response might be something different, the
14 level 3 might be something more than that.

15 We do that for water. We do it for all sorts of
16 different risks and we also do it for fire investigation
17 where it is level 1, 2 and 3 and everybody sits
18 comfortably within that. But in Manchester at the time
19 as well — and it was probably collectively and
20 individually my fault about how we brought that in —
21 in that we probably set it up in a way that was always
22 going to cause resentment and that's unfortunate.

23 I know Andy Dark talked about conversations him and
24 I had at a fire conference in London and the role map,
25 the firefighter role map — and I'm sorry if I'm moving

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1 into your areas here, chair.

2 MR GREANEY: Don't you worry.

3 A. In the marauding terrorist firearms attack team
4 scenario, we decided to set up specialist rescue teams
5 because we didn't have any. And at the time we were
6 thinking of setting up one vehicle and I said: well, why
7 not two, one on each side of Manchester? We ended up
8 going for two. We asked people to volunteer themselves
9 to apply for those roles, so we put an advert out. Once
10 they volunteered to apply for that role, they were
11 interviewed to get into that role, we assumed because it
12 was written in the job description that you would be
13 a marauding terrorist firearms attack responder, if you
14 wanted to go for that role, then you were now duty-bound
15 to act in that role and nobody ever disabused of us
16 that. In fact the legal advice was that's what you
17 should do.

18 But in us doing that we set them up as being aside
19 from everybody else because at the time the Fire
20 Brigades Union were advising people not to volunteer and
21 we were saying to volunteer. So that's where the
22 breakdown came at the Fire Brigades Union level and that
23 is where we in the organisation probably made a mistake
24 and set up a cultural issue which we had to then try and
25 manage.

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1 SIR JOHN SAUNDERS: I'm keen not to get into FBU issues
2 unless we absolutely have to and obviously if they are
3 relevant then we will do. But whereas I can understand
4 the resentment in relation to the NILOs, it's more
5 difficult to think of it in relation to SRTs because you
6 can't have limitless vehicles, you can't have limitless
7 amounts of specialist vehicles and thing like that.

8 A. Everybody will get over the SRT issue because it's
9 a specialist rescue team. I think the MTFA thing was
10 something that — I know you don't want to get into it,
11 but it was something that the representative body, which
12 I think are probably one of the most effective
13 representative bodies in the United Kingdom, they had
14 a policy issue which they were communicating through
15 their own communications to their members, which was in
16 contradiction to what we were trying to achieve and what
17 the Home Office wanted to achieve so there was always
18 going to be a wee bit of tension there.

19 Because the membership is so strong and so
20 supportive you will have the FBU members who are in the
21 MTFA still holding on to their FBU membership, but just
22 saying, "We're not listening, we're staying in it, we're
23 going to keep doing what we're doing", and the rest of
24 the members saying, "I don't think you should be doing
25 that".

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1 SIR JOHN SAUNDERS: Thank you.

2 MR GREANEY: Just so there is no doubt, what each witness
3 who had been asked about that dispute, my word, has said
4 is that it didn't have any impact on the response that
5 night.

6 A. I totally agree.

7 SIR JOHN SAUNDERS: And as I understand it, it's
8 a contractual dispute.

9 MR GREANEY: Indeed. I just want to return to the issue
10 that I was focused upon, namely the NILO. We'll finish
11 this point and then I'll invite the chairman to take
12 a break.

13 As you may understand, or will understand, we have
14 been exploring the role of the FDO during the course of
15 the evidence. On one view of the facts that night,
16 22 May, the FDO failed and that he might do so was
17 eminently predictable. That's one of the facts
18 depending on what the chairman finds. It sounds as if
19 you're describing something similar in relation to the
20 NILO, that that night, for reasons we're going to look
21 at next, the NILO did fail, but equally it was
22 predictable that he would do so.

23 A. I agree.

24 SIR JOHN SAUNDERS: I want to be sure I understand that.
25 You were saying earlier that you thought there were

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1 things NWFC should have done — and we'll come to that,
2 no doubt, later — which should have meant that the NILO
3 wasn't a single point of failure and there was some sort
4 of back-up. So are you saying it was foreseeable that
5 NWFC wouldn't take the steps that you think they should
6 have taken or did you think it would work out all right
7 or should have worked out all right?

8 A. I think there was always a possibility that the control
9 room, a control room, would place too much emphasis on
10 the NILO being able to achieve a lot more than they
11 could. So therefore, a high possibility, maybe not so
12 much a high probability, but definitely a possibility
13 that that could occur.

14 SIR JOHN SAUNDERS: Thank you.

15 MR GREANEY: Let's just secure your evidence on the respects
16 in which the duty NILO failed that night and we'll begin
17 this by listening to the first call made to the duty
18 NILO at 22.40 hours. I'm certain you've heard this
19 before, have you?

20 A. Yes.

21 Q. Mr Lopez, the recording, I hope, is {INQ004449/1}. The
22 transcript is {INQ001198/1}.

23 It's quite short. I hope, sir, you'll bear with me,
24 it just provides a proper context for my questions.

25 (Audio played)

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1 I will in due course, after the break, ask you about
2 whether you think that NWFC behaved appropriately
3 in that call. For the moment I want to focus on the
4 NILO. Do you consider that the NILO should have
5 deployed resources to the designated RVP?

6 A. It is hard enough to answer to that question, sir,
7 without giving a fuller answer and saying that, no,
8 I think that North West Fire Control should have
9 mobilised the predetermined attendance to the RVP.

10 Q. But North West Fire Control, having decided, "Obviously
11 we're not mobilising at the moment", should it then have
12 been the decision of the NILO to mobilise resources to
13 that RVP?

14 A. Again, I will repeat my first answer. I think that the
15 word "obviously" doesn't allow somebody to abdicate
16 their responsibility. I think that the NILO was in his
17 house, the only information he had was what he was being
18 told by that control operator, when the control operator
19 had much more access to information in front of him at
20 that time. I think from a practical experience point of
21 view, my own practical experience point of view, there
22 was enough information there to be sending a PDA and
23 then having a conversation with the NILO to get
24 professional support.

