



Grenfell Tower Inquiry

Day 147

June 21, 2021

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Monday, 21 June 2021

(10.00 am)

SIR MARTIN MOORE—BICK: Good morning, everyone. Welcome to today's hearing.

We're going to begin our hearing today by hearing evidence from two members of the London Fire Brigade.

Who is your first witness, Mr Kinnier?

MR KINNIER: Matthew Ramsey, sir.

SIR MARTIN MOORE—BICK: Thank you very much. Would you ask Mr Ramsey to come in, please.

MR MATTHEW RAMSEY (sworn)

SIR MARTIN MOORE—BICK: Thank you very much indeed. Sit down if you would like to and make yourself comfortable.

(Pause)

Good, thank you.

When you're ready, Mr Kinnier.

Questions from COUNSEL TO THE INQUIRY

MR KINNIER: Thank you, sir.

Would you first please confirm your name for the record?

A. My name is Matthew Ramsey.

Q. Mr Ramsey, thank you very much for attending today, it's much appreciated.

Before we start examination, I should make three points clear. First of all, if at any time you require

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a break, please don't hesitate to say so. Secondly, would you please keep your voice up so that the shorthand writer can capture everything you say and accurately. Thirdly, and perhaps most importantly, my questions are intended to be short and clear; sometimes I don't achieve that aim. If it isn't clear, please don't hesitate to say so and I'll rephrase it.

A. Thank you.

Q. Now, you have made five witness statements in relation to the Grenfell fire; is that right?

A. That's correct.

Q. Two have been made to the Inquiry and three to the Metropolitan Police.

If we can deal first of all with the two statements to the Inquiry, your first one was dated 24 January 2019, which can be found at {LFB00032092}. Is that it?

A. That is, yes.

Q. And your second statement is dated 11 December 2019, which can be found at {LFB00083855}. Is that it?

A. That is it, yes.

Q. Your first statement for the Metropolitan Police is dated 11 January 2018, which can be found at {MET00056699}. Is that it?

A. That's correct, yes.

2

Q. Your second statement for the Metropolitan Police is dated 8 July 2019, which is at {MET00056992}. Is that it?

A. Yes.

Q. And thirdly and finally, your third statement for the Metropolitan Police is dated 17 June 2020, which can be found at {MET00071003}. Is that that statement?

A. Yes, it is.

Q. Thank you.

Have you read those statements recently?

A. Yes, I have.

Q. Can you confirm their contents are true?

A. Yes, I can.

Q. And you're happy for those to be taken as your evidence to this Inquiry?

A. Yes.

Q. Thank you.

Now, first of all, could I talk to you about your role, experience, training and qualifications.

You have set out in your statement the background, roles and responsibilities, in your first statement to the Inquiry.

You state you were employed by the LFB in the fire safety team as a fire safety inspecting officer from September 2007 onwards; is that correct?

3

A. That is correct.

Q. And that the Hammersmith and Fulham fire safety team, which you were initially a member of, merged with the Kensington and Chelsea fire safety team in April 2012; is that right?

A. Yes.

Q. And that your team leader was originally Nicolas Comery between 2007 and March 2014.

A. Yes.

Q. And Rebecca Burton from March 2014 to June 2017; is that right?

A. That's correct.

Q. And she was in turn succeeded by Ben Dewis.

A. That's correct.

Q. You set out at paragraph 7 of your first statement to the Inquiry {LFB00032092/3} your role as a fire safety inspecting officer, and that job entailed inspecting buildings, advising and taking enforcement action against responsible parties, and dealing with concerns raised by the public. Is that a fair summary of the key elements of your role?

A. Yes, I believe it is.

Q. Now, it was in that role that you were involved in issues relating to flat entrance doors of RBKC/TMO properties as well as Grenfell Tower when you inspected

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1 in March 2014; is that correct?

2 A. Yes.

3 Q. Finally, is it right that you left the LFB in April 2018

4 or thereabouts?

5 A. Yes, I did.

6 Q. I want now to turn to your experience, training and

7 qualifications in relation to fire safety inspections,

8 and specifically high-rise residential buildings.

9 If we can turn to {LFB00032092/4}, at paragraph 12

10 of your first statement to the Inquiry, you say there in

11 the first line that:

12 "Everyone in the Fire Safety Team had their own area

13 of specialism."

14 Going on to the fourth line:

15 "Generally, I did tend to take the lead on high

16 relies inspections but not exclusively."

17 Were you the lead inspecting officer in relation to

18 high-rise residential buildings?

19 A. I think for the most part I did that role, yes. It

20 wasn't a formal appointment as such, it was just the way

21 that tasks were divided, initially by Nicolas Comery.

22 I looked after high-rise, other officers looked after

23 schools and hospitals. It was just an easy way of best

24 using the skills within the team.

25 Q. Thank you.

5

1 Did you receive any training specific to the fire

2 safety aspects of high-rise residential buildings?

3 A. I don't believe I received specific training, although

4 we did make sure that we were absolutely familiar with

5 the guidance, especially the — that was available at

6 the time.

7 Q. How did you do that?

8 A. Reading it personally. By attending, where possible,

9 training seminars, if such were available. I don't

10 recall any specifically, but I know I attended a few.

11 I couldn't find details of the ones I had attended. And

12 also just through experience of other officers, working

13 with other officers such as Nick Comery, I gained

14 experience that way.

15 Q. Put differently, do you feel that you had sufficient

16 training for your job?

17 A. I felt so at the time.

18 Q. Now, if we turn over the page in this statement to

19 page 5 {LFB00032092/5}, and between paragraphs 15 to 17,

20 you set out your training qualifications.

21 Can you explain, first of all, what training you had

22 in relation to completing fire safety audits?

23 A. Yes. When I started in September 2007, training was

24 provided in-house by experienced officers who — we did

25 a long series of training modules before we were ever

6

1 allowed to go out and inspect any form of premises. So

2 the in-house training and in-house development folder,

3 which was to demonstrate my competence to my team leader

4 over my first year or so of work, I think gave me a good

5 grounding.

6 Q. Would it flow from the answer you gave some questions

7 ago that you were familiar with the Local Government

8 Association's guide entitled "Fire safety in

9 purpose—built blocks of flats"?

10 A. Yes, I was familiar with that.

11 Q. Now, as of 2013, you were also registered as an auditor

12 of fire risk assessment on the Institution of Fire

13 Engineers professional register. What prompted you to

14 obtain that particular accreditation?

15 A. It was made available. It was a way of demonstrating my

16 competence in the role of inspecting officer.

17 Q. How did that qualification inform or guide the way you

18 approached your job?

19 A. It was an assessment of my knowledge, first of all on

20 paper and then in an interview, and my competence was

21 assessed by experienced senior officers from a different

22 brigade, and then I was deemed sufficiently competent to

23 be included on the register. And it was — not all

24 officers were on the register at that time, some found

25 it difficult to get on, but thankfully myself, and

7

1 I remember Nick Comery also being a member of that

2 register.

3 Q. Thank you.

4 I now want to turn on to issues that arose in

5 relation to flat entrance doors on the RBKC/TMO estate.

6 The first specific issue I would like to discuss

7 with you is a meeting on 8 November 2012 between the

8 LFB, RBKC and TMO.

9 If we can go to {LFB00032092/13}, you set out in

10 paragraphs 47 to 48 of this statement a meeting on

11 8 November 2012.

12 Can you remember now why you had been invited to

13 attend the meeting?

14 A. Yes. This meeting was solely in relation to the TMO's

15 approach to managing leaseholder flat entry doors, as

16 I recall.

17 Q. And you were there, presumably, because of your interest

18 in high-rise residential buildings?

19 A. Not specifically that. I had undertaken an inspection

20 of a building where there was a leaseholder door that

21 was significantly sub-standard, non-compliant, I believe

22 presented a risk to the rest of the building residents,

23 and this was a good example of the lack of management of

24 leaseholder doors.

25 Q. Was that door at Grenfell or was it another building

8

1 part of the TMO stock?
 2 A. It was at another building, Gillray House, as I recall.
 3 Q. You say in paragraph 48, which is on the screen, that
 4 your attendance was:
 5 "... limited to explaining the facts (i.e.
 6 particular buildings where non-compliant doors had been
 7 identified) and detailing what the potential risks were
 8 with non-compliant front doors."
 9 Do you remember the particular buildings you
 10 identified? You've already mentioned Gillray; were
 11 there any others?
 12 A. Yes. Of particular interest, I think, would have been
 13 Adair Tower, which was something that — a significant
 14 fire before Grenfell Tower, the Grenfell Tower fire, and
 15 there were a number of lower-rise buildings where there
 16 had been significant issues with a failure to provide
 17 adequate self-closing devices to doors.
 18 Q. For the avoidance of doubt, was Grenfell Tower any of
 19 those buildings which you cited in this meeting?
 20 A. No.
 21 Q. In broad terms, can you give us the gist of the
 22 non-compliances you'd identified?
 23 A. Yes. So a fire door or a fire door set is made up of
 24 a number of component parts: we have the door leaf, we
 25 have things like the hinges, the letterbox, the door

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1 frame itself, any closing devices. So significant
 2 deficiencies really would be if there had been holes in
 3 and around the frame or the frame had been made of
 4 insubstantial materials; whether the door leaf to the
 5 door set was likely, because of its construction, to
 6 resist a fire or not; and whether the door was
 7 self-closing, effectively, ie it fully closed into the
 8 frame.
 9 Q. Were there any maintenance issues that had caused you
 10 concern?
 11 A. Many, yes.
 12 Q. Again, would you mind giving the panel the gist of the
 13 maintenance issues you'd identified?
 14 A. On many inspections, I sampled flat entry doors, which
 15 meant that I would knock on a number of doors, not
 16 knowing whether they were leaseholder doors or tenanted
 17 doors, to see whether the door was adequately fire
 18 resisting and self-closing. That was my common practice
 19 at the time.
 20 Q. Now, Andy Jack, in his statement to the police dated
 21 7 May 2019 — we don't need to go to it, but the
 22 reference is {MET00040001/15}, second paragraph, first
 23 line — said this in relation to the 8 November meeting:
 24 "... an additional conversation took place after the
 25 close of the meeting to discuss enforcement in respect

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1 of flat front doors."
 2 Do you recall an additional conversation after the
 3 close of the meeting?
 4 A. I don't believe I was involved in that additional
 5 conversation.
 6 Q. Can you help us as to who stayed after the close of the
 7 meeting?
 8 A. I'm sorry, I don't recall.
 9 Q. Also in that statement, Andy Jack says that he made the
 10 following point about self-closing devices
 11 {MET00040001/19}:
 12 "... we further discussed the issue of doors and
 13 door closers in relation to the maintenance and
 14 management requirements of the [order] ... The point
 15 being made by me that collectively there was a need not
 16 only to maintain doors and self-closing devices in
 17 an efficient state and good working order but that this
 18 should be subject to effective planning, organisation,
 19 control, monitoring and review."
 20 Can you remember Andy Jack making that point in the
 21 substantive meeting which you attended?
 22 A. Absolutely, yes.
 23 Q. You say, "Absolutely, yes"; why do you have such a clear
 24 recollection of that?
 25 A. That was the main thrust of his argument: it was so

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1 essential to maintain these doors in that state for the
 2 safety of the building, and that doing anything else
 3 just wasn't appropriate.
 4 Q. Was anything in the substantive meeting discussed
 5 regarding the maintenance and monitoring requirements in
 6 relation to flat entrance doors?
 7 A. I believe it may have been, but I don't recall any
 8 detail.
 9 Q. Given that a flat entrance door replacement programme
 10 had been taking place between 2011 and 2013, was there
 11 any discussion of maintenance requirements and
 12 monitoring requirements in relation to that door
 13 replacement programme that you can remember?
 14 A. I don't recall.
 15 Q. Andy Jack says that he recalls in the meeting
 16 a discussion about checking of fire resisting
 17 compartmentation generally as part of the fire risk
 18 assessment process; do you remember that subject being
 19 discussed in the substantive meeting?
 20 A. I don't recall.
 21 Q. Andy Jack says that he highlighted the possibility of
 22 carrying out types of checks in flats which had become
 23 vacant, otherwise known as a void.
 24 In the substantive meeting, do you remember any
 25 discussion of that matter?

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1 A. I don't recall that detail.
 2 Q. Now, can I move away from that meeting to email
 3 correspondence in relation to flat entrance doors, and
 4 flowing from your answers that you'd identified issues
 5 elsewhere on the TMO estate.
 6 Could we go first of all to {CST00020038/3}, and in
 7 particular the bottom half of the page, which is
 8 an email from Mr Ramsey to Janice Wray. There we go,
 9 29 November 2013, sent at 16.47, entitled "Fire safety
 10 At Elm Park House".
 11 Do you remember sending that email, Mr Ramsey?
 12 A. Yes, after reading it in the bundle of material I've
 13 been supplied with, yes, I do remember that email.
 14 Q. If I can ask us to go to {LFB00003534/1}, we should have
 15 Ms Wray's response, dated 18 December 2013, and
 16 Nicolas Comery was copied in. That's the email sent to
 17 you.
 18 Do you remember that response?
 19 A. Yes, on reading it.
 20 Q. Now, we see item 1 of that email, first paragraph,
 21 Janice Wray noted your concern about self-closing
 22 devices at Elm Park and explained the TMO's approach to
 23 flat entrance doors had been discussed consistently with
 24 the LFB over the years, including the meeting the day
 25 before.

13

1 Janice Wray then sets out the TMO's approach to
 2 tenant doors thus:
 3 "■ When replacement flat entrance doors are fitted
 4 they are fire rated & self-closing.
 5 "■ When properties become void self-closers will be
 6 reinstated/ installed as necessary.
 7 "■ At other times when major work is being
 8 undertaken in a dwelling the self-closer will be
 9 reinstated if it has been disconnected."
 10 From the lay perspective, Mr Ramsey, that appears to
 11 suggest that, for doors with self-closers installed,
 12 those self-closers would only be inspected and
 13 reinstated as necessary when the property became either
 14 void or major works were carried out. Was that how you
 15 read that email?
 16 A. That's how I read it; whether I believed it was
 17 sufficient or not is something different.
 18 Q. Well, that prompts my next question: did you consider
 19 that approach to be sufficient to discharge obligations
 20 under the Fire Safety Order?
 21 A. Certainly not.
 22 Q. And in what respects did you feel that this fell short?
 23 A. It was so easy for any door to become non-compliant over
 24 that period of time. It could be many years between
 25 tenants. I've been in my house for ten years, so it

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1 could be ten years between checks, which is clearly
 2 insufficient to ensure something as important as
 3 a self-closer was functioning.
 4 Q. Can you remember now whether you responded to that email
 5 by an email of your own or in a telephone conversation
 6 or in a meeting?
 7 A. I don't recall, but the email itself is also copied in
 8 to Nicolas Comery, who was my team leader at the time,
 9 he was aware of this issue, and he had regular team
 10 meetings with the TMO and would no doubt have taken this
 11 forward.
 12 Q. Put bluntly, did you approve, expressly or impliedly,
 13 the approach that is summarised in item 1 of this email?
 14 A. No.
 15 Q. To the best of your knowledge, did Mr Comery ever
 16 approve the approach set out in this email?
 17 A. No.
 18 Q. Would he have kept you up to date on discussions he had
 19 had with the TMO on this issue or indeed on any other
 20 issue?
 21 A. In most cases, yes.
 22 Q. Did you have cause to discuss the contents of this email
 23 with Mr Comery?
 24 A. I don't recall, but I think it's highly likely that we
 25 did.

15

1 Q. Can I turn to the third statement you provided to the
 2 Metropolitan Police, and that can be found at
 3 {MET00071003/5}.
 4 If we go to the third paragraph on that page and the
 5 fourth line, where you say this in relation to
 6 Janice Wray and Carl Stokes:
 7 "At times I felt they were economical with the
 8 truth, especially in regard to the standards of flat
 9 entry doors. I can't say for certain that they out
 10 right lied but I'm not entirely sure the whole truth was
 11 told. They claimed that the fire doors were up to
 12 standard, this had proved untrue during my audits of TMO
 13 managed premises. Having undertaken inspections
 14 subsequently, I know there are blocks within the borough
 15 where a number of the flat doors inside were not up to
 16 fire safety standard so the information they gave about
 17 the refurb program[sic] at that point didn't stack up."
 18 Now, just for the avoidance of doubt, in relation to
 19 that comment, are you thinking about flat entrance doors
 20 in particular?
 21 A. Yes.
 22 Q. What did you mean when you said, "They claimed that the
 23 fire doors were up to standard, this had proved untrue"?
 24 A. I think, at times, information fed back from the —
 25 I think it was bi-monthly meetings that the TMO had had,

16

1 suggested that there were very few non-compliant flat
 2 entry doors remaining. However, each time I'd done
 3 an audit on a TMO premises, I found, you know,
 4 a significant number. In one premises, I think
 5 Barandon Walk, Testerton, one of the finger blocks
 6 adjacent to Grenfell, there were more non-compliant
 7 front doors in just those blocks than there had been in
 8 the whole — in what Janice had described as being
 9 non-compliant.
 10 Q. Did you raise the fact and extent of the
 11 non-compliances, first of all, with the TMO itself?
 12 A. Not with the TMO, no.
 13 Q. Who did you raise those concerns with?
 14 A. I remember having discussions with my team leader at the
 15 time.
 16 Q. And do you know what your team leader did in respect of
 17 those concerns about the fact and extent of
 18 non-compliances you'd identified?
 19 A. I don't know.
 20 Q. Now can I turn to your inspection of the tower on
 21 12 March 2014, which led to your issuing a notice of
 22 deficiency on 24 March 2014.
 23 Before I ask you about the inspection, can I ask you
 24 to turn to the notice itself, which can be found at
 25 {LFB00032101}.

17

1 We can see from the top left-hand corner it's
 2 addressed to the TMO alone. Why wouldn't you address
 3 a notice such as this to RBKC as well?
 4 A. The instructions I had had from my team leader were to
 5 address in this way.
 6 Q. Did he give you an explanation as to why?
 7 A. He felt that when he'd spoken with the enforcement team
 8 at Union Street head offices, they told him this was the
 9 appropriate approach to take.
 10 Q. Turning to your site visit on 12 March 2014, was the
 11 audit of the tower primarily triggered by your concerns
 12 regarding the poor state of the smoke management system
 13 and/or some other reason?
 14 A. Yes.
 15 Q. So the smoke management system?
 16 A. Smoke management system, yes.
 17 Q. Can we go to {LFB00083856}.
 18 Is what we see here everything that you recorded
 19 during the course of your site visit on 12 March 2014?
 20 A. I believe that's what's ultimately recorded. I may have
 21 made — initially made notes in one of the entry boxes
 22 whilst on site and then returned to the office to type
 23 up, and this is what is left.
 24 Q. Am I right that this information was recorded on
 25 a tablet device provided by the LFB to you for the

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1 purposes of recording what you encounter on visits?
 2 A. That's correct.
 3 Q. Now, the first thing I'd like to ask you about this is
 4 who attended this site visit.
 5 In your first Inquiry statement — and we don't need
 6 to go to it, but it's paragraph 18, {LFB00032092/5} —
 7 you listed the attendees as yourself, Daniel Hallissey,
 8 Janice Wray and Carl Stokes; is that right?
 9 A. I believe so, though looking at other documentary
 10 evidence, it would suggest that Janice may not have been
 11 there.
 12 Q. That's the point I wanted to ask you about.
 13 If I take you through some of the documents we have,
 14 it may prompt your memory.
 15 We have an email written the day after the site
 16 visit, and it's at {TMO10005515/2}.
 17 If we can go to the bottom of the page, we see there
 18 an email from Bruce Sounes of Studio E to
 19 Claire Williams, Janice Wray, Carl Stokes and another.
 20 If we turn over the page to the top of page 3
 21 {TMO10005515/3}, we see that Mr Sounes records that the
 22 Fire Brigade visit Grenfell Tower, 13 March, Ben Lewis,
 23 Matthew Ramsey, Dan Hussey.
 24 He has the names of Mr Dewis and Mr Hussey wrong,
 25 but do you think it's right that those were the people

19

1 who attended on behalf of the LFB?
 2 A. Yes.
 3 Q. Was Bruce Sounes present as well?
 4 A. I don't recall.
 5 Q. Claire Williams?
 6 A. I believe Claire was there. I don't have a clear
 7 recollection of all attendants.
 8 Q. It doesn't appear that either Ms Wray or Mr Stokes were
 9 there on the basis of this email.
 10 A. Then I may well have been mistaken in that regard.
 11 Q. Can I now turn to the information which you obtained
 12 before the inspection, and if I could ask you to turn to
 13 {LFB00083855/6}, it should be paragraph 14 of your
 14 second statement to this Inquiry, the third line.
 15 You say it was your normal practice to request
 16 a copy of the fire risk assessment before completing
 17 an inspection, but on this occasion you did not ask for
 18 it beforehand and you only received it by email two days
 19 after the inspection, and before you completed the
 20 premises inspection and data collection form.
 21 You go on to say, if I can go to another statement,
 22 paragraph 21 of your first statement to the Inquiry
 23 which is at {LFB00032092/6}, the fourth line from the
 24 bottom in particular:
 25 "I needed a copy of the Fire Risk Assessment in

20

1 order to complete my audit inspection. It acts as
2 a baseline for considering the weaknesses and strengths
3 of a building and I would have considered it prior to,
4 during, and after my subsequent inspection."

5 Do you think the absence of the FRA before your
6 inspection denied you the chance fully to consider the
7 strengths and weaknesses of Grenfell Tower, for example?

8 A. There may have been items listed within the fire risk
9 assessment which I wasn't aware of, without having
10 viewed it, of course.

11 I would have seen everything within the common
12 parts, especially the areas that I had of particular
13 concern in relation to the ventilation system.

14 It's always useful to see the fire risk assessment
15 ahead of time, and to consider it again at the end of
16 the audit process to make sure that it is suitable and
17 sufficient. There's no way of determining whether
18 a fire risk assessment is suitable and sufficient
19 without also considering the premises in person.

20 Q. Do you think its absence in any way altered or
21 undermined the rigour or depth of the inspection you
22 carried out on 12 March?

23 A. I don't believe so, because I had the opportunity after
24 the audit, if necessary, to return to the premises. My
25 audit wasn't complete until I'd considered the fire risk

21

1 assessment.

2 Q. If we can turn to your second statement to the Inquiry
3 which can be found at {LFB00083855/5}, and paragraph 13.

4 You say there, in the first five lines, that you
5 don't recall receiving the separate record of
6 significant findings and action plan for Grenfell Tower
7 for your audit, and you don't recall asking for it as
8 Janice Wray had provided the FRA, which you felt was
9 "generally suitable and sufficient, and provided me with
10 enough information to discharge my duties".

11 As a matter of practice, would you usually examine
12 and interrogate the record of significant findings and
13 action plan?

14 A. Yes.

15 Q. Why would you do that?

16 A. I need to take into consideration what the TMO had
17 identified for themselves, what action they were taking
18 to make improvements. So it would be unfair to enforce
19 if they'd identified and made plans to correct
20 a problem. If they had already done that, that was
21 good.

22 Q. Now, can I turn to the information you gathered during
23 the course of the site visit and inspection.

24 First of all, how long did the site visit and
25 inspection take, can you remember?

22

1 A. I don't recall. I would estimate, from typical
2 inspections, around an hour and a half.

3 Q. Now, can we look at the first topic, which is inspection
4 of the means of escape.

5 Could I ask you to turn to {LFB00083856/10}.

6 We have the "Audit Conclusion" box, it's under
7 "Management Compliance", and you'll see there stated:
8 "70% Audited Escape routes ..."

9 Just to be absolutely clear, does that mean that you
10 audited and inspected 70% of the escape routes?

11 A. That's correct.

12 Q. Is there a particular importance about the 70% figure?

13 A. No, it's just a factual figure. So we would not always
14 have to view the entire premises. If we felt that we
15 had an accurate picture of the premises' condition by
16 auditing a sample, then we could shorten the audit,
17 which was always helpful to the responsible person.

18 This was particularly useful in a very well-managed
19 premises, because you wouldn't need to look at
20 everything in every detail if the premises was well
21 managed. So the purpose of this was to shorten, as far
22 as possible, audits for the responsible person. And —

23 Q. And — sorry, Mr Ramsey, I cut across you. I didn't
24 want to cut off your answer.

25 A. I think, by having looked at 70% of the premises and

23

1 talking with staff, I had enough information to draw
2 conclusions.

3 MR KINNIER: And although —

4 SIR MARTIN MOORE-BICK: Sorry to interrupt you, Mr Kinnier.

5 Mr Ramsey, I notice that you rated the management
6 compliance at level 2, "Above average". How many levels
7 were there to choose from?