25 Q. So what I think you don't disagree with is that

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1 resources should have, as a matter of fact, been
2 deployed to the designated RVP?

3 A. Absolutely.

4 Q. Where you take issue with my question is whose
5 responsibility it was to ensure that occurred?

6 A. Yes.

7 SIR JOHN SAUNDERS: I'm not quite sure I'm going to let you
8 get away with that, really. So for whatever reason, and
9 we will come back to it and no doubt we'll hear more,
10 but NWFC didn't take that responsibility, the
11 responsibility was put on the NILO, he's in a position
12 to take that sort of responsibility. What should he
13 have done put in that situation?

14 A. I think, sir, the only chance he had to pick up on that
15 at that time was the word "obviously". That was it.
16 The rest of it, you know, they have made a decision and
17 people will say that — in my mind, my professional
18 experience, that was a command decision not to mobilise
19 resources. Once that decision's made, I think that's
20 put the NILO in an unenviable position. He doesn't know
21 what he doesn't know, but he's being told "obviously" so
22 he is already starting to think contingency and second
23 plan for this.

24 You know, I have heard plan A and plan B being
25 discussed a lot of times. Plan A was North West Fire

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1 Control getting resources to the scene. That was
2 plan A. Plan B was then putting that responsibility on
3 to the NILO. I wish Andy had picked up on "obviously"
4 and asked, "Why obviously?", because at that stage, they
5 would have been saying, "Assumption, big assumption on
6 my part, because we thought we had to speak to you
7 first", "You've got a rendezvous point?", "Yes", "who
8 told you about the rendezvous point?", "Police", "Send
9 resources to the rendezvous point." That would have
10 been, on an assumption of mine, how I would have acted.

11 SIR JOHN SAUNDERS: He did make a decision. He did send the
12 resources somewhere. He didn't send them even to the
13 nearest fire station. Was he right to do that?

14 A. I don't think so, no, sir.

15 SIR JOHN SAUNDERS: Okay, thank you.

16 MR GREANEY: Let's just approach the question the chairman
17 posed from a slightly different direction.

18 A number of witnesses, both NILOs and other senior
19 firefighters, have been played that recording or looked
20 at the transcript and it had been asked: if you were
21 making a decision, would you have deployed resources to
22 the designated RVP? And to a one, they have said yes.
23 Do you disagree with them.

24 A. Not at all.

25 Q. Do you consider that at the very least, Mr Berry should

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1 have made certain that the command support room and
 2 other NIOs were aware of a designated RVP?
 3 A. I think there was a collective responsibility to do
 4 that, but yes, he should have passed on all of the
 5 information that he remembered receiving. But I also
 6 think there was a responsibility on North West Fire
 7 Control to make sure that every time they spoke to an
 8 officer, they gave that same information as well.
 9 SIR JOHN SAUNDERS: The command support room wasn't set up
 10 for quite a while, was it?
 11 MR GREANEY: No, it wasn't. At the point at which it was
 12 set up, which was 11.30, you're quite right.
 13 I think you are acknowledging that Mr Berry had
 14 a responsibility to communicate that important
 15 information on, but you're qualifying that to some
 16 extent by saying North West Fire Control had their own
 17 responsibility to ensure that information was told to
 18 those to whom they spoke?
 19 A. I think it's one of the first things you learn as
 20 a recruit firefighter: when you have information, you
 21 pass it on in full and you get it repeated back to you
 22 to make sure that you fully understand that the
 23 recipient has got that information.
 24 Q. Do you consider that, having decided not to deploy to
 25 the designated RVP, Mr Berry should have deployed

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1 resources not to Philips Park but to Thompson Street?
 2 A. I honestly have looked at this and, sorry, I've seen the
 3 evidence, so in hindsight sometimes... In my opinion,
 4 Thompson Street — they should never have been sent away
 5 from Thompson Street.
 6 Q. If, and I appreciate you don't think this is the
 7 position, but if Philips Park was an appropriate RVP,
 8 do you consider that that information should have been
 9 shared by Mr Berry promptly with NWAS and GMP?
 10 A. I think if we were going to use a rendezvous point to
 11 gather up specialist resources it should have been
 12 a jointly agreed rendezvous point between the three
 13 agencies that make up a marauding terrorist firearms
 14 attack response team.
 15 Q. So I think along the way of that careful answer it
 16 amounts to: yes, that if it was an appropriate RVP, that
 17 information should have been shared with your partners?
 18 A. I think not only shared, I think it should have been
 19 agreed that that would have been the point where they
 20 would all gather their resources.
 21 Q. So just before we get to 23.50, I think I could
 22 summarise your position by saying that overall, you do
 23 not support the decision—making of the NIO in the
 24 course of that conversation?
 25 A. Unfortunately not.

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1 Q. At 23.50, Mr Berry did, as you know, get through to the
 2 FDO line?
 3 A. Yes.
 4 Q. This, you might recall, we've listened to it a number of
 5 times, we'll listen to it again now, is the conversation
 6 he had with Mr Myerscough, who has been answering the
 7 FDO line, and on any view it was not a very satisfactory
 8 experience for Mr Berry, let me immediately make that
 9 clear.
 10 The recording, Mr Lopez, is {INQ018835_C1/1}.
 11 I think the transcript reference is {INQ018835T/1}.
 12 Again, we'll listen to this and I'll ask you what
 13 you make of the decision—making of Mr Berry.
 14 Hang on one second. Go to {INQ018835T/13}, I think,
 15 please, of that transcript. I can now remember, it's
 16 a long transcript. That's good enough. So play on and
 17 then we'll pick up the transcript.
 18 (Audio played)
 19 What's happening during this period is that Mr Levy
 20 is on the phone to you.
 21 (Audio played)
 22 So what was happening, just so you understand the
 23 context, is this is within minutes of you arriving
 24 in the CSR. Mr Berry has got through finally to the FDO
 25 line and he wants an FCP, as you've heard. Meanwhile,