8 A. There are five levels — well, six in terms of really
9 terrible premises, but in practical speaking, there are
10 five levels. This is not me making that decision. This
11 is the software within the tablet.

12 SIR MARTIN MOORE-BICK: Oh, right.

13 A. Based on my entries into that tablet, this management
14 compliance level is automatically assigned.

15 SIR MARTIN MOORE-BICK: I see. And so is 2 the second from
16 the top?

17 A. Yes, it is.

18 SIR MARTIN MOORE-BICK: Right. I think it's helpful to know
19 that. Thank you.

20 MR KINNIER: Thank you, sir.

21 Just looking at the 70% figure, although expressed
22 in percentage terms, is that more of a broad-brush
23 indication of the extent to which you inspected the
24 means of escape?

25 A. That's accurate, yes.

24

1 Q. Now can we turn to the second topic, which is inspection
2 of flat entrance doors themselves.

3 If we can leave this document and go to your first
4 statement to the Inquiry, which can be found at
5 {LFB00032092/6} and paragraph 19, four lines from the
6 bottom of that paragraph you say this:

7 "I was told flat front doors were going to be
8 upgraded to ensure they were all suitably fire resistant
9 and self-closing as part of the refurbishment project.
10 I did not, therefore, focus on flat front doors during
11 my site visit as I had been told by Janice Wray a plan
12 was in place to rectify this issue."

13 Do you remember when you were told that particular
14 piece of information by Janice Wray?

15 A. No, I don't recall.

16 Q. Are you able to give the panel the gist of the detail
17 you were provided regarding the door replacement
18 programme at that stage?

19 A. I wasn't given great detail in relation to what doors
20 were being chosen, what blocks were being — where the
21 doors were being replaced. Those discussions were held
22 at the bi-monthly team meetings held with my team leader
23 and Janice Wray, so I didn't attend those meetings.

24 Q. Okay. So can we take it that you were not aware at this
25 stage, ie March 2014, that almost all of the flat

25

1 entrance doors, except those owned by leaseholders at
2 Grenfell Tower, had been upgraded between 2011 and 2013?

3 A. No, I wasn't aware of that.

4 Q. When you usually undertake inspections of flat entrance
5 doors, do you try to gain access to flats to inspect
6 them and inspect items such as the self-closing devices,
7 strips and seals on the inside?

8 A. Absolutely my common practice in every high-rise
9 premises that I undertook audits in, yes.

10 Q. Can it be reduced to such crude terms, do you have
11 a sort of percentage of doors in a high-rise residential
12 building that you'll try and inspect?

13 A. I wouldn't say I had a percentage, but I would
14 certainly — usually start at the top, knock on one or
15 two doors on that level. If I wasn't able to gain
16 access, I'd carry on knocking until I did gain access,
17 which was difficult at times, and wouldn't leave until
18 I'd got a reasonable picture, as far as I could,
19 a reasonable picture of what was available.

20 So I can't give you a figure of how many doors
21 I would knock on or how many doors I would be happy
22 with; it would be more in relation to the condition of
23 the doors that I did find. So if I knock on five doors
24 and manage to get five open and all are self-closing,
25 I'm going to be reasonably happy with that.

26

1 Q. Would a visual inspection of the external doors give you
2 some insight into the rigour of the maintenance regime?

3 A. Very little insight.

4 Q. Can I now turn to a premises information form, which can
5 be found at {LFB00083856/7}, and in particular the
6 heading "Article 14", which is in the third line of
7 "Observations" at the bottom of the page.

8 You note there, and it's the sentence that starts on
9 the far right-hand side, third line down:

10 "Flat entry doors all appear to be suitably fire
11 resisting. Majority of entry doors are newly installed
12 are fitted as self closing. Some leaseholders doors are
13 FR leaves it is unknown whether these are self closing
14 with approved self closers."

15 That suggests, at least to the lay eye, that you'd
16 had the opportunity to inspect at least some leaseholder
17 doors; is that a fair reading of that summary?

18 A. I would have noticed the difference between doors that
19 had been replaced possibly by the TMO with new doors.
20 Those doors remaining were most frequently leaseholder
21 doors.

22 I could see that the door itself — I'm saying here
23 the door appears to be a fire resisting door leaf of
24 sufficient thickness and construction, but I wasn't able
25 to gain access to actually inspect whether those doors

27

1 were self-closing.

2 Q. Now, where you observe that all flat entry doors appear
3 to be suitably fire resisting, you'd reached that view
4 through the method you've just explained to the panel,
5 I assume?

6 A. Yes.

7 Q. Can you recall now — please confirm if you can't — how
8 many flat entrance doors you weren't able to or how many
9 you were able to inspect?

10 A. I don't recall.

11 Q. Can you help us as to how you reached the conclusion
12 that the "Majority of entry doors ... are fitted as self
13 closing"?

14 A. The only thing — I don't specifically remember this —
15 the conversations I had around this audit. My common
16 practice at the time was, as I said before, to sample
17 doors, so I believe I must have witnessed visibly the
18 doors self-closing effectively.

19 Q. Thank you.

20 If I can now turn to inspection of lifts, Mr Ramsey.

21 If I can ask us to go to {LFB00083855/2}, which is
22 your second statement to this Inquiry, and paragraph 4.
23 In the first line, you say you don't recall any
24 discussions regarding lifts on that occasion.

25 If we can go on to paragraph 7 of this statement on

28

1 page 3 {LFB00083855/3}, in the first line you say this:
 2 "I have been provided with a copy of an email from
 3 Claire Williams sent to Janice Wray on 12 March 2014 at
 4 15:42 hours ... I note Claire's comment 'Carl, can you
 5 please confirm that the lifts are either fireman's or
 6 fire fighting – I did not realise the difference!'"

7 Now, at paragraph 9 of your second statement to this
 8 Inquiry you accept, having read this email, it was
 9 possible a discussion about lifts took place.

10 Can you provide us with any information as to
 11 whether you or Daniel Hallissey or Ben Dewis sought
 12 confirmation as to the type of lift that was installed
 13 at Grenfell?

14 A. No. I don't recall the specific conversations very well
 15 at this time. Obviously the emails indicate that there
 16 was a discussion in place. I wanted to understand the
 17 standard of lift at the building. I was also aware, by
 18 this time, that there was likely to be a major
 19 refurbishment of the building and that lifts would be
 20 a part of that major refurbishment.

21 Q. Can you remember whether you received any confirmation
 22 as to the type of lift that was at Grenfell?

23 A. No, I don't believe I ever did.

24 Q. Is that, again, the type of information that would have
 25 been communicated to your team leader rather than

29

1 yourself?

2 A. No, that should have been communicated to me.

3 Q. Were you ever made aware that the lifts at Grenfell were
 4 not firefighting lifts?

5 A. I wasn't given confirmation of the type of lift that was
 6 there. By looking at the lift, I didn't believe that
 7 they were modern standard firefighting lifts, but
 8 I wanted confirmation of what their understanding was.

9 Q. Do you remember having any subsequent discussion with
 10 Mr Comery or Mr Dewis or indeed Mr Hallissey after the
 11 site visit regarding the type of lift that was at
 12 Grenfell?

13 A. No.

14 Q. Can I now turn to {LFB00032093/6}.

15 This is the FRA for Grenfell Tower dated
 16 20 November 2012. That's the one you were provided with
 17 following the site visit in March 2014.

18 We see in the first box, third paragraph, the final
 19 sentence, the lifts are described as "fire
 20 fighter/evacuation lifts". We don't need to go to the
 21 relevant pages, but that formula is repeated at internal
 22 pages 5, 14, 20 and 25 of the FRA.

23 Did you consider or did that reference prompt any
 24 further consideration of the type of lift that was at
 25 Grenfell after your visit?

30

1 A. To be honest, I don't recall giving that the
 2 consideration probably due. There's no chance that they
 3 would have been evacuation lifts. It's possible they
 4 would have been firefighting lifts, but absolutely no
 5 chance for evacuation lifts, which are not commonly
 6 fitted into residential buildings.

7 Q. Can we turn back to your second statement to the Inquiry
 8 at paragraph 9, which can be found at {LFB00083855/3}.

9 In the second line of that paragraph you say that:
 10 "It would be my usual practice when conducting
 11 an inspection to check that the Brigade would have
 12 access to the lift, and that drop keys could be used to
 13 transfer the lift operation under the Brigade's control.
 14 I cannot recall whether I conducted this check at the
 15 Grenfell Tower inspection in March 2014."

16 Was it standard LFB practice, as opposed to your own
 17 personal practice, to carry out that particular check?

18 A. No, I don't believe it was. Not all officers carried
 19 the key necessary to undertake that check.

20 Q. Would that involve a physical test as to whether the
 21 drop key was working or not?

22 A. Yes.

23 Q. Would you have carried out that check on this visit,
 24 given your personal habit?

25 A. Personal habit, yes. I can't give that firm assurance

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1 to the Inquiry.

2 Q. Thank you.

3 Can I now turn on to the question of the premises
 4 information pack.

5 Do you recall suggesting that the premises
 6 information pack should be held in the reception of
 7 Grenfell Tower?

8 A. Yes.

9 Q. Why did you feel it was necessary? What were its
 10 advantages?

11 A. One of the most important things in the event of a fire
 12 is for firefighters to have a good knowledge of the
 13 layout of the building, the layout of flats. This is
 14 really useful information to operational fire crews.
 15 I wanted to make sure that if there had been a fire at
 16 Grenfell Tower, crews had readily available information
 17 about the layout of the building.

18 Q. Thank you.

19 Can I turn now to the inspection of the smoke
 20 control system itself and, in particular, the emails
 21 between Claire Williams, Bruce Sounes and Janice Wray
 22 after your visit.

23 First of all, can we go to {TMO10040930/4}, which
 24 hopefully is Claire Williams' email of 12 March at
 25 15.43.

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1 She comments at item 2:
 2 "Matthew [presumably you] was very unhappy about the
 3 existing state of the smoke vents to each lobby — of
 4 those looked at about 30% were not in the right
 5 position. I have been chasing RGE for 2 months now on
 6 their servicing records and had nothing back ... Matthew
 7 said about issuing us with notice to confirm fully
 8 functional in 6 weeks ..."
 9 If we can stay in this chain but go up to page 2
 10 {TMO10040930/2} and Bruce Sounes' reply of 13 March 2014
 11 at 13.46, just below halfway down he comments:
 12 "Vents open ..."
 13 Immediately above it is a bullet point which says:
 14 "Bike found chained to dry riser."
 15 Then we see:
 16 "— Vents open & closed — existing situation not
 17 working.
 18 "— Matthew Ramsey very unhappy with fact dampers do
 19 not appear to be functional. Risk of 4 week enforcement
 20 notice. A demonstration would be [required]. This is
 21 urgent."
 22 Do the contents of the Williams and Sounes emails
 23 fairly reflect your concerns expressed during the course
 24 of your inspection?
 25 A. Yes, I certainly was very concerned about the poor state

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1 of the ventilation system. In my view at that time,
 2 I didn't need to see the servicing records. It was in
 3 such poor condition that it needed immediate repair.
 4 I don't recall ever requiring that they should
 5 demonstrate that to me though.
 6 Q. Following on from the answer in relation to maintenance,
 7 could I ask us to turn to {CST00003115/1}. It's
 8 an email you sent to Janice Wray on 14 March.
 9 You ask for the FRA, and four lines from the bottom
 10 of the email, at the end of the line, you requested:
 11 "... the Maintenance records for the Smoke vent
 12 system for the last 2 years. As we discussed approx.
 13 25% of vents do not appear to be in effective working
 14 order."
 15 Bearing that email in mind, could I ask you to go to
 16 your second statement to this Inquiry, which is at
 17 {LFB00083855/4}. At paragraph 10, you say in the second
 18 line you do not recall ever receiving the records, and
 19 the system was in such a poor state you assumed it had
 20 not been maintained for some time.
 21 That's a long run—up to a simple question: is it
 22 fair to say that your concerns about the smoke control
 23 system related both to the fact it did not work and the
 24 poor state of maintenance?
 25 A. Yes.

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1 Q. If we can stay in this particular statement and go
 2 forward to paragraph 19 at page 7 {LFB00083855/7}, six
 3 lines down from the top to the end that paragraph, you
 4 say this:
 5 "The two reasons why I decided, following my
 6 inspection of Grenfell Tower on 12 March 2014, a NOD
 7 [notice of deficiencies] rather than an enforcement
 8 notice was a proportionate response were: first, in my
 9 dealings with KCTMO as a 'Responsible Person' they
 10 generally acted on Brigade advice and could in most
 11 cases be trusted to take remedial action within set
 12 timescales. Second, I was aware a major refurbishment
 13 of the premises was imminent, and that the refurbishment
 14 would be subject to Building Control oversight."
 15 Can you explain what previous experience with the
 16 TMO provided you with reassurance that they generally
 17 took the necessary remedial action within the set
 18 timescales?
 19 A. If you think — I had undertaken quite a number of
 20 audits within TMO premises. In not every case were
 21 leaseholder doors or flat entry doors presenting
 22 themselves as an issue. So this is not just high—rise,
 23 but this is across their housing stock. And where minor
 24 repairs were identified, they were often quickly
 25 actioned. Janice Wray was efficient in taking those

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1 things forward, as far as I understood. At the time,
 2 that was certainly the feedback that we got from them
 3 and the feedback that we got from my team leader in the
 4 bi—monthly meetings.
 5 So I had reasonable confidence that, in most cases,
 6 apart from flat entry doors, they would generally deal
 7 with the issues we raised.
 8 Q. And in relation to flat entry doors, your concerns
 9 regarding economy with the truth was limited to that
 10 issue and didn't inform your broader take on their
 11 compliance?
 12 A. Often it was very difficult to get test records for fire
 13 safety systems, they were just not provided with, and we
 14 were given assurances that these things were tested, but
 15 when you wanted the proof of that, it wasn't
 16 forthcoming. Most of my thought in that was in relation
 17 to the flat entry doors, where we'd been told they had
 18 very few non—compliant doors. My experience was they
 19 had many more than they said they had.
 20 Q. You refer to the fact that refurbishment would be
 21 subject to building control oversight. Why was building
 22 control's involvement a source of reassurance for you?
 23 A. It means that the project as a whole would have to be
 24 considered by qualified architects, qualified fire
 25 engineers. It would have a consultation with the fire

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1 service to actually discuss the existing and proposed
2 changes to the premises, and so there were a lot of
3 professionals who would be looking at the detail of the
4 proposals, and those plans should be then enacted
5 obviously on site, which should, in theory, make a much
6 safer premises at the end of the process.

7 Q. Thank you.

8 Can we turn to the notice of deficiencies itself,
9 which can be found at {LFB00032101/3}.

10 If I could look at Article 11 in particular, in the
11 right-hand column, it stated this in respect of the AOV:
12 "Implement effective monitoring of preventive and
13 protective measures."

14 We don't need to go to it, but the deadline for
15 remediation action was prescribed as being 5 May 2014.

16 If we can just hold that in our minds and turn to
17 the third statement for the police which you prepared,
18 which is at {MET00071003/5}, and the first paragraph on
19 that page and the last three lines, you say in relation
20 to the date by which action was required:

21 "This needed to be addressed quickly to better
22 protect both the residents and firefighters. I gave
23 them until May 2014 to rectify this having conducted the
24 audit in the March, I felt after discussion with Janice
25 this was a good timeframe to complete the works."

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1 Can you help us, what precisely did you require the
2 TMO to have done by 5 May 2014?

3 A. To make sure the existing system which was in place was
4 effectively working.

5 Q. Apologies for jumping around the statements, Mr Ramsey,
6 but if we can turn to your first statement to this
7 Inquiry, {LFB00032092/7}, paragraph 23.2, at the end of
8 the second line you say this:

9 "I described this as a minor deficiency [that's in
10 relation to Article 11 and the AOV] as Janice Wray had
11 satisfied me that there was a plan in place to address
12 this during the refurbishment ..."

13 Can you remember now the gist of what you were told
14 about the plan that you were referring to in
15 paragraph 23.2?

16 A. I was told in general terms there was a plan to replace
17 the smoke ventilation system at Grenfell Tower. I think
18 it was understood that it didn't, even at the time of
19 its own — the original system didn't meet any
20 recognised standard even at the time, and certainly
21 didn't meet any modern recognised standard for an AOV
22 system. So my thought was, because there is a plan to
23 rectify the problem, it's reasonable to require — to
24 see that as a minor deficiency because they had that
25 plan in place, but also it's sufficiently important for

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1 me to mention it and to require them to fix the existing
2 system to make the best possible conditions in the event
3 of a fire.

4 Q. Now, by the 5 May 2014 deadline, had you been told that
5 the deficiency had been remedied by anyone at the TMO?

6 A. No.

7 Q. To the best of your knowledge, was anyone else in the
8 fire safety team told that the deficiency had been
9 remedied?

10 A. I'm not aware.

11 Q. Now, could I turn to {TMO10008792} which should be the
12 minutes of the TMO health and safety meeting held on
13 21 November 2014.

14 Go to the top of page 2 {TMO10008792/2}, end of the
15 first line, it says that:

16 "In regards to the vents, Rydons were sourcing
17 a contractor to get the works done as soon as possible.
18 It is likely to be after Christmas. Rydons have
19 explained to LFB that the system is beyond economical
20 repairs and LFB are aware to be appropriately equipped
21 when arriving to deal with fires."

22 Had you been informed that the AOV was "beyond
23 economical repair"?

24 A. No.

25 Q. Were you told that the AOV would not be repaired pending

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1 the works to upgrade the AOV?

2 A. No.

3 Q. To the best of your knowledge, was anyone else on the
4 fire safety team told that the AOV would not be repaired
5 pending the works to upgrade the AOV?

6 A. No.

7 Q. Now, we know that the new upgraded AOV was not
8 operational until the end of April 2016. Was that
9 something about which you were ever made aware during
10 your time at the fire safety team at Kensington and
11 Chelsea?

12 A. No.

13 Q. To the best of your knowledge, was anyone else on that
14 fire safety team made aware of that information?

15 A. No.

16 Q. Can I now turn to a separate and different topic, that
17 is auditing the evacuation strategy for vulnerable and
18 disabled residents.

19 If I could ask you to go to {LFB00032293}.

20 Now, this is an LFB fire safety information and
21 guidance note. Its reference is FSIGN 114. In broad
22 terms, can you explain what the purpose of this document
23 was?

24 A. It's not for me to undertake the team plan, so that
25 would be for my team leader to prepare the team plan.

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1 He would be better to comment on that than I was.
 2 Q. Okay.
 3 If we can just turn to page 6 {LFB00032293/6}, it
 4 may be a matter on which you can assist us. Please say
 5 if you can't. If we go to paragraph 5.14, it's roughly
 6 halfway down there.
 7 "IO", that's inspecting officer; is that right?
 8 A. That's correct.
 9 Q. "... should ..."
 10 And if we go three down from the bottom:
 11 "Focus on evacuation strategy especially for those
 12 with mobility issues."
 13 Was the evacuation strategy for disabled or
 14 vulnerable persons something you assessed during the
 15 course of your inspection?
 16 A. I don't believe it was, no.
 17 Q. Why not?
 18 A. That's a good question. I wish I had. But in most
 19 cases in a general needs block, there was very little
 20 that the TMO could do in the event of a fire to assist
 21 vulnerable people, and I wasn't aware of any vulnerable
 22 people who were in that building. I hadn't been made
 23 aware of that.
 24 Q. Could I just follow up on what you say there.
 25 You say there was very little that the TMO could do

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1 in the event of a fire to assist vulnerable people.
 2 Could you put some flesh on that outline answer so the
 3 panel understand the difficulties you're referring to
 4 there?
 5 A. Of course. So if there's a fire in a premises and
 6 a person needs to evacuate from their premises, an alert
 7 has to be raised, people have to be — in most cases,
 8 an individual, if they had severe mobility problems, may
 9 be trapped in their own home. Now, by the time that
 10 anybody would get to them, it's highly unlikely that
 11 somebody — a member of the public, a caretaker, estate
 12 services, whoever it might be from the TMO — would be
 13 safely able to assist that individual.
 14 So the focus of fire safety is really to make sure
 15 that the common parts are available for other people who
 16 need — not necessarily the fire safety within the house
 17 itself.
 18 It's a difficult area, because we know there are,
 19 you know, difficult — individuals have particular
 20 problems within their flats, and we strove to identify
 21 those issues and deal with them on a case-by-case basis
 22 with our community fire safety teams.
 23 Q. How do you deal with it on a case-by-case basis? If you
 24 can give the panel some practical experience on the
 25 issues that are confronted and the difficulties that

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1 have to be overcome.
 2 A. Of course. So if an individual, for instance, needs
 3 assistance to move within their own home, maybe they're
 4 bedbound. If they are at particularly high risk, such
 5 as a smoker, or have a particularly high-risk behaviour,
 6 maybe they for some reason like to use candles or
 7 something of that ilk, they will look at how they can
 8 help that individual, maybe giving them fire resistant
 9 bedding, maybe giving them personal suppression systems,
 10 which are designed to act around the individual if
 11 they're sitting in a particular chair. Just helping
 12 them to avoid trips and falls, for instance, by making
 13 sure there's good housekeeping within the flat, the flat
 14 is clean and tidy, things are put away. There are
 15 practical steps that can be taken.
 16 Q. Thank you, Mr Ramsey.
 17 Just for the sake of fairness and context,
 18 am I right in understanding that inspecting officers are
 19 not prompted to assess evacuation strategy for disabled
 20 and vulnerable persons in the premises inspection and
 21 data form?
 22 A. Yes.
 23 Q. Are you able to assist us as to why that question is not
 24 on the premises inspection and data form? It may be
 25 something for your superiors rather than for you.

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1 A. I believe you're correct: it's not for me to answer.
 2 Q. Do you know why though?
 3 A. I don't.
 4 Q. Thank you.
 5 Could I now turn to a separate and distinct topic,
 6 which is the suitability and sufficiency of the 2012
 7 FRA, so that's the one you were provided with after your
 8 site visit on 12 March 2014.
 9 If we can turn to {LFB00083856/4} which should be
 10 the premises information form.
 11 In relation to Article 9 of the order, you say
 12 there, in the "Observations" box, that the FRA was:
 13 "Undertaken in 2012 by Karl[sic] Stokes due for
 14 review in Jan 14 but not reviewed as of Mid March 14.
 15 Generally suitable & Sufficient however insufficient
 16 information provided about the smoke ventilation
 17 arrangements. E-mail to Janice Wray suggesting this is
 18 covered in the impending review confirmed as arranged."
 19 You record that it was broadly compliant on the
 20 left-hand side.
 21 Do you remember why the information was insufficient
 22 about the smoke ventilation system? You may well have
 23 answered this, but I just want to put the point directly
 24 to you.
 25 A. It didn't evaluate whether the existing system was

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1 suitable for purpose. It didn't comment on the
 2 maintenance arrangements to any suitable degree, and I'd
 3 seen very obvious deficiencies that anybody walking
 4 around the building would have seen, and for me, it just
 5 had — the whole area of smoke ventilation to common
 6 parts had been given insufficient consideration.
 7 Q. Notwithstanding those points, how was the compliance
 8 level of broadly compliant reached? Was that something,
 9 again, that was determined automatically by the
 10 software, or was it your qualitative judgment on what
 11 you'd seen?
 12 A. This was my judgment, so it wasn't the software.
 13 Q. So can you help us, then, notwithstanding the various
 14 deficiencies and omissions you'd found, why you reached
 15 nonetheless the view that compliance was broad, or
 16 broadly compliant?
 17 A. It's up to each individual officer to determine what is
 18 broadly compliant. There was this one area of weakness,
 19 a particular weakness which I've made comment to note
 20 and I followed up with Janice. I think if I had —
 21 I think this was maybe a little bit of gaming the system
 22 as well. If I had made it a higher priority at this
 23 point, the audit form would have probably indicated that
 24 an enforcement notice was more appropriate to issue on
 25 the premises. However, on the basis that I was aware

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1 that there were plans to make significant improvements
 2 through the refurbishment, I didn't feel an enforcement
 3 notice was appropriate. I thought that was too heavy
 4 handed where there were plans in place, so I took this
 5 approach.
 6 Q. Thank you, Mr Ramsey.
 7 Could we turn to a separate document now, which is
 8 {CST00003115}, and it's an email you sent to Janice Wray
 9 on 14 March. We've looked at it just a few moments ago.
 10 If we look at the first line:
 11 "I am assuming it [that's the FRA] wasn't reviewed
 12 in Jan 14 as per the front cover. No great problem
 13 there as little has changed especially for the
 14 residential areas. I would suggest we ask Karl to
 15 review the FRA as it relates to the smoke vent
 16 system ..."
 17 Why was a review of the FRA as it related to the
 18 control system necessary? Was it because of the issues
 19 you have just identified?
 20 A. Yes, and that the system — I wanted to be sure that the
 21 TMO had evaluated the system as being suitable for the
 22 premises.
 23 Q. No timeframe for the FRA review seems to have been set
 24 out there. Did you suggest a deadline for review of the
 25 FRA?