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1 he's able to overhear some of the conversation that you
 2 are having with Mr Berry when he had called you at 23 —
 3 A. Mr Levy.
 4 Q. Thank you very much, when Mr Levy had called you and
 5 everyone was discovering there were ambulances at
 6 Thompson Street. We have listened to that and you'll
 7 understand why I described it as a not very satisfactory
 8 experience for Mr Berry. But very much towards the end
 9 of that, he was given a location of Old Boddington's to
 10 go to. Did you hear that?
 11 A. Yes.
 12 Q. And what should Mr Berry's reaction to that have been in
 13 your view?
 14 A. I think he should have told Mr Levy that.
 15 Q. Well, what should have been the outcome of that
 16 conversation? In other words, should that have resulted
 17 in a situation in which resources went to the
 18 Old Boddington's and therefore very near to the arena?
 19 A. In my opinion, yes.
 20 Q. That's at 23.50 or 55. By now, at that time of night,
 21 on blue lights and sirens, it wasn't going to take very
 22 long to get from Philips Park to there, was it?
 23 A. No.
 24 Q. So had that been done, resources would have been near to
 25 the arena, probably at about midnight?

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1 A. Yes.
 2 Q. 37 minutes earlier than in fact occurred?
 3 A. Yes.
 4 Q. And again, I think therefore, no doubt with regret,
 5 you're bound to acknowledge that in your view,
 6 Mr Berry's decision—making in that call was flawed?
 7 A. I think he should have passed the information on to his
 8 colleagues, yes.
 9 MR GREANEY: Mr O'Reilly, thank you very much. What I'm
 10 going to suggest is a break and then I'm going to
 11 continue with this topic of what went wrong. In your
 12 witness statement you have identified three broad
 13 headings. We've covered some of the ground already,
 14 we'll go through those, and hopefully we'll conclude
 15 that part of your evidence tonight and then return
 16 tomorrow morning to your actual involvement on the night
 17 of the 22nd.
 18 Sir, could we have a break at this stage, please?
 19 SIR JOHN SAUNDERS: Ten minutes; is that enough for you?
 20 A. Fine, sir.
 21 SIR JOHN SAUNDERS: Thank you.
 22 (3.28 pm)
 23 (A short break)
 24 (3.38 pm)
 25 MR GREANEY: I'm now at {INQ026732/28}, paragraph 109 of the

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1 principal witness statement of Mr O'Reilly.
 2 I'm going to read out to you this paragraph which
 3 provides the context of my questions over the balance of
 4 the afternoon. You state:
 5 "I have no doubt that GMFRS were well trained and
 6 prepared to deal with a response to a major terror
 7 incident."
 8 The point you're making there is that what went
 9 wrong was not a consequence of an absence of training?
 10 A. No.
 11 Q. "We had developed and established policies, procedures
 12 and teams to deal with MTFA. We had undertaken
 13 considerable multi—agency work of our own initiative,
 14 including the provision of first responders. The
 15 principal reason that GMFRS were delayed in their
 16 attendance at the arena in the first hour and 20 minutes
 17 was communications or lack thereof."
 18 And then you list the communication failings as
 19 follows:
 20 "(1) Multi—agency failings. (2) Failings of North
 21 West Fire Control. (3) Individual failings within
 22 GMFRS."
 23 Mr O'Reilly, what I have done is I've been through
 24 your witness statement and I've sought to pick out from
 25 the various points in it what I think you are including

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1 under each of those headings. But if I've misunderstood
 2 anything, or if I miss anything out, I know that you'll
 3 tell me.
 4 Let's deal with those in turn. First of all,
 5 multi—agency failings. The way in which you express it
 6 in your statement is as follows, paragraph 110:
 7 "GMFRS were operating and making decisions within an
 8 information vacuum."
 9 It's that phrase that I want to ask you about and
 10 explore with you how that came about.
 11 I'm just going to list what I think are the factors
 12 that have caused you to conclude that you were operating
 13 in an information vacuum. First, that the FDO could not
 14 be contacted?
 15 A. Yes.
 16 Q. And in what direction would you have expected the
 17 information to have come, from you to the FDO or from
 18 the FDO to you?
 19 A. From control room to control room, first of all, the FDO
 20 making sure that the other emergency services were
 21 contacted through that particular channel.
 22 Secondly, I would have expected the FDO to make
 23 contact with the force duty officer, who had already
 24 been speaking — sorry, the national inter—agency
 25 liaison officer who he had been speaking with earlier

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1 that day and to do similarly with his counterparts in
 2 North West Ambulance Service.
 3 Q. But in the result, as we know, that wasn't achieved.
 4 Is that problem, the difficulty of getting in contact
 5 with the FDO, something which was capable of being
 6 predicted before 22 May?
 7 A. If I'm honest, sir, I had no knowledge of the role of
 8 a force duty officer before 22 May. Therefore I had no
 9 knowledge of the vulnerability of that role before
 10 22 May, and I've only really become fully aware since
 11 22 May and particularly the evidence that I've heard in
 12 this inquiry.
 13 Q. Were you involved in any way with Exercise
 14 Winchester Accord?
 15 A. No, unfortunately not.
 16 Q. So insofar as that should have informed those with
 17 responsibility of a problem with the FDO, and insofar as
 18 other matters such as the HMIC inspection should have
 19 informed others, those are matters for those witnesses,
 20 not for you. Is that a fair way of putting it?
 21 A. That's correct, sir.
 22 Q. At all events, in terms of what creates the information
 23 vacuum, (1), the FDO could not be contacted. Second,
 24 that the FDO did not communicate the declaration of
 25 Operation Plato and the Fire and Rescue Service did not