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1 A. No, I don't believe I did.
 2 Q. And why not?
 3 A. I believe in conversations that — I knew it was ready
 4 to be reviewed, and I believe in my conversations with
 5 Janice that I'd received assurances that this would be
 6 reviewed.
 7 Q. Thank you.
 8 Can I now turn to {LFB00083856/10}.
 9 This, again, is the premises information form, and
 10 if we see in the "Audit Conclusion" box, the last half
 11 of the penultimate line, you say:
 12 "FRA reported as to be imminently reviewed."
 13 Given the absence of a timeframe, why did you say
 14 the FRA was to be imminently reviewed?
 15 A. I believe what I'm saying here is that Janice has
 16 reported to me that the FRA is to be reviewed
 17 imminently.
 18 Q. Thank you.
 19 If we can go now to {CST00002513}, and if we go to
 20 the middle of the page, you'll see this is email
 21 correspondence between Wray and Stokes. You're not
 22 copied in. It's sent on 14 March 2014, and Janice Wray
 23 forwarded your email to Carl Stokes and wrote in the
 24 second sentence:
 25 "I don't actually think there is much point in

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1 asking you to re—do the FRA in view of the imminent
 2 works when what he is really anxious about [is]
 3 reinstating the [vents]."
 4 In fact, we know that the FRA was only completed on
 5 17 October 2014, some five months or more after this
 6 correspondence.
 7 Was a review in October 2014 consistent with the
 8 spirit of the concerns you'd outlined in relation to the
 9 smoke control system?
 10 A. No.
 11 Q. When would you have considered it to have been
 12 reasonable to have completed the review, given what you
 13 identified?
 14 A. I would have expected that review to have begun at least
 15 within the next month.
 16 Q. If you had known that the review would not be done
 17 until October 2014, would that have informed or changed
 18 the approach you took to enforcement action?
 19 A. Yes.
 20 Q. In what regards?
 21 A. Had I known that they were taking the replacement or the
 22 repair of the ventilation system so lightly, I would
 23 have certainly issued an enforcement notice, or
 24 recommended that an enforcement notice be issued.
 25 Q. And the decision as to whether that notice should be

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1 issued was one for your team leader; is that right?
2 A. Yes. It would be rare for my team leader to change the
3 decision that I'd made.

4 Q. But nonetheless, he or she had that discretion?

5 A. Absolutely, yes.

6 Q. Now, can I turn to a separate and distinct topic, which
7 is concerns about the TMO and Carl Stokes.

8 Could I ask you to turn to the third statement you
9 prepared for the police, which is at {MET00071003/5},
10 and the third paragraph. We've looked at the balance of
11 this paragraph earlier, but you say in the opening
12 lines:

13 "My relationship with Janice and Carl over the years
14 had at times been prickly. I have had disagreements
15 with Carl over the various ways he approaches things and
16 the local authority didn't like the way I approached
17 enforcement especially as I had been forced to give them
18 several Enforcement Notices and Notifications of Fire
19 Safety Deficiencies over the years."

20 If we can turn to your second statement to the
21 Inquiry, which is at {LFB00083855/8}, and paragraph 21,
22 in the third line you say this:

23 "I generally maintained a good relationship with
24 Carl. On occasion he would be difficult and would seek
25 to rely on the lack of Brigade comments or

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1 an alternative view on a previous inspection as
2 justification for the adequacy of Fire Safety measures
3 at a given premises."

4 If we can go over the page {LFB00083855/9} to the
5 last line, you say this:

6 "I recall conversations with other members of my
7 team who had similar concerns about this aspect of
8 Carl's approach."

9 Now, can you give the panel the gist of the
10 difficulties you'd encountered with Carl Stokes that you
11 refer to in your statement to the police?

12 A. Yes. So when I found a deficiency, such as let's take
13 the ventilation system at Grenfell Tower, the fact that
14 a previous inspecting officer may not have made similar
15 comments to mine or similar observations to mine, he
16 would use that as an argument to suggest, "You didn't
17 find it a problem last time, why are you finding it
18 a problem this time?" So he would challenge the
19 inspection on that basis.

20 As we've noted, we didn't always inspect the whole
21 of the premises, we took a sampling approach. So there
22 were times when things were not seen during one
23 inspection and were seen in the next.

24 Q. Can you now remember which other team members had
25 similar concerns about Mr Stokes?

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1 A. I recall discussing this with Ben Dewis, with
2 Robert McTague, with James Swindells, and possibly other
3 members of the team as well.

4 Q. Were their concerns of a similar nature?

5 A. Very similar.

6 Q. How, if at all, were those concerns raised within the
7 fire safety team?

8 A. We would all have a free conversation with our team
9 leaders at that point, so if I had that concern, I would
10 have discussed that with Nick Comery initially, then
11 with Rebecca Burton. I would expect those concerns to
12 be raised at the bi-monthly team meetings.

13 Q. And were you given assurances that those concerns were
14 in fact raised by Mr Comery and Ms Burton in the
15 bi-monthly meeting?

16 A. Not directly.

17 Q. Were you satisfied that they'd done enough to act upon
18 the concerns that had been shared by you and other
19 members of the fire safety team?

20 A. All I can say is that I think they understood the team's
21 concerns and had enough information to take that
22 forward.

23 Q. Thank you.

24 Can I now turn to {CST00003157/8}. If we look at
25 the last paragraph — I should say this is the FRA

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1 of October 2014 in relation to the tower, carried out by
2 Mr Stokes.

3 He said this in relation to your visit on
4 12 March 2014:

5 "The fire officers did not comment either at the
6 time of the audit or in any correspondence after the
7 audit about the buildings layout, the means of escape
8 routes, compartmentation etc. Nor were there any
9 comments about the positioning or siting of the fixed
10 systems within the building, only about the maintenance
11 of the systems. No adverse comments were received
12 either about the management policies, procedures and
13 arrangements in place within this building at the time
14 of the audit. Therefore is[sic] has been assumed that
15 the Fire Authority were completely satisfied with these
16 arrangements at the time of the audit and there have
17 been no changes to the residential part of this premises
18 or the TMO's management policies or procedures since the
19 above Fire Safety audit was undertaken."

20 Did you ever see the October 2014 FRA?

21 A. Yes.

22 Q. Is his description about what you and/or

23 Daniel Hallissey did or did not comment on correct?

24 A. Absolutely not.

25 Q. In what ways was it incorrect?

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1 A. Well, I'd already highlighted deficiencies with the
2 training of staff members and the procedures in relation
3 to training, about maintenance issues in relation to —
4 and maintenance issues are seen as management
5 arrangements in our view — about emergency lighting and
6 about the smoke management system. So I don't believe
7 those comments are accurate.

8 Q. Now, you've touched on the substance in previous
9 answers, but I'd like to ask you directly: is Mr Stokes
10 correct to say that if the LFB didn't specifically
11 comment or didn't comment adversely on any relevant
12 arrangements, it was "completely satisfied" with those
13 arrangements?

14 A. No.

15 Q. And that's for the reasons you've given earlier?

16 A. Yes.

17 Q. Did you give any assurance to that effect to Janice Wray
18 or Carl Stokes, either in relation to the Grenfell
19 inspection in March 2014, or indeed on any other
20 occasion?

21 A. No.

22 Q. Can I now turn to the enforcement notice issued in
23 relation to Adair Tower, and can I ask you to turn to
24 {RBK00002273}.

25 Now, this is the enforcement notice issued in

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1 relation to Adair, and I think it was served
2 in December 2015; is that right?

3 A. Yes.

4 Q. If we go to page 2 {RBK00002273/2}, we can see in the
5 bottom third of the page:
6 "Reply to Inspecting Officer Matthew Ramsey."

7 A. Yes.

8 Q. Now, at page 2, if we could de-amplify, it states that
9 the notice has been copied to Janice Wray and the
10 housing department of RBKC.

11 Why did you copy the housing department of RBKC when
12 you served and issued the enforcement notice?

13 A. Similar to the reply I gave earlier, that's the
14 instructions I received from my team leaders.

15 Q. Again, were you given any explanation as to why he
16 required that pattern to be followed?

17 A. I think there was an understanding that both the TMO and
18 RBKC had responsibilities in respect of the premises.
19 This is an enforcement notice, it's a serious letter,
20 and it needed to be made known to those — both
21 organisations.

22 MR KINNIER: Mr Ramsey, thank you.

23 Sir, I've reached the end of my prepared questions.
24 Might I have the usual opportunity to see if I've missed
25 out anything, or indeed whether there are any other

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1 relevant questions that anyone else would like me to
2 ask?

3 SIR MARTIN MOORE—BICK: Yes, that's a very convenient point.

4 We were going to have a break in the morning at
5 about this time anyway, Mr Ramsey, but we always have
6 a break at the end of counsel's questions, just to let
7 him check he hasn't overlooked anything, or to see if
8 other people who are not actually in the room want to
9 suggest further questions. So we'll have a break now.

10 How long do you think you might need for questions?

11 MR KINNIER: Ten minutes, sir.

12 SIR MARTIN MOORE—BICK: I'm going to say 11.30, so we can
13 all have a break.

14 So we'll come back, please, Mr Ramsey, at 11.30 and
15 see if there are any more questions for you.

16 While you're out of the room, please don't talk to
17 anyone about your evidence or anything relating to it,
18 all right?

19 A. Yes, sir.

20 SIR MARTIN MOORE—BICK: Good. Would you like to go with the
21 usher, please.

22 (Pause)

23 Thank you very much, 11.30.

24 (11.16 am)

25 (A short break)

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1 (11.31 am)

2 SIR MARTIN MOORE—BICK: Right, Mr Ramsey, we'll see if there
3 are any more questions for you.

4 Yes, Mr Kinnier?

5 MR KINNIER: Mr Ramsey may be pleased or relieved to know
6 there are no further questions. The only thing that
7 leaves me to say is thank you very much for attending
8 the Inquiry today. It's much appreciated.

9 THE WITNESS: Thank you.

10 SIR MARTIN MOORE—BICK: Yes, and I should thank you as well,
11 Mr Ramsey, on behalf of myself and the rest of the
12 panel. It is always very useful to hear what people who
13 were directly involved in these things have to say, and
14 we're very grateful to you for coming up today to give
15 your evidence. I hope it hasn't inconvenienced you too
16 much, but we've certainly found it useful, so thank you
17 very much indeed.

18 THE WITNESS: Thank you for the opportunity.

19 (The witness withdrew)

20 SIR MARTIN MOORE—BICK: Mr Kinnier, we have another witness
21 waiting to give evidence; is that right?

22 MR KINNIER: We do, sir. I might ask you to rise, just
23 to —

24 SIR MARTIN MOORE—BICK: I think we'll have to rise for
25 a moment, because we have to make preparations for

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1 a change of witness and so on.
 2 MR KINNIER: Thank you.
 3 SIR MARTIN MOORE—BICK: So we'll do that, and then we'll
 4 move on as swiftly as we can. So perhaps you can ask
 5 the usher to come and tell us when you're ready.
 6 MR KINNIER: I shall do so, thank you, sir.
 7 SIR MARTIN MOORE—BICK: Thank you very much.
 8 (11.33 am)
 9 (A short break)
 10 (11.40 am)
 11 SIR MARTIN MOORE—BICK: Yes, Mr Kinnier, your next witness?
 12 MR KINNIER: Andrew Jack, please, sir.
 13 SIR MARTIN MOORE—BICK: Good. Thank you.
 14 MR ANDREW JACK (sworn)
 15 SIR MARTIN MOORE—BICK: Thank you very much.
 16 Now, sit down, make yourself comfortable.
 17 THE WITNESS: Thank you.
 18 SIR MARTIN MOORE—BICK: All right?
 19 Yes, Mr Kinnier, when you're ready.
 20 Questions from COUNSEL TO THE INQUIRY
 21 MR KINNIER: Would you please confirm your name for the
 22 record.
 23 A. Andrew Jack.
 24 Q. Good morning, Mr Jack. Thank you for attending today.
 25 Three bits of advice before we start.

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1 First of all, if at any time during the course of
 2 examination you require a break, please say so, that's
 3 not a problem.
 4 Secondly, if at any time my question is unclear,
 5 again, don't hesitate to say so and I'll attempt to
 6 rephrase it so that it is clear.
 7 Thirdly, would you mind keeping your voice up,
 8 that's so that the shorthand writer can capture
 9 everything you say and everything you say accurately.
 10 Now, you have made three statements following the
 11 fire at Grenfell Tower; is that right?
 12 A. It is.
 13 Q. If we can go to the first, which is a Metropolitan
 14 Police statement dated 7 May 2019, which is at
 15 {MET00040001}. That's the statement?
 16 A. It is.
 17 Q. Could we go to {LFB00032244}. Is that your first
 18 statement to this Inquiry dated 29 January 2019?
 19 A. It is.
 20 Q. Thirdly and finally, {LFB00120308}. Is that your second
 21 statement to this Inquiry dated 5 February 2021?
 22 A. It is.
 23 Q. Have you read those statements recently?
 24 A. I have.
 25 Q. Subject to any clarifications and corrections which, if

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1 relevant, we'll come to, are the contents true?
 2 A. They are.
 3 Q. Thank you.
 4 Are you content for those statements to stand as
 5 your evidence to this Inquiry?
 6 A. I am.
 7 Q. Thank you.
 8 First of all, can I ask you about your role at the
 9 London Fire Brigade.
 10 Is it right that you began working for the London
 11 Fire and Emergency Planning Authority and the
 12 commissioner in the fire safety regulation department on
 13 1 May 2007?
 14 A. That's correct.
 15 Q. And you explain that you were, initially at least,
 16 a specialist adviser in respect of fire safety
 17 regulatory matters; is that right?
 18 A. That's correct.
 19 Q. Can you help the panel in broad terms, what did that
 20 role involve?
 21 A. Initially it was review of how the Brigade was
 22 implementing the Regulatory Reform (Fire Safety) Order,
 23 assisting with interpretation to allow for policies to
 24 be developed and adjusted. As I believe the Inquiry
 25 knows, I was one of the authors of the Fire Safety Order

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1 in a previous life, and they asked me to assist on that
 2 basis.
 3 Q. Thank you.
 4 You then say that your current role is that of head
 5 of fire safety enforcement, a role which you've held
 6 since 1 July 2010; is that right?
 7 A. It is, although I've recently moved to be strategic
 8 technical adviser, as I think I mention in my last
 9 statement.
 10 Q. What was the gist of the responsibilities of your
 11 position as head of fire safety enforcement with the
 12 LFB?
 13 A. Two principal areas: one was the oversight of
 14 investigations of potential offences, carrying those
 15 forward through a small team; the other was to assist
 16 with more difficult enforcement problems, and also take
 17 an overview of enforcement activity in terms of the
 18 quality of notices. Clearly a fair amount within that,
 19 but principally those areas.
 20 Q. Thank you.
 21 How did your role sit in the hierarchy, compared to
 22 the likes of Nicolas Comery and Rebecca Burton, who were
 23 team leaders of fire safety in their respective
 24 boroughs?
 25 A. The role was graded at FRS G, which, by comparison to

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1 Rebecca, a team leader would be at E, an F would be
 2 an area manager. Nick Comery — that's operational
 3 equivalent to station commander or station manager.
 4 At that time I reported to one of the deputy
 5 assistant commissioners for the majority of my work and
 6 to the assistant commissioner for small parts of it.
 7 Q. Thank you.
 8 Just to clarify one point in paragraph 10 of your
 9 Inquiry statement of January 2019 {LFB00032244/4}, you
 10 describe yourself as the head of the central regulatory
 11 enforcement group of the LFB. Is that any different to
 12 the head of fire safety enforcement?
 13 A. No, the head of fire safety enforcement heads that group
 14 and I —
 15 Q. Was it in respect of those two roles that you had
 16 dealings with RBKC, TMO and Carl Stokes?
 17 A. It was.
 18 Q. Can I now start to look in more detail at the substance
 19 of the contact you had with those three bodies,
 20 particularly in the context of flat entrance doors.
 21 Now, did the LFB consider that the guidance for
 22 responsible persons about standards for flat entrance
 23 doors in purpose-built blocks were primarily those set
 24 out in the LGA's guide?
 25 A. Primarily, yes. It had overtaken the government guide

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1 in that regard.
 2 Q. Were you familiar with the substance and requirements of
 3 the guide?
 4 A. Reasonably so, though it wasn't part of my day-to-day
 5 duties.
 6 Q. Would you have expected responsible persons to have been
 7 familiar with the substance of the guide?
 8 A. Absolutely.
 9 Q. And fire risk assessors they may retain?
 10 A. Absolutely.
 11 Q. At page 3 of your Met statement at paragraph 2 — we
 12 don't need to go to it, but the reference is
 13 {MET00040001/3}, lines 1 to 7 — you say this:
 14 "My specific dealings with RBKC, the TMO and
 15 Carl STOKES originally arose around September 2012
 16 through the LFB Fire Safety Team Leader for the
 17 Borough — Station Manager (SM) Nicholas COMERY.
 18 SM COMERY was in discussion with the TMO about
 19 improvements to flat front doors protecting means of
 20 escape in case of fire in blocks of flats under their
 21 control and in particular about which enforcing
 22 authority (RBKC or LFEPA) should act in respect of the
 23 provision of suitably fire resisting doors that were
 24 self-closing. This particularly related to doors that
 25 were demised to individual leaseholders."

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1 Had you had any involvement with that issue before
 2 then?
 3 A. It's always been a problem, so the national protocol was
 4 brought in and we sought to have with all the different
 5 boroughs. It was a known problem from the first days of
 6 the order around who would enforce in the overlap
 7 between the Housing Act and the Regulatory Reform (Fire
 8 Safety) Order.
 9 Q. Can I take it from that, when you say, "It's always been
 10 a problem", by that you mean it's not been a problem
 11 specific to RBKC, it's been of broader application?
 12 A. There is a broad issue with the overlap of the
 13 Housing Act and the Fire Safety Order.
 14 Q. But it wasn't an RBKC-specific issue?
 15 A. No.
 16 Q. Why were you involved or brought in at this stage in
 17 relation to RBKC, TMO and Carl Stokes?
 18 A. So far as I can recall, it was because there was
 19 disagreement around who should enforce in any particular
 20 case, and with my knowledge of the Fire Safety Order,
 21 I was asked to look at what was being said and form
 22 a view.
 23 Q. And form a view, saying what?
 24 A. What should the Brigade's position be, and report that
 25 through to others, including the assistant commissioner.

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1 Q. Did that involve you having to take a view as to who was
 2 the responsible person in relation to housing stock
 3 managed by the TMO on behalf of RBKC?
 4 A. It did.
 5 Q. And what was that view that you reached?
 6 A. A very difficult one. I'm afraid I don't believe I ever
 7 got all of the papers. My personal view is the
 8 responsible person in the true sense is the Royal
 9 Borough of Kensington and Chelsea, but their tenant
 10 management organisation is their 5(3) person. However,
 11 in reality, there is little to choose between them in
 12 terms of responsibility, given the level of
 13 responsibility applied by Article 5(3).
 14 Q. Thank you.
 15 Now can I turn to the very specific topic of the
 16 meeting on 8 November 2012 between yourself, RBKC and
 17 the TMO.
 18 Now, in your police witness statement — and we
 19 don't need to go to it, but the reference is
 20 {MET00040001/6}, last paragraph — you deal with the
 21 meeting that you attended on 8 November with RBKC, TMO
 22 and LFB to discuss enforcement against leaseholders in
 23 respect of flat entrance doors which were not compliant
 24 with the relevant fire safety standards. Is that a fair
 25 summary?

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1 A. It is.
 2 Q. What was your role intended to be, at least by the LFB,
 3 at the meeting?
 4 A. It was that we took the view that the Royal Borough
 5 should be enforcing as responsible person, and I think
 6 there was a degree of issue around how they were
 7 approaching that, so it was to represent the Brigade
 8 position and discuss with them how enforcement matters
 9 should be taken forward between us.
 10 Q. And what was Nicolas Comery's role intended to be at the
 11 meeting?
 12 A. He was the — effectively facilitated the meeting, as
 13 I recall it.
 14 Q. And Matthew Ramsey?
 15 A. Was brought along by Nicolas Comery.
 16 Q. Now, in the second paragraph of your Met statement —
 17 it's page 15 {MET00040001/15}, again we don't need to go
 18 to it — you say that an additional conversation took
 19 place after the meeting about the leaseholder
 20 enforcement issue had closed, the contents of which you
 21 then set out at pages 15 to 20 of that statement.
 22 You say:
 23 "Janice WRAY is correct to say that an additional
 24 conversation took place after the close of the meeting
 25 to discuss enforcement in respect of flat front doors.

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1 I recall these quite well due to the nature of the
 2 discussions, the context they were in (following on from
 3 the meeting with RBKC lawyers) and because much of what
 4 was said formed the basis for further discussion with
 5 others within the department and with other housing
 6 providers and fire risk assessors."
 7 Now, who was present for that additional
 8 conversation?
 9 A. I believe when I wrote that statement that it was
 10 Janice Wray, the risk assessor, Nicolas Comery and
 11 myself, and that Matt Ramsey may have been present at
 12 the beginning. Having heard the evidence of Ms Wray and
 13 Mr Ramsey, I'm still reasonably convinced that they were
 14 both present at the beginning of that second session,
 15 but may have left further — partway through it. I'm
 16 afraid I really don't recall at this stage, at this
 17 point in time now.
 18 Q. Who initiated the additional conversation?
 19 A. Carl Stokes.
 20 Q. And can you remember what he opened with?
 21 A. I think it was words to the effect of, "There's a couple
 22 of matters I'd like to discuss with you".
 23 Q. Now, if I can take you to {LFB00054653}, and if we look
 24 at the bottom half of that page, we can see that
 25 Rebecca Burton emailed you and others on

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1 1 November 2015, and we'll come back to that email in
 2 more detail later.
 3 But for now, can I ask you to look at your initial
 4 reply, which is at {LFB00003375}. We see, second
 5 paragraph, first line, you say this:
 6 "The meeting was to discuss enforcement generally in
 7 relation to flat front doors."
 8 Then if we skip to the third line:
 9 "Though my memory is pretty good too much time has
 10 gone by to say if anything further was discussed ..."
 11 Do you remember that email?
 12 A. I do.
 13 Q. Now, can you help us understand why, in November 2015,
 14 your memory was not so good as to allow you to give much
 15 detail, but, over 19 months later, you were able to
 16 record it in some detail in your police statement
 17 following the fire?
 18 A. Certainly. It was that I'd had much greater opportunity
 19 to go back through old documents and through those that
 20 had caused me to recollect it and elements that were
 21 said. It may help if I say that it is visual prompts
 22 through emails that tend to prompt my memory to a very
 23 great extent. At this point, in replying to Rebecca,
 24 I had not seen — been able to find very much
 25 information about that.

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1 Q. Thank you.
 2 Can we go to your Met statement, which is at
 3 {MET00040001/19}, and it's the first sentence on that
 4 page, where you say this:
 5 "By my recollection, we further discussed the issue
 6 of doors and door closers in relation to the maintenance
 7 and management requirements of the RRFSO under
 8 article 17 and article 11. The point being made by me
 9 that collectively there was a need not only to maintain
 10 doors and self-closing devices in an efficient state and
 11 good working order but that this should be subject to
 12 effective planning, organisation, control, monitoring
 13 and review. The extent of the monitoring and
 14 maintenance regime would need to be circumstances
 15 specific so that sufficient checks of the ongoing
 16 functionality of fire resisting doors and self-closing
 17 devices could be monitored and necessary remedial action
 18 undertaken in a timely manner."
 19 Now, during the discussion, did you discuss the
 20 substance of the monitoring and maintenance regime which
 21 should be put in place by the TMO?
 22 A. I cannot recall in detail. I think this was a matter
 23 brought up by Carl Stokes around what maintenance was.
 24 We had the LGA guide with us, I think, and Nick Comery
 25 as my technical adviser in particular. So I think we

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1 did within broad terms.
 2 Q. What did you mean when you said it should be
 3 "circumstances specific"?
 4 A. Particularly — and clearly there are normally expected
 5 standards for ongoing checks and maintenance. In the
 6 case of flat front doors, I think, if I remember
 7 correctly, that is six—monthly. But there could be
 8 examples within blocks that would initiate much more
 9 regular checks, particularly vandalism, arson, things
 10 like that, which may mean that that standard is actually
 11 not good enough and you need to do more.
 12 Q. So you're absolutely clear that frequency of checks was
 13 considered and discussed?
 14 A. I'm quite certain that it was.
 15 Q. Did you discuss what types of checks or inspections
 16 would be required?
 17 A. I'm afraid I can't recall.
 18 Q. Did you discuss who would be expected to carry out the
 19 checks or inspections on the doors and self—closing
 20 devices?
 21 A. I mean, it would be within the TMO's remit to have that
 22 done. Whether they did so through a contractor or
 23 members of their staff would not have been an issue
 24 for ...
 25 Q. Was the TMO's flat entrance door replacement programme

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1 discussed in the context, ie what the maintenance and
 2 monitoring requirements were for the replacement doors?
 3 A. Not in that context, though from that discussion I was
 4 aware there was a door maintenance programme.
 5 Q. Sorry, not maintenance programme, replacement.
 6 A. I beg your pardon, my fault. Replacement programme.
 7 Q. Thank you.
 8 At that stage, had you been given any information as
 9 to how far gone that replacement programme was and what
 10 the maintenance regime was in respect of those new
 11 doors?
 12 A. No, not that I can recall.
 13 Q. Did you discuss what monitoring and maintenance
 14 requirements were in place by the TMO at that stage?
 15 A. We may have done, but I'm afraid I can't recall that
 16 detail.
 17 Q. You said you had the LGA guide before you. Can you
 18 remember now whether you drew the TMO's specific
 19 attention to paragraphs 82.3 and 82.4 regarding the
 20 regularity, the six—monthly basis, for the maintenance
 21 and inspection programme?
 22 A. If my memory serves me correctly, it was actually
 23 Carl Stokes that had the copy of the guide with him. We
 24 had come into the meeting without. I cannot recall
 25 whether we specifically went to that paragraph now.