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1 find out about that declaration until well gone
 2 midnight?
 3 A. Yes, sir .
 4 Q. What difference do you think prompt notification of that
 5 declaration would have made to the response of the Fire
 6 and Rescue Service?
 7 A. Had we known that Plato had been declared at 22.47?
 8 Q. Or shortly thereafter .
 9 A. Well, what that should have resulted in was a full
 10 activation of our Plato response. We would have
 11 expected to, if the FDO was informing us that Plato had
 12 been declared, that we would have been informed not only
 13 that Plato had been declared but we would have been
 14 informed of a rendezvous point for the specialist
 15 response resources that would attend that incident.
 16 We would also expect to be told of what is called a safe
 17 route, I ' ll not use the terminology, but a safe route to
 18 get to that rendezvous point. We'd also be told of the
 19 resources responding to that rendezvous point and what
 20 we should expect on arrival.
 21 Once that would happen, I would expect that the
 22 specialist resources would rendezvous at that location,
 23 that the three incident commanders, my phrase, would
 24 have had a meeting, briefing. They would have
 25 identified what hazards were present and what risks they

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1 presented to staff .
 2 Q. So you're probably describing the FCP there; am I right?
 3 A. Well, initially once they meet at the rendezvous point,
 4 they would be wanting to have that conversation before
 5 they would move forward to a forward control point and
 6 then they'd be deploying resources from there.
 7 Q. I have now understood.
 8 A. For me it would be obvious who takes primacy and while
 9 they're still trying to neutralise the threat, obviously
 10 that would be police. They would then decide to go
 11 forward to a suitable forward control point whereby they
 12 would enact their tactical plan based on the risk
 13 assessment that they've carried out. That ordinarily
 14 would be an agreed risk assessment, an agreed tactical
 15 plan, and an agreed deployment of resources.
 16 My understanding at the time, and it hasn't been
 17 changed, is that they operate as a team, so they don't
 18 operate individually, they understand what the roles are
 19 of each team unit or part of that team: police going
 20 forward to neutralise the threat; fire and ambulance
 21 very quickly following behind into what has been
 22 declared a warm zone to get hands--on treatment of
 23 casualties at the earliest possible opportunity; to
 24 stabilise and withdraw the casualties in that warm zone
 25 so they can be treated in a cold zone. That's my

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1 expectation of what would have happened in quick time
 2 in relation to Plato.
 3 Q. So just to express it in one sentence: had the Fire and
 4 Rescue Service been informed promptly of the declaration
 5 of Operation Plato, you would have expected them to have
 6 responded in the way that such a declaration
 7 anticipates?
 8 A. Immediately, yes.
 9 Q. Do you have any reason to believe that that would not
 10 have occurred?
 11 A. None at all.
 12 SIR JOHN SAUNDERS: I just want to take you back for
 13 a moment. You said you had no knowledge until these
 14 events of the role of the FDO. Dean Nankivell said
 15 exactly the same thing.
 16 A. Mm--hm.
 17 SIR JOHN SAUNDERS: Bearing in mind the pivotal role of the
 18 FDO in any police--run incident, isn't that surprising?
 19 A. It's not only surprising, sir, it's an obvious gap that
 20 we're not aware of each other's structures that we will
 21 depend on in an incident of such magnitude.
 22 SIR JOHN SAUNDERS: Clearly, some are, the NILOs knew about
 23 them. But people at a higher level, such as you, just
 24 didn't appear to know about that?
 25 A. That was the first time I'd heard it, and the night of

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1 the incident, that was the first time that I heard of
 2 the term force duty officer .
 3 MR GREANEY: The third cause of the information vacuum, that
 4 neither BTP nor NWAS communicated their METHANE or
 5 METHANE--like messages to the Fire and Rescue Service.
 6 A. That's correct.
 7 Q. And is that a third cause of the information vacuum?
 8 A. Absolutely, yes.
 9 Q. Had those messages been communicated to the Fire and
 10 Rescue Service promptly, what difference, if any, do you
 11 believe it would have made to the response of the Fire
 12 and Rescue Service?
 13 A. In my expectation, it would have resulted in an
 14 immediate response.
 15 Q. That response taking what form?
 16 A. Initially, if Plato had been called obviously it'd be
 17 MTFA assets. If it was an explosion, then I would have
 18 expected that the full PDA would have responded
 19 initially, very quickly the specialist rescue team would
 20 have followed on, along with a command support unit to
 21 provide overall command and control for the incident
 22 from a Fire Service perspective.
 23 Q. Fourth, that there should have been a three--way call.
 24 Do you know what I mean by saying that?
 25 A. Absolutely, sir, yes.

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1 Q. What should we understand from that?
 2 A. I think ... JESIP very, very clearly outlines, and Plato
 3 more so, or the guidance in response to a marauding
 4 terrorist firearms attack, that there should be an
 5 unbroken communications channel between supervisors
 6 within control rooms, or they should ensure there's an
 7 unbroken communications channel open between
 8 supervisors. I am not sure that we've heard this yet,
 9 but what would the purpose of that be? The purpose is
 10 to create a shared situational awareness at control room
 11 level and a joint understanding of risk at control room
 12 level.

13 From that, and if it was this type of incident, if
 14 it was a terrorist-related incident, the police would
 15 lead that, absolutely. They would ensure that the other
 16 partners are aware fully of any hazard and risk
 17 information. And between the three control rooms, or
 18 four control rooms if BTP were involved, there would be
 19 an agreement with regards to rendezvous points and the
 20 security of that rendezvous point, and there would be an
 21 agreement as to which resources each agency, along with
 22 supervision, would send to that rendezvous point.

23 SIR JOHN SAUNDERS: As I understand it, there was in the
 24 process of being set up a channel which would be open
 25 all the time between the three control rooms. That

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1 hasn't happened by then. Were you aware of that, that
 2 that had not happened?
 3 A. Sir, I honestly believe that in the technological age
 4 that we were living within at that time, that there
 5 would have been absolutely no reason whatsoever not to
 6 have — considering all of the work we'd done with North
 7 West Ambulance Service, I didn't believe there was any
 8 reason why we couldn't have maintained an unbroken
 9 communications link.
 10 SIR JOHN SAUNDERS: But you weren't aware of it?
 11 A. No.
 12 SIR JOHN SAUNDERS: The alternative was, as I understand it,
 13 that the FDO would nominate a channel that everyone
 14 could go on to. Were you aware of that means of working
 15 as well?
 16 A. Can I contextualise some of this as well? In Northern
 17 Ireland, before I came over, we had Airwave and it
 18 hadn't arrived here yet. So I was used to managing
 19 incidents whereby we I could ask police for
 20 a multi-agency channel and they would tell us what it
 21 was and we would set it up within seconds to speak to
 22 each other. So when I arrived in Manchester it was
 23 something of a surprise that we didn't have Airwave and
 24 did not have a channel, certainly for me, to be made
 25 aware of a channel that we could have operated on the

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1 night is strange to me.

2 MR GREANEY: Fifth under this heading of information vacuum
 3 and joint response, in your view North West Fire Control
 4 did not perform adequately. I'm going to come on to
 5 deal with the detail of that separately, but for the
 6 moment I just want to capture a yes or no, if that's
 7 possible to do that.

8 Is it your view that one of the reasons why there
 9 was an information vacuum was because North West Fire
 10 Control did not perform adequately?

11 A. Yes.

12 Q. So I've identified five reasons why there was an
 13 information vacuum in your view. Have I missed anything
 14 out?

15 A. I think ... Not at the minute.

16 Q. Obviously we're going to come to next to North West Fire
 17 Control and then on to individual failings.

18 So let's turn to the second of your headings, North
 19 West Fire Control. I'm now at paragraph 117
 20 {INQ026732/30} of your witness statement.

21 By the time you became the CFO in
 22 Greater Manchester, was your service already committed
 23 to the North West Fire Control project?

24 A. Unfortunately, yes.

25 Q. You say "unfortunately", why so?

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1 A. I ... My experience was of a Fire and Rescue Service
 2 with its own control room for 21 years. Professional
 3 control room operators, intimate in their knowledge of
 4 the officers in the organisation and the stations that
 5 they provided support for. And knowing that in their
 6 professional approach to things and the policies that
 7 supported them, they would have every piece of
 8 information that they felt was necessary for officers
 9 and they would make sure they had that and understood.

10 When I came to Greater Manchester Fire and Rescue
 11 Service, I had the privilege of serving with similar
 12 officers in the control room of Greater Manchester Fire
 13 and Rescue Service for 3 years. And as you've heard and
 14 you've quoted from my statement, we had very, very
 15 challenging operational incidents. One of the key
 16 aspects of that, and the attributes of the control room,
 17 was their ability to see the information or recognise
 18 the information that was critical for officers to
 19 receive.

20 And after the riots in 2011, they saw the value of
 21 the command support room, which was there to support
 22 them and likewise them to support it for the safe
 23 resolution of any incident.

24 I witnessed that control room under severe pressure
 25 when Stephen Hunt gave his life in Manchester, during

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1 the riots and during other incidents before they moved
2 on to North West Fire Control. I raised it once
3 personally in an environment where it was made very
4 clear to me that it was happening.

5 SIR JOHN SAUNDERS: Is that when you were a deputy?
6 A. When I was an assistant, sir. It was made very clear to
7 me that this was happening. When I asked why it was
8 happening, I was told that there was a monetary saving
9 to be had and I was also told because it's the best
10 thing to do. And I objected to it, my objection was
11 recognised and discounted.

12 MR GREANEY: Just in a few sentences, if that's possible,
13 why in your view is the North West Fire Control
14 arrangement lesser than the arrangement that had been in
15 service previously?

16 A. I think there's quite a few reasons. First of all, it's
17 not directly connected to the service, so you don't have
18 that intimate arrangement. Sorry for using the word
19 again.

20 But that arrangement where it's within — whenever
21 the control room was within headquarters, fire service
22 headquarters, then an officer, no matter what time of
23 the day, could go in and build relationships,
24 professional relationships, with the control room where
25 people could understand the wants and needs of

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1 particular officers.

2 When I was in Northern Ireland, for example, the
3 control room operators knew what it was like when
4 Peter O'Reilly was attending an operational incident,
5 they knew what he was going to ask for, they had the
6 answers before I could open my mouth, because they knew
7 how to manage an incident because of their experience.
8 Similarly in Greater Manchester, it was the same.

9 Whenever we went to a North West Fire Control
10 arrangement — I wasn't personally involved in the
11 development of the North West Fire Control arrangement
12 in any stage — it became obvious to me very early that
13 this was going to be very, very difficult. First of
14 all, there had to be a money saving for all of the four
15 services, which seemed to be the driving factor. The
16 second thing was that the deputy chief fire officer,
17 Paul Argyle, who was assistant at the time, it was
18 obvious that they were going to have to go through
19 a bureaucratic process to get changes which Paul would
20 ordinarily be able to enact the day after. So if he had
21 seen an operational risk, and he wanted something
22 changed policy-wise with the control room, he just had
23 to walk across to the control room, because they
24 reported to him, he would speak to the officer in
25 charge, they would agree the next steps and a change

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1 could be made.

2 With North West Fire Control, that was different.

3 It went into a change management process, which was my
4 understanding, and whenever the organisation or company
5 could get round to achieving that, they would. Now,
6 they would re-prioritise because there was three other
7 fire services there who equally had had their wants and
8 needs and Greater Manchester Fire and Rescue Service had
9 to take their place in the queue.

10 My understanding also — and I can give simple
11 examples. Whenever we walked into the control room of
12 Greater Manchester Fire and Rescue Service we had
13 a massive map in front of us and, as an officer,
14 I didn't have to intervene whatsoever in the control
15 room to see that if we were having a spate condition for
16 example (inaudible) fires, floods, Bonfire Night,
17 I could see which fire engines were actually out, which
18 fire engines were potentially available, and which fire
19 engines were sitting on station. I could do all that.
20 I know that it took Paul Argyle some considerable effort
21 to try and get any sort of a map put into North West
22 Fire Control that showed Greater Manchester just in case
23 an officer happened to be there to help with spate
24 conditions.

25 So there was simple things that added to the

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1 frustration and the knowledge on my part that this
2 wasn't working as a slick arrangement. I also had seen
3 through my own experiences and travels to look and
4 research the service, examples of good practice and bad
5 practice, where people had thought that they could have
6 detached control rooms and it didn't quite work and came
7 back again, and I'd already seen very good examples of
8 multi-agency control rooms where everything within
9 a conurbation was managed together.