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1 Q. Can you remember whether he took you to those
 2 paragraphs?
 3 A. I'm sorry, I can't.
 4 Q. Can you remember — apologies if I'm pushing my luck —
 5 what impression he gave you of his familiarity with the
 6 substance of the requirements in respect of maintenance
 7 and monitoring in relation to flat entrance doors set
 8 out in the guide?
 9 A. I can't recall anything that led me to think he was not
 10 familiar with what had been quite standard requirements
 11 for many years.
 12 Q. Can you remember what response the TMO gave to you when
 13 you set out what you thought a proper suitable and
 14 sufficient maintenance and monitoring programme should
 15 look like?
 16 A. I believe they considered it would be difficult to
 17 achieve because of the nature of the buildings.
 18 Q. And what was your response to that?
 19 A. That it was nonetheless what they needed to do. It was
 20 the legal requirement.
 21 Q. Now, if we stay in this statement and in particular this
 22 paragraph {MET00040001/19}, and we go to the eighth line
 23 down, it starts with the words, "My recollection ..."
 24 You go on to say this:
 25 "My recollection is that it was at this point that

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1 checking of fire resisting compartmentation generally as
 2 part of the fire risk assessment process was also
 3 discussed. The point being raised, though I cannot
 4 recall by whom, that gaining access to flats to
 5 undertake any sort of intrusive checks such as drilling
 6 into ceilings to confirm their construction and fire
 7 resistance, was difficult and may be contrary to terms
 8 of lease or tenancy. I highlighted the possibility of
 9 carrying out these types of checks in flats which had
 10 become vacant or as it is known 'a void'.
 11 Did that discussion about checking of fire resisting
 12 compartmentation generally include checks to flat
 13 entrance doors and self—closing devices specifically?
 14 A. In the latter part of what I say in the paragraph, the
 15 primary element was where insufficient information was
 16 known about a building or the responsible person or risk
 17 assessor had cause to think there may be something they
 18 weren't aware of, there was an opportunity, without
 19 disturbing leaseholders or tenants, generally, to be
 20 able to carry out a thorough and potentially more
 21 intrusive check of the structure, levels of fire
 22 protection and so forth within a flat, without causing
 23 inconvenience to others.
 24 Q. Does it flow from that answer that types of checks
 25 referred to in this paragraph referred both to fire

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1 compartmentation, flat entrance doors and other matters
 2 as well?
 3 A. Could you expand what you mean by "other matters"?
 4 Q. Well, take fire compartmentation, first of all. You
 5 used the word "comprehensive".
 6 A. Yes.
 7 Q. So what I was trying to do was draw out the other
 8 matters.
 9 A. I follow. Yes, if they were going to look in a void
 10 flat, they would have good opportunity to be able to
 11 expose behind meters, drill into ceilings to see what
 12 depth of plasterboard or other type of ceiling might be
 13 there, open up areas such as around soil pipes, which
 14 have been a bone of contention, not with RBKC in fact
 15 but others around what was covered, and actually check
 16 things like that, including getting into if there was
 17 a communal heating system, ventilation system, such as
 18 we looked at at Lakanal, that those things could be
 19 readily checked from a void flat, where it would be much
 20 more difficult to do from a tenanted flat.
 21 Q. Just following on from that answer about the types of
 22 checks that ought to be carried out, you say in the same
 23 paragraph, fourth line from the end of the paragraph,
 24 this:
 25 "Another check that I was aware of being applied was

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1 a less intrusive check of the self-closer and any
 2 obvious compartmentation issues such as fire stopping
 3 around pipework, which was done at the time of
 4 a landlord's gas safety check, though clearly that would
 5 not be applicable in all cases."
 6 Now, why did you consider that checking the
 7 self-closing device during the landlord's gas safety
 8 check would be sufficient?
 9 A. I didn't consider it to be sufficient as an entire check
 10 or maintenance review. This was something which, in
 11 terms of enforcement, we are required under the
 12 enforcement concordat and its later models to seek to
 13 enforce proportionately and in a reasonable manner where
 14 we don't overimpose burdens.
 15 The same really applies for the responsible person.
 16 If there was an opportunity to enter the flats while
 17 doing another check, it might make it easier to gain
 18 access generally. If you're looking at twice a year,
 19 once looking at the self-closers and anything else, once
 20 when you were already going to do a gas safety check,
 21 you would not then necessarily need to go in a third
 22 time just to conduct a self-closer check, you could
 23 incorporate the two together. That was what I was
 24 getting at.
 25 Q. Thank you.

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1 Were any other options for carrying out internal
 2 flat entrance door checks discussed at the meeting?
 3 A. Not that I recall.
 4 Q. Was any agreement reached at the meeting as to what the
 5 TMO's maintenance and monitoring regime for flat
 6 entrance doors should be?
 7 A. No.
 8 Q. At any point did you discuss what checks of flat
 9 entrance doors and self-closing devices the LFB expected
 10 to be carried out during a fire risk assessment?
 11 A. I'm afraid I can't recall whether -- that would have
 12 come under Mr Comery, though I would have no doubt
 13 contributed, but I can't recall if we did.
 14 Q. If we stay in this statement and turn over the page to
 15 page 20 {MET00040001/20}, and the second paragraph from
 16 the bottom, you go on to say:
 17 "At the closing of the meeting I believe Carl STOKES
 18 summarised the discussions from his notes and said he
 19 would make arrangements with SM COMERY for the premises
 20 that had been discussed to be visited by him and
 21 SM COMERY or his team. He and Janice WRAY would also
 22 look into the use of void flats to check construction
 23 and fire compartmentation."
 24 Now, by saying you would look into the use of void
 25 flats to check construction and fire compartmentation,

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1 did you understand that to include checks to flat
 2 entrance doors and self-closing devices?
 3 A. I think I would have assumed it to, as a thorough look
 4 at that flat and what was in it.
 5 Q. You say "assume"; did you make clear your assumption to
 6 Mr Stokes and Ms Wray?
 7 A. At this point in time, I'm afraid I couldn't say.
 8 Q. Thank you.
 9 Could I turn to a separate topic, which is an email
 10 from Janice Wray to Matthew Ramsey on 18 December 2013.
 11 If I could ask you to turn to {LFB00003534}, and
 12 it's an email we looked at with Mr Ramsey. You'll see
 13 there item 1, where Ms Wray set out the regime that was
 14 applied. She noted Mr Ramsey's concern about
 15 self-closing devices and said this in the second line:
 16 "... I would reiterate our approach to flat entrance
 17 doors which, as I believe you are aware, has been
 18 discussed with your colleagues at the LFB consistently
 19 over recent years and again at our regular meeting
 20 yesterday. Specifically, in relation to tenants' doors
 21 our approach is as follows --
 22 "■ When replacement flat entrance doors are fitted
 23 they are fire rated & self-closing.
 24 "■ When properties become void self-closers will be
 25 reinstated/installed as necessary.

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1 " ■ At other times when major work is being
2 undertaken in a dwelling the self-closer will be
3 reinstated if it has been disconnected."

4 My first question is: do you recall ever seeing this
5 email? Was it ever forwarded to you?

6 A. Not that I recall, though I have seen it since.

7 Q. Now, it suggests that for doors with self-closers
8 installed or fitted, those self-closers would only be
9 inspected and reinstated if necessary when the property
10 became void or major work was undertaken.

11 First, an obvious question is: did you consider that
12 approach to be consistent with the advice and guidance
13 you'd given at the meeting on 8 November 2012?

14 A. No.

15 Q. Can you help the panel as to in which respects you
16 consider this approach to be lacking?

17 A. This appears from the three bullet points to suggest
18 that this would be the only maintenance regime being
19 conducted. I would not consider that to be suitable
20 because it would leave far too much time potentially
21 between checks. This would appear to state that
22 somebody may have moved into a flat 30 years ago and it
23 will never be checked until they have moved out in five
24 years' time and a new tenant moves in. That would be
25 wholly unacceptable.

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1 Q. In your discussion with the TMO and RBKC, had you
2 approved the approach which Ms Wray summarises there?

3 A. No.

4 Q. To the best of your knowledge, do you know whether
5 anyone in the LFB who had dealings with the TMO approved
6 such an approach?

7 A. I do not know of anybody who has and I cannot think of
8 anybody who would.

9 SIR MARTIN MOORE-BICK: Can you just help me with this: did
10 the LFB actually give bodies who are operating flats,
11 large buildings, any advice as to what you would regard
12 as an appropriate maintenance regime in practical terms?

13 A. I think there may have been something within one or more
14 of the guidance notes issued by the Brigade in respect
15 to flat front doors, but I would need to check, I'm
16 afraid, sir.

17 SIR MARTIN MOORE-BICK: It's very easy to say, "Well, you
18 must check your doors every six months" —

19 A. Yes.

20 SIR MARTIN MOORE-BICK: — but the response is, "How?" And
21 what's the answer to that question?

22 A. I'm afraid I think that is one that, with the different
23 working methodologies of landlords, leases and tenants,
24 we expected them to come to a view on how they would be
25 able to achieve it, rather than us seeking to direct

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1 things that they must do in that regard. That may not
2 have been ideal.

3 SIR MARTIN MOORE-BICK: It sounds like the problem was too
4 difficult for you to suggest the answer to.

5 A. I certainly think the come-back one gets from property
6 owners around anything which is brought forward such as
7 that can be problematic.

8 SIR MARTIN MOORE-BICK: All right, thank you.

9 MR KINNIER: Thank you, sir.

10 Can I now turn to a separate topic, which is contact
11 and communication with Rebecca Burton.

12 If we go back to your Met statement, that's
13 {MET00040001/14}, in the second paragraph on that page
14 you deal with an email Rebecca Burton sent you,
15 Nicolas Comery and Nicholas Coombe on 1 November 2015
16 and which we looked at earlier.

17 If we can go to that email, which is at
18 {LFB00054653/1}, we see in the third paragraph, first
19 sentence, Ms Burton explained that recent inspections of
20 TMO properties had shown that a significant number of
21 flat entrance doors were not self-closing. She referred
22 to a comment in Carl Stokes' FRA for Adair Tower that
23 flat entrance doors are not self-closing and this is "in
24 agreement with the LFB". She explained that Janice Wray
25 had provided details of the meeting on 8 November 2012,

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1 incorrectly stated there, I think, to be 8 November
2 2015, where this agreement was apparently reached and
3 raised concern about the LFB's change of position.
4 Rebecca Burton sought information from you, Mr Comery
5 and Mr Coombe as to what was discussed at the meeting
6 in November 2012.

7 My first question is this: what did you make of the
8 suggestion by Carl Stokes and Janice Wray that the LFB
9 had "agreed" at the meeting on 8 November 2012 that
10 self-closing devices were not required on existing flat
11 front entrance doors?

12 A. Frankly, sir, I was shocked.

13 Q. Could you amplify the reasons for your shock?

14 A. Firstly, that I was quite certain, and I am quite
15 certain, that no such agreement was given.

16 Secondly, that Mr Stokes is a former serving fire
17 officer, that he has experience of such matters and has
18 seen the devastation that can be caused by
19 non-self-closing fire doors. I was, as I say, quite
20 shocked that he would come to any conclusion that doors
21 should not be self-closing.

22 Q. Thank you.

23 Can I now turn to a separate topic, which is the
24 review of the TMO fire safety strategy that touched upon
25 flat entrance doors.

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1 If I could ask you to go back to your Met statement,
 2 which is at {MET00040001/21}, and the third paragraph on
 3 that page.
 4 There you explain that, after the fire ,
 5 Rebecca Burton provided various documents to you at your
 6 request, including — set out in the final line — the
 7 TMO fire safety policy or strategy of September 2013,
 8 which you say, over the page at page 22
 9 {MET00040001/22}, in the third paragraph down, you
 10 reviewed. Is that a fair summary of your evidence on
 11 that?
 12 A. I believe so, yes.
 13 Q. If we can go to page 24 of this statement
 14 {MET00040001/24}, the very bottom, you set out
 15 section 17.3 of the 2013 TMO fire safety strategy,
 16 entitled "LFB required standards for flat entrance doors
 17 within enclosed blocks". It does not set out a policy
 18 for the monitoring and maintenance of flat entrance
 19 doors.
 20 Is that a topic you would have expected to have seen
 21 in a fire safety strategy?
 22 A. I would. As part of an overall maintenance regime, fire
 23 doors should clearly be within it .
 24 Q. And presumably particularly so after you'd met the TMO
 25 and the RBKC to discuss that very issue in

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1 November 2012?
 2 A. We had met to discuss doors and the matter of them
 3 needing to be fully functioning was a primary element of
 4 that meeting.
 5 Q. Thank you.
 6 Could we look at the 2017 TMO fire safety strategy,
 7 which was or seems to have been approved on
 8 13 June 2017. That can be found at {TMO00847324/12}.
 9 Now, this says, if you see roughly halfway down that
 10 page:
 11 "The TMO has a variety of ongoing methods of
 12 ensuring that self-closing devices remain in place and
 13 remain operational. These include but are not confined
 14 to —
 15 " ■ Included in works to all void (empty) properties
 16 in advance of new tenant moving in.
 17 " ■ Included in six-monthly checks of all sheltered
 18 dwellings.
 19 " ■ Included in monthly inspections of all temporary
 20 accommodation.
 21 " ■ When undertaking comprehensive FRA reviews the
 22 assessor, access-permitting, will inspect a number of
 23 flat entrance doors and their self-closing devices."
 24 Now, is that approach consistent with the advice and
 25 guidance you gave in the November 2012 meeting?

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1 A. That does appear to be very much what we said, or what
 2 I believe we said.
 3 Q. And for the avoidance of doubt, would it follow that you
 4 considered that to be compliant with the requirements of
 5 the 2005 order?
 6 A. I believe it would, although I note here it does say
 7 it's only six-monthly checks of all sheltered dwellings.
 8 Q. I was about to come on to that.
 9 A. If it were applied to all the flats , I would say yes.
 10 Q. Because it misses out general needs housing, you
 11 consider that to be a material omission from —
 12 A. I do.
 13 Q. — the maintenance regime that would be required?
 14 A. Absolutely.
 15 Q. Now, one point that has been articulated is that in some
 16 way the LFB was specifically targeting RBKC and TMO,
 17 singling them out for special treatment when insisting
 18 that they should implement a planned preventive
 19 maintenance programme for self-closing devices.
 20 Now, what would be your response to that concern or
 21 allegation?
 22 A. That it has no basis in fact .
 23 Q. Can you help us, your concern to ensure planned
 24 preventive maintenance programmes were in place for
 25 self-closing devices, did that apply across all London

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1 boroughs for which you were responsible?
 2 A. Absolutely. If we found there was a lack of maintenance
 3 and planning in any borough or any other housing
 4 provider, or indeed any other business for which we are
 5 the enforcing authority, that is a matter we would have
 6 pursued and do pursue with them.
 7 Q. Now, can I turn to a separate topic, and it's one we
 8 touched on with Mr Ramsey, and that was auditing the
 9 evacuation strategy for disabled persons.
 10 Could I ask us to go to {LFB00032293}.
 11 First of all, Mr Jack, you're probably well placed
 12 to explain to us what a fire safety information and
 13 guidance note is, first of all .
 14 A. It is a form of policy document used by the regulation
 15 department to set out what the policy we are operating
 16 under is and provide guidance to officers on how they
 17 should implement that policy.
 18 Q. What is the fire safety regulation team plan?
 19 A. It's a plan primarily held or used at local team level
 20 to dictate where they will conduct their audits during
 21 the course of that year, made up of a combination of
 22 pre-planned inspections, revisiting existing premises
 23 that have been seen before, previously unknown premises,
 24 how they will respond to allegations of fire risk, for
 25 numbers and for planning purposes to sort out how much

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1 they can physically achieve with the number of staff
 2 they have.
 3 Q. Thank you.
 4 Could we turn to page 6 within this guidance note
 5 {LFB00032293/6}. If we go to paragraph 5.14, we see:
 6 "IO [the inspecting officer] should ..."
 7 And look at the third bullet point from the bottom
 8 of that list:
 9 "Focus on evacuation strategy especially for those
 10 with mobility issues."
 11 Is it correct that LFB inspecting officers are not
 12 prompted to assess that question on the premises
 13 inspection and data form?
 14 A. I don't believe they are.
 15 Q. Can you help us, being a senior officer, as to why they
 16 are not so prompted?
 17 A. I believe in the guidance or training to them, it has
 18 historically been largely limited to the identification
 19 of groups, which may then lead them on to that
 20 discussion, and would feature principally under the
 21 means of escape and the provision of information to
 22 people about it. It is taken much further in the
 23 sheltered housing side of it, and I think this has been
 24 lifted from there. But beyond that, I'm afraid I can't,
 25 because this rests with a different part of the office

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1 to me. So although I have an awareness of it, I'm not
 2 fully focused on that issue.
 3 Q. Hopefully, the Chairman and you won't mind if I press my
 4 luck somewhat, though —
 5 A. Please feel free.
 6 Q. — notwithstanding that caveat.
 7 But given the absence of a prompt, how would the LFB
 8 expect its inspecting officers to focus on evacuation
 9 strategy, particularly as it affects those with mobility
 10 issues? How were you expecting them to do that absent
 11 a prompt or any further guidance?
 12 A. I think, as I said, the prompt is therefore the
 13 assessment should consider groups of or any group of
 14 vulnerable persons, and if the assessment raised that
 15 such persons may be present, then the inspector should
 16 be reviewing that against what was actually in place.
 17 But I'm not aware of a better prompt than that to them,
 18 other than through their training.
 19 Q. Thank you.
 20 Can I stay on this topic of the vulnerable and
 21 disabled residents, and could I ask you to go to
 22 {RBK00053712}, which is an email from Claire Wise to
 23 Amanda Johnson and Celia Caliskan, who were employees of
 24 RBKC working in their housing department. This
 25 summarised a meeting about sheltered housing that she

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1 and Janice Wray attended with you, Nicolas Comery and
 2 Nicholas Coombe that morning.
 3 If we could look at the fourth paragraph of this
 4 email, which starts "They stressed ..." So I'm assuming
 5 that means you and/or Mr Coombe and/or Mr Comery:
 6 "They stressed that, if there are residents in
 7 buildings that cannot independently evacuate or may have
 8 other needs that impact on their ability to carry out
 9 fire safety procedures (e.g. if they are hard of
 10 hearing) then the Fire Brigade need to know. Local fire
 11 stations do not need to be informed. It would be good
 12 practice for a list of residents with additional needs
 13 to be kept close to the fire alarm control panel. The
 14 information could be stored in Gerda boxes or less
 15 expensive boxes locked with a fire brigade padlock key.
 16 The box should be marked for the attention of the
 17 fire brigade for use in the event of a fire.
 18 "They believe that it is the person/organisation who
 19 manages the building that has a duty to develop a plan
 20 with actions to be taken in the event of a fire and
 21 collect information on residents with additional needs.
 22 I.e. it is the responsibility of the landlord/building
 23 manager to establish the needs of residents though it is
 24 acknowledged that residents are able to decline to
 25 disclose this information if they choose.

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1 "Risk assessments do not need to be updated if the
 2 needs of individual residents changes slightly or if
 3 a new resident moves in with no additional needs. It
 4 may be required to carry out a review of the risk
 5 assessment if a resident's needs significantly changes
 6 and/or where that change in need is permanent. They
 7 suggested that where a resident cannot independently
 8 evacuate and the fire risk assessment requires
 9 an evacuation strategy that the resident should be
 10 encouraged to move or other fire safety methods put in
 11 place, such as sprinklers for high risk dwellings (e.g.
 12 if they are heavy smokers)."
 13 I apologise, this is an email that's quite old.
 14 Mindful of that caveat, does that email reflect
 15 a fair summary of what was discussed with Claire Wise
 16 and others at that meeting?
 17 A. I think, as I said in my statement, I cannot
 18 particularly recall the meeting. I have a feeling it
 19 was one that Mr Coombe walked across to my desk and
 20 asked me if I would join him at, and I've not found any
 21 particular record. I can only say that it does sound
 22 like what we were saying at that time as general
 23 messages.
 24 Q. Can you remember, mindful of the caveat you've given,
 25 whether the discussion extended to residents with

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1 disabilities in general needs housing?
 2 A. I'm afraid I can't recall. I have, as I say, very
 3 little recollection of the meeting.
 4 Q. Can you recall Janice Wray's response or Claire Wise's
 5 response?
 6 A. I'm afraid not.
 7 Q. Thank you.
 8 Now can I turn to a separate and distinct topic,
 9 which relates to Approved Document B.
 10 A. Mm—hm.
 11 Q. In your second statement to the Inquiry, which can be
 12 found at {LFB00120308/9}, paragraph 30, you state this:
 13 "I recall that at some point around 2013 to 2015
 14 I attended a meeting between the LFB and DCLG with
 15 Brian Martin in which B4(1) was discussed. I recall the
 16 point being made that AD B offered significantly less
 17 guidance in respect of the first limb of B4(1), the
 18 requirement for fire resistance across the face of
 19 a building, than for the second limb, the requirement to
 20 resist the spread of fire from one building to another.
 21 However, I do not have a clear recollection of this
 22 meeting, nor a written record. I believe that it was as
 23 a result of this meeting that I formed the impression
 24 a new version of the AD B might be forthcoming, as
 25 I stated in my email of 26 September 2016."