10 Q. Thank you for that very full answer. It sounds as if
11 it's your view that a part of the problem or the part of
12 why NWFC was the lesser was to do with closeness of
13 relationships and, you might even say, familiarity?

14 A. I would say it was a very big part of the professional
15 relationship that the control rooms would have with fire
16 officers, yes, and crews.

17 Q. Is a solution to that problem, or part of it, to ensure
18 that there is a firefighter stationed continuously
19 within North West Fire Control?

20 A. It's a solution, but I have to say it then flies in the
21 face of the business case for putting it in place in the
22 first place. So you are now back to a solution which
23 will cost more than what the original actually cost. So
24 the business case, sir, was to save money primarily, and
25 to put a fire officer, say four fire officers, one from

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1 each organisation, because at the minute unfortunately
 2 the policies are all very, very different and then you
 3 are talking an extreme amount of money, which will make
 4 it cost prohibitive in relation to that business model.
 5 It is a solution, there's no doubt of that.
 6 Q. Bearing in mind that it is at least in part a solution,
 7 had you considered doing that before 22 May?
 8 A. Yes.
 9 Q. What decision had you come to?
 10 A. I think what we came to collectively was that at times,
 11 whenever especially we had spate conditions, and I think
 12 you've heard already that Bonfire Night is a classic
 13 example, that we would send somebody up to North West
 14 Fire Control for that one-off event as such.
 15 SIR JOHN SAUNDERS: Do you know whether the other areas also
 16 did that?
 17 A. I think they did, sir. I know officers from Cumbria
 18 would have been based down there quite often because of
 19 the — if I had a problem trying to get from Salford to
 20 North West Fire Control, you can imagine what it was
 21 trying like to get from Carlisle or further afield.
 22 SIR JOHN SAUNDERS: If you were looking to me for
 23 recommendations, your first one would be let's got back
 24 to where we were before?
 25 A. That wouldn't be my first one.

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1 SIR JOHN SAUNDERS: What would be your first one?
 2 A. I'd say, then again this is through my own travelling
 3 and research within the fire industry, a city the size
 4 of Manchester should be progressive in how it thinks
 5 about management of major incidents because it is going
 6 to have them, there's no doubt. My recommendation would
 7 be that police, fire and ambulance are located at least
 8 within the one building and have quick access to each
 9 other.
 10 SIR JOHN SAUNDERS: Thank you.
 11 MR GREANEY: Indeed, in your witness statement,
 12 paragraph 119, you summarise that very point in this
 13 way:
 14 "I remain of the view that a Fire and Rescue Service
 15 of the size of GMFRS should not be relying upon a shared
 16 control arrangement through NWFC. In my view, if GMFRS
 17 has to share a control room, a more effective means
 18 would be GMP, GMFRS and NWS sharing a control room in
 19 Manchester."
 20 And you're nodding your head.
 21 A. Yes, sir. That's based on experience as well, working
 22 with North West Ambulance Service.
 23 Q. You told me, as we were dealing with information vacuum,
 24 that your view is that North West Fire Control didn't
 25 perform adequately on the night. It might be thought

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1 that there are two broad criticisms that have been made
 2 of North West Fire Control. I'm going to check in
 3 a moment whether you subscribe to both, one or neither,
 4 or indeed if you have any other criticisms.
 5 The two broad criticisms, and these are my words,
 6 are first of all not following the action plan that
 7 would have resulted in an immediate deployment to the
 8 scene, so the explosives action plan. And secondly, not
 9 adequately communicating the information in its
 10 possession to firefighters. So have I summarised
 11 accurately at least two of the criticisms?
 12 A. Yes.
 13 Q. So far as the first of those is concerned, as I have
 14 understood it, North West Fire Control say: no, that is
 15 not valid, it was a sensible step to take to consult the
 16 NILO first. So far as the second is concerned, it is
 17 acknowledged that there was information available to
 18 North West Fire Control that was not always
 19 communicated. So that's a rather long run in to my
 20 question. Do you make both of those criticisms of North
 21 West Fire Control?
 22 A. Yes.
 23 Q. We probably don't need to go into the second. Why
 24 do you make the first criticism?
 25 A. I think that my expectation would be the information

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1 that any control room would act on was there in the
 2 first couple of minutes and that they should have
 3 pressed the button to send the predetermined attendance
 4 to the rendezvous point. I don't think they needed
 5 anything more than that to send, to send a crew, the
 6 crews, to the predetermined rendezvous point, which was
 7 given to us by the police.
 8 SIR JOHN SAUNDERS: Okay. Actually, if there's an
 9 explosion, wouldn't it be to send them to the scene?
 10 A. An explosion, sir, ordinarily, yes. But the fact was
 11 they were given additional situational awareness in that
 12 they had a rendezvous point established, one that was
 13 set up by the police.
 14 SIR JOHN SAUNDERS: I do understand that, I am just
 15 wondering if you actually follow the action card and you
 16 just press the button on the action card — suppose
 17 Mr Ellis had not gone to anyone and had just done it,
 18 pressing go would actually send the people to the scene
 19 not to the RVP.
 20 A. Mm—hm. Well, Mr Ellis, my understanding is, had
 21 information in relation to the RVP. An action card is
 22 guidance to help you manage an incident and he had
 23 additional qualitative information which you can add to
 24 that, so not only was he able to press the button, he
 25 was able to press the button and send them to a defined

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1 location.

2 So the scene was Manchester Arena. There are many

3 ways in, many ways out, many roads around

4 Manchester Arena. That qualitative information gave him

5 a specific point to send the crews to initially and

6 I think at that time he was aware that police were

7 sending their supervision to that scene too.

8 SIR JOHN SAUNDERS: He may have had the information, he'd be

9 lucky to find anyone when he got there. But you say

10 they are advice, guidance. Is that how they're set out,

11 the action cards?

12 A. They are action cards, sir, and it's unfortunate that

13 they have to use action cards. This is -- if we go back

14 to a point Mr Greaney was talking about originally and

15 that's my belief in a professional control room attached

16 to a professional Fire and Rescue Service.

17 SIR JOHN SAUNDERS: And you think a professional Fire and

18 Rescue Service, as you define it, as in the old days,

19 would have taken -- sorry, before NWFC was set up

20 anyway, certainly in Manchester, that what they would

21 have done was a professional controller would have taken

22 their own decision to send the PDA to the RVP?

23 A. I think, sir, through experience, and I know

24 Dean Nankivell covered this, an expectation of

25 a firefighter such as Dean and others would be if

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1 you have an explosion, we need to get there as soon as

2 possible. And if you've got somewhere for us to go,

3 even better. And that was my expectation along with

4 others on the day.

5 SIR JOHN SAUNDERS: Thank you.

6 MR GREANEY: I have no doubt Mr Smith will want to explore

7 this issue with you, but just in summary form, the

8 arguments advanced against that position is that even at

9 that early stage, North West Fire Control knew that this

10 was an exceptional incident, that there were multiple

11 casualties as a result of an explosion, and that it was

12 reasonable to consult an expert, namely the duty NILO.

13 A. Apart from your last point, I think there was even more

14 imperative to get crews there. Once you know you've got

15 multiple casualties, why would you delay? The only

16 reason you would delay is that the agency with primacy

17 has told you not to go. The only reason I can -- the

18 only time I could accept that that would be reasonable,

19 knowing that people needed our help, needed our care,

20 needed our treatment, would be if we were told

21 categorically, "Do not go". That's the only reason that

22 I can see us stopping at that point in time.

23 Q. So that's all I'm going to ask you about criticism 1

24 unless, sir, you have any further questions.

25 SIR JOHN SAUNDERS: Well, just this: I want you to put

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1 yourself in the position of the controller at NWFC.

2 They've all been on MTFA training. They are all aware

3 of the fact that if there's a terrorist attack, such as

4 a bomb, if you're sending in rescuers, they may well be

5 finding themselves faced with some sort of ambush from

6 other people, from other terrorists who are involved in

7 the whole thing. If you have shown them that, would you

8 not expect them to be cautious in those circumstances?

9 A. It harks back to the example I gave you about

10 firefighters, sir. If you start showing them what

11 they're going to go into, of course they're going to be

12 apprehensive about that, but they need to understand how

13 to overcome that. And one way of overcoming that on the

14 night was they actually interrogated the police that

15 they had on the line: is there any reason why we

16 shouldn't be sending our crews in?

17 SIR JOHN SAUNDERS: I can understand that point but in the

18 absence of that having happened, confirmation from them

19 that the RVP point is safe, which actually they probably

20 would be quite lucky to have got at the time bearing in

21 mind where the RVP came from, is it not understandable

22 and a reasonable response -- which apparently every

23 other firefighter has said, may I say -- for them to

24 check with someone that is actually safe to do it?

25 A. Actually, sir, I'm sorry, I don't agree.

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1 SIR JOHN SAUNDERS: That's fine.

2 A. I believe there was enough information in North West

3 Fire Control to send the resources there and then.

4 I think it was very reasonable for them then to ring the

5 duty NILO and say, "This is what we have done. We've

6 had absolutely no reason given to us not to do it so the

7 crews are on their way".

8 SIR JOHN SAUNDERS: Okay. Thank you.

9 MR GREANEY: So criticism 1, I dare say you'll be asked more

10 about that tomorrow.

11 Criticism 2, not providing information. That's

12 a matter of fact. We can look at what was and was not

13 provided and indeed in their schedule North West Fire

14 Control have identified much if not all of it for us so

15 I'm not going to ask you about that. Are there any

16 other criticisms that you would make of the performance

17 of North West Fire Control that night?

18 A. Only for me, it's really -- it goes back to those two

19 fundamentals. What is a control room there to do? It's

20 to mobilise resources and interrogate for as much

21 information as possible to pass on to the officers.

22 SIR JOHN SAUNDERS: And that's your other criticism: not

23 that they didn't just pass on the information they had,

24 but they actually didn't try and find out more

25 information, like you have just identified the request

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1 to the police?
 2 A. I have seen absolutely very little evidence -- you know,
 3 at that time -- and I could be wrong here, sir -- but
 4 the Ambulance Service were requesting assistance.
 5 That's a fundamental: they are requesting assistance and
 6 we give assistance.
 7 Secondly, the police are telling us we've got
 8 a rendezvous point. So the two organisations are
 9 telling us they're going to the scene. But then we say:
 10 well, we're going to have to make a phone call first.
 11 I don't agree with it.
 12 SIR JOHN SAUNDERS: You're entitled to do that. That's what
 13 you're here for.
 14 MR GREANEY: Just to pick up on that point, once you as the
 15 Fire and Rescue Service know that non--specialist
 16 resources of the Ambulance Service and the police are
 17 there at the scene, can you think of any reason why the
 18 Fire and Rescue Service wouldn't deploy?
 19 A. It's even more saddening for me to know... I don't like
 20 the term non--specialist because I think all of those
 21 responders are specialist, all of them in their own
 22 right, that's why they are where they are. And I know
 23 that... That... Every one of us wanted to be in that
 24 room and should have been.
 25 Q. I am going to turn from NWFC to your third heading:

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1 individual failings within GMFRS. Again, I'm just going
 2 to list some, see if you agree with them, and ask you
 3 whether there are any others that you would like to add.
 4 First, it's clear from your evidence already that
 5 there were failings by the duty NILO, Mr Berry.
 6 A. Yes.
 7 Q. Secondly, do you consider that the other NILOs did or
 8 did not get a grip on the situation early enough?
 9 (Pause)
 10 SIR JOHN SAUNDERS: Can I just stop you? If it's something
 11 to which you have not given thought, that particular
 12 question, I don't want you to be in a position where you
 13 might say yes, so--and--so, and then when someone actually
 14 suggests parts of the evidence, you say on mature
 15 reflection, no. Do you want time to think about that
 16 question before tomorrow?
 17 A. I think -- I'm happy to answer the question tomorrow.
 18 I think trying to explore that ...
 19 MR GREANEY: Shall I tell you what I'm driving at because it
 20 may help you. What I'm driving at is that there was
 21 a situation at Philips Park in which the NILOs lacked
 22 situational awareness. And yet Mr Harris at home
 23 watching Sky television had situational awareness,
 24 Nick Mottram, one of your firefighters, had situational
 25 awareness, and the question is really could they and