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1 Can you remember who arranged that particular
 2 meeting?
 3 A. Arranged it? No, I'm afraid I can't.
 4 Q. Can you remember why it was taking place?
 5 A. I think — and I can only say I think — that it was
 6 part of the follow-up following Lakanal and some issues
 7 arising from that and some other fires. There had been
 8 a number of issues around compartmentation and other
 9 Building Regulations matters. But there were a number
 10 of meetings that happened, that's why I can't say which
 11 and when, I'm afraid.
 12 Q. Can you remember who was present?
 13 A. Other than myself and Brian, I'm afraid not. I only
 14 remember that because the raising of it, of this issue,
 15 I think was actually by me, and I know Brian Martin as
 16 we worked together many years ago.
 17 Q. Did you consider the guidance in ADB to be clear in
 18 relation to the two limbs of the functional requirement,
 19 B4, you've described?
 20 A. No.
 21 Q. In what respects did you consider it to be lacking?
 22 A. In my view, the lead-through in ADB for B1 took you
 23 straight into B2, which led people to consider that the
 24 entire requirement was about spread between buildings.
 25 One had to go hunting around into previous paragraphs to

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1 be able to find some mention of fire spread within — it
 2 was an issue we had looked at as part of the
 3 investigation following the Lakanal fire.
 4 Q. Were you a lone voice on this or were others expressing
 5 similar concerns regarding the clarity of B4?
 6 A. Within the department I would say it had become
 7 a collective view between those in enforcement,
 8 engineering and beyond.
 9 Q. When you say department, you mean —
 10 A. The fire safety regulation department.
 11 Q. Acknowledging that you've said that your recollection of
 12 the meeting is not clear, bearing in mind the passage of
 13 time, can you assist us at all in the gist of what was
 14 discussed?
 15 A. It was only around that part that I have particular
 16 recollection, and then really because it related to my
 17 recollection that Brian had said they would be
 18 approaching ministers to try and get a review of
 19 Approved Document B, and noted how difficult that may
 20 be, a matter I can really sympathise with them on.
 21 Q. Why would that be difficult? What were his reasons for
 22 anticipating those difficulties?
 23 A. I think at that time there was a significant element of
 24 localism, people should be doing things for themselves
 25 and government not wanting to put out — conduct further

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1 reviews against staff shortages, that type of thing.
 2 Not uncommon.
 3 Q. Do you recall Mr Martin expressing any views himself
 4 about the interpretation, adequacy or clarity of B4?
 5 A. Not at that meeting, although he had before during the
 6 Lakanal investigation.
 7 Q. Can you give us the gist of his views regarding
 8 interpretation, adequacy or clarity of B4?
 9 A. I think he — to use the word that I've used earlier, in
 10 seeing what others within the building industry had
 11 said, he was shocked that they could have reached such
 12 a conclusion that there was only the one requirement.
 13 There's been a historic view through what I'll call
 14 the Building Regulations department, if I may, because
 15 it's changed names so often, that the document was
 16 written for professionals within the building industry
 17 who would consequently understand it, but there was,
 18 I believe, some recognition by him that perhaps that was
 19 not being achieved to the extent that one might have
 20 hoped, and equally it was being read by others who were
 21 not necessarily so technically competent as the building
 22 control officers of his day, I might say.
 23 Q. Thank you.
 24 In relation to the last line of this paragraph of
 25 your witness statement that we're looking at

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1 {LFB00120308/9}, when you say:
 2 "I believe that it was as a result of this meeting
 3 that I formed the impression a new version of the AD B
 4 might be forthcoming ..."
 5 Is there anything specific beyond what you've
 6 already said that created that anticipation in your
 7 mind, that a new version would be forthcoming?
 8 A. Only the comment that Brian had made to say they were
 9 looking to seek approval for the review of
 10 Approved Document B.
 11 MR KINNIER: Thank you very much.
 12 Mr Jack, I've come to the end of my prepared
 13 questions.
 14 Sir, might I have the usual indulgence, and might
 15 I ask for ten minutes to see whether I've missed
 16 anything out, or indeed whether there are any relevant
 17 questions that others might want me to ask?
 18 SIR MARTIN MOORE-BICK: Yes.
 19 Well, Mr Jack, we do normally have a break at the
 20 end of counsel's questions, just to let him check that
 21 he hasn't left anything out, and to consider suggestions
 22 from others, who aren't in the room, for additional
 23 questions. So we will take a break now. I'm going to
 24 say 12.40. When you come back, we'll see whether there
 25 are any more questions for you.

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1 I have to ask you, please, not to talk to anyone
 2 about your evidence or anything relating to it while
 3 you're out of the room.
 4 THE WITNESS: Of course, Mr Chairman.
 5 SIR MARTIN MOORE-BICK: If you go with the usher, we'll get
 6 you back as soon as we can.
 7 (Pause)
 8 12.40, then, please.
 9 MR KINNIER: Thank you, sir.
 10 (12.27 pm)
 11 (A short break)
 12 (12.41 pm)
 13 SIR MARTIN MOORE-BICK: Right, Mr Jack, let's see if there
 14 are any more questions for you.
 15 Yes, Mr Kinnier?
 16 MR KINNIER: There are no further questions. So, Mr Jack,
 17 thank you very much for attending the Inquiry. It's
 18 greatly appreciated.
 19 THE WITNESS: You're most welcome.
 20 SIR MARTIN MOORE-BICK: It's right I should thank you as
 21 well, Mr Jack, on behalf of all members of the panel for
 22 coming along to give your evidence. It's been very
 23 helpful to hear from you. It hasn't taken very long,
 24 but that doesn't mean to say we haven't benefited very
 25 much from what you've had to tell us. So thank you very

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1 much indeed, and now you're free to go.
 2 THE WITNESS: Thank you, Mr Chairman.
 3 SIR MARTIN MOORE-BICK: So if you would like to go with the
 4 usher.
 5 (The witness withdrew)
 6 SIR MARTIN MOORE-BICK: Well, now, Mr Kinnier, we have
 7 another witness, but perhaps not just yet; is that
 8 right?
 9 MR KINNIER: No, sir. If you're content, we can start
 10 Ms Matthews at 2 o'clock, rather than having quarter of
 11 an hour and —
 12 SIR MARTIN MOORE-BICK: And then a break almost as soon as
 13 we've started. Yes, I think that would be sensible.
 14 So we'll break at that point and resume, please, at
 15 2 o'clock.
 16 MR KINNIER: Thank you, sir.
 17 SIR MARTIN MOORE-BICK: 2 o'clock, please. Thank you.
 18 (12.42 pm)
 19 (The short adjournment)
 20 (2.01 pm)
 21 SIR MARTIN MOORE-BICK: Yes, Mr Kinnier. Now, the next
 22 witness.
 23 MR KINNIER: May I call Barbara Matthews.
 24 SIR MARTIN MOORE-BICK: Thank you.
 25

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1 MS BARBARA MATTHEWS (affirmed)
 2 SIR MARTIN MOORE-BICK: Thank you very much. Sit down,
 3 please, and make yourself comfortable.
 4 THE WITNESS: Thank you.
 5 SIR MARTIN MOORE-BICK: Thank you.
 6 When you're ready, Mr Kinnier.
 7 Questions from COUNSEL TO THE INQUIRY
 8 MR KINNIER: Thank you.
 9 Would you please confirm your name for the record.
 10 A. Barbara Matthews.
 11 Q. Good afternoon, Ms Matthews. Thank you very much for
 12 attending today.
 13 Before we start in earnest on your evidence, there
 14 are three points which I should put to you.
 15 First of all, if at any time you require a break,
 16 please say so, that's not a problem.
 17 Secondly, if at any time any of my questions are
 18 unclear, please say so and I'll rephrase them so that
 19 they become clear.
 20 A. Yes.
 21 Q. Thirdly and finally, would you please keep your voice up
 22 during the course of your evidence, that's so the
 23 shorthand writer can capture everything you say and
 24 accurately.
 25 A. Of course.

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1 Q. Now, Ms Matthews, you provided two statements for this
 2 Inquiry, the first dated 22 August 2019, which can be
 3 found at {TMO10049987}. Is that it?
 4 A. It is, yes.
 5 Q. Your second statement is dated 8 December 2020, which
 6 can be found at {TMO00873380}. Is that it?
 7 A. Yes, it is.
 8 Q. Have you read both of those statements recently?
 9 A. I have.
 10 Q. Are their contents true?
 11 A. They are true.
 12 Q. Are you content to have those statements stand as your
 13 evidence to this Inquiry?
 14 A. I am.
 15 Q. Thank you.
 16 Now, the first topic I would like to ask you
 17 questions about is your background, qualifications and
 18 experience.
 19 Is it right that you were employed by the TMO as the
 20 executive director of financial services and ICT from
 21 June 2015 onwards?
 22 A. It is correct.
 23 Q. When did you stop being employed by the TMO?
 24 A. I stopped being employed by the TMO when the TMO
 25 transferred its services to the council in February

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1 2018, and then I was employed by the council, RBKC.
 2 Q. Did you, at the time of your employment, have any formal
 3 health and safety management qualifications?
 4 A. No.
 5 Q. Did you have any form of health and safety training?
 6 Had you received any previously?
 7 A. None but the normal sort of office health and safety
 8 training that you often get in a new role.
 9 Q. When you were appointed as executive director at the
 10 TMO, first of all, were you aware of fires in the
 11 United Kingdom involving cladding on high-rise
 12 residential buildings?
 13 A. At the time I joined, no, I wasn't.
 14 Q. Were you aware of the Lakanal House fire in 2009?
 15 A. I was, yes.
 16 Q. In broad terms, what did you know about it?
 17 A. My understanding there, the issue was to do with
 18 compartmentation and the design of the building, and
 19 that one of the reasons for the deaths of people was
 20 they were trapped in a room that they thought was safe
 21 and it wasn't.
 22 Q. So you were unaware of the role of cladding in that
 23 fire?
 24 A. I was aware — when you talk about cladding, I was aware
 25 that some of the — under windows there are cladding

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1 panels which may have had an impact on the fire, but
 2 cladding as a whole I was not aware of.
 3 Q. Were you aware of the recommendations that had been made
 4 by the coroner following the Lakanal House inquests?
 5 A. In relation to compartmentation and the panels that
 6 I mentioned — they've got a name, but I can't remember
 7 what they're called — I was aware of the recommendation
 8 with regards to design on buildings.
 9 Q. Thank you.
 10 Now, in paragraph 7 of your first witness
 11 statement — we don't need to go to it, but the
 12 reference is {TMO10049987/2} — and the third sentence,
 13 you say this:
 14 "One of my key functions was to monitor the TMO's
 15 health and safety performance from a strategic level.
 16 That is, it was my role to ensure that the TMO had
 17 a health and safety strategy in place that was up to
 18 date and that identified programmes of work/training."
 19 Before you joined the TMO, had you held any previous
 20 responsibility for health and safety in any previous
 21 role?
 22 A. No.
 23 Q. Did you have any training or experience in the
 24 management of health and safety at this point?
 25 A. No.

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1 Q. Had you ever been responsible for the health and safety
 2 of housing stock such as that managed by the TMO, ie
 3 10,000 homes, some council tenanted, leasehold,
 4 sheltered housing, et cetera?
 5 A. No.
 6 Q. What experience did you have before joining the TMO of
 7 fire safety management in the context of social housing?
 8 A. I hadn't actually managed fire safety but, obviously,
 9 through the number of years that I've been in housing,
 10 I'm aware of the requirements in terms of fire risk
 11 assessments, the actions arising from those, and sort of
 12 issues around compartmentation in buildings. So I was
 13 aware of these things, but I didn't actually manage them
 14 myself.
 15 Q. You may have been aware of them; had you received any
 16 specific fire safety training in your previous roles?
 17 A. No.
 18 Q. Had you received any particular training on fire risk
 19 systems or fire risk management systems?
 20 A. No.
 21 Q. Did you have any training on fire safety in the context
 22 of asset management or housing stock whilst employed by
 23 the TMO?
 24 A. No.
 25 Q. Did you have any training, whether at the TMO or

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1 previously, on the requirements of the Regulatory Reform
2 (Fire Safety) Order 2005?
3 A. No.
4 Q. Were you aware of any of the supporting guidance, first
5 of all Her Majesty's Government's "Fire safety risk
6 assessment: sleeping accommodation", which had been
7 published by the Department for Communities and Local
8 Government?
9 A. I am likely to have been aware of it in previous
10 executive roles, but I can't specifically say that I had
11 been through the whole document.
12 Q. Was it a document that you had cause to refer to during
13 your time at the TMO?
14 A. Not me specifically. I would have expected Janice, my
15 health and safety manager, to review that document and
16 bring any things to my attention. She was the expert.
17 Q. We'll come on to —
18 A. Okay.
19 Q. — Ms Wray in due course.
20 But looking at what you yourself did, were you aware
21 of the LACORS guidance on fire safety provisions for
22 certain types of existing housing, published in 2008?
23 A. I'm not sure that I was.
24 Q. The Local Government Association's publication "Fire
25 safety in purpose-built blocks of flats", published in

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1 2011?
2 A. I was aware of that document.
3 Q. Were you aware of its substance?
4 A. I had read that document.
5 Q. And had you read it before you joined the TMO or —
6 A. Not before, no.
7 Q. And what prompted you to read it whilst you were
8 employed by the TMO?
9 A. I think Janice would have brought it to my attention
10 when we were having various discussions about things.
11 I can't actually remember.
12 Q. If you can't remember then —
13 A. Yes, I can't remember.
14 Q. — don't try and remember.
15 A. No.
16 Q. Were you aware of the requirements of the responsible
17 person under the Fire Safety Order?
18 A. I was at the TMO, through the work I did with Janice.
19 Q. But not before?
20 A. Not before.
21 Q. Were you given any specific training on the requirements
22 of and the role of fire risk assessments?
23 A. No.
24 Q. You go on to say in paragraph 8 of your statement — and
25 again, it may be easier to have it up on the screen

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1 {TMO10049987/2} — this:
2 "My role in relation to health and safety at the TMO
3 was managerial rather than technical. It was my
4 responsibility to ensure that Janice Wray had the proper
5 support and resources to be able to carry out her role.
6 I provided this support to Janice through formal one to
7 one meetings every month during which we discussed
8 issues, service plans and anything else that was topical
9 or in issue. We would also identify what health and
10 safety matters we felt needed to be included in the
11 fortnightly Executive Team meetings and the annual
12 health and safety report presented to the Executive Team
13 and the Board. We also caught up weekly on a more
14 informal basis."
15 Now, you say your role in relation to health and
16 safety was managerial rather than technical; did you
17 have any technical experience for the role?
18 A. No, not really. I mean, as it says there, I did not —
19 I was not the technical side. That was Janice. I was
20 more managerial, looking at the strategic role.
21 Q. Now, would it be fair to say that your responsibility
22 was broad, in that it encompassed ensuring the health
23 and safety of all TMO residents, employees and
24 contractors, et cetera?
25 A. Yes.

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1 Q. Now, given your lack of technical ability, did you rely
2 entirely on Janice Wray to determine whether the TMO was
3 acting as it should in relation to its health and safety
4 obligations?
5 A. I obviously relied on Janice, but also, in terms of fire
6 safety, I relied on Carl Stokes as well.
7 Q. Did you understand that the property portfolio over
8 which you had executive health and safety responsibility
9 was of a substantial size, encompassing some 650 blocks?
10 A. Yes, I was.
11 Q. Did you understand that oversight of health and safety
12 for the TMO required a substantial level of leadership
13 and organisational control?
14 A. Yes.
15 Q. Now, Janice Wray was not part of the senior management
16 team at the TMO; is that right?
17 A. That's correct.
18 Q. She wasn't required to attend senior management team
19 meetings, for example; again, is that correct?
20 A. That's correct.
21 Q. But, in effect, given that you were her line manager,
22 she was effectively at a senior management level; is
23 that a fair characterisation?
24 A. That is a fair assessment of her role.
25 Q. And certainly from the practical point of view?

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1 A. Yes.
 2 Q. Now, you state in paragraph 8 of your witness statement
 3 {TMO10049987/2}, the one we've just looked at, that you
 4 and Janice Wray would identify the matters that needed
 5 to be included in executive team meetings and the annual
 6 health and safety report.
 7 How did you determine what needed to be reported to
 8 the executive team?
 9 A. Well, a number of things would come up at the health and
 10 safety committee, and Janice and I followed up on
 11 various issues. Some things would come to my attention
 12 through different means. Sometimes it was a matter of
 13 what was coming up in the sector, various sort of
 14 general publications that came through email. So we
 15 might decide there's a matter in there that ought to
 16 come to the executive team because it might be
 17 applicable to the TMO and its stock.
 18 Q. First of all, who would determine what health and safety
 19 issues were to be referred to the board?
 20 A. What was referred to the board would have been the
 21 things that were shown in the annual health and safety
 22 report, and also exceptional items. For instance, after
 23 the fire at Adair, there were various reports that went
 24 to the board on that and the resulting enforcement
 25 notices.

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1 Q. Were there any instances where Janice Wray recommended
 2 that a health and safety issue should be referred to the
 3 board, but you disagreed with her?
 4 A. No.
 5 Q. Were there any issues that you thought should be
 6 referred to the board and Janice Wray asked you not to?
 7 A. I don't think she ever asked me not to report something
 8 to the board.
 9 Q. Or at least encouraged you not to put it before —
 10 A. No, she never did that.
 11 Q. Now, staying in this witness statement at paragraph 9
 12 {TMO10049987/2}, you say this:
 13 "The TMO had a Health and Safety Committee that met
 14 regularly. While I chaired these meetings, I made it
 15 clear to all those in attendance that Janice was the
 16 manager and the expert. My attendance at these meetings
 17 was to highlight the importance that the TMO put on
 18 health and safety. Sacha Jevans also attended as many
 19 matters concerning health and safety fell into her
 20 directorate."
 21 Was the practical result of your lack of technical
 22 knowledge that you deferred to Janice Wray as the expert
 23 on all aspects of health and safety, including fire
 24 safety?
 25 A. As I said, yes, but with fire safety it was also

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1 Carl Stokes.
 2 Q. Is it fair to say that your role as chair was
 3 essentially procedural, ie to run the meeting?
 4 A. It wasn't just to run the meeting because, as you can
 5 see from my statements, one of the things I did was to
 6 stress and challenge and require people in the
 7 organisation to do certain things. So it wasn't just to
 8 sit there and chair the meeting.
 9 Q. So your contention would be it was a substantive as
 10 opposed to a mere presentational role?
 11 A. Yes.
 12 Q. Can you help us, what health and safety matters fell
 13 into Sacha Jevans' directorate?
 14 A. They would have been the actions resulting from any of
 15 the health and safety action plans in relation to maybe
 16 contract management or maybe planned maintenance. Even
 17 key documentation required that would come from the
 18 Keystone system. So those were the sorts of things that
 19 fell into her area.
 20 Q. Thank you, Ms Matthews.
 21 I want to move now to a new topic, which is
 22 oversight of fire safety.
 23 Can we look, first of all, at the TMO's regulatory
 24 responsibilities in relation to fire safety.
 25 First of all, were you aware of the substance of the

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1 Regulatory Reform (Fire Safety) Order?
 2 A. I probably was aware of some of it, but maybe not all
 3 the detail.
 4 Q. Put differently, had you sat down and read the order?
 5 A. I hadn't read it front to back, no.
 6 Q. Had you ever read any aspects of the order?
 7 A. I believe I did in relation to fire risk assessments,
 8 the need for fire risk assessments and what they needed
 9 to cover.
 10 Q. And what had prompted that investigation?
 11 A. Probably my own knowledge, to build up my knowledge,
 12 because I was responsible for health and safety.
 13 I needed to read things to ensure I understood certain
 14 things, and fire risk assessments was one of the things
 15 that I was quite concerned about.
 16 Q. That concern, did that emerge at the start of your
 17 tenure as executive director or did it come later, once
 18 issues regarding FRAs, for example, started to be
 19 discussed by the executive team?
 20 A. No, it came fairly early on, when I realised that there
 21 were a huge amount of actions outstanding from fire risk
 22 assessments.
 23 Q. Were you aware of the concept and the substance of the
 24 duties imposed upon the responsible person under the
 25 order?

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1 A. I'm not sure that I was, to be honest.
 2 Q. Again, looking at it differently, did you consider the
 3 TMO to be the responsible person in relation to
 4 Grenfell Tower?
 5 A. No, I believe that there were two — you could say two
 6 responsible people, because the actual building is owned
 7 by the council, and we're the managing — TMO was the
 8 managing agent. So I felt that effectively there were
 9 two responsible people.
 10 Q. Now, can we look at some of the substantive requirements
 11 of the Fire Safety Order. For that purpose, could I ask
 12 you to go to {INQ00011327/8}.
 13 This is part 2 of the Fire Safety Order, and if
 14 I could ask you to look at Article 8, under the heading
 15 "Duty to take general fire precautions", it provides as
 16 follows:
 17 "The responsible person — must
 18 "(a) take such general fire precautions as will
 19 ensure, so far as is reasonably practicable, the safety
 20 of any of his employees; and
 21 "(b) in relation to relevant persons who are not his
 22 employees, take such general fire precautions as may
 23 reasonably be required in the circumstances of the case
 24 to ensure that the premises are safe."
 25 First of all, were you aware of that duty?

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1 A. I was, yes.
 2 Q. Were you aware of the TMO's arrangements to discharge
 3 that duty?
 4 A. I was aware of some of the things, in particular, as
 5 I've mentioned, fire risk assessments, and some of the
 6 checks that were going on in some of the buildings in
 7 relation to various — I think you refer to them as fire
 8 systems.
 9 Q. So we can see that risk assessment is a separate duty
 10 under Article 9, just below. Can you give the panel
 11 an idea of the gist of the understanding of the checks
 12 that you are thinking of when you were looking at
 13 Article 8?
 14 A. I suppose I was thinking of the sort of inspections that
 15 occur of equipment in various buildings.
 16 Q. How had you satisfied yourself that the arrangements for
 17 performing this duty imposed under Article 8 were
 18 adequate?
 19 A. Again, I would rely on the information I was getting
 20 about health and safety, as I said, fire risk
 21 assessments, and the various audits that — even
 22 Janice's team undertook various audits, so I would get
 23 my reassurance from that.
 24 Q. Did you exercise any independent review of your own to
 25 satisfy yourself regarding the adequacy of the

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1 arrangements?
 2 A. No, I didn't.
 3 Q. Please say if this is unfair or not, but would it be
 4 fair to say that if Janice Wray didn't give you any
 5 cause for concern, you assumed that the arrangements for
 6 discharging the Article 8 duty were in fact adequate?
 7 A. Erm ... I'm not sure whether I would have assumed that.
 8 Can you just ask the question again, just to make
 9 sure I got the ...
 10 Q. Yes. Is it fair to say that if Janice Wray didn't raise
 11 any specific concerns, you assumed or proceeded on the
 12 basis that the arrangements for discharging the
 13 obligation under Article 8 were adequate?
 14 A. It would not only be Janice, I would be relying on
 15 Carl Stokes and the audits that we also undertook
 16 internally. So it wouldn't just be Janice.
 17 Q. There would be other sources upon which you relied?
 18 A. Yes.
 19 Q. Now, it's up on the screen {INQ00011327/8}. We can see
 20 Article 9, "Risk assessment", and we can see that
 21 Article 9(1) imposes an obligation on the responsible
 22 person to:
 23 "... make a suitable and sufficient assessment of
 24 the risks to which the relevant persons are exposed for
 25 the purpose of identifying the general fire precautions

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1 he needs to take to comply with the requirements and
 2 prohibitions imposed on him by or under this Order."
 3 A. Mm.
 4 Q. Would you agree that that duty required the responsible
 5 person to carry out a suitable and sufficient assessment
 6 of risks?
 7 A. Yes.
 8 Q. And in that regard, did RBKC do anything in relation to
 9 carrying out risk assessments, to your knowledge?
 10 A. I don't know.
 11 Q. Did you proceed on the understanding that it was the TMO
 12 that carried out the risk assessments as the responsible
 13 person?
 14 A. Well, I must have done, because I didn't know what RBKC
 15 were doing, so I would, as part of the TMO and being
 16 part of the responsible person, need to make sure that
 17 we had suitable risk assessment.
 18 Q. Could I ask you to turn to Article 11, "Fire safety
 19 arrangements" {INQ00011327/9}. You see Article 11(1)
 20 requires the responsible person to:
 21 "... give effect to such arrangements as are
 22 appropriate, having regard to the size of his
 23 undertaking and the nature of its activities, for the
 24 effective planning, organisation, control, monitoring
 25 and review of the preventive and protective measures."

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1 11(2) goes on to impose a separate duty on the
 2 responsible person to record the arrangements referred
 3 to above where:
 4 "(a) he employs five or more employees;
 5 "(b) a licence under an enactment is in force in
 6 relation to the premises; or
 7 "(c) an alterations notice ... is in force ..."
 8 Now, would you agree with me that the TMO, as the
 9 responsible person, is required to put in place
 10 an arrangement to manage the risk of fire?
 11 A. Yes.
 12 Q. And that arrangement should set out in writing how the
 13 TMO would plan, organise, control, monitor and review
 14 preventive and protective fire safety measures?
 15 A. Yes.
 16 Q. Who in the TMO was responsible for making those
 17 arrangements?
 18 A. Erm ... Well, I suppose that was within my health and
 19 safety team, and that would have been Janice who would
 20 put together the documentation, but some of the activity
 21 there would not necessarily be in her area.
 22 Q. So who would be primarily responsible for ensuring that
 23 those arrangements were in place?
 24 A. Erm ... because reading this as it's written, it looks
 25 like there are responsibilities that are not within the

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1 health and safety area, but to ensure that certain
 2 things are in place, that would be under health and
 3 safety and therefore Janice reporting in to myself.
 4 Q. For which you had executive responsibility?
 5 A. I did, yes.
 6 Q. Now, were the arrangements to discharge the Article 11
 7 duty set out in one or more documents?
 8 A. They were set out in the health and safety policy and
 9 also in the fire strategy document, as far as I remember
 10 the details of it.
 11 Q. Now, how did you satisfy yourself about the adequacy of
 12 the arrangements set out in those documents?
 13 A. Those documents were reviewed during my time, and we
 14 would have looked at the current legislation and
 15 regulation to ensure that they were up to date, but also
 16 we would look at the processes that we had in place.
 17 Q. Now, you've used the word "we" there. The health and
 18 safety policy and the fire safety strategy, they were
 19 reviewed by whom, first of all?
 20 A. Janice would have done the first review, but she would
 21 have sat down with me to discuss any proposed changes
 22 that we wanted to put in.
 23 Q. Did you propose your own changes or did you await
 24 Janice's proposals for changes?
 25 A. We would have done the document sort of in tandem, where

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1 she would have gone through and put proposed changes in,
 2 I would have put what I felt needed to go in. There was
 3 an area on responsibilities that needed to be clearly
 4 outlined and amended to strengthen, actually, the role
 5 that I took within health and safety.
 6 Q. And that was your idea?
 7 A. Yes, it was. Yes.
 8 Q. In what respects did you consider that your
 9 responsibilities needed to be set out more succinctly or
 10 clearly?
 11 A. Because I think it was a bit woolly in terms of my role
 12 in terms of health and safety. And I think you
 13 mentioned it when you said was my role just to chair the
 14 meeting. The way it was originally worded, it looked
 15 a bit like that, whereas in fact my role was to manage
 16 health and safety across the organisation, and it needed
 17 to put in that managerial responsibility.
 18 Q. Thank you.
 19 Now, can we look at some of the guidance that was
 20 available in relation to fire management systems.
 21 If I refer to PAS, do you know what I'm referring
 22 to? Publicly available specification 7.
 23 A. The only reason I know of that document is because I've
 24 seen the evidence come up. I had not seen that
 25 document.