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1 should they have done more to make sure they knew what
 2 there was to be known? I'll return to that topic
 3 tomorrow. The chairman is quite right: you're entitled
 4 to give thought to it.
 5 The third failing takes us to the NWFC log and I'm
 6 going to ask that we put this on the screen. It's
 7 {INQ008376/3}. This is log 9074, so I've been calling
 8 it the Ellis log.
 9 We see it starts at 22.38. If we go to the bottom
 10 of that page, can you see the final entry is timed at
 11 22.39.53?
 12 A. Yes.
 13 Q. And as part of that entry, over the page, {INQ008376/4},
 14 can you see part of that entry on the log is:
 15 "RVP car park area outside the cathedral."
 16 A. Yes.
 17 Q. Then next to bottom entry, 22.43:
 18 "Police have not got numbers of casualties. Several
 19 officers allocated and making way."
 20 So an indicator there that police officers are on
 21 the way to the scene.
 22 Then over the page, {INQ008376/5}, 22.46.26, the
 23 second entry down:
 24 "Ambulance have five vehicles en route. Police have
 25 advised officer landing on scene."

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1 Then two up from the bottom, 22.46.17:
 2 "Police advised more officers arriving on scene."
 3 Do you see that?
 4 A. Yes, sir.
 5 Q. So if anyone had looked at this log after -- well, from
 6 22.47 onwards, do you agree it would have been apparent
 7 that your emergency service partners were deploying to
 8 the scene?
 9 A. Yes, sir.
 10 Q. That was all the information that was needed for the
 11 Fire and Rescue Service to deploy to the scene, do you
 12 agree?
 13 A. Yes, sir.
 14 Q. We'll perhaps look at this more tomorrow, but do you
 15 agree in those circumstances that certainly someone, and
 16 probably more than one person, failed in not looking at
 17 that log?
 18 A. Yes, sir.
 19 SIR JOHN SAUNDERS: Do you think that's something in the
 20 culture, just not to look at logs and immediately get in
 21 your cars and rush to the scene?
 22 A. Yes, sir.
 23 SIR JOHN SAUNDERS: That's what fire officers do.
 24 A. It's almost -- it's part of the cultural make--up of
 25 firefighters.

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1 SIR JOHN SAUNDERS: You see people whizzing down poles
 2 and --
 3 A. You're eager to get there as quick as you can, to jump
 4 into the car and try and get there as quickly as you can
 5 because you're trained from day 1 that once the bell
 6 goes down, if you're sleeping you jump into your
 7 trousers, go down the pole, get onto the fire engine and
 8 go and help the people who need you most. That's what
 9 you -- you don't stop to fire up a computer and, "Let's
 10 just find out a little bit more".
 11 Unfortunately, at that time, I couldn't imagine any
 12 of us saying to each other, "I'll tell you what, one of
 13 us will just hold back and have a little look at the
 14 computer or we'll go into the kitchen and fire it up
 15 first". It was a case of: there's something happening,
 16 and until you've got that type of information in front
 17 of you, you don't ordinarily know, and we're depending
 18 on others to give us that information verbally, at least
 19 verbally.
 20 SIR JOHN SAUNDERS: No one is suggesting that all
 21 firefighters should remain at home and look at the
 22 computer. Just, I think, perhaps, one.
 23 A. You know, I've followed the evidence and I know you made
 24 that suggestion, sir, and it's just so obvious
 25 afterwards.

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1 SIR JOHN SAUNDERS: I only make obvious points!
 2 A. But you saying that, why wouldn't we have a system that,
 3 you know, allows for at least one of us to hang back
 4 and...
 5 SIR JOHN SAUNDERS: Well, perhaps in the circumstances,
 6 Mr Berry, who's 22 miles away?
 7 A. Yes, absolutely. You know, mobilisation of officers,
 8 sir, has always been contentious. In Northern Ireland
 9 we used to make officers move to make sure that they
 10 were within a zone, that if they did get a call, it
 11 wasn't going to take them 22 miles to get to
 12 an incident.
 13 MR GREANEY: Fourth, even assuming for a moment that
 14 rendezvousing at Philips Park was appropriate, someone
 15 should have gone to that scene in order to gain
 16 situational awareness, shouldn't they?
 17 A. Absolutely.
 18 Q. So ultimately, I think that what your individual
 19 failings point amounts to is that there was an
 20 information vacuum, but there didn't need to be?
 21 A. Absolutely.
 22 Q. Just one final issue and then we'll have reached the
 23 point at which tomorrow we can turn to 22 May and your
 24 involvement on that night.
 25 There were, as you've indicated, some individual

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1 failings within GMFRS. Do you include yourself as
 2 having failed in any respect that night?
 3 A. Absolutely.
 4 Q. In what respect or respects?
 5 A. The obvious is always easiest to explain. When I went
 6 into the command room that night and spoke to the
 7 individuals, there was a mixture of fright, a mixture of
 8 disappointment and a mixture of confusion, is the only
 9 way I could describe it. When we eventually got the
 10 television set on, it was obvious to everybody in the
 11 room that the Ambulance Service was there and I failed
 12 at that point...
 13 Q. Do you mean you failed to ensure immediate deployment at
 14 that point?
 15 A. Yes.
 16 MR GREANEY: Sir, I have now reached the point that I was
 17 hoping to reach this afternoon. This would be
 18 a convenient moment, a little earlier than we sometimes
 19 finish, to finish for the day.
 20 SIR JOHN SAUNDERS: That's fine. 9.30 tomorrow. Thank you.
 21 (4.22 pm)
 22 (The inquiry adjourned until 9.30 am
 23 on Tuesday, 13 July 2021)
 24
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