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1 Q. And you'd never seen it before —
 2 A. I hadn't until it came up in the evidence.
 3 Q. Let us go through it because —
 4 A. Okay.
 5 Q. — notwithstanding the guidance, there are some broad
 6 issues of principle that I would like to discuss with
 7 you.
 8 If we could look at PAS 7 in its 2013 version, it's
 9 entitled "Fire risk management system — Specification".
 10 It can be found at {BSI00000071/20}.
 11 If we can look in particular at subparagraph
 12 6.2.2.1, which says:
 13 "The organization shall employ, or contract with,
 14 people who are competent on the basis of education,
 15 training, skills and experience for the tasks assigned
 16 to them."
 17 If we go further down that page to paragraph 6.3,
 18 under the heading "Awareness", it says this:
 19 "Persons doing work under the organization's control
 20 shall be aware of:
 21 "a) the fire safety policy;
 22 "b) their contribution to the effectiveness of the
 23 FRMS [fire risk management system], including the
 24 benefits of improved fire safety performance;
 25 "c) the implications of not conforming with the FRMS

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1 requirements;
 2 "d) any risks to them arising from or in connection
 3 with the work they are intended to do."
 4 Would you agree that the guidance requires
 5 competence for fire safety tasks assigned to relevant
 6 individuals?
 7 A. Yes.
 8 Q. And those within the organisation, including yourself,
 9 should be aware of the TMO's fire safety policy;
 10 would you agree?
 11 A. Yes.
 12 Q. And you should be aware of your role in relation to the
 13 fire risk management system and policy; would you agree?
 14 A. Yes.
 15 Q. And the implications of not conforming with the FRMS and
 16 the policy should be known to those assigned with fire
 17 safety responsibility?
 18 A. Yes.
 19 Q. And one of those consequences, of course, is injury or
 20 death?
 21 A. Yes.
 22 Q. Can we turn on to page 25 within this document
 23 {BSI00000071/25}, to section 8. It's entitled
 24 "Management review", and 8.3.1 — apologies for reading
 25 this, Ms Matthews, it's possibly easier.

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1 A. That's okay.
 2 Q. "Top management shall review the organization's FRMS, at
 3 planned intervals, to ensure its continuing suitability,
 4 adequacy and effectiveness.
 5 "NOTE 1 Reviews should include assessing
 6 opportunities for improvement and the need for changes
 7 to the management system, including the policy and
 8 objectives.
 9 "NOTE 2 ..."
 10 They refer to a pro forma.
 11 8.3.2:
 12 "The management review that include consideration
 13 of:
 14 "a) the status of actions from previous management
 15 reduces;
 16 "b) changes in external and internal issues that are
 17 relevant to the FRMS;
 18 "c) information on the fire safety performance,
 19 including trends in.
 20 "1) nonconformities and corrective actions;
 21 "2) monitoring and measurement results;
 22 "3) audit results;
 23 "4) interested party feedback;
 24 "5) evaluation of compliance with legal and other
 25 requirements;

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1 "(d) opportunities and recommendations for continual
 2 improvement."
 3 Then looking further to 8.3.3:
 4 "The outputs of the management review shall include
 5 decisions related to:
 6 "a) continual improvement opportunities;
 7 "b) improvement related to interested party
 8 requirements;
 9 "c) resource needs to enable improvement to the FRMS
 10 and its processes; and
 11 "d) any need for changes to the FRMS.
 12 "NOTE The need for changes to the FRMS may arise
 13 from, for example:
 14 "a) developments in legal and other requirements;
 15 "b) changing circumstances related to the
 16 organization's hazards and associated risks."
 17 Now, stopping there, according to that guidance, the
 18 TMO should have had a system which allowed for
 19 a management review, as opposed to external review or
 20 audit, of its fire risk management systems at planned
 21 intervals; would you agree that's a fair summary?
 22 A. It is, yes.
 23 Q. Do you agree that the TMO didn't have such a system in
 24 place?
 25 A. Erm ... I don't believe we had a formal system that had

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1 this management review, but the health and safety
 2 committee certainly did review some of that information.
 3 But, as it stands there, we didn't have a formal, you
 4 know: this is a management review of fire safety systems
 5 in place, no.
 6 Q. And so the height of it was informal consideration of
 7 some of the matters set out in 8.3.2?
 8 A. I think so, yes.
 9 Q. Can you identify for us, looking at 8.3.2, the subjects
 10 that were considered, albeit informally, by you and the
 11 executive team?
 12 Looking at (a), did you examine the status of
 13 actions from previous management reviews?
 14 A. Well —
 15 Q. If there weren't any, presumably —
 16 A. — you can't look at actions if — yes.
 17 Q. So that's a no.
 18 "b) changes in external and internal issues that are
 19 relevant to the FRMS"?
 20 A. I think we definitely looked at those when issues came
 21 up. When changes came up externally or we had any
 22 issues internally, I think we did look at those.
 23 Q. "c) information on the fire safety performance",
 24 including those five trends set out under (c)?
 25 A. I do believe we did look at some of those. We may not

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1 have looked at interested party feedback —
 2 Q. Stopping there, "interested party feedback", would you
 3 agree that included the views of residents?
 4 A. That was the point I was about to make.
 5 Q. And that's not something you considered?
 6 A. Not in these reviews, unless there was an issue raised
 7 specifically by a resident about a particular block or
 8 issue/concern that they had.
 9 Q. How did you evaluate compliance with legal and other
 10 requirements?
 11 A. I think the only way I can answer that is that I would
 12 rely on Janice as the technical person to confirm that
 13 we were in fact complying with legal and other
 14 requirements.
 15 Q. And, finally, looking at "opportunities and
 16 recommendations for continual improvement"?
 17 A. I think that was something that did come up sort of
 18 regularly through review of the fire risk assessments in
 19 particular, but I do think we looked at that, yes.
 20 Q. Can you help us as to why there was no formal policy for
 21 carrying out a management review as recommended under
 22 PAS 7?
 23 A. I'm sorry, I don't know why there wasn't a formal
 24 policy, and I agree there should have been.
 25 Q. Did anyone raise the need for such a formal management

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1 review during your time?
 2 A. No.
 3 Q. And presumably it didn't occur to you either?
 4 A. No. I mean, I was — as I say, I was doing parts of it,
 5 but didn't realise that this document existed and this
 6 is what was required.
 7 Q. Just thinking through about the informal processes that
 8 were in place, was there any sort of review, either by
 9 the executive team, by you or by Mr Black or all of
 10 those parties, of the information collected by the TMO
 11 in relation to its fire safety performance?
 12 A. Well, yes. I mean, we would review the fire risk
 13 assessment actions, which are part of fire safety
 14 performance, and, in particular, at the health and
 15 safety committee, we would look in quite a lot of —
 16 well, sort of detail into the statistics of that, and
 17 that information also went to the executive team.
 18 Q. Staying with 8.3.2, but looking at 8.3.2(c)(3), it
 19 refers there to "audit results".
 20 Was there any audit worthy of the name by the TMO of
 21 its own fire safety performance or fire safety
 22 management?
 23 A. We had a programme of internal audits, one of which was
 24 health and safety, covering all the health and safety
 25 responsibilities. And in that — the scope of that

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1 audit covered fire safety. I can't remember all the
 2 details of it, but I'm aware that it did cover fire
 3 safety, and it was about the management systems for
 4 health and safety.
 5 Q. Thank you.
 6 Were you aware of a number of external audits
 7 carried out of the fire safety function?
 8 A. In terms of the LFB doing their inspections and audits
 9 of buildings, yes, I was aware of that.
 10 Q. More broadly than that, Ms Matthews, were you aware of
 11 a fire risk assessment of the TMO's fire safety policy
 12 and procedures that had been carried out by Salvus
 13 in September 2009?
 14 A. I was aware of some of the history before I joined, but
 15 I wasn't — I didn't see the Salvus report until after
 16 all of this occurred.
 17 Q. So after the fire?
 18 A. Well after the fire.
 19 Q. So no one ever referred in discussions and Janice Wray
 20 never brought the Salvus audit to your attention?
 21 A. She might have referred to it and referred to the fact
 22 that there was a limited assurance internal audit on
 23 health and safety, and that a lot of work had gone on in
 24 the past, before I joined, to improve the systems, and
 25 my understanding was, in terms of the internal audit,

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1 that had now got a much better rating, which I can't
 2 remember.
 3 Q. Did you form the impression that Ms Wray's view of the
 4 Salvus audit was that it was fair criticism that had
 5 been made, or did you sense that she felt that the
 6 criticism was unfair in some way?
 7 A. No, I think she was aware that it was a fair criticism
 8 and a fair report on the health and safety systems at
 9 that time.
 10 Q. And were you aware of a safety management review carried
 11 out by Matt Hodgson in 2013?
 12 A. I was aware of it, but I didn't see the details of it.
 13 Q. And you never had cause to read it?
 14 A. No.
 15 Q. Was it ever referred to in discussions by Janice Wray or
 16 indeed anyone else who predated you?
 17 A. Erm ... anyone else that predated me?
 18 Q. Predated your time, that had been at the TMO before you
 19 joined?
 20 A. Well, I wouldn't ...
 21 Q. No, people who had been —
 22 A. Sorry.
 23 Q. — still employed at the TMO, like Janice Wray —
 24 A. Yes, sorry.
 25 Q. — who had been there before you joined.

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1 A. Yes. Janice would have referred to it, because I was
2 aware of the training programme that had occurred and
3 some of the other actions that that report had
4 identified, but my understanding there was, again,
5 a number of those were already in place and moving
6 forward.
7 Q. Presumably you would have been aware of the RBKC audit
8 into health and safety that was carried out in 2016 —
9 A. Yes.
10 Q. — ie during your tenure?
11 A. Yes.
12 Q. Is it fair to say that you didn't read audit reports
13 that predated your start at the TMO in June 2015?
14 A. I might well have read the health and safety one that
15 had limited assurance.
16 Q. Thank you.
17 A. Because I would have read it alongside the scope for the
18 audit in 2016.
19 Q. Now, are you aware of a set of regulations called the
20 Fire Safety (Employees' Capabilities) (England)
21 Regulations 2010?
22 A. I'm not sure that I am.
23 Q. Is that a no then?
24 A. It's a no.
25 Q. Now, regulation 2 provides this, and if we go to the

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1 document, so you've got it in front of you,
2 {HOM00025737}.
3 (Pause)
4 We don't necessarily have to have it on the screen.
5 It provides:
6 "Every employee must, in entrusting tasks to
7 employees, take into account their capabilities as
8 regards health and safety, so far as those capabilities
9 relate to fire."
10 Now, bearing in mind that you were unfamiliar with
11 the obligation, how did you take into account the fire
12 safety capabilities, first of all, of someone like
13 Janice Wray?
14 A. Well, I was aware of Janice's qualifications and the
15 experience that she'd already got in the role, and from
16 working with her, I was well aware that she was a very
17 competent person in relation to fire safety. And also
18 I was aware when I joined that Carl Stokes was in place
19 and she used him as a consultant, not just for the fire
20 risk assessment programme, but if there are any issues
21 relating to fire safety.
22 So, in terms of Janice Wray, that's how I had
23 assessed her capability and competence.
24 Q. Was there any central record held by the TMO of the fire
25 safety capabilities of relevant employees such as

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1 Janice Wray, or contractors such as Carl Stokes?
2 A. I'm not aware of a central register. I am sure that
3 within Janice's HR record it would be recorded, her
4 training and her qualification, the various
5 qualifications she'd got and the training that she'd
6 done. That would be recorded.
7 Q. Is it right to say that you had no cause to check
8 whether she had the relevant qualifications because
9 she'd impressed you by the means she carried out her
10 job?
11 A. I'm sure when I joined I would have looked at her HR
12 information, as I did with all my new team members, and
13 would have been aware of from that record of the
14 qualifications that she got.
15 Q. Thank you.
16 A. Or had.
17 Q. Thank you.
18 Now, I want to turn on to a second topic now, which
19 is competency criteria for fire risk managers.
20 If I could ask you to go to page 5 of the competency
21 criteria for fire risk managers, which can be found at
22 {FSF00000041/5}.
23 Section 3 is headed "Competency of fire risk
24 manager(s)", and there is advice for varying sizes of
25 organisations.

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1 If we look at the fourth paragraph, it starts with
2 the words "For large organisations", and it says this:
3 "For large organisations, and certainly those with
4 extensive estate portfolios fire risk management will be
5 a complex role and should be undertaken by a competent
6 dedicated fire risk manager."
7 Bearing that in mind, given that there were 650
8 blocks in the TMO's estate, did you at the time consider
9 that you had sufficient resources within the health and
10 safety team to manage fire risk without a dedicated fire
11 risk manager?
12 A. Probably at the time I would have done, only because
13 Janice wasn't at that time advising me that that was
14 a concern or an issue to her. But, subsequently,
15 I think, you know, it's fairly obvious it would be
16 advisable and obviously appropriate to have a dedicated
17 fire risk manager. I didn't know that at the time.
18 Q. During your time at the TMO, you never had cause to
19 consider the benefits of appointing a dedicated fire
20 risk manager?
21 A. No.
22 Q. Can I now turn to RBKC's role, and in relation to its
23 monitoring of health and safety in particular.
24 Can I ask you to look at Janice Wray's first
25 statement to the Inquiry, which can be found at

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1 {TMO00000890/37}.

2 If I could ask you to look at paragraph 164, it

3 says:

4 "It was always my understanding that the RBKC

5 retained a monitoring obligation under the [modular

6 management agreement], which was exercised by its

7 Corporate Health and Safety Advisor and its main Health

8 and Safety Coordinating Committee, which was succeeded

9 by the Bi-Borough Health and Safety Committee."

10 First of all, were you aware of RBKC's monitoring

11 obligation?

12 A. I was, yes.

13 Q. Did you ever have cause to consult the MMA?

14 A. About this specifically, no, but I had looked at the MMA

15 on something else.

16 Q. Thank you.

17 Did you ever meet RBKC's corporate health and safety

18 advisers, Gary Mann until 2015 and Somayya Yaqub from

19 January 2016?

20 A. No. Those names don't ring a bell.

21 Q. At all?

22 A. No.

23 Q. Did you meet anyone else from RBKC to discuss oversight

24 of performance by the TMO of its health and safety

25 obligations?

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1 A. Health and safety was discussed at the joint management

2 meeting with RBKC. I did not attend any corporate

3 health and safety meetings with RBKC.

4 Q. Were you ever pressed on particular questions relating

5 to health and safety by anyone at RBKC, whether it's

6 Laura Johnson or councillors?

7 A. We would have been asked questions by councillors that

8 may have come up from residents in their area, and in

9 fact there were a few while I was there. And

10 Laura Johnson would have asked us about health and

11 safety performance when we were reviewing the annual

12 report with her.

13 Q. You've used the formula "would have" —

14 A. Well, she did, sorry.

15 Q. That's what I meant to ask you.

16 A. Yes, apologies.

17 Q. Shall we take that as meaning she did?

18 A. Yes, yes.

19 Q. Now, Gary Mann, who was the corporate health and safety

20 adviser at RBKC until 2015, he said in his witness

21 statement — we don't need to go to it, but the

22 reference is {RBK00054414/8}, paragraph 36 — this:

23 "There was no formal process in place which required

24 the Corporate Health and Safety team to attend at the

25 TMO offices and check them for health and safety

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1 compliance, or call for their policies and procedures to

2 be checked for compliance."

3 Do you agree with that statement, that there was no

4 formal process in place?

5 A. I agree.

6 Q. Do you know why there was no formal process?

7 A. I don't, no, because I believe there should be.

8 Q. Did you have any reason at the time to call for a formal

9 process?

10 A. No.

11 Q. Now, Somayya Yaqub, Mr Mann's successor, has also

12 provided a statement to the Inquiry. She said at page 8

13 {RBK00054456/8}, paragraph 35 of that statement — we

14 don't need to go to it — this:

15 "Corporate Health and Safety did not routinely

16 monitor or audit the general safety arrangements for the

17 TMO. I understood that TMO was audited by RBKC's

18 auditing department, who were on occasion assisted by

19 Deloitte. I do not recall seeing any audit reports in

20 relation to the TMO or hearing of any significant issues

21 as a result of the audits."

22 Did Somayya Yaqub ever seek to exercise a monitoring

23 function in relation to the performance by the TMO of

24 its health and safety duties?

25 A. Not that I was aware of.

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1 Q. Did anyone, to the best of your knowledge, at RBKC

2 challenge the TMO over the exercise of its health and

3 safety duties?

4 A. Not that I'm aware of.

5 Q. And presumably, if someone had made that challenge to

6 Janice Wray, she would have reported it to you?

7 A. She would have done, yes.

8 Q. Can we now turn to consider the corporate risk map.

9 First of all, what is the point of a corporate risk

10 map?

11 A. What is the point? It's to bring up the — well, to

12 document and identify the key strategic risks for the

13 business and the responsibility for any mitigating

14 actions.

15 Q. And when you joined the TMO, did you read the TMO's

16 corporate risk map?

17 A. I did, yes.

18 Q. Can we look at an example of the risk map, and it's

19 dated 16 March 2017. That can be found at

20 {TMO00899699}, and if we can look at risk number 1.

21 Sorry, it may be one of those documents that the

22 greater you expand it, the less clear it becomes, but

23 take it from me, it says:

24 "Failure to comply with statute & regulations:

25 "procurement legislation.

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1 "data protection.
 2 "equality and diversity.
 3 "financial & internal controls.
 4 "safeguarding.
 5 "probity.
 6 "bribery & fraud."
 7 Presumably it can't come as any surprise to you that
 8 failure to comply with health and safety is regarded as
 9 a risk; do you agree?
 10 A. Yes.
 11 Q. Can we look at the column which is fourth along from the
 12 left —hand side headed "Risk Identified & Explanation".
 13 Apologies, that too is indecipherable. I'll read it out
 14 to you.
 15 A. Thank you.
 16 Q. "Poor organisational governance leads to failings in the
 17 areas of:
 18 "— substantial or sustained breach of statutory or
 19 regulatory obligations.
 20 "— failure to appoint the right contractors.
 21 "— limits ability to deliver programmes;
 22 "— risk of contractor challenge with financial
 23 penalties;
 24 "— risk of under recovery of leaseholder service
 25 charges.

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1 "— legal challenges can result from poor financial
 2 controls and poor safeguarding issues.
 3 "— reputational damage can arise from mismanagement
 4 of any of these issues."
 5 I think the first point is that poor organisational
 6 governance leads to substantial or sustained breach of
 7 statutory or regulatory obligations. Presumably you
 8 would accept that as a risk?
 9 A. Yes.
 10 Q. And the reverse could equally be true, that breach of
 11 statutory or regulatory obligations may arise through
 12 poor organisational governance as well?
 13 A. Yes.
 14 Q. The second point, failure to appoint the right
 15 contractors, you were aware of the need to control that
 16 particular risk, were you?
 17 A. Yes.
 18 Q. How did the TMO ensure that, in relation to fire safety,
 19 it had appointed competent contractors?
 20 A. In terms of appointing contractors for fire safety,
 21 again, that would be in the responsibility of the
 22 contracts management team, and Peter Maddison would have
 23 been overall responsible to ensure that we had the right
 24 contractors with the right qualifications.
 25 The other thing that we did towards — and I can't

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1 remember when he joined, but we had an interim
 2 procurement manager who helped to ensure that the
 3 procurement process ensured that we knew what level of
 4 qualification contractors had, what their experience was
 5 and what their expertise was.
 6 Q. Can we look at risk number 5, which says:
 7 "Failure of health and safety in relation to the
 8 services that we deliver to residents, staff in the work
 9 environment and contractors in the delivery of works."
 10 That appears to include fire safety; would you
 11 agree?
 12 A. Yes.
 13 Q. If we read along to the left, under the column "Risk
 14 Identified & Explanation", it says this:
 15 "Serious injury or death of a resident, staff
 16 member, contractor, customer or member of the public.
 17 Potential prosecution by Health & Safety Executive
 18 (including terrorist activity)."
 19 Would you accept that's a clear recognition of the
 20 importance of the risk, not least the prospect of
 21 a health and safety prosecution?
 22 A. Yes.
 23 Q. But equally, and perhaps more importantly, the risk of
 24 serious injury or death?
 25 A. Yes.

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1 Q. To put it bluntly, the consequences of a failure to
 2 manage health and safety duties may result in serious
 3 injury or death?
 4 A. Yes.
 5 Q. Can we look at the column headed "Existing control
 6 measures (mitigation or elimination)", slightly further
 7 along. It says this:
 8 "Health & Safety committee meetings every 2 months
 9 involving ET & SMT members [executive team and senior
 10 management team members] ..."
 11 A. Yes.
 12 Q. "... where Fire Risk Assessments (FRAs) and associated
 13 actions, water quality and asbestos reviews are
 14 monitored. Resulting actions are monitored and audited.
 15 Internal audit also monitor and report. Emergency
 16 planning tested in real event and has been reviewed as
 17 a consequence."
 18 So monitoring of FRAs and associated actions is
 19 considered to be the existing control measure for fire
 20 safety; would you agree?
 21 A. It is, yes.
 22 Q. And the resulting actions are to be monitored,
 23 presumably, by the executive team and the senior
 24 management team?
 25 A. Yes.

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1 Q. Who was to carry out the auditing?
 2 A. Are you talking about the internal — oh, resulting
 3 actions —
 4 Q. Well, let's deal with —
 5 A. Sorry, "Resulting actions are monitored and audited",
 6 that's what you're referring to?
 7 Q. I am.
 8 A. I think the understanding was that that was
 9 a self-audit, that we would, if you like, review the
 10 process and the resulting actions and our performance,
 11 our own performance in that, through the health and
 12 safety committee.
 13 Q. So there would be no external review, for example, by
 14 RBKC?
 15 A. The only external review would have been through the
 16 internal audit process.
 17 Q. Can you remember, was there any specific internal or,
 18 indeed, external audit of the monitoring of FRAs, or
 19 indeed the entire FRA process?
 20 A. Not specifically. As I said, it was part of the overall
 21 health and safety internal audit.
 22 Q. Now, under the "Residual Risk" column, it says this:
 23 "Actions arising out of assessments and inspections
 24 not done in a timely manner."
 25 Would you agree that clearly set out actions needed

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1 to be done in a timely manner?
 2 A. Absolutely.
 3 Q. The person who is fixed with the responsibility for this
 4 risk is "DFS", that's the director of financial
 5 services?
 6 A. Yes.
 7 Q. That's you?
 8 A. Yes.
 9 Q. And you're aware that a failure to manage this risk
 10 could lead to serious injury or death?
 11 A. Absolutely.
 12 Q. Did you ever set out a specific departmental risk map,
 13 ie for your department, including health and safety,
 14 which included health and safety risks?
 15 A. I can't — I thought we had, but I actually can't
 16 remember whether we did. We may have started that risk
 17 map, but I can't remember. I thought we had.
 18 Q. You certainly have no memory of a finalised, adopted and
 19 applied risk map for your department; is that a fair
 20 summary of —
 21 A. That is a fair summary.
 22 Q. Were you or any of your managers trained in risk
 23 management and how to manage the risks identified in the
 24 risk map?
 25 A. I'm not sure whether we'd had any specific training,

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1 but — and I can't say whether my managers had had that
 2 training before I joined, but I did make it clear to
 3 them the importance of the risks that they were
 4 responsible for — that they — yes, that they were
 5 responsible for.
 6 Q. Were you trained, is the bit of the question you haven't
 7 answered?
 8 A. Oh, sorry. I have had training in risk management prior
 9 to joining the TMO and have had responsibility for
 10 corporate risk maps and risk management.
 11 Q. Now, can I turn to the separate topic of the TMO's
 12 health and safety policy, which you referred to in
 13 earlier answers.
 14 A. Yes.
 15 Q. Can we look at your second statement, which can be found
 16 at {TMO00873380}, and paragraph 4.
 17 Now, there you say:
 18 "The TMO's main policies in relation to fire safety
 19 were the Health and Safety Policy ... and the TMO Fire
 20 Safety Strategy ... The Fire Safety Strategy was being
 21 reviewed and updated during the time I was at the TMO,
 22 with a final draft being presented to the Health and
 23 Safety Committee on the day before the fire on
 24 14 June 2017 ..."
 25 Now, can we look at the health and safety policy

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1 first, which can be found at {TMO10024402}.
 2 First of all, you see the date of it is February
 3 2016?
 4 A. Yes.
 5 Q. Were you involved in the preparation of that policy as
 6 it postdated your joining the TMO?
 7 A. The policy existed. We reviewed it in February —
 8 a final review, February 2016.
 9 Q. And did you participate in that review?
 10 A. I did.
 11 Q. And what was your contribution to this policy?
 12 A. The main thing was about responsibilities and roles.
 13 Q. And clarifying and making more —
 14 A. Yes.
 15 Q. — concrete your own responsibilities?
 16 A. Yes.
 17 Q. To the best of your recollection, that was the
 18 significant change that you made?
 19 A. That was the significant change I made, yes.
 20 Q. Now, if I can ask you to look at paragraph 1.2, it says
 21 this:
 22 "The legal, operational, and financial
 23 responsibility for the management of health and safety
 24 rests with the Chief Executive of the TMO, and each
 25 Director and manager is responsible for the

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1 implementation, execution, control, and monitoring of
 2 this policy as relevant to their area of the business."
 3 So, in effect, Mr Black was ultimately responsible
 4 for health and safety; is that fair?
 5 A. Yes.
 6 Q. And you, as director in charge of health and safety,
 7 were responsible for the implementation, execution,
 8 control and monitoring of the health and safety policy?
 9 A. I was, yes.
 10 Q. If we can go on to paragraph 1.4, it says:
 11 "We will ensure that all persons are competent to
 12 carry out the duties asked of them, and we will provide
 13 adequate information, instruction, training and
 14 necessary supervision. We will employ a health and
 15 safety professional, who will be responsible for
 16 providing advice on all health, safety and welfare
 17 matters."
 18 Now, that means, it would appear, that you were
 19 responsible for ensuring that all persons were competent
 20 to discharge their health and safety obligations; is
 21 that right?
 22 A. As it's written there, yes, that's what it says, yes.
 23 Q. So you were?
 24 A. Yes.
 25 Q. To discharge that function effectively, you too would

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1 have to be competent to discharge your health and safety
 2 duties; would you agree with that?
 3 A. I would.
 4 Q. And you were to ensure that adequate information,
 5 instruction, training and necessary supervision would be
 6 provided to all employees; is that again correct?
 7 A. Yes.
 8 Q. Would that include ensuring that you yourself were
 9 adequately trained?
 10 A. It would, yes.
 11 Q. Was there any policy document which set out the
 12 competence standards required or the training
 13 requirements required for those who had key roles in the
 14 TMO's management of health and safety?
 15 A. I don't think there was a document.
 16 Q. Do you know why not?
 17 A. I don't. I think there should have --
 18 Q. Did anyone raise that particular issue when this policy
 19 was reviewed?
 20 A. I don't think so, no.
 21 MR KINNIER: Can we look --
 22 SIR MARTIN MOORE-BICK: Sorry, did you say a moment ago that
 23 you think there should have been such a document?
 24 A. I do, yes. I think it needed that to support this
 25 statement.

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1 SIR MARTIN MOORE-BICK: Thank you.
 2 MR KINNIER: Can we turn to paragraph 3.3 on page 4
 3 {TMO10024402/4}, please?
 4 Again, apologies for reading this out, Ms Matthews:
 5 "As the managing agents for Kensington & Chelsea's
 6 housing stock the TMO shares responsibility with RBKC
 7 for the provision and maintenance of a safe and healthy
 8 environment for the residents. It is therefore
 9 important that we continue to work closely with RBKC in
 10 the area of health & safety. To facilitate this, the
 11 Health and Safety Team will continue to represent the
 12 TMO on the Bi-Borough Corporate Health & Safety
 13 Committee which is responsible for the co-ordination and
 14 promotion of Health & Safety measures across RBKC and
 15 Hammersmith & Fulham and for monitoring compliance."
 16 First, were you aware that the TMO shared
 17 responsibility with the RBKC for the provision and
 18 maintenance of a safe environment for residents?
 19 A. Yes.
 20 Q. How did shared responsibility work in practice?
 21 A. Well, RBKC obviously owned the stock, as I mentioned
 22 before, and the TMO was the managing agent. Any works
 23 done to the properties were -- the money for that was
 24 provided by RBKC. So their role was to provide
 25 sufficient funds to enable the works required to be

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1 completed.
 2 Q. At any time during your tenure, did you have
 3 reservations that the funds provided were sufficient to
 4 discharge health and safety obligations?
 5 A. I think our budget was restricted in terms of the work
 6 that was required on some of the buildings, and
 7 therefore it -- on an annual basis this is -- and
 8 therefore some of the works perhaps were not done as
 9 quick as they should do because the funds weren't there.
 10 Q. When you say "restricted", is that a different way of
 11 saying there was a budget?
 12 A. There was a budget, yes.
 13 Q. Mindful that there will be a budget, did you have any
 14 concerns that the budget had been drawn too tightly,
 15 which was endangering the proper performance of health
 16 and safety obligations by the TMO?
 17 A. I wasn't sure that it was too tight in relation to
 18 health and safety, because if there were specific
 19 requirements which we couldn't manage within our
 20 existing annual budget, we would refer back to RBKC for
 21 additional funds. For instance, the discussion about
 22 replacement doors, replacement door and self-closer
 23 programme, when we started to talk about that after the
 24 Adair fire.
 25 Q. Put bluntly, was there any time when you asked for more

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1 money for health and safety matters and the council said
 2 no?
 3 A. I don't think so, no.
 4 Q. Presumably that would spring to mind, if they had said
 5 no and you'd asked for it?
 6 A. Yes. I mean, the only time they've said no is not to do
 7 a programme in three years but to do it in five. So you
 8 could argue that's a no, but that was a "No, not now"
 9 sort of thing.
 10 Q. Understood.
 11 So was RBKC's contribution made only via the
 12 bi-borough corporate health and safety team, if it had
 13 anything to contribute on the substance of health and
 14 safety matters?
 15 A. I believe it came up at the — any health and safety
 16 matters and RBKC's role would have come up when we
 17 discussed it at the joint management meeting. And
 18 I believe that the asset management meeting we also had
 19 with RBKC, we would have raised about health and safety
 20 matters on properties then.
 21 Q. Thank you.
 22 Did you ever attend the bi-borough corporate health
 23 and safety —
 24 A. I didn't attend that one, no.
 25 Q. Did you yourself have any liaison with health and safety

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1 personnel at RBKC on health and safety matters?
 2 A. I don't think so, no.
 3 Q. Did Gary Mann or Somayya Yaqub ever attend TMO health
 4 and safety committee meetings that you're aware of?
 5 A. No, not in my time.
 6 Q. And you don't remember either or both of them
 7 intervening on any health and safety matters?
 8 A. I don't remember that, no.
 9 Q. Would it have stuck in your memory if they had done?
 10 A. I think it probably would.
 11 Q. Can we go next to 6.1, which is "Contractor Management"
 12 {TMO10024402/5}.
 13 I think you've possibly answered my question here,
 14 but just for the sake of completeness, 6.1 sets out the
 15 vetting of contractors for competence and adequate
 16 resources.
 17 A. Yes.
 18 Q. In essence, your answer to the question who within the
 19 TMO vetted contractors for competence, that would be the
 20 contract management team?
 21 A. Contract management team, and through the procurement
 22 process that I mentioned and the procurement manager
 23 that — our interim procurement manager.
 24 Q. Looking at that question slightly differently, how would
 25 the TMO satisfy itself as to the competence of

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1 contractors in relation to health and safety matters?
 2 Is that something that would be purely within the
 3 jurisdiction of contract management or would it be
 4 within Janice's remit?
 5 A. No, if it was a health and safety contractor, then
 6 Janice would be involved and would be — she would
 7 review the tender documentation as well to ensure that
 8 these — the organisation was competent to do whatever
 9 it was we wanted to do. I mean, I was thinking here
 10 specifically in relation to firestopping. But if it was
 11 a contractor to do a repairs — I can't think of
 12 a particular contract, but one that wasn't specifically
 13 health and safety, then that would be dealt with by the
 14 contracts manager, and their role was to ensure that
 15 they understood the organisation's health and safety
 16 policy.
 17 Q. Thank you.
 18 Can I take you next to paragraph 10, which is at
 19 page 6 {TMO10024402/6}, and it's to do with "Fire Safety
 20 and Emergency Procedures". We see there at 10.1:
 21 "Fire Risk Assessments are undertaken in workplaces
 22 and within the communal areas of residential blocks as
 23 required ... and systems are in place to protect staff,
 24 contractors and residents etc from the risk of fire.
 25 Managers are responsible for ensuring that workplace

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1 housekeeping is in good order, and that smoking is not
 2 permitted in any TMO workplace. Where necessary
 3 automatic fire detection, portable fire fighting
 4 appliances, dry rising fire fighting mains, emergency
 5 lighting and other fire safety measures are installed
 6 and maintained in the workplace and other locations.
 7 Designated staff members are appointed and regularly
 8 trained to act as Fire Marshals and will take control in
 9 the event of any of our workplaces requiring
 10 evacuation."
 11 Would you agree that, particularly bearing in mind
 12 the last sentence there, the weight of this particular
 13 provision is on workplace fire and safety and the
 14 relevant procedures?
 15 A. That is, yes.
 16 Q. There doesn't appear, certainly to my reading, to be
 17 much consideration of the particular issues affecting
 18 TMO residents and fire safety; is that a fair
 19 observation, in your view?
 20 A. In that part of it, yes.
 21 Q. The part of it under the heading "Fire Safety and
 22 Emergency Procedures"?
 23 A. Yes. This is the health and safety policy for the
 24 organisation, so that's why this is looking at
 25 workplaces.

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1 Q. You didn't think that the organisation included
2 buildings managed by the TMO?
3 A. I don't think that's what this document was intended to
4 cover, and that the fire strategy covers the properties
5 and the residents.
6 Q. Just following on from that answer, can we go back to
7 paragraph 3.3 at page 4 {TMO10024402/4}:
8 "As the managing agents for Kensington & Chelsea's
9 housing stock the TMO shares responsibility with RBKC
10 for the provision and maintenance of a safe and healthy
11 environment for the residents."
12 A. Mm.
13 Q. Bearing in mind that, would you want to reconsider the
14 answer you've just given in relation to paragraph 10.1?
15 Can we go back to 10.1 at page 6 {TMO10024402/6}.
16 It seems, put bluntly, the scope of this policy is
17 deliberately aimed to embrace not only employees, but
18 also residents of the TMO.
19 A. That's how it appears from that earlier paragraph, but
20 this — you're correct in saying that this is clearly
21 aimed at workplaces rather than buildings and residents.
22 MR KINNIER: Well, let's follow that through and look at —
23 SIR MARTIN MOORE—BICK: Well, it's a bit of both, isn't it?
24 Because if you look at the opening to paragraph 10.1, it
25 refers to the communal areas of residential blocks and

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1 protection of residents, amongst others. So it starts
2 by being quite broad, and then it tends to go on to
3 direct itself more to employees rather than residents.
4 A. Yes. You're right, it does. It starts with covering
5 residents, but then looks at workplaces.
6 I can't answer that. When you — when I read it
7 initially, it seemed okay, because I read it alongside
8 the fire strategy. But you're right, yes.
9 MR KINNIER: So might it have been an assumption you made
10 that the health and safety policy applied, at least
11 predominantly, to staff rather than residents?
12 A. That's how it appears.
13 Q. Now, if that is so, can we look at 10.3, which says:
14 "Employees with disabilities have their own
15 individual personal emergency evacuation plan which is
16 regularly reviewed and where necessary their colleagues
17 are trained in the safe use of the evacuation chair."
18 Were you aware of the concept, the notion, of
19 a personal emergency evacuation plan when this policy
20 was reviewed and signed off?
21 A. Yes, I was.
22 Q. Now, 10.3 makes clear that PEEPs are required for
23 employees with disabilities; would you agree?
24 A. Yes.
25 Q. And that those policies would be reviewed regularly.

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1 A. Yes.
2 Q. The policy makes no mention of the need for PEEPs for
3 residents; would you agree with that?
4 A. Yes.
5 Q. Or of disabled residents.
6 A. Yes.
7 Q. Can you help us understand why such residents were
8 omitted from the policy?
9 A. Again, I think this appears that it's related to staff
10 in the workplace, and that we haven't, quite rightly, as
11 you say, looking at it now, mentioned residents.
12 However, in relation to personal emergency evacuation
13 plans for residents, the policy in our buildings was
14 a stay—put and defend—in—place policy, and therefore we
15 had not addressed personal emergency evacuation plans.
16 Q. Was that reasoning expressly considered as part of the
17 review process that culminated in this health and safety
18 policy?
19 A. For residents or —
20 Q. Yes. Is that an after—the—event rationalisation for its
21 omission?
22 A. No, I don't know why it appears that this is for —
23 aimed at staff rather than residents.
24 SIR MARTIN MOORE—BICK: Can I just ask you, you say that you
25 had a stay—put strategy.

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1 A. Yes.
2 SIR MARTIN MOORE—BICK: But did anyone think about the fact
3 that an individual person, a disabled person, might need
4 to evacuate from his or her flat or the floor on which
5 his or her flat was located, even if everybody else in
6 the building was able to stay put in their flats?
7 A. In terms of the residents in the buildings, we were
8 aware of some residents' vulnerabilities only if either
9 they'd advised us or the neighbourhood management team
10 had managed to acquire that information through various
11 sources.
12 SIR MARTIN MOORE—BICK: I understand that, but my point is
13 a slightly different one.
14 You were seeking to explain the absence of any
15 reference to PEEPs for residents —
16 A. Yeah.
17 SIR MARTIN MOORE—BICK: — by reference to the existence of
18 a stay—put policy. But I was just wondering whether it
19 had occurred to anyone that even in the context of the
20 stay—put policy generally, some resident or residents
21 might need to evacuate if the fire, for example, was in
22 their flat or had escaped from a neighbour's flat into
23 the lobby and was threatening their flat, and might have
24 difficulty in doing so?
25 A. I don't think we had considered that aspect as we

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1 probably should have done.
 2 SIR MARTIN MOORE—BICK: All right, thank you.
 3 MR KINNIER: Sir, that might be an appropriate point,
 4 subject to your approval, for the afternoon break.
 5 SIR MARTIN MOORE—BICK: Yes, all right.
 6 Well, we have a break during the afternoon,
 7 Ms Matthews, and I think that's a good time to take the
 8 break today.
 9 THE WITNESS: Thank you.
 10 SIR MARTIN MOORE—BICK: We'll resume at 3.35, please.
 11 I must ask you, on this and other occasions when you
 12 leave the room during your evidence, not to talk about
 13 your evidence to anyone once you're out of the room.
 14 THE WITNESS: Okay.
 15 SIR MARTIN MOORE—BICK: All right? Thank you very much.
 16 Would you like to go with the usher, please.
 17 THE WITNESS: Thank you.
 18 SIR MARTIN MOORE—BICK: Thank you very much, Mr Kinnier,
 19 3.35.
 20 (3.16 pm)
 21 (A short break)
 22 (3.35 pm)
 23 SIR MARTIN MOORE—BICK: All right? Ready to carry on?
 24 THE WITNESS: I am, thank you.
 25 SIR MARTIN MOORE—BICK: Take a moment to pour some water.

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1 THE WITNESS: Yes, I'll just pour some water. Thank you.
 2 SIR MARTIN MOORE—BICK: Yes, thank you.
 3 When you're ready, Mr Kinnier.
 4 MR KINNIER: Thank you, sir.
 5 Ms Matthews, can we now turn to the TMO's fire
 6 safety strategies.
 7 Before we go through those strategies, is it correct
 8 to say that the TMO had one and one alone fire safety
 9 strategy to cover its entire stock?
 10 A. Yes.
 11 Q. Can we look at the fire safety strategy you exhibited to
 12 your statement. That can be found at {TMO00830598/15}.
 13 We see the date at the bottom was November 2013.
 14 Was that the version that was current when you joined
 15 the TMO?
 16 A. Yes.
 17 Q. When did you first read it?
 18 A. Probably when I first joined. I can't actually remember
 19 when I did, but it would have been early on when
 20 I joined the organisation.
 21 Q. Can we go back and look at section 1.4 {TMO00830598/1},
 22 which says:
 23 "This strategy document enables us to outline the
 24 measures we have put in place not just to comply with
 25 fire safety legislation [and best practice] but, more

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1 importantly, to minimise the risk of fire throughout the
 2 housing stock. Specifically we are committed to
 3 reducing the risk of an outbreak of fire and also the
 4 risk of a fire spreading within a building but also
 5 spreading from one building to another."
 6 The intention was for this document to be the
 7 overarching strategy which outlined the TMO's approach
 8 to fire safety; is that a fair summary?
 9 A. Yes.
 10 Q. And it was written by Janice Wray?
 11 A. I believe so. It was before my time, so I'm assuming it
 12 was.
 13 Q. Was it a document to which you made regular reference or
 14 not at all?
 15 A. Oh, no, I did look at it quite regularly.
 16 Q. Can we look at section 5 on page 2 {TMO00830598/2}, and
 17 if we can just look at some of the bullet points under
 18 section 5.1 at the bottom of that page, we see:
 19 "Programme of regular estate inspection, risk
 20 assessments and monitoring by Neighbourhood Staff and
 21 Health & Safety staff. Specifically, inspections ensure
 22 that combustible items and storage are not present in
 23 the communal areas, fire doors are operating
 24 effectively, emergency lighting is maintained, final
 25 exit doors are operational, signage has not been removed

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1 or defaced, wet/dry riser cabinets have not been
 2 tampered with, any communal areas repairs have been
 3 completed to a satisfactory standard etc. All
 4 defects/repairs are reported immediately by mobile
 5 telephone to the Customer Services Centre who instigate
 6 the repair. Repairs to fire doors, self-closers etc.
 7 are given priority."
 8 So a programme of regular estate inspection, risk
 9 assessments and monitoring by neighbourhood and health
 10 and safety staff. What risk assessments are being
 11 referred to here, so far as you understand it?
 12 A. The inspections or the risk assessment? Which bit
 13 are you referring to? Because this is about a series of
 14 inspection — an inspection regime.
 15 Q. This is the question I'm asking you, Ms Matthews.
 16 You're the one who referred to it regularly.
 17 A. Sorry, can I go back to the start of that bullet point,
 18 please?
 19 Q. Of course.
 20 A. Yes. Oh, sorry. Regular estate inspections, risk
 21 assessments and monitoring. The regular estate
 22 inspections were done mainly by the neighbourhood staff.
 23 The health and safety staff would do the risk assessment
 24 and the monitoring of the actions.
 25 Q. Understood.

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1 We see the question of repairs highlighted here.
 2 A. Yes.
 3 Q. The repairs to fire doors, self-closers, et cetera, and
 4 they are given priority.
 5 Can you help with whether that referred to communal
 6 doors or all doors across the TMO stock?
 7 A. I believe it was for all doors across the stock.
 8 Q. And, to the extent to which you were aware, were those
 9 repairs in fact given priority?
 10 A. As far as I was aware, they were.
 11 Q. Now, if we can turn over the page to page 3
 12 {TMO00830598/3} and look at the third bullet point,
 13 which states:
 14 "Regular Fire Risk Assessments (FRAs) & reviews and
 15 a prioritised approach to progressing action plan
 16 items."
 17 What were the reviews referred to here? Can you
 18 help us?
 19 A. My understanding was that those were the reviews that we
 20 would do of the fire risk assessments and to apportion
 21 the work.
 22 Q. So they would be internal reviews of the FRAs carried
 23 out by Mr Stokes?
 24 A. Yes, yes, they would be.
 25 Q. There's no mention here of timescales for implementing

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1 action plan items or to emphasise their completion in
 2 a timely manner, to use the language of the corporate
 3 risk map; can you explain that omission?
 4 A. The timing of the actions or the requirement for the
 5 timing of the actions is identified in the FRA action
 6 plan, and the FRAs themselves give the timing that the
 7 action should be completed by. But you're correct in
 8 saying that there is nothing about completing those in
 9 a timely manner.
 10 Q. Was that timeliness ever something that was considered
 11 as a necessary addition to the strategy, for example
 12 looking at the issues that were thrown up by the FRA
 13 significant action problem?
 14 A. It obviously wasn't, because I think this is repeated in
 15 the same way — it wasn't updated to say that in the
 16 2016 one. And hindsight, you know, it looks like it
 17 should say something.
 18 Q. Thank you.
 19 Now, if we can look at the penultimate bullet point
 20 on page 3, which is entitled "Fire safety":
 21 "Fire safety — of residents, staff and contractors —
 22 will be considered at every stage of construction
 23 projects and will be reflected in Construction stage
 24 plans, risk assessments and method statements.
 25 Compliance with Building Regulations is paramount.

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1 Engagement with contractors to reinforce the need to
 2 ensure that all works are 'made good to a fire resisting
 3 standard' and that contractors adequately train their
 4 operatives in order to facilitate this. Post
 5 inspections will also scrutinise this aspect of works."
 6 Who was responsible for ensuring compliance with
 7 that aspect of the strategy, ie for ensuring that fire
 8 safety is reflected in construction stage plans, risk
 9 assessments and method statements?
 10 A. That would have fallen into the asset and regeneration
 11 team, where any construction or any refurbishment or
 12 major works to the properties would have been managed,
 13 and the contracts that would have been set up
 14 accordingly for those works.
 15 Q. Who was responsible for ensuring that the works were
 16 "made good to a fire resisting standard"?
 17 A. That would be the responsibility of asset management.
 18 Q. Would health and safety have any role in that?
 19 A. Health and safety would have a role in ensuring that
 20 they are doing that, that they are checking that the
 21 works are compliant and that works are made good to fire
 22 resisting standards.
 23 Q. So health and safety would be responsible for
 24 post-inspection checks on works being carried out to the
 25 requisite standard?

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1 A. Not the post-inspection works, because post-inspection
 2 you're not seeing what's going on. Health and safety
 3 would review things as the works are going on and liaise
 4 with the asset management team to ensure that's
 5 happening. Post-inspections referred to there are the
 6 post-inspections done by the — within the asset
 7 management team.
 8 Q. Thank you.
 9 If we can go to page 9 {TMO00830598/9} and the
 10 stay-put/defend-in-place strategy. Can we look at that,
 11 please, at the bottom.
 12 If we go to page 10 {TMO00830598/10}, you see 15.1:
 13 "The FRA confirms the appropriate evacuation
 14 strategy for the block. Overwhelmingly a 'stay
 15 put/defend in place' has been highlighted as the
 16 appropriate strategy for our blocks and the LFB have
 17 been made aware of this. Specifically, this means that
 18 only the residents in the flat where the fire breaks out
 19 are initially required to evacuate. This is because the
 20 compartmentation — both between the flats and also
 21 between the flats and the common parts of the block are
 22 considered to be sufficient to withstand fire for
 23 a significant period.
 24 "This is communicated to residents by a variety of
 25 means — Resident's Handbook, website, 'The Link'

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1 magazine etc.”
 2 So the evacuation strategy is premised on
 3 a block—by—block basis; is that a fair reading of that?
 4 A. Yes.
 5 Q. And the specific strategy will depend upon the FRA for
 6 each block; is that correct?
 7 A. Yes.
 8 Q. Was there any system whereby the TMO defined and
 9 implemented fire safety precautions on a block—by—block
 10 basis?
 11 A. Fire safety precautions? We would have looked at the
 12 difference in each block, because each block was built
 13 differently. So you'll have different design of maybe
 14 communal areas or use of lifts or staircases.
 15 Q. And looking at evacuation in particular here, there
 16 appears to be no distinction between the different types
 17 of residents in a block, ie between those who are
 18 able-bodied, for example, and those who may have
 19 mobility issues.
 20 A. No, that's correct.
 21 Q. Did you or anyone at the TMO consider whether the
 22 strategy should deal with a situation where the LFB
 23 changed its advice from stay put to full or partial
 24 evacuation?
 25 A. On a sort of permanent basis for a particular block

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1 you're talking about, or just generally?
 2 Q. In any respect before the Grenfell Tower fire on
 3 14 June —
 4 A. I don't think we looked at that at all.
 5 Q. Can we go back to paragraph 43 of your first witness
 6 statement, which is at {TMO10049987/9}.
 7 You deal here with the Adair Tower fire, which is at
 8 the end of October 2013, and the LFB made the decision
 9 to abandon the stay—put policy.
 10 Did you consider whether the TMO should inform
 11 residents what to do if, as happened at Adair Tower, the
 12 LFB changed its advice?
 13 A. No, we didn't, because the LFB made that decision. The
 14 policy in that building was a stay—put policy. During
 15 the fire itself, the LFB made the decision to evacuate
 16 the residents and they initiated the evacuation. TMO
 17 staff didn't.
 18 Q. No. Well, putting to one side who initiated the
 19 withdrawal of the policy, did the TMO consider at any
 20 stage following the Adair Tower fire what ought to be
 21 done if a fire broke out and a disabled resident could
 22 not evacuate their flat?
 23 A. No, I don't think so.
 24 Q. Can we look next at the policy governing flat entrance
 25 doors, and that can be found at item 17, if we go back

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1 to {TMO00830598/11}.
 2 We see at paragraph 17.1.1 it says this:
 3 "One area highlighted in many FRAs was the need to
 4 investigate whether flat entrance doors in enclosed
 5 blocks were sufficiently fire resisting (and
 6 self—closing). In every case where the assessor could
 7 not be confident that the flat entrance door met the
 8 required fire safety standard or where he was unable to
 9 ascertain that any glazed transoms etc. were adequately
 10 fire rated or resistant he highlighted these locations
 11 in the Action Plan."
 12 Now, the policy highlights flat entrance doors as
 13 an area for concern; is that a fair summary?
 14 A. That's correct.
 15 Q. Specifically, the need to investigate whether flat
 16 entrance doors were sufficiently fire resisting, first
 17 of all —
 18 A. Yes.
 19 Q. — and self—closing, secondly.
 20 A. Yes.
 21 Q. Can you assist with how the TMO was addressing both
 22 those needs when you joined in June 2015?
 23 A. My understanding was that there was — there had been
 24 a borough—wide programme to replace flat entrance doors
 25 with fire resistant self—closing doors in 2011, and that

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1 our policy was to check and inspect and, if necessary,
 2 repair or replace both door and/or self—closer when the
 3 flat was void or we were doing major works or the door
 4 was damaged, or in fact if the resident had raised
 5 a concern about the state of their door.
 6 Q. Can we now move on to paragraph 24 on page 14
 7 {TMO00830598/14}, which governs fire procedures.
 8 It says at 24.1 this:
 9 "Staff who are not fully able-bodied and who may
 10 need assistance to be alerted to the fire alarm and/or
 11 require assistance to evacuate from the office are
 12 required to have a Personal Emergency Evacuation Plan
 13 (PEEP). The H&S Team will meet with the individual and
 14 together they will complete a proforma clarifying their
 15 specific evacuation procedure (in some cases this
 16 involves the use of a lightweight 'evac' chair and
 17 training of staff in its use) and any additional
 18 assistance they will be provided etc. The PEEP will be
 19 reviewed on a regular basis and when the needs/ability
 20 of the individual change in any way."
 21 Now, as with the health and safety policy, there is
 22 no provision here for residents who are not fully
 23 able-bodied and who may need assistance to evacuate.
 24 Can you explain that omission?
 25 A. No. I don't know why we didn't include something about

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1 that.

2 Q. And, as a consequence, PEEPs were not generally used for

3 residents in general needs housing; is that right?

4 A. That's correct.

5 Q. Can we now look at the fire safety strategy that was in

6 draft form presented on 13 June 2017. That can be found

7 at {TMO00873378}.

8 If we look at paragraph 2.2 on the first page, after

9 the words "residential blocks" in the third line, the

10 following words have been added, namely:

11 " ... on a regular basis and that any significant

12 findings and action plan identified in the assessment

13 are progressed in a timely basis."

14 Going back to my earlier question about timeliness,

15 why were these words added?

16 A. These words were added because I was finding that things

17 were not being completed in a timely manner, and when

18 I arrived there were a number of outstanding actions

19 that had been outstanding for a very long time, up to

20 and over 12 months.

21 Q. What does "timely" mean here? Is it timely by reference

22 to the risk presented by the outstanding work or the

23 absence of any particular measure? How is it

24 calculated?

25 A. Each action would have a target requirement completion,

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1 and they needed to be completed within that timeframe.

2 Q. Now, if we can go to page 3 {TMO00873378/3} and

3 item 5.1, we see the first bullet point, under the words

4 "Action Plan items", the following has been added:

5 " ... and regular monitoring of progress with

6 completion [of] this by the Health & Safety committee."

7 Why was that added? Are you with me?

8 A. Yes, yes, I'm just reading it again to get my head

9 around it.

10 Q. I'm sorry.

11 A. One of the things that I wanted to make sure is that

12 there was somewhere where this was actually being

13 monitored, and we had so many outstanding actions that

14 I wasn't sure whether the health and safety committee

15 were actually monitoring the progress and ensuring the

16 completion, so that was added as a specific item.

17 Q. So that's the health and safety committee carrying out

18 a monitoring function, and ensuring that —

19 A. A monitoring of progress, yes, and completion.

20 Q. Can we go to the fourth bullet point from the bottom.

21 The last sentence has been added along these lines:

22 "Additionally, the TMO's fire consultant is

23 regularly consulted during major works and liaises with

24 contractors, consultants and undertakes inspection as

25 requested."

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1 Was that a statement of fact as opposed to policy,

2 ie that a fire consultant would always be consulted

3 during major works?

4 A. The intention was that the fire consultant would be

5 required to be consulted on major works for all of them.

6 Q. And was that inserted because a fire consultant had been

7 used on the refurbishment project at Grenfell?

8 A. It will have been partly that, but also partly the fact

9 that we felt that any of the construction works, any of

10 the major works that were happening, needed to have the

11 fire consultant consulted to ensure that he was — well,

12 that he could comment on any of the fire safety issues

13 in that building due to the changes we were making.

14 MR KINNIER: Now, looking at the next bullet point —

15 SIR MARTIN MOORE—BICK: Before we leave that bullet point,

16 the way that's expressed suggests that the TMO has

17 a standing fire consultant. Is that what was intended?

18 A. That's — yes, that's the fire consultant who was doing

19 the fire risk assessments. That's who that's referring

20 to. So it's not a TMO employee, it's the consultant

21 that we've employed.

22 SIR MARTIN MOORE—BICK: Who is that?

23 A. That was Carl Stokes at the time.

24 SIR MARTIN MOORE—BICK: That's just what I wanted to know,

25 thank you.

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1 A. Okay, sorry.

2 MR KINNIER: That pre—empted my next question, sir.

3 I just wanted to make sure you're not referring

4 there to Exova, it's Carl Stokes?

5 A. No, that particular reference would have been

6 Carl Stokes because it refers to the TMO's fire

7 consultant.

8 Q. Can you help us as to why that had been included in the

9 strategy specifically in relation to breaches in

10 compartmentation? Was there a specific reason why it

11 was phrased in that way?

12 A. Sorry, which — are we looking at the same —

13 Q. We're looking at the —

14 A. Sorry, the next one.

15 Q. Sorry, I confused you there:

16 "The services of a third party accredited specialist

17 fire contractor have been procured and this contractor

18 can be instructed to competently undertake work on any

19 breaches of compartmentation."

20 Now, why was that specifically included in the

21 strategy, and in particular the words relating to

22 breaches of compartmentation?

23 A. Because on inspection, in some of the buildings, we had

24 identified that there was work that was required to

25 improve the breaches of compartmentation, and in order

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1 to do that we needed a specialist who actually was
 2 accredited to do that piece of work.
 3 Q. Now, can we go next to paragraph 14.4.1, under "FRA
 4 Action Plans", page 10 {TMO00873378/10}.
 5 Now, some of the wording in 14.4.1 has been updated,
 6 but the final sentence has been newly added, and it
 7 says:
 8 "To assist with this a report is submitted with
 9 a breakdown of all actions by team and an age profile of
 10 all outstanding actions is also provided."
 11 Was that inserted because there had been an issue
 12 regarding the completion of FRA actions by the TMO?
 13 A. It was.
 14 Q. If we can go to paragraph 15 next, the "Stay put/Defend
 15 in Place Strategy", the wording of 15.1 does not appear
 16 to us, at least, to be substantially different, but
 17 there is a new subparagraph at 15.2 regarding fire
 18 action notices, and that subparagraph says this:
 19 "Information on fire procedures has been
 20 communicated to residents by a variety of means — letter
 21 to new residents, information in Resident's Handbook, on
 22 website, articles in 'The Link' magazine etc. However,
 23 this is now being supported by Fire Action Notices
 24 within the common parts of the block. A programme of
 25 fitting Fire Action Notices so that residents, visitors,

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1 and contractors are informed about the fire procedure is
 2 underway."
 3 Can you explain why that addition had been made to
 4 the strategy?
 5 A. Because it had been identified in the Adair fire risk
 6 assessment — I believe it was Adair — and we had
 7 a discussion about fire action notices and we agreed
 8 that it was appropriate to have them in every block, and
 9 also on each floor.
 10 Q. Did you examine the letter to new residents and verify
 11 for yourself the adequacy of the information provided to
 12 new residents?
 13 A. I did not.
 14 Q. Can we look at a statement provided to the Inquiry by
 15 Daniel Lewis, who was a team administrator, then
 16 a neighbourhood co-ordinator from late 2016, who joined
 17 the TMO in April 2015. We can find his statement at
 18 {TMO00899762/2}, and if we can go to paragraph 8.
 19 What he says there is this:
 20 "From review of the attached Welcome Pack documents,
 21 I cannot see that any fire safety advice was provided to
 22 new residents, although I note in the 'Useful Contact
 23 Numbers' word document that the TMO's website details
 24 were provided and I understand that the TMO's website
 25 contained fire safety advice. The 'Useful Contact

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1 Numbers' word document also provided new residents with
 2 the Fire Brigade's number."
 3 First of all, are you aware of the packs he's
 4 referring to here, the welcome packs?
 5 A. If that's — I'm not sure. I'm not sure what was in the
 6 welcome pack, but I was advised that there was a letter
 7 outlining the fire safety in relation to their
 8 particular — the new resident's particular building,
 9 and the strategy. So I'm not sure whether that was in
 10 the welcome pack or whether that was at the sign-up
 11 stage.
 12 Q. Can we look at what he says about the resident's
 13 handbook, and that's at paragraph 14 of his statement
 14 over two pages {TMO00899762/4}. He says this:
 15 "I have been asked by the Inquiry to confirm if
 16 a resident's handbook was provided to new residents at
 17 Grenfell Tower and, if so, to confirm if the resident's
 18 handbook formed part of the Welcome Pack. I joined the
 19 Lancaster West Office in 2016 and cannot recall that the
 20 resident's handbook was part of the Welcome Pack.
 21 I recall that when I joined the TMO I was told that the
 22 residents handbook had been a 'work in progress' for
 23 some time and was not finalised. I do not recall ...
 24 that it was ever finalised after I joined the TMO."
 25 Did you check what information on fire procedures or

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1 general fire safety information was contained in the
 2 most recent version of the residents' handbook?
 3 A. I'm not sure that I saw the latest version of the
 4 residents' handbook, so I can't answer that.
 5 Q. Well, you can say that if you never saw it, you didn't
 6 check it.
 7 A. Well, if I never saw it, I didn't check it.
 8 Q. Did you check whether the handbook had in fact been
 9 finalised and sent to residents?
 10 A. I didn't check that, no.
 11 Q. Can we look at what he says in relation to the fire
 12 safety letter, and that's at paragraph 19
 13 {TMO00899762/5}. He says this:
 14 "I have been asked to confirm if {TMO00865991},
 15 being the letter from Janice Wray with the subject line
 16 'Fire Safety in your home', was provided to new tenants
 17 at Grenfell Tower. I cannot recall this letter being
 18 included within the Welcome Packs and my team would not
 19 have been responsible for sending the letter to
 20 residents. I do not know who would have been
 21 responsible for this."
 22 Did you ever seek confirmation that the letter was
 23 in fact sent to new residents?
 24 A. The only thing that I would have checked was with Janice
 25 about whether — her identifying that there was a letter

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1 that was going to new residents, was actually going to
 2 new residents. I don't know how that happened because
 3 that was out of my particular area of responsibility.
 4 My understanding was they were given that at sign-up.
 5 I don't know whether the welcome pack is the same as the
 6 information that tenants were given at sign-up.
 7 Q. Can we return to the fire safety strategy itself.
 8 If we can go to {TMO00830598/11} and
 9 paragraph 17.1.1.
 10 Now, this is the previous strategy, one we looked at
 11 earlier, I think, and in the first sentence it read:
 12 "One area highlighted in many FRAs was the need to
 13 investigate whether flat entrance doors in enclosed
 14 blocks were sufficiently fire resisting (and
 15 self-closing)."
 16 If we can go to the updated draft strategy, which is
 17 at {TMO00842210/11}, and look at 17.1.1, it says:
 18 "Our Fire Risk Assessor is required to highlight any
 19 potentially non-compliant flat entrance doors for
 20 further assessment. In addition, access-permitting, he
 21 is required to assess a percentage of doors in each
 22 block to ensure that they are sufficiently fire-rated
 23 and self-closing."
 24 Now, in the original strategy, the need for the TMO
 25 to investigate flat entrance doors is highlighted. In

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1 the updated draft strategy, the onus is put on the fire
 2 risk assessor to assess a percentage of doors in each
 3 block. Would you agree?
 4 A. Yes.
 5 Q. I suppose the question that flows from that: was there
 6 a deliberate and informed change in strategy requiring
 7 the assessor to check the percentage, or was it always
 8 the case, as you'd understood it, that the assessor was
 9 to check a percentage of doors?
 10 A. I think the intention had been that the assessor — in
 11 the original documentation, that the assessor would do
 12 that. However, that wasn't clear. So what we're making
 13 sure here is that it is absolutely clear what we want
 14 our fire risk assessor to do.
 15 Q. The other question that flows from this: was there any
 16 percentage of doors in each block that it was proposed
 17 that the fire risk assessor should look at?
 18 A. I can't remember if we had a fixed percentage. I'm
 19 sorry, I can't remember that.
 20 Q. Do you remember any discussions in meetings as to the
 21 extent of the sample exercise carried out by the fire
 22 risk assessor?
 23 A. No, I can't remember.
 24 Q. Now, in the second paragraph, looking at this draft
 25 strategy, we have an excerpt of the Building

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1 Regulations, and below that it says this:
 2 "In discussion with RBKC it has been agreed that the
 3 TMO will embark on an inspection/installation programme
 4 to ensure that entrance doors to all tenanted flats are
 5 fitted with a self-closing device. This programme will
 6 be over a period of no more than 5-years, will commence
 7 in this financial year and will be risk-based with the
 8 potentially higher risk properties featuring at the
 9 start of the programme. To ensure that access can be
 10 obtained to all tenanted properties to complete this
 11 installation work an access procedure is being agreed
 12 with RBKC's Legal Services Team in advance of the work
 13 commencing. A copy of this access procedure will be
 14 available from the TMO H&S Team shortly."
 15 Again, this issue of checking self-closing doors
 16 arose as a result of the Adair Tower fire; is that
 17 correct?
 18 A. That's correct.
 19 Q. And the TMO needed to carry out the inspection and
 20 installation programme; is that right?
 21 A. That's correct.
 22 Q. And it was to be funded by RBKC over a five-year period?
 23 A. That's correct.
 24 Q. And the TMO were concerned about how to access
 25 properties to check whether the entrance doors did have

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1 self-closers; is that right?
 2 A. That's correct.
 3 Q. And hence the need to agree an access procedure with
 4 RBKC legal services?
 5 A. Correct.
 6 Q. Now, can I turn to a separate and distinct but linked
 7 issue, and that's key performance indicators.
 8 A. Okay.
 9 Q. Can we look, first of all, at a document from
 10 January 2016, and that can be found at {TMO10011825},
 11 which appears to set out the health and safety KPIs.
 12 If I might ask you just to scan that list of the
 13 KPIs as they stood in January 2016.
 14 A. Mm—hm.
 15 Q. We see gas servicing, water quality, lightning
 16 protection annual testing, lifts, electrical, electrical
 17 again with props with valid test certificates.
 18 Would you agree none of those concern fire safety?
 19 A. That's correct, that was the existing list.
 20 Q. If we can look at section 2, and see all of section 2 if
 21 that's possible, we see some additional proposed KPIs,
 22 and I can tell you which ones they are. It's 2.11,
 23 "Number of fires reported in month"; 2.12 "Number of LFB
 24 Deficiency Notices & Number of Broadly Compliant
 25 letters"; 2.13 "Enforcement Notices"; 2.14 "% completion

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1 of FRAs due for review in the month". Over the page
 2 {TMO10011825/2}, "FRA Actions completed".
 3 Were those proposed KPIs measured from the date of
 4 this document? Was that due to be the starting point,
 5 January 2016?
 6 A. That was the intention. If you noticed, they were up
 7 for discussion as to whether we would include all these
 8 items in the KPIs.
 9 Q. We'll come on to that.
 10 A. Okay.
 11 Q. So you can assist the panel in a bit more detail on
 12 that.
 13 But was the intention, if they were accepted, for
 14 these KPIs to start to apply from financial year
 15 2016/17?
 16 A. That was correct, yes.
 17 Q. Do you remember now how they were to be measured? Was
 18 there much detail of the mechanisms for that?
 19 A. That was the next discussion, about how and where we
 20 would find that, be able to get that information. Some
 21 of the information was relatively easy to get, some of
 22 it would be harder, and we needed to discuss how we were
 23 going to get that information.
 24 Q. Now, there was an audit in 2013, which you referred to
 25 earlier in your evidence, and a follow-up

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1 in December 2013.
 2 If we could look at the audit report first, which is
 3 at {RBK00000313/21}. And specifically what it says
 4 under "Recommendation" in relation to KPIs in
 5 paragraph 9.3.
 6 We see at 9.3:
 7 "Audit noted that only a limited number of health
 8 and safety performance indicators are reported and there
 9 is an absence of meaningful indicators for areas such as
 10 electrical inspections ..."
 11 Et cetera.
 12 "9.4. In the absence of a full range of performance
 13 indicators for health and safety specific areas, there
 14 is a risk that management cannot monitor performance
 15 levels for these areas and take appropriate corrective
 16 action where poor or inadequate performance levels are
 17 identified."
 18 If we look down further below that, you see in
 19 emboldened text "Recommendation" and then "Management
 20 response". The recommendation is set out there:
 21 "Appropriate performance indicators relating to
 22 health and safety inspections should be developed by
 23 management."
 24 Then the management response below that says:
 25 "However, it had been acknowledged that it would be

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1 beneficial for the TMO to supplement this with
 2 meaningful health and safety key performance
 3 indicators ..."
 4 It says there:
 5 "A range of such indicators have now been identified
 6 covering a range of areas including Health and Safety
 7 Inspections, Fire Risk Assessments/Reviews,
 8 Enforcement/Deficiency Notices Received, Number of
 9 Accidents, Fire, Violent Incidents, Percentage Asbestos
 10 Surveys Completed ..."
 11 Then going on:
 12 "... Percentage Compliance on Maintenance of Fire
 13 Equipment (wet & dry risers, fire extinguishers, fire
 14 alarms sprinklers etc.)"
 15 Now, looking at that, some of the performance
 16 indicators that the TMO management said were to be
 17 implemented in 2013 were being proposed as performance
 18 indicators in January 2016. Would you agree with that
 19 summary?
 20 A. I would, yes.
 21 Q. Recognising that you only joined in June 2015, are you
 22 able to help us as to why nothing had been done about
 23 applying those accepted KPIs between 2013 and
 24 January 2016?
 25 A. I don't know why it took so long to identify and start

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1 reporting on them.
 2 Q. Was the delay not a subject which was discussed when you
 3 came to consider these in January 2016?
 4 A. I can't actually remember.
 5 Q. Could we just look at a further discussion regarding
 6 these KPIs after 2016, and go to the health and safety
 7 committee minutes from 13 June 2016. If we go to
 8 {TMO10017541}.
 9 If the document manager wouldn't mind just scrolling
 10 through the minutes so Ms Matthews can familiarise
 11 herself with what was on the agenda.
 12 My central point to you, Ms Matthews, will be that
 13 there doesn't appear to be a specific KPI item on the
 14 agenda. I'd just like you to review that, just to see
 15 whether that's a correct point to put to you.
 16 A. No, there doesn't appear to be a specific ...
 17 Q. I'll just let you scan it through before giving a final
 18 answer.
 19 Please tell the document manager when you want it
 20 changed to the next page.
 21 A. You can go on to the next page.
 22 There's only that section that refers to
 23 performance.
 24 Q. But no reference there to KPIs?
 25 A. No. I don't know why that wasn't.

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1 Q. That's my question: do you know why there doesn't appear
2 to be any discussion of KPIs, looking at this? This is
3 a health and safety minute from the day before the fire
4 itself .
5 A. You're correct, although I note that in the previous
6 sections, where we've --- where there are sections on
7 violent incidents and accidents, for instance, there
8 will be the KPI information related to that in the
9 report that was associated. So I think the issue is we
10 didn't have a separate: here are all the KPIs and the
11 numbers and the reasons; we had individual reports on
12 particular performance. So I agree there wasn't the
13 overall picture.
14 Q. I suppose I can put my point more bluntly: it appears,
15 on the face of these minutes, at least, that the fire
16 safety KPIs were not monitored by the TMO following
17 their proposed implementation in January 2016; is that
18 a fair summary of the position?
19 A. I'm not sure that it is because of the point I'm
20 actually making.
21 So, again, going back through the report and the
22 KPIs, the fire KPIs related to the fire risk assessment
23 actions, and there was clearly a report on the
24 performance of those, because we picked that up under
25 fire risk assessment. There was a KPI on violent

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1 incidents and accidents and that's picked up, and the
2 information in that particular report will have the
3 numbers and what those cases were. In the other fire
4 area, which was about the number of enforcement notices
5 or the number of deficiency notices, those would get
6 picked up in their section.
7 So I think the issue is we didn't have a full
8 "Here's the KPI report" and then all the information
9 against the explanation about the performance. We
10 didn't produce it as a performance --- a KPI performance
11 document, but what we did was have separate reports on
12 different key areas, which is what these items on the
13 agenda are.
14 Q. I can put this point differently to you, but did you
15 have specific monitoring --- just looking at these
16 minutes as illustrative of the approach taken by the
17 TMO --- specific review of KPIs, for example, in respect
18 to fire risk assessments, enforcement/deficiency notices
19 received, fires?
20 A. That's exactly what I'm saying. Yes, we would in
21 individual items on the agenda. So if there were
22 deficiency notices, then there would be a section on
23 enforcement and deficiency notices and we would report
24 on those and the appropriate actions.
25 MR KINNIER: Thank you.

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1 Sir, I've come to the end that particular topic. We
2 are nearly at 4.20. The next topic is fire risk
3 assessment, which is substantial, and my preference
4 would be not to start it at 4.20 this afternoon, but to
5 start it tomorrow morning.
6 SIR MARTIN MOORE-BICK: How are you getting on with the
7 witness?
8 MR KINNIER: We are on track certainly to finish her
9 evidence at the close of business tomorrow.
10 SIR MARTIN MOORE-BICK: Within tomorrow?
11 MR KINNIER: Within tomorrow.
12 SIR MARTIN MOORE-BICK: Well, I don't suppose you would mind
13 having a slightly early afternoon, would you?
14 THE WITNESS: No, I don't mind.
15 SIR MARTIN MOORE-BICK: I think in that case, Ms Matthews,
16 we'll call a halt there, slightly on the early side, but
17 that's all right. We'll have to ask you to come back
18 tomorrow.
19 THE WITNESS: Yes.
20 SIR MARTIN MOORE-BICK: But, as you've heard from
21 Mr Kinnier, he is confident that you will finish your
22 evidence tomorrow.
23 THE WITNESS: Thank you.
24 SIR MARTIN MOORE-BICK: So we'll resume at 10 o'clock,
25 please.

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1 THE WITNESS: Yes.
2 SIR MARTIN MOORE-BICK: Again, please remember what I said
3 to you earlier, not to talk to anyone about your
4 evidence or anything relating to it overnight. All
5 right?
6 THE WITNESS: Yes.
7 SIR MARTIN MOORE-BICK: Thank you very much. We'll see you
8 at 10 o'clock tomorrow. If you would like to go with
9 the usher now. Thank you.
10 THE WITNESS: Thank you.
11 (Pause)
12 SIR MARTIN MOORE-BICK: Right, Mr Kinnier. 10 o'clock
13 tomorrow, then, please.
14 MR KINNIER: Thank you, sir.
15 (4.19 pm)
16 (The hearing adjourned until 10 am
17 on Tuesday, 22 June 2021)
